

BRIEFING NOTE

TO: HEALTH AND SOCIAL CARE PANEL
DATE: 26th July 2007

RE: LOCAL INVOLVEMENT NETWORKS (LINKs)

Purpose

This brief is designed to brief panel members on the introduction of legislation to make new provision for patient and public involvement in health and social care.

INTRODUCING LINKs

The Local Government and Public Involvement in Health Bill Part 11 makes provision for the abolition of Commission for Patient and Public Involvement in health and Patients' Forums. In their place, it imposes a duty on local authorities to make contractual arrangements for the involvement of people in the commissioning, provision and scrutiny of health services and social services. The Bill is likely to receive Royal Assent later this year, and only then can we be sure of the final arrangements for LINKs. The development of responses to the proposed legislation nationally is being delayed until the final details are known.

Each local authority (with social services responsibilities) will receive a targeted grant from the Department of Health; the grants will be available for 3 years, and this will be used to procure a host organisation to set up and support the LINK. The host organisation will be operationally accountable to the LINK, not the local authority which will have contract management responsibility only. The grant will be expected to cover the operational costs of the LINK as well as the cost of the procurement and subsequent contract administration. There are likely to be restrictions on how this grant can be spent particularly around the level of council administrative costs related to the procurement process and the operational costs for the host. Clearly the scope and range of work the LINK will be able to undertake will be limited by the resources being made available.

The host will be responsible for the establishment, maintenance and support of a LINK in the local authority area, they will be accountable to the LINK members. The local authority will manage contract compliance of the host organisation but will not control the host. Therefore the LINK will operate independently of the local authority, within its own governance structure and decision making processes which will be determined locally.

LINKs will have 'powers' to

- enter specified types of premises, have a look at the services and find out what people receiving the service think about their experience
- request information and receive a response within a specified timescale
- make reports and recommendations and receive a response within a specified timescale
- refer matters to the relevant Overview and Scrutiny committee (OSC) and receive a response.

There is work to be done in relation to developing a shared understanding of the complexities involved in LINKs and the relationships which will need to be formed or developed. We need a shared understanding of what a LINK here in Walsall will do, what it will look like and where it will fit into existing local arrangements for engagement.

Key issues for consideration include the need to ensure we are mapping existing citizen engagement such as LNPs to ensure the LINK complements existing structures and we learn from examples of local practice. We need to build relationships with not duplicate those efforts.

We need to consider the implications for different stakeholders including the current PPI forums, commissioners of service, providers and overview and scrutiny. Overview and scrutiny need to consider the implications of the new legislation and determine

In order to procure an effective host organisation there needs to be a clear understanding of its roles and responsibilities. Draft specifications and model contracts are being prepared but have not been made available as yet. The procurement process will take time depending on the complexity of the service being procured. In addition allowance will need to be made for a lead in time for the host organisation within the programme. Consideration is being given to the joint procurement opportunities which may exist with other authorities within the region through a Procurement Advisory Group set up by the West Midlands Centre of Excellence.

LINKs will be independent from Overview and scrutiny but can choose to take an active role in reviews if the Overview and scrutiny panel finds it useful and appropriate. It is important for the panel to note that LINKs will have the power to refer matters to the OSC and receive a timely response, and the practical arrangements for dealing with this will need to be considered and addressed. Overview and Scrutiny Committee's can if they wish, scrutinise this duty to assess if Local Authorities made use of all the allocation of funding effectively in the support of LINKs and this will be further scrutinised by the audit commission.

After discussions with key partners and the Senior Leadership Team agreement has been reached to manage the LINKs development as a project, using Walsall's project methodology. A multi-agency project group will be set up with Kathy McAteer, as project champion, and Lawrence Brazier as project manager. The Department of Health has specified that projects setting up LINKs must be led by corporate procurement staff, rather than commissioning managers, to avoid any potential conflicts of interest. The project group will commence meeting in October formally, with stakeholder briefings taking place through late summer and early autumn.

In order to ensure these issues are addressed the panel is asked to consider how best to be further involved in the process of developing the LINK and the ways that they could interface with scrutiny, options include:

- Retrospective information as an agenda item to scrutiny panels
- A working group to address this through scrutiny
- A co-opted member of scrutiny panel to sit on project group

Outcome action required

- The panel are asked to decide how they wish to be further involved

Author

Lawrence Brazier – Head of Procurement

☎ 653471

✉ brazierl@walsall.gov.uk

Emma Palmer – User Involvement Manager

☎ 658431

✉ palmere@walsall.gov.uk