

Report for: Cabinet Member Signing – 5th September 2017

Item number:

Title: Request for approval for Haringey Council to lead on the joint procurement of statutory advocacy services on behalf of the London Boroughs of Barnet, Enfield and Haringey.

Report authorised by : Tracie Evans, Interim Deputy Chief Executive

Lead Officer: Sam Jacobson, Commissioning Manager

Ward(s) affected: All

**Report for Key/
Non Key Decision:** Key Decision

1. Describe the issue under consideration

- 1.1 This report seeks Lead Cabinet Member approval pursuant to Contract Standing Order (CSO) 7.04(a) for Haringey Council to lead on a joint procurement activity for a range of statutory Advocacy Services on behalf of the London Boroughs of Barnet, Enfield and Haringey. The services to be commissioned under the joint procurement are: Independent Mental Health Advocacy (IMHA); