

Notice of KEY Executive Decision

Subject Heading:	Permission to procure a Statutory Healthwatch Service
Decision Maker:	Barbara Nicholls, Strategic Director of People
Cabinet Member:	Cllr Gillian Ford, Cabinet Member for Adults and Health
SLT Lead:	Barbara Nicholls, Strategic Director of People
Report Author and contact details:	Michelle Purcell Email: michelle.purcell@havering.gov.uk
Policy context:	Local authorities are required to commission a local Healthwatch organisation under the Health and Social Care Act 2014.
Financial summary:	Total Cost for 5 years + 2 years Contract: £819,000.00. Year 1 - £117,000.00 Year 2 - £117,000.00 Year 3 - £117,000.00 Year 4 - £117,000.00 Year 5 - £117,000.00 Year 6 - £117,000.00 Year 7 - £117,000.00
Reason decision is Key	Yes (a) Expenditure or saving (including anticipated income) of £500,000 or more
Date notice given of intended decision:	7 February 2025
Relevant Overview & Scrutiny Sub Committee:	People's Overview and Scrutiny Sub Committee

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Is it an urgent decision?	No
Is this decision exempt from being called-in?	No

The subject matter of this report deals with the following Council Objectives

People - Supporting our residents to stay safe and well **X**

Place - A great place to live, work and enjoy

Resources - Enabling a resident-focused and resilient Council

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This decision paper is seeking permission to procure a Statutory Healthwatch Service. The contract will run from the 1st April 2026 to 31st March 2031 with the option to extend for a further 2 years at a total value of £819,000.00. Officers intend to undertake an open tender to appoint a provider to deliver the Statutory Healthwatch Service.

AUTHORITY UNDER WHICH DECISION IS MADE

The Havering Constitution:

Part 3.3 Functions Delegated to Staff

3.3.3 Powers common to all Strategic Directors

4. Contracts

4.1 To approve commencement of a tendering process for all contracts below a total contract value £1,000,000

STATEMENT OF THE REASONS FOR THE DECISION

The Statutory Healthwatch Service provided by Havering Healthwatch CIC ends on the 31st March 2026.

This paper is seeking permission to procure a Statutory Healthwatch Service. The contract will run from the 1st April 2026 to 31st March 2031 with the option to extend for a further 2 years at a total value of £819,000.00.

The Council has a duty, when undertaking procurements, to ensure it is transparent, treating providers equally and any decision/action is proportionate. We are proposing an open tender with bids will be evaluated 70/30 for price and quality.

Background

Healthwatch acts as a consumer champion for users of health and social care services, making sure that people know where to go to raise concerns about health and social care services, people's views and experiences are heard, improving scrutiny of health and social care services and helping local people to influence commissioning decisions.

Local authorities are required to commission a local Healthwatch organisation under the Health and Social Care Act 2012.

The service is a key part of the local health and social care landscape, it has a statutory place on the health and wellbeing board where it can share evidence and feedback on what people think about their health and social care services to system leaders to ensure that services meet the needs of and are shaped by local communities.

Healthwatch have a number of responsibilities, a key part of which is to carry out 'Enter & View' visits at publicly funded health and social care premises to see and hear first-hand experiences about the service. Enter & View visits are conducted by a small team of trained volunteers/staff,

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who are prepared as 'Authorised Representatives' to conduct visits to health and social care premises. Enter & View is the opportunity for the local Healthwatch to:

- Observe how the service is delivered, often by using a themed approach.
- Collect the views of service users, carers and relatives through evidence based feedback by observing the nature and quality of services.
- Report to providers, the Care Quality Commission (CQC), Local Authorities, Commissioners, Healthwatch England and other relevant partners. Other key responsibilities of Healthwatch's role include the following;
- Contribute to Joint Strategic Needs Assessments, Market Position Statement and joint health and wellbeing strategies (including those priorities that target adults, children and young people) – on which local commissioning decisions will be based – through its seat and full participation on the Health and WellBeing Board.
- Produce reports and make recommendations which lead to key strategies, the shaping of services and service improvements based on evidence collected from consultations, enter and views requests for information and analysing data.
- Coordinate activity to ensure a Healthwatch representative is present at Health and social care meetings and events concerning health and social care issues and contribute, constructively and effectively.
- Recruit and produce a training programme to develop a team of skilled representatives, that are equipped to carry out thorough reviews and write evidence based reports.
- Regular sharing of data with commissioners with evidence of when recommendations have contributed to shared outcomes.
- Protocol in place to share information with Healthwatch England
- Regular meetings held with BHR Healthwatch, including an annual public meeting to bring together Healthwatch, partners and the public.

