

To: Corporate Policy & Overview Committee – 8 November 2007

By: Graham Gibbens, Cabinet Member for Public Health

Subject: **Local Involvement Network in Kent**

Summary: To inform Members of work on developing the Local Involvement Network for Kent

Introduction and Background

1. The Local Involvement Network (LINK) will be established from April 2008 and it will replace the Patient & Public Involvement Forums which have been in place to look at the health service since 2004. The remit of the LINK will include looking at both health care and social care – this is a very significant addition to their remit. The legal basis for the establishment of LINKs is the Local Government & Public Involvement in Health Act, which very recently completed its passage through Parliament and was given Royal Assent on 31 October 2007. The LINKs will be established by each of the 150 councils in England that have statutory personal social services responsibilities.

2. The LINK will operate independently of the local authority, with its own governance arrangements and decision-making processes. There is no national prescription of organisational or governance arrangements because the Government has been very consistent in saying these are to be developed locally to best meet local preferences and requirements. As well as raising public awareness and stimulating public interest in participation, the local authority's key role is to select, through a public procurement process, a Host Organisation whose role is to provide ongoing infrastructure and logistical support to the LINK. This role is similar but not identical to that of Forum Support Organisations with regard to the current Patient & Public Involvement Forums. The other key stipulation in the legislation is that the Host Organisation can not be a local authority or NHS organisation.

Recent Developments

3. In mid-August, the Department of Health (DoH) issued three documents:
- a. **“Getting ready for LINKs – planning your Local Involvement Network”**. This has been published as Best Practice Guidance and summarises the DoH's policy expectations. It also suggests:
 - development approaches
 - a range of governance options
 - ideas about possible relationships between LINKs and other strategic partnerships
 - observations on the relationships between the LINK, its Host Organisation and the commissioning Local Authority

- issues of accountability and performance management and
 - concludes with an Action List.
- b. **“Getting Ready for LINKs – contracting a host organisation”** This too has been published as Best Practice Guidance. It outlines what the DoH anticipates being covered in a local authority’s service specification for the provision of a Host Organisation and its proposed tender requirements. This document indicates that funding arrangements will be in the form of a Specific Grant paid to local authorities. This is detailed further below.
- c. **“Getting Ready for LINKs – an easy-read guide”** As its name suggests, this is a much less technical guide, mainly geared for a wider public audience who may not have any specialist background knowledge.

These documents can be made available on request.

Draft Regulations were published in early October for consultation before a deadline of 21 December. Amendments made to the Bill since these were published would suggest that new draft Regulations may now need to be published.

Future developments

4. It is expected that the proposals outlined in the Best Practice guidance are likely to be those required to be in place by April 2008 as they are not materially affected by these changes. The message from DoH continues to be that there will be considerable local discretion though this will only become absolutely clear when the final Regulations and more formal guidance are issued – it is thought likely that this will happen in January 2008. Members will appreciate that with a tendering process to be commenced between now and then and an implementation date of 1 April 2008, there are considerable areas of uncertainty and risk for all – the wide range of stakeholders, KCC and PCTs alike.

5. There are two key risks:

- (i) the need to publicly set out a service specification, in the near future, indicating a Host Organisation’s likely activity levels without any certainty of the level of funding that will be available overall and without knowing how that funding will need to be apportioned between the costs of the Host Organisation, the LINK once established or the Local Authority (see paragraph 7 below).
- (ii) the tight timescales and the consequent possibility of a gap between PPIFs being abolished and LINKs established. This risk has been recognised by Parliament and the Act includes changes make provision for transitional arrangements for this eventuality

6. In earlier reports (to the NHS Overview & Scrutiny Committee in July and October), there was a suggestion that the funding available to councils charged with the responsibility for establishing LINKs was likely to be of the order of £100-150k per annum. The most recent information indicates that the funding will be in the form of a non-ring-fenced Specific Grant. When that Grant Report is published, it will set out

individual local authorities' allocations, based on the relative needs funding formula. This formula takes account of geographical and population size, as well as other factors such as population sparsity and deprivation. The best current advice is that KCC's allocation will be in the order of £450k per annum. Confirmation is not anticipated before the Chancellor's announcement of 2008/09 local government expenditure plans in late November/early December. This, of course, is well after the invitation to tender for Host Organisations will need to be issued.

