

REPORT TO: Executive Board

DATE: 12 February 2015

REPORTING OFFICER: Strategic Director, Communities

PORTFOLIO: Health & Wellbeing

SUBJECT: Healthwatch Independent Complaints Advocacy

WARD(S) Borough-wide

1.0 PURPOSE OF THE REPORT

1.1 To seek approval for the joint commissioning of the Healthwatch Independent Complaints Advocacy service with Liverpool City Council, and to agree to the waiving of standing orders to facilitate this arrangement.

2.0 **RECOMMENDATION: That the Board approves the use of Procurement Standing Order 1.3.2c to allow for the joint commissioning of the Healthwatch Independent Complaints Advocacy service with Liverpool City Council, and confirm that the Standing Orders of Liverpool City Council will apply.**

3.0 SUPPORTING INFORMATION

3.1 The 9 Merseyside and Cheshire Local Authorities currently have a contract with the Carers Federation Ltd to provide statutory Healthwatch Advocacy service. The contract started on 1st April 2013 and is to run to end March 2015. To date this service has been well delivered.

3.2 Broadly the contract is to provide advocacy to help support people through the NHS complaints process. There are two levels of advocacy support being offered;

- Level 1; individuals contacting the service are explained the NHS complaints process and procedures, and are encouraged to undertake the early stages themselves through the provision of a self-help pack
- Level 2; where individuals require face to face support to attend meetings to resolve complaints.

3.3 The service is staffed with experienced advocates and given the cross boundary care pathways, both commissioners and local

Healthwatch organisations can gain a more complete understanding of issues in the larger hospital trusts which of themselves serve a larger population than just one local authority area. The sub regional model for the service is seen as best practice.

- 3.4 However, the current service model is not seen as delivering value for money. Discussions with the Carers Federation Ltd, have resulted in a revised model to deliver this service. In essence a call centre, based within the Merseyside & Cheshire area, which would manage both level 1 and level 2 advocacy. Each authority would make a financial contribution to the call centre for level 1 activity based on their relative population size. Level 2 advocacy would be paid for by each individual authority on an activity/hourly rate basis.
- 3.5 An alternative model would be to add this statutory responsibility to the local Healthwatch contract, or a local advocacy service. However, it is the view of the Merseyside & Cheshire group that local Healthwatch groups lack the necessary skills for this work and that it would also cause difficulties with local hospitals that would need to advise of multiple Independent Complaints Advocacy services. In addition this alternative model is not seen as 'best practice'.
- 3.6 Liverpool local authority is leading on the tender and procurement of this service. A service specification has been drafted and is being consulted on with the participating authorities. The anticipated date for tender presentations is the 4th February 2015.
- 3.7 The contract will run from 1st April 2015 to 31st March 2018 with an option to extend for a further 2 years.
- 3.8 The Operational Director (Legal & Democratic Services) has approved the proposed joint commissioning arrangements with Liverpool City Council as per Standing Orders 1.3.2a

4.0 **POLICY IMPLICATIONS**

- 4.1 The provision of independent advocacy is a legal requirement for the Secretary of State for Health under section 248(1) of the National Health Service Act 2006.
- 4.2 Responsibility for commissioning an NHS complaints advocacy service (formerly Independent Complaints Advocacy Service -ICAS) transferred from Department of Health (DH) to local authorities in April 2013.
- 4.3 Advocacy in the context of the service is about providing support to people in England who want to make a complaint about the NHS (including a complaint to the Parliamentary and Health Service Ombudsman). Support ranges from provision of self-help

information, through to the assignment of dedicated advocates to assist individuals with letter writing, form filling and attendance at meetings.

5.0 **OTHER/FINANCIAL IMPLICATIONS**

5.1 The current contract value was calculated on the population levels of each participating authority. In year 1 Halton's cost was £21,767, and in year 2 it was £20,200 giving a total of £41,967

5.2 Halton's financial contribution under the proposed model would be calculated as follows;

- Level 1; population level (5.06%) as a proportion of the overall call centre cost of £100k, giving a cost of £5,060
- Level 2; predicted number of hours of level 2 activity (64 hours) multiplied by cost per hour (£25), giving a cost of £1,600

5.3 Therefore the predicted total cost under the proposed model would be £6,660. This represents a potential saving over 2 years of £28,647. However, it may be prudent to allocate a budget that allows for possible growth in level 2 activity.

5.4 The cost of £25 per hour includes staff, training, travel and management costs and is the minimal rate for a sustainable service.

6.0 **IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

6.1 **Children & Young People in Halton**

As outlined under section 6.3

6.2 **Employment, Learning & Skills in Halton**

None identified.

6.3 **A Healthy Halton**

Healthwatch Independent Complaints Advocacy (HWICA) is a client-centred service that empowers anyone who wishes to resolve a complaint about healthcare commissioned and/or provided by the NHS in England. HWICA supports clients in the community or living within secure settings whose healthcare is commissioned and/or provided by the NHS. HWICA will also support clients with a grievance related to any aspect of healthcare that falls under the jurisdiction of the Health Service Ombudsman, such as complaints about poor treatment or service provided through the NHS in England.

6.4 **A Safer Halton**

None identified.

6.5 **Halton's Urban Renewal**

None identified.

7.0 **RISK ANALYSIS**

7.1 The current contract with the Carers Federation Ltd to provide this service is due to end on 31st March 2015.

8.0 **EQUALITY AND DIVERSITY ISSUES**

8.1 The Provider is contractually obliged to have in place appropriate policies, procedures, and systems in place to ensure its compliance with equalities and anti-discrimination law, including the Equality Act 2010.

9.0 **LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

None.