

**TO: CHILDREN, YOUNG PEOPLE AND LEARNING OVERVIEW & SCRUTINY PANEL  
15 JANUARY 2014**

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**LOCAL HEALTHWATCH ROLE AND PROTOCOL  
Assistant Chief Executive**

**1 PURPOSE OF REPORT**

- 1.1 This report advises the Panel of the establishment of Healthwatch Bracknell Forest, the local Healthwatch organisation, and of the protocol via which Overview and Scrutiny will work jointly with Healthwatch Bracknell Forest.

**2 RECOMMENDATION(S)**

- 2.1 **That the Children, Young People and Learning Overview and Scrutiny Panel notes the role of, and protocol with (Annexe 1), Healthwatch Bracknell Forest.**

**3 REASONS FOR RECOMMENDATION(S)**

- 3.1 To advise the Panel of the establishment of Healthwatch Bracknell Forest and the related protocol for receiving Children's Social Care referrals from that organisation via the Health Overview and Scrutiny Panel.

**4 ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 None.

**5 SUPPORTING INFORMATION**

- 5.1 The Health and Social Care Act 2012 introduced far-reaching changes, including the abolition of LINK (Local Involvement Networks) and the creation of Healthwatch England, also Local Healthwatch. The Act requires that Local Healthwatch organisations must be established by local authorities responsible for social care to ensure all local people have:

- Access to an organisation that will act as their independent consumer champion and ensure they have access to advice and information (signposting) about health and social care services and support so that they can make informed choices relevant to their needs; and
- A strong collective voice which is heard by commissioners of services and which will inform the development or improvement of services taking into account the needs and experiences of local people.

- 5.2 A related statutory requirement arises from part 6 of *'The NHS Bodies And Local Authorities (Partnership Arrangements, Care Trusts, Public Health And Local Healthwatch) Regulations 2012'*. This imposes certain duties on local authority Overview and Scrutiny Committees where Local Healthwatch organisations or

contractors refer matters to them. This includes a duty to acknowledge receipt of the referral within 20 days.

- 5.3 Healthwatch England is the designated national independent champion for consumers and users of health and social care in England. It is also charged with providing leadership, support and advice to the wider Healthwatch network, including 152 community focused Local Healthwatch organisations. Healthwatch England has legal powers to ensure the consumers' voice is heard by those who make the decisions, including informing government bodies and local authorities in England about their findings, and reporting to Parliament every year. They can also ask the health and social care regulator, the Care Quality Commission, to take action when they have special concerns.
- 5.4 Healthwatch works with charities, and community and voluntary organisations, which support people who use health and care services. Local Healthwatch take evidence built on consumers' views and experience and use it to help shape and improve local services. They pass on information and recommendations to Healthwatch England and the Care Quality Commission. Healthwatch England works at the national level. They take evidence from local Healthwatch and other partners, and use it to create a strong picture of what matters most to consumers up and down the country.
- 5.5 Following a procurement process, on 6 March 2013 the contract for Healthwatch Bracknell Forest (HWBF) was awarded to the Ark Trust Limited, a local organisation previously based in Crowthorne and now based in Market Street, Bracknell. HWBF is the new independent consumer champion created to gather and represent the views of the public, making sure that the views of the public and people who use services are taken into account. HWBF will take on the work of the former LINK and will also: - represent the views of people who use services, carers and the public on the Bracknell Forest Health and Wellbeing Board; provide information, advice and guidance on health and social care matters; signpost to the health service complaints advocacy service which can support people who make a complaint about NHS services; and report any concerns about the quality of health care to Healthwatch England, which can then recommend that the Care Quality Commission takes action.
- 5.6 Healthwatch Bracknell Forest is provided by a consortium of organisations, led by **The Ark Trust**, a Bracknell Forest charity working with people with disabilities, long term health conditions and young people not in education, employment or training. Joining The Ark to deliver Healthwatch Bracknell Forest are:
- **Kids**, who work with disabled children, young people and their families.
  - **Wokingham and Bracknell District Mencap**, supporting people with a learning disability to live their lives as they choose.
  - **Deaf Positives**, providing a wide range of high quality services for Deaf and DeafBlind people.
  - **Berkshire Autistic Society**, comprehensive services for all ages of people with autism, their families, carers and professionals working in the field.
  - **Just Advocacy**, advocacy support to people who may find it difficult to be heard or speak out for themselves. This may include people with disabilities, older people, and those with mental health issues.
  - **SEAP**, providing independent advocacy services to help resolve issues or concerns people may have about their health and wellbeing.
  - **EBE<sup>2</sup>**, likeminded people carry out peer reviews for others with learning disabilities sharing experiences to improve services.

- 5.7 HWBF has decided that representation from groups working with older people, early years and mental health are needed and the HWBF Board is currently working on identifying potential partners. The Board can also co-opt special interest groups for fixed periods of time if specific health and social care related issues are identified. The HWBF Board is made up of representatives from the organisations that are working together to deliver Healthwatch Bracknell Forest. There are also spaces for three Bracknell Forest residents who would like to help shape health and social care in Bracknell on a voluntary basis; these will be elected positions.<sup>1</sup>
- 5.8 Subject to regulations, HWBF must also produce an annual report, which will be circulated to members of the Health Overview and Scrutiny Panel for information. The Healthwatch network is currently waiting on guidance on the precise content of annual reports.
- 5.9 HWBF are represented on the Bracknell Forest Health and Wellbeing Board, directly connected to discussions between the key stakeholders in the health and social care economy. This includes being equally and jointly involved in the influencing and informing of decisions relating to local commissioning, and informing the preparation of the Joint Strategic Needs Assessment and the Joint Health and Wellbeing Strategy.
- 5.10 The role of HWBF is significant in relation to the Council's O&S Panels' understanding of service users' interests and concerns. This applies predominantly to the Health O&S Panel, but the Local Healthwatch (LHW) role also extends to social care, thus the O&S Panels for Children, Young People & Learning, and for Adult Social Care & Housing also have an interest. It is a requirement on HWBF under the LHW Regulations that there should be an agreed and published policy or agreed position statement in place for making referrals to Health O&S. The Chairman of this Panel was consulted on the wording of the protocol between O&S and HWBF at Annexe 1 which was agreed by the Health Overview and Scrutiny Panel on 3 October 2013.

**6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS / EQUALITIES IMPACT ASSESSMENT / STRATEGIC RISK MANAGEMENT ISSUES / CONSULTATION – Not applicable.**

**7 CONSULTATION**

- 7.1 None.

Background Papers

None.

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<sup>1</sup> Position as at October 2013

**Protocol for Overview and Scrutiny Joint Working with Healthwatch Bracknell Forest**

- a) Healthwatch Bracknell Forest (HWBF) and Bracknell Forest Council's Overview and Scrutiny (O&S) are committed to the establishment of a mutually supportive and beneficial relationship through partnership working. The Council's Health O&S Panel (HO&SP) will take the lead on this relationship, referring matters to other O&S Panels as appropriate.
- b) HWBF will provide evidence based feedback, attend HO&SP meetings as an observer, relevant workshops and working groups.
- c) O&S may refer issues to HWBF for investigation or may commission HWBF to research evidence.
- d) HWBF may refer matters to O&S for the purposes of securing information and expertise.
- e) In accordance with The NHS Bodies And Local Authorities (Partnership Arrangements, Care Trusts, Public Health And Local Healthwatch) Regulations 2012 (SI 2012:3094), HWBF will escalate issues as necessary to the HO&SP. The respective O&S Panel has an obligation to acknowledge HWBF referrals within 20 working days of receipt.