Recommendation

It is recommended that the Healthwatch Service is re-procured as it allows the Council to meet its statutory requirements under the Health and Social Care Act 2012. It also ensures the service continues to ensure people's views and experiences are heard, improving scrutiny of health and social care services and helping local people to influence commissioning decisions.

OTHER OPTIONS CONSIDERED AND REJECTED

Option 1 - *Do nothing*

There is the option to do nothing and stop providing Statutory Healthwatch Service when the contract ends on the 31st March 2026. This option is not advised as this service also allows the Council to meet its statutory requirements under the Health and Social Care Act 2012.

PRE-DECISION CONSULTATION

None

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

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Name: Michelle Purcell

Designation: Commissioner Age Well

Signature: *M. Purcell*

Date: 12/03/2025

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Council has a general power of competence under section 1 of the Localism Act 2011 to do anything an individual may generally do subject to any statutory limitations. The Council has the power under this section to agree to the proposals in the recommendations.

The value of the proposed contract is £819,000 over 7 years, which is above the threshold for light touch services as set out in Schedule 1 of the Procurement Act 2023. Therefore, any procurement activity must comply with the Procurement Act 2023. Officers intend to undertake an open procurement which is in compliance with Section 20(2)(a) of the Procurement Act 2023.

The proposed open tender is compliant with the requirements of both the Procurement Act 2023 and the Council's Contracts Procedure Rules for contracts of this nature.

FINANCIAL IMPLICATIONS AND RISKS

This paper is seeking a permission to procure a Statutory Healthwatch Service. The contract will run from the 1st April 2026 to 31st March 2031 with the option to extend for a further 2 years at a total estimated value of £819,000.00.

The annual contract value is estimated to be as follows:

Year 1 - £117,000.00
Year 2 - £117,000.00
Year 3 - £117,000.00
Year 4 - £117,000.00
Year 5 - £117,000.00
Year 6 - £117,000.00
Year 7 - £117,000.00

The current Healthwatch contract costs £117,359 per annum and is funded from the Local Reform and Community voices grant. In 24/25 Havering's grant allocation was £144,112. This allocation fully covers the estimated annual cost of the contract.

The announcement of the community voices grant is made late into the financial year, with allocations not being known until January/February of that financial year. This gives rise to a significant risk that if the funding is not awarded to Havering then the contract would need to be funded from Adult Social care budgets which would increase the existing pressure.

It is recommended that a clause is added into the contract that if the funding is not forthcoming that the contract can be varied. However, as noted above, with the allocations being announced so late in the financial year costs will have already been incurred for the contract within that financial year before the allocations are announced and these costs would need to be met from LBH.

Finance have advised that benchmarking against other Local Authority's Healthwatch service should be undertaken. A request has also been made to review the service specification alongside the KPIs before going out to tender to ensure this contract is value for money. Due to this being unavailable, no assurance can be given on the value for money of the contract at this time.

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HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

The recommendations made in this report do not give rise to any identifiable Human Resources implications or risks.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

Havering has a diverse community made up of many different groups and individuals. The council values diversity and believes it essential to understand and include the different contributions, perspectives and experience that people from different backgrounds bring.

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the council, when exercising its functions, to have due regard to:

- I. the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- II. the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- III. Foster good relations between those who have protected characteristics and those who do not.

Note: 'protected characteristics' are: age, gender, race and disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

An EqHIA (Equality and Health Impact Assessment) is usually carried out and on this occasion this isn't required.

The Council seeks to ensure equality, inclusion, and dignity for all in all situations.

There are not equalities and social inclusion implications and risks associated with this decision.

HEALTH AND WELLBEING IMPLICATIONS AND RISKS

The recommendations made in this report do not give rise to any identifiable Health and Wellbeing implications or risks.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

The recommendations made in this report do not give rise to any identifiable environmental implications or risks.

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BACKGROUND PAPERS

None

APPENDICES

None

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Delete as applicable

~~Proposal NOT agreed because~~

Details of decision maker

Signed

Name: BARBARA NICHOLLS

Cabinet Portfolio held:

CMT Member title:

Head of Service title: Strategic Director of People

Other manager title:

Date: XX/XX/2025

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____