7. There will be three elements to the funding:
 - a) the Host Organisation's support function costs
 - b) the LINK's expenditure costs
 - c) the local authority's contract management costs.

It is prudent to assume that in view of these elements, there are no additional funds for what might be deemed service costs or costs falling to the local authority for servicing the information requests or referrals to NHS Overview & Scrutiny Committees coming from the LINK.

8. Members are reminded that there are two key elements to the County Council's role in establishing a LINK for Kent and this is being mirrored in the way implementation is being undertaken:

- (i) the County Council's role is to stimulate wide public interest in the creation of a LINK and there is a major programme of work to be conducted over the next 3-4 months which is primarily concerned with public and stakeholder engagement.
- (ii) There is a procurement process to be conducted. This is being progressed with colleagues from Commercial Services' Strategic Procurement Group. This tendering process will need to be open and transparent and comply with all relevant competition legislation. DoH guidance indicates that "the Health Overview and Scrutiny Committee within the local authority has a role in scrutinising how the contracting process was undertaken and ensuring that best value is achieved". This needs to be seen in the context that the letting of this contract will constitute a Key Decision (which is logged in the Council's Forward Plan).

9. The key to stimulating wide interest in participation to this new approach to public engagement in the commissioning, delivery and holding to account of health and social care will be a comprehensive engagement and communications strategy. This will entail:

- the creation of a dedicated website
- an extensive programme of engagement and consultation events (both those we organise ourselves plus encouragement to stakeholders, including seldom heard/hard-to-reach groups, inviting us to attend their own events)

- involvement with Kent Volunteers
- contacts with key Third Sector organisations via the Kent Compact protocols
- a regular online newsletter
- features in “Around Kent”
- opportunities to publicise what is happening through local media and Kent TV
- focus groups and surveys will be conducted to help round out understanding of what Kent’s residents want from a LINK
- a series of briefings and discussions will take place with all Members of the County Council and with Members and officers of district councils (in both cases by encouraging invitations from existing County and local arrangements).

10. Patient & Public Involvement Forums have so far struggled to establish a really tangible public presence. There is an opportunity, through community leadership by KCC and PCT colleagues, to rectify this over the coming months to help ensure that the LINK in Kent begins life with a notable public profile. The programme of work outlined in the preceding paragraph will be exacting but is the key to avoiding past difficulties that the PPIFs have encountered.

11. This work will be undertaken under the oversight of a Project Steering Group, chaired by Graham Gibbens, Cabinet Member for Public Health, and includes Kevin Lynes, Cabinet Member for Adult Social Care, a Non-Executive Director from each Primary Care Trust, Lord Bruce Lockhart, Chairman of the NHS Overview & Scrutiny Committee, and Mark Fittock, Vice Chairman, and Dan Daley, the Liberal Democrat Spokesman on this Committee.

12. This membership is intended to emphasise the role of KCC and the PCTs as *commissioners* of this new service. The initial meeting was held on 5 October. On a day-to-day basis, implementation will be managed through a Project Team comprising senior officers from Children, Families and Education, Adult Social Services and Chief Executive’s, as well as the PCTs’ Directors of Civic Engagement. Full-time support will be provided a member of staff seconded from the Kent Graduate Programme.

13. The comprehensive engagement with stakeholders is meant to serve several purposes. Key amongst these is helping KCC gather as many views as possible about what people would expect ‘their’ LINK to look like in terms of organisation, values, methods of working, membership, priorities, work priorities, what sort of issues would encourage their participation, and address issue like how local is local when it comes to asking people to give up their free time to get involved. Another purpose is very similar – to answer similar questions which will help KCC identify the hallmarks, the “success criteria”, to help the County Council select, through the

procurement process, the right Host Organisation for Kent's Local Involvement Network.

Recommendations

Members are invited to:-

- NOTE this report; and
- ADVISE on what are regarded as the attributes to look for in creating a successful LINK for Kent and the right Host Organisation to support it

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Background Documents – report to Health Overview & Scrutiny Committee, 20 July 2007