

**WEST DUNBARTONSHIRE COUNCIL****Report by Strategic Director – Transformation & Public Sector Reform****Tendering Committee: 11 March 2020**

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**Subject: Contract Authorisation Report: Independent Advocacy Services for Adults**

**1. Purpose**

**1.1** The purpose of this report is to seek approval from the Tendering Committee to authorise the Strategic Lead - Regulatory to conclude the block contract for Independent Advocacy Services for Adults.

**2. Recommendations**

**2.1** It is recommended that the Tendering Committee:

- a) Authorise the Strategic Lead Regulatory, to conclude the block contract on behalf of West Dunbartonshire Health and Social Care Partnership (WD HSCP), to Lomond & Argyll Advocacy Services, for Independent Advocacy Services for Adults; and
- b) The estimated value will be £405,000 (excluding VAT), for a period of three years with the option of 2 x 12 month contract extension periods to be implemented at the discretion of the Council; and estimated value will be £675,000 (excluding VAT) for a period of five years.
- c) The commencement date of the contract will be no later than 10 April 2020.

**3. Background**

**3.1** The Council has a legislative requirement to provide and deliver advocacy services for people living in West Dunbartonshire who require it, many of whom have complex needs. This can relate to people with significant or enduring health needs and disabilities. The service will:

- Enable their advocacy partner to understand their rights, and ensure that they are recognised by others;
- Support their advocacy partner to gain information, understand options and explore possible outcomes;
- Safeguard individuals who are vulnerable and discriminated against or whom services find difficult to serve;
- Empower individuals who need a stronger voice by enabling them to express their own needs and make their own decisions;
- Supporting and speaking on behalf of individuals who are unable to do so for themselves; and

- Make every effort to understand, monitor and overcome barriers faced by diverse, minority or marginalised groups to accessing, using or taking part in independent advocacy.

**3.1** On the 8th May 2019, the WD HSCP Board approved the procurements for the provision of Independent Advocacy Services for Adults. This procurement exercise has been conducted in accordance with the Council's Standing Orders and Financial Regulations and the *Public Contracts (Scotland) Regulations 2016* (below the EU threshold) for Services. A Contract Strategy document was also approved by the Business Partner - Strategic Procurement (People) on 25 February 2020.

#### **4. Main Issues**

**4.1** The Contract Strategy identified that the care provided to service users would be best met by the incumbent providers because any change in service provision or provider would impact the continuity of care for service users who are placed in care and their carers and families.

**4.2** The *Procurement Reform Act 2014* permits a public body to award a contract for health or social care services without seeking offers in relation to the proposed contract) up to a maximum of £663,540 per contract. The strategic objective of adopting the 'Light Touch Regime' approach is to ensure robust contractual arrangements are in place, that appropriate procurement due diligence procedures have been followed and promote the analysis of credible market intelligence allowing greater insight into future service developments., This includes the development of a national framework agreement for the purchase of care at home and supported living services, collectively defined as care and support services.

**4.3** The direct award is offered subject to the final compliance documents being reviewed and signed off in accordance with the terms of the contract.

**4.4** It is anticipated that the Scotland Excel Care and Support framework agreement will be open to all Scottish Local Authorities' and Health and Social Care Partnerships (HSCP) from April 2020. The Corporate Procurement Unit (CPU) and the WD HSCP will undertake an appraisal of the framework agreement to determine best value including; reviewing incumbent providers against the awarded framework providers, their availability and the control of costs through stabilised fees and charges and the development of a local implementation plan.

#### **5. People Implications**

**5.1** There are no people implications.

#### **6. Financial and Procurement Implications**

**6.1** Financial costs in respect of these contracts will be met from the WD HSCP budget for Independent Advocacy Services for Adults. The estimated value of

this contract is £405,000 (excluding VAT) for a period of three years or £675,000 (excluding VAT) for a period of five years.

**6.2** This procurement exercise will be conducted in accordance with the agreed Contract Strategy produced by the Corporate Procurement Unit (CPU) in consultation with WD HSCP officers and the provisions of the Council's Standing Orders, Financial Regulations and the *Public Contracts (Scotland) Regulations 2016*.

## **7. Risk Analysis**

**7.1** The CPU will ensure that the providers have no known links to Serious and Organised Crime which would have significant political and reputational ramifications for the Council and WD HSCP.

## **8. Equalities Impact Assessment (EIA)**

**8.1** The equality screening process carried out for the purpose of this procurement is reflected in the WD HSCP Board report approved on 8 May 2019.

## **9. Strategic Assessment**

**9.1** The approval of the direct award contracts would support the following Council strategic priorities:

- Efficient and effective frontline services that improve the everyday lives of residents.

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**Date:** 11 March 2020

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**Background Papers:** The Contract Strategy  
EIA Screening

**Wards Affected:** All