

## LONDON BOROUGH OF HAMMERSMITH & FULHAM

**Report to:** Cllr Sanderson, Deputy Leader of the Council and Executive Director of People's, Jacqui McShannon

**Date:** 1 May 2025

**Subject:** Healthwatch extension variation

**Report author:** Jessie Ellis, Programme Lead

**Responsible Director:** Katharine Willmette, Director of Adult Social Care

---

### SUMMARY

An ongoing procurement process for Healthwatch services in Hammersmith and Fulham (H&F) is currently underway. The existing contract expired on 31<sup>st</sup> March 2025 and due to delays in the procurement process, an extension to the incumbent provider is recommended to ensure continuity and compliance with statutory obligations. This will allow time for necessary governance, mobilisation, and TUPE processes.

There have been some unexpected delays at evaluation stage for the ongoing procurement, which could not have reasonably been foreseen and has necessitated the need for this short-term extension.

---

### RECOMMENDATIONS

1. The Executive Director or Peoples in consultation with the Deputy Leader of the Council approves a variation of contract to extend the provision of the Healthwatch services to the incumbent provider, Your Voice in Health and Social Care (YVHSC), from 1<sup>st</sup> April to 31<sup>st</sup> August 2025 for the total of £45,833.

**Wards Affected:** All

---

Our Values	Summary of how this report aligns to the <a href="#">H&amp;F Corporate Plan</a> and the H&F Values
Building shared prosperity	Healthwatch strives to improve quality and accessibility of health and social care services for all residents in H&F.
Creating a compassionate and inclusive council	The core purpose of Healthwatch is to ensure that the views of the public shape local health and care services by listening and gathering the voices of residents, especially those from diverse

	and hard to reach communities whose voices are seldom heard.
Doing things with local residents, not to them	As well as seeking the public's views, Healthwatch encourages health and social care services to involve people in decisions that affect them. Healthwatch has the power to make sure that those in charge of health and social care services listen to and act on what people want from care and support.
Being ruthlessly financially efficient	Healthwatch is set apart from the statutory, voluntary and community sectors they work within. They perform public functions and fulfil statutory duties. The outputs of the service will enable commissioners and others to hold organisations to account, monitor and improve the quality of the service and value for money and ensure that services are designed and delivered to best meet the needs of the people they serve.
Taking pride in H&F	Healthwatch ensures that those in charge of health and care services hear resident's voices and that their views shape the support they need. In turn, this improves the quality of health and social care services being delivered across the borough.
Rising to the challenge of the climate and ecological emergency	Keeping services in-borough reduces transport emissions as residents don't have to travel further to access the service. The service will be able to raise awareness and monitor the health impacts of climate change, through engaging with the local community and advocating for policy change.

### Financial Impact

The recommendation in paragraph 1 above to extend the contract for the provision of Healthwatch services to the incumbent provider – Your Voice in Health and Social Care (YVHSC) for a period from 1<sup>st</sup> April 25 to 31<sup>st</sup> August 2025 will cost £45,833. This commitment can be funded from the 2025-26 ASC Third Sector Commissioned services general fund budget.

*Finance Comments verified by James Newman, AD Finance, 22 April 2025*

Checked by: -

Name: Cheryl Anglin-Thompson, Principal Accountant,

Email: [cheryl.anglin-thompson@lbhf.gov.uk](mailto:cheryl.anglin-thompson@lbhf.gov.uk)

Date 1<sup>st</sup> April 2025

Verified by Prakash Daryanani Head of Finance

Position: Head of Finance

Email: [prakash.daryanani@lbhf.gov.uk](mailto:prakash.daryanani@lbhf.gov.uk)

Date: 1<sup>st</sup> April 2025.

## Legal Implications

This report recommends that the Executive Director in consultation with the Deputy Leader approves an extension to the existing contract with Your Voice for Healthwatch services from 1<sup>st</sup> April 2025 to 31<sup>st</sup> August 2025 at a cost of £45,833. The contract commenced in 2020 and was for 2 years with the option of extending it by 2 further years. The contract was extended by 3 years to 31<sup>st</sup> March 2025, and this report seeks approval to further extend it by another 5 months.

