

**REPORT TO:** Executive Board Sub Committee  
**DATE:** 13<sup>th</sup> January 2011  
**REPORTING OFFICER:** Strategic Director, Adults & Community  
**SUBJECT:** Award of the Independent Mental Capacity Advocates Contract  
**WARD(S)** Borough-wide

**1.0 PURPOSE OF THE REPORT**

1.1 To request that approval is given for the award of contract for the Independent Mental Capacity Advocate (IMCA).

**2.0 RECOMMENDATION**

**It is recommended:**

**i) to award the contract for IMCA to the contractor Together: Working for Wellbeing in the sum of £30,968 (Halton contribution for two years).**

**3.0 SUPPORTING INFORMATION**

3.1 All local authorities have a Statutory duty under the Mental Health Act 2007 to provide Independent Mental Capacity Advocates to support decision making on behalf of individuals who lack the mental capacity to make particular decisions for themselves.

3.2 A partnership agreement between Halton, Knowsley, St Helens and Warrington Local Authorities was entered into two years ago. This agreement has been extended as all four boroughs recognise the cost effectiveness of commissioning jointly. Halton is the lead commissioner on this contract for the next two years with monitoring support offered through each of the other Authorities.

3.3 The Council undertook a comprehensive Tender process to ensure that we are able to demonstrate value for money, competitiveness, and high quality services being delivered.

3.4 The Contract is expected to commence on 1<sup>st</sup> April 2011 for a period of 2 years and an option for a three year extension. This would create stability for the service users and demonstrates Halton's commitment to providing effective Advocacy services.

3.5 Expressions were invited through Due North, an integrated

e-sourcing and contract management resource used to promote and manage the process.

- 3.6 A total of 7 provider organisations expressed an interest and were sent a pre-qualification questionnaire, and an Invitation to Tender document to complete.
- 3.7 Following evaluation, by a panel representing each of the four commissioning boroughs, 6 Tender packs were submitted by provider organisations. Each provider organisation had to pass stage 1 – PQQ before proceeding to stage 2 – The Invitation to Tender stage.
- 3.8 Of the 6 Tender submissions, one was disqualified due to failure of one or more of the Gateway questions.
- 3.9 As a result of this comprehensive evaluation, five organisations were invited to Halton to give a presentation on 10<sup>th</sup> December 2010. One organisation withdrew from the process at this stage so four organisations remained.
- 3.10 Of the four organisations invited for interview, Together: Working for Wellbeing scored highest in three of the four published criteria of Presentation & questions and there overall score was considerably better than any of the other three providers. This report therefore seeks permission to award the contract to Together: Working for Wellbeing on the basis that this organisation offers value for money in terms of both cost and quality.

4.0 **POLICY IMPLICATIONS**

- 4.1 Failure to make an award of contract to Together: Working for Wellbeing could cause significant disruption to the statutory IMCA service within Halton, Knowsley, St Helens and Warrington. Continuity of this service is essential, and the timely award of this contract would ensure that Advocacy services are fully operational on the specified date of April 1<sup>st</sup> 2011.

5.0 **SAFEGUARDING IMPLICATIONS**

- 5.1 The IMCA contract plays a pivotal role in ensuring that safeguarding cases relating to people with no capacity are supported and able to access the service. All people who meet the criteria should be automatically referred.

6.0 **FINANCIAL IMPLICATIONS**

6.1

	<b>Current cost</b>	<b>–</b>	<b>Current provider</b>	<b>Costs for 2011/12</b>	<b>Costs for 2012/13</b>

	<b>2010/11</b>			
<b>4 Boroughs total</b>	£96,393*	SHAP Ltd	£85,343*	£77,648*
<b>HBC Cost</b>	£18,314	SHAP Ltd	£16,215	£14,753

\* costs indicated are for all four boroughs commissioning the service, Halton contribution is 19%.

The costs for 2011/12 are higher than 2012/13 as there will be some additional start-up costs and one-off staffing costs for the new provider.

Halton's total expenditure for the two years will be £30,968 a saving of £5,660 over the two years.

## 7.0 **OTHER IMPLICATIONS**

7.1 TUPE arrangements will apply with the existing providers, however this has been accounted for in the tender process and should not delay or hinder the process.

## 8.0 **IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

### 8.1 **Children & Young People in Halton**

None

### 8.2 **Employment, Learning & Skills in Halton**

None

### 8.3 **A Healthy Halton**

The IMCA service is expected to clearly demonstrate a positive impact on the health and well-being of service users in Halton who have either capacity or support. This includes performance in relation to Change of Residence, Safeguarding, Care Review and Deprivation of Liberties all aimed towards healthier lifestyles, better access, improved accommodation, dignity and improved mental health outcomes.

### 8.4 **A Safer Halton**

By delivering the service against it's key aims and objectives the service will ensure that it helps to support some of the most vulnerable people to have a voice and remain safe in their own residence and community.

### 8.5 **Halton's Urban Renewal**

None

9.0 **RISK ANALYSIS**

9.1 The financial risk has been minimised by awarding the contract within confirmed budgets.

9.2 Halton Borough Council's Internal Audit section have carried out a financial assessment on Together: Working for Wellbeing and confirmed that they are a financially viable organisation. In addition three satisfactory references from other local authority commissioning departments have been received.

9.3 By following a comprehensive evaluation of the tenders, risks to the Council have been minimised by recommending the tender be awarded to the Provider with the highest quality standards.

10.0 **EQUALITY AND DIVERSITY ISSUES**

10.1 The proposed service will ensure Equality & Diversity is applied to all those who wish to access it. The service Provider has substantial Equality & Diversity Policies & Procedures in place.

11.0 **LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

None.