

27 October 2010

See attached list

*Skipton House
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Dear Colleague

Gateway Reference: 14845

**Contracting for support to Local Involvement Networks in 2011-2012:
supporting the possible transition to Local HealthWatch**

In 2008 the Department of Health provided £84 million in funding for Councils with Social Service Responsibilities in England to enable them to commission support to Local Involvement Networks (LINKs) for 2008-2011.

This funding enabled the establishment and development of LINKs and enabled local authorities to discharge their statutory responsibilities as set out in Sections 221 and 222 of the Local Government and Public Involvement in Health Act (2007).

Following the Spending Review, allocations to Local Authorities were set out in the letter from the Secretary of State for Communities and Local Government on 20 October. This includes the Department of Health's grants (which will roll into formula grant from 2011/12) which include LINKs.

<http://www.communities.gov.uk/documents/localgovernment/pdf/1745945.pdf>

This letter sets out some points which local authorities may wish to consider in relation to contracting support in 2011-2012.

- The White Paper 'Equity and excellence: Liberating the NHS' sets out the Government's vision for transforming health and social care. A key part of that vision is to give consumers a stronger voice through establishing HealthWatch England and by building on the current role of LINKs to create local HealthWatch organisations.
- Subject to the White Paper consultation, legislation to establish HealthWatch is likely to be introduced as part of the forthcoming Health Bill and local HealthWatch would be in place, subject to legislation, by 2012. Local authorities would have a vital role in ensuring local HealthWatch organisations are supported and successful
- The responsibility of local authorities to commission support to LINKs during 2011/12, as set out in the 2007 Act, remains.

- The White Paper proposes that from 2012 local HealthWatch would retain existing LINks' responsibilities and have additional functions. Subject to the Spending Review, there would be additional funding for additional functions such as providing complaints advocacy services and supporting individuals to exercise choice.

Extending contracts

In order to ensure that the vision for a stronger voice for consumers set out in the White Paper is met the Department of Health's view is that, prior to any changes made through legislation, local authorities should consider extending existing LINks host contracts for a year – where existing contracts allow for this – to run to March 2012, unless there are strong operational reasons not to do so.

This would minimise disruption and maintain continuity; allow the development of local HealthWatch organisations if applicable; and reduce costs incurred in tendering.

Alternative arrangements

Your authority will reach its own judgement on tendering through its contract monitoring and feedback from LINks participants.

Some authorities will not wish to continue current support arrangements and some current LINks host organisations may also not wish to extend contracts. In these circumstances there may be alternatives to a full re-tendering exercise for one year support, such as working in partnership with neighbouring authorities to obtain support from host organisations they have commissioned.

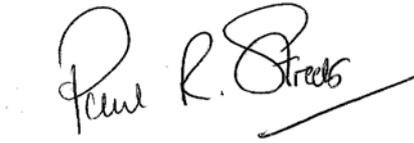
Contractual issues

Your authority will form its own view in the light of its own legal advice on any contractual issues arising from this approach.

However, many contracts to provide support to LINks have provisions for the extension of contracts, which should be invoked to ensure continuation of service. Where extension provision has not been stated, you will need to take local advice regarding ensuring continuation of service.

Authorities may wish to take this approach to ensure the continuity and stability of service provision and discharge their statutory duties. A similar approach was used in 2007 by the Commission for Patient and Public Involvement in Health to extend contracts to provide support to Patient and Public Involvement Forums prior to their abolition and replacement by LINks in April 2008.

Yours sincerely,

A handwritten signature in black ink that reads "Paul R. Streets". The signature is written in a cursive style with a horizontal line underneath the name.

Paul Streets
Director of Public and Patient Engagement and Experience

To: The Chief Executive

County Councils)
Metropolitan District Councils) England
Shire Unitary Councils)
London Borough Councils
Common Council of the City of London
Council of the Isles of Scilly
The Director of Adult Social Services
Councils with Social Service Responsibilities in England

Copied to: Chief Executive – Strategic Health Authorities
Local Government Association
Government Office Directors
Deputy Regional Directors for Social Care and Partnerships