The contract was procured under an open procurement in accordance with the Public Contracts Regulations 2015 ('PCRs'). Regulation 72(1)(e) permits modifications where the modifications, irrespective of value, are not substantial within the meaning of paragraph (8). The brief extension requested in this report, on the same financial terms as existing, will not render the contract materially different from the existing contract or meet any of the other conditions in paragraph (8) for a modification to be considered substantial. Therefore, the extension is permissible.

The Council's Contract Standing Orders modifications that are permissible under the PCR are also permissible under the CSOs.

The appropriate decision maker is the SLT Member in consultation with the Deputy Leader.

Angela Hogan, Chief Solicitor (Contracts and Procurement) 11<sup>th</sup> April 2025

---

## DETAILED ANALYSIS

### Background

1. Healthwatch services in Hammersmith and Fulham (H&F) have been delivered by Your Voice in Health and Social Care (YVHSC) since 1<sup>st</sup> April 2020. This contract expired on 31<sup>st</sup> March 2025. The cumulative contract cost totals £633,333.
2. The Healthwatch Procurement Strategy was approved in January 2025 and recommended H&F run a competitive procurement process for a new Healthwatch service commencing 1<sup>st</sup> April 2025.
3. The tender went live in February, however, there have been some unexpected delays in the procurement process, which could not have reasonably been foreseen. An extension to the current contract is required to allow sufficient

time for governance, mobilisation, and if necessary, the Transfer of Undertakings Protection of Employment Regulations (TUPE).

## **Proposals and Analysis of Options**

### **Option 1: Approve the variation to the incumbent provider- recommended**

Approving the direct award or variation to the incumbent provider is recommended to ensure the continuity of Healthwatch services in the borough. This is necessary to comply with statutory obligations. The variation will maintain service provision for residents during the transition to a new contract. This option allows sufficient time to complete the procurement.

### **Option 2: Let the contract lapse**

Allowing the contract to lapse is not recommended as it would result in a disruption of Healthwatch services and negatively affect residents. The council have a statutory obligation to provide Healthwatch services and allowing the contract to lapse would mean the council is in breach of its statutory duty. This option is not recommended.

## **Reasons for Decision**

1. Every local authority has a duty to make provisions for the delivery of Healthwatch statutory activity in their local area. The Local Government and Public Involvement in Health Act 2007, which was amended by the Health and Social Care Act 2012, outlines the main legal requirements of Healthwatch. A variation is needed to adhere to our statutory obligations and maintain continuity of provision for residents while we transition to a new service.
2. The procurement strategy for the new Healthwatch service, approved in January 2025, has experienced delays, necessitating a variation to allow sufficient time for governance, mobilisation, and if necessary, the Transfer of Undertakings Protection of Employment Regulations (TUPE).
3. The incumbent provider, Your Voice in Health and Social Care, has agreed to extend their provision for five months, meaning the new provision will begin 1<sup>st</sup> September. This allows sufficient time for a smooth transition to the new Healthwatch service while not disrupting the service for residents.

## **Equality Implications**

1. Extending Healthwatch ensures continuity of service so that communities, especially marginalised groups, have a voice in health and social care decisions while we wait for the procurement outcome.

## **Risk Management Implications**

2. On the basis that a procurement exercises are completed within six months of this date; there are no significant risks associated with this extension.

*Jules Binney, Risk and Assurance Manager, 9<sup>th</sup> April 2025*

## **Climate and Ecological Emergency Implications**

2. Keeping services in-borough reduces transport emissions as residents don't have to travel further to access the service. The service will be able to raise awareness and monitor the health impacts of climate change, through engaging with the local community and advocating for policy change.

*Hinesh Mehta, Assistant Director Climate and Transport, 21/04/2025*

## **Procurement implications**

1. The Procurement for this service has been tendered openly and with very little interest. The extension is required to conclude the award and implementation in a managed and least disruptive process. An extension to current arrangements is reasonable to minimise the service disruption, where the provider is supporting some of the most vulnerable residents and this risk far out reaches any risk of challenge on procedural grounds.

*Joe Sardone. Category Lead. Procurement and Commercial 11<sup>th</sup> April 2025.*