

Paper 2: Healthwatch Rutland campaign to preserve independent local voice in health and care

1. Regulations regarding Local Healthwatch campaigning activity

The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012¹ is the document that governs the operation of Healthwatch and 'Part 6 Local Healthwatch' defines the regulatory framework in which we operate. *Regulation 36* specifically pertains to the boundaries for Healthwatch campaigning and political involvement.

From my own reading, opinion shared from Healthwatch England (HWE) (see questions below) and other local Healthwatch, Regulation 36 can be interpreted as allowing local Healthwatch to campaign. However, as HWE points out, we need to be confident that we can defend our position if challenged.

2. Healthwatch England opinion ²

"Yes, happy to comment generally about Healthwatch regs re any campaigning.

We have [our HWE guidance](#) on this subject (pages 11 and 12) which we have always had, and appears to tally with your interpretation.³

Obviously, we and other bodies can't give a 100% guarantee on any interpretation, unless it's tested by case law.

But key questions local Healthwatch might look to consider and seek affirmative answers for, and for good governance purposes, before any campaigning:

- Is what the campaign may be doing, eg opposing a policy the Government is proposing to adopt (which just happens to be about your very existence) – based on evidence you have from delivering statutory local Healthwatch activity during the lifetime of your contract; what local people have told you about their trust in sharing evidence with an independent body and/or their reluctance to share directly with commissioners or providers or their concern that initial sharing of evidence with bodies was not listened to; the difference that your function has made to the quality of services and

¹ [The NHS Bodies and Local Authorities \(Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch\) Regulations 2012](#)

² Reproduced (in blue) from email of 14/8/25 from Rebecca Curtayne, External Affairs Manager, HWE to Alan Boyd, CEO HW Brighton and Hove

³ [A guide to running Healthwatch](#)

people's experiences, and the risks of people not having an independent service with which to share their experiences?

- Are you confident and can you demonstrate that any campaigning has not become your sole purpose and sole activity?
- Are you non-partisan, and able to show that you are not campaigning on behalf of, or receiving any funding from, any political party? Would you be campaigning regardless of which party had such a policy? Would you take particular care during pre-election periods of sensitivity eg in the run up to local elections, a By-election or a General Election?
- Does your organisation's objectives (company, charity, social enterprise etc) clearly state that your activities are for the benefit of your community and can you argue that any government policy will not benefit that community?
- The [Civil Society Covenant](#) states: 'Government respects the independence and legitimacy of civil society organisations to advocate and campaign, including protecting the right to engage in peaceful protest, and to hold the government to account to make better laws, regulation and decisions.'

I hope this helps. Feel free to pass onto to any network colleagues if they have asked similar questions."

3. Discussion points for HWR Advisory Board in public 8/9/25:

1. Can we evidence people's distrust of sharing feedback directly with service providers?
2. Can we evidence that campaigning has not become HWR's sole purpose/activity?
3. Can we demonstrate that we are not campaigning on behalf of, or receiving funding from, any political party?
4. Do our organisation's objectives clearly state that activities are for the benefit of the community?

4. To approve:

Does the advisory board endorse HWR's support of national campaign efforts including activities such as:

- Publicising the open letter to Wes Streeting and the independent voice petition
- Approaching our local MP to support the above