

REPORT TO: Executive Board

DATE: 21 September 2017

REPORTING OFFICER: Director of Adult Social Services

PORTFOLIO: Health & Wellbeing

SUBJECT: The procurement of Halton Healthwatch and Halton Advocacy Hub

WARD(S): Borough-wide

1.0 PURPOSE OF REPORT

1.1 To seek approval to commission Healthwatch and an advocacy hub through an open tender process, with the contracts for these services commencing on 1st April 2018.

2.0 RECOMMENDED: That Executive Board approves the commissioning of Halton Healthwatch and Halton Advocacy Hub through an open tender process.

3.0 SUPPORTING INFORMATION

3.1 The authority's statutory duties with regards to Healthwatch and advocacy is found within the following legislation;

- The Health & Social Care Act 2012
 - Healthwatch
 - Independent NHS Complaints Advocacy
- The Care Act
 - Independent Advocacy
- The Mental Capacity Act 2005
 - Independent Mental Capacity Advocates (IMCA)
- The Mental Health Act 1983 as amended in 2009
 - Independent Mental Health Advocates (IMHA)

3.2 Halton has contracts with 4 agencies for the delivery of these functions. All these contracts are due to expire in March 2018. Table 1 shows a summary of the organisations currently providing these services.

Table 1

Service	Provider	Contract Expiry Date
Healthwatch	Healthwatch Halton	March 2018
Independent NHS Complaints Advocacy	Carers Federation	March 2018 with an option to further extend by 2 years
Independent Advocacy	SHAP	March 2018
Independent Mental Capacity Advocates	Together for Mental Health	March 2018
Independent Mental Health Advocates	SHAP	March 2018

3.3 Work has been undertaken with neighbouring authorities to identify opportunities for a collaborative approach to re-procuring and delivering these functions. However most authorities have secured new contracts for the delivering locality based advocacy services and Healthwatch contracts in other areas also include other functions..

3.4 With regards to advocacy services in the borough, the delivery of these services by 4 different providers has led to a fragmented approach which potential users find difficult to navigate.

3.5 The intention is to combine Healthwatch and the advocacy service into one single contract. The benefits of this approach include;

- improving access for local people through a single gateway to advocacy services
- providing a seamless service to people who may have need of different aspects of advocacy at different times
- enabling a more efficient and flexible use of resources for the successful provider
- improving the financial sustainability of these services through the combining of contract values and an economy of scale
- providing a more efficient contract and performance management arrangement for the authority

4.0 BUSINESS CASE IN RESPECT OF PROCUREMENT

4.1 Value for Money

If a market procurement route is agreed then the contract for the new service will be awarded on the basis of quality and price, thus ensuring value for money. It is anticipated that by reducing the number of providers operating in the Borough we will be in a position to reduce the overall current budget.

4.2 Transparency

Contracts will be recorded in the Council's Contracts Register accessible via The Chest, the Council's e-tendering portal.

All Council payments in excess of £500 are the published on the Council's Open Data and Financial Information Page on the Internet.

4.3 Propriety and Security

Compliance with anti-corruption practices will be adhered to and any of the contracts within the subject of this report will be terminated if there is any occurrence of corruption by any organisation or their staff.

4.4 Accountability

The contracts will be performance managed and service standards monitored by commissioners and the contracts team.

4.5 Position of the Contract under the Public Contracts Regulations 2015

The light-touch regime (LTR) is a specific set of rules for certain service contracts that tend to be of lower interest to cross-border competition. Those service contracts include certain social, health and education services, defined by Common Procurement Vocabulary (CPV) codes.

LTR will be applied to the Halton Healthwatch and Halton Advocacy Hub service as a provision of this type is included in the list of services to which the Light-Touch Regime applies as set out in Schedule 3 of the Public Contracts Regulations 2015 (Annex A).

5.0 POLICY IMPLICATIONS

5.1 The method of procurement complies with both Public Contract Regulations, 2015 and the Council's Procurement Standing Orders.

6.0 FINANCIAL IMPLICATIONS

The combined contract values of the services in Table 1 are £248k per annum. It is intended to commission Halton Healthwatch and Halton Advocacy Hub over a 5 year period; a contract value that will be in excess of £1 million. To comply with standing orders, approval is required by Executive Board.

6.1 Financial provision for the service is contained within the Directorate's current budgets. However, it is anticipated that commissioning these services in this way will reduce the overall cost to the authority

6.2 A contract for this new service will be awarded for five years with two one year optional extensions. TUPE regulations will apply for affected staff.

7.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

7.1 Children & Young People in Halton

None identified.

7.2 Employment, Learning & Skills in Halton

None identified.

7.3 A Healthy Halton

Commissioning these services supports the authority in delivering its statutory duties

7.4 A Safer Halton

None identified.

7.5 Halton's Urban Renewal

None identified.

8.0 RISK ANALYSIS

8.1 The Quality Assurance Team will monitor this contract and ensure the Council and Halton residents receive value for money.

9.0 EQUALITY & DIVERSITY ISSUES

9.1 There are no Equality and Diversity implications arising as a result of the proposed action.

10.0 REASON(S) FOR DECISION

10.1 As the value of the proposed contract will exceed the EU threshold for services of this type, we are seeking Executive Board approval

10.2 To ensure business continuity and compliance with the authority's statutory duties.

11.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

11.1 An option to commission Healthwatch across a wider geographical footprint was considered in section 3.3

12.0 IMPLEMENTATION DATE

12.1 The procurement process will commence from October 2017 with a contract commencement date of 1st April 2017.

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

13.1 None under the meaning of the Act.