

When Healthwatch changes provider

Important information for both
outgoing and incoming
Healthwatch providers

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Introduction

Use this checklist if your Healthwatch changes provider. It includes the steps both the outgoing and incoming providers need to consider during this transitional period.

It is important that when a new provider takes over a local Healthwatch contract, the public continues to receive an uninterrupted service and there is no reputational risk to the Healthwatch brand.

This is clear under the trademark licence agreement, which every provider must sign: *'The Licencee shall not do, or omit to do, or permit to be done, any act that will or may weaken, damage or be detrimental to the use of the Marks or the reputation or goodwill associated with Marks or the Licensor.'*

This guidance outlines some of the main areas you will need to discuss and carry out.

How to use this guidance in your role during this change

If you're a local authority Commissioner:	As you manage the contractual arrangements of the local Healthwatch, use this checklist to clearly identify important areas that need to be considered during this transitional period.
If you're an outgoing or incoming provider organisation:	Use this checklist to understand your responsibilities, and how you can work together to hand over key information and assets, so that taxpayers continue to get value for money.

What you can expect from Healthwatch England

Whether you are from the local authority, the outgoing provider, or the new incoming provider, we aim to provide advice and support to ensure a smooth handover. We also have a responsibility to report any breaches in continuity of service to the Department of Health and Social Care, but will endeavor to work with councils to avoid such situations.

Using the Healthwatch brand

Outgoing provider: At the end of the existing contract, the outgoing provider will need to email enquiries@healthwatch.co.uk to relinquish its rights to use the name "Healthwatch XX".

Incoming provider: The incoming provider will also need to email enquiries@healthwatch.co.uk to apply for a licence to use the Healthwatch logo, name and branded materials. This can be done before the new provider takes over the contract to ensure a timely transfer of the trademark license.

Ensuring smooth communication

1. The website

Outgoing provider: Backup your website in its current state so that you have an archive if you need it. Your hosting company or IT support should be able to do this for you.

When transferring the website to the new provider, make sure you pass across the login details for the main administrator account and remove access for those who no longer need it. Ensure that no content is deleted, so that the public can continue to access relevant news and reports. Seek help from your IT support if you are stuck.

If you have used your website to gather feedback via a webform, this is likely to contain personal data and special category data. You should ensure that you have cleared the webform and stored the feedback securely elsewhere before transferring the website to the new provider.

Incoming provider: If the incoming provider is using a different website, they should ensure that it provides continuity of service to the public. This should include any historical information such as reports and public meeting minutes. The local council should be able to advise how long you should keep records.

2. Domain name

The domain name (e.g. www.healthwatchX.co.uk) will be owned either by the council or by the current provider. We recommend the domain should be **transferred to the local authority**. This ensures that it doesn't need to be transferred again in the future if the provider changes.

You can check who the domain is registered to on <https://www.nominet.uk/whois/>

If the domain name is not transferred, it will expire and someone else may be able to purchase it. This would cause confusion for people who visit your website and require changes to printed and online materials mentioning that domain.

Outgoing provider: As an outgoing provider you should pass on any relevant information to the new provider about who hosts the domain, so they know who to contact if their website goes offline for any reason, putting the organisation at reputational risk.

3. Email inboxes

For continuity, the outgoing provider should pass on the main email address (e.g. info@healthwatchx.co.uk) to the new provider. However, both outgoing and incoming providers should ensure they follow data protection guidelines.

4. Phone numbers

Incoming provider: The incoming provider will need to decide whether to keep existing phone numbers and who will be responsible for informing stakeholders of any changes.

If the main phone number for the public changes, please inform the Healthwatch England enquiries team by emailing enquiries@healthwatch.co.uk.

5. Social media accounts

Outgoing provider: It takes time and effort to build online communities, so make sure that all social media accounts are transferred across to the new provider.

If you have used your website to gather feedback via a webform, this is likely to contain personal data and special category data. You should ensure that you have cleared the webform and stored the feedback securely elsewhere before transferring the website to the new provider.

Incoming provider: Update the contact details associated with these accounts and set new passwords to ensure that your access is secure. Social media accounts that may need to be transferred could include:

- Facebook
- Twitter
- YouTube
- Instagram
- Snapchat
- NextDoor

6. Notifying external stakeholders of changes

Outgoing provider: You should notify all external stakeholders about the changes taking place. This is also an opportunity to explain that their data may be transferred to the new provider, giving them the option to opt out. For example, if the outgoing provider has established a membership of local people, have they been contacted and asked if they have any objections to their information being transferred to the new provider?

You should also pass on details of key people within health and social care organisations, such as the Clinical Commissioning Group and local authority, to the incoming provider.

Local Healthwatch's legal requirements

1. What the legislation outlines

Under the Health and Social Care Act, both new and old providers are required to publish certain records. As a starting point, you should read our [guidance on running a Healthwatch](#), particularly the sections covering:

- Transparency and accountability of decisions
- Public meetings
- Annual reports – all of which require information to be made public.

The local authority commissioner will be able to advise on the required retention period for this information, in terms of the legislation that relates to local government & those who act on their behalf.

2. Producing an annual report

Both the outgoing and incoming provider should be clear about who is responsible for the production of the annual report, which needs to be published by the 30 June each year. It is the role of the provider to produce the report for the financial year in which it operated.

To support you with this, we provide an annual report template, guidance, and other resources, which are available to download from the [Communications Centre](#).

3. Publishing information about your Enter and View authorised representatives

Local Healthwatch have a legal power to visit health and social care services to identify whether people's needs are being met. As part of this, local Healthwatch are required by legislation to:

- Comply with and publish a procedure for making decisions about who is an authorised representative and keep this up to date.
- Make publicly available a comprehensive and up to date list of all authorised representatives.
- If a change in provider means a change in the recruitment process or the list of authorised representatives, this information must be updated and published.

Find out more in our [guide to Enter and View](#).

Work priorities and delivery

Both providers should discuss whether any existing work (either committed or in progress) will be expected to continue. If the work will be discontinued, you should check that anyone who has contributed to the project has been informed.

Performance and benchmarking

Incoming provider: You should consider some of the following points to ensure there is continuity in tracking and measuring performance:

- Do you have a clear evaluation of the current performance of the outgoing organisation?
- Is the new organisation working to new measures?
- Have staff been briefed that they will be responsible to new performance indicators?
- Does a new strategy need to be developed?

Data ownership

Both providers will need to check the contract to see who owns any collected data, such as email addresses, telephone numbers, mailing lists, or people's case studies. It doesn't matter that the new organisation may use the same system or have the same members of staff; if the data is moving from one corporate body to another, you must plan a transfer that satisfies the Data Protection Act and General Data Protection Regulation (see the [Healthwatch England guide to data processing and protection](#)). The same applies if this isn't handled correctly, the outgoing provider could still own data and information that may be confidential or personal.

Incoming provider: Local Healthwatch must be registered with the [Information Commissioner's Office](#) (ICO). It's important to check whether the incoming provider's registration covers Healthwatch activities. If it doesn't, then you must ensure they add Healthwatch activities to their registration.

How to access resources

We provide a range of support and online resources, including:

- **Our website:** Visit www.healthwatch.co.uk to read our latest news, reports, advice and information.
- **The network site:** To access the latest staff and volunteer resources, news and events, visit <https://network.healthwatch.co.uk/>
- **Join Workplace:** Our online community is for colleagues from across the network to discuss issues, ask questions and share resources. To sign up or if there are staff changes, please email hub@healthwatch.co.uk.
- **Communications Centre:** You'll find logos, branded resources, icons, and templates you can personalise at <https://healthwatch.brandstencil.com/login>. Please note there is one log in per Healthwatch.
- **Photo library:** Browse through [thousands of photos](#) that you can use.

Assets

If the current provider has used Healthwatch funding to purchase assets, such as IT equipment, phones, projectors etc., it is worth clarifying the registered owner. Does your contract state that assets must transfer with the contract? It is good practice to ensure that the outgoing provider maintains an asset list so that it's clear what will be transferred. If this isn't dealt with, an incoming provider may need to spend some of its budget purchasing these again, resulting in duplication of spend. Contact your local authority commissioning officer for further clarification.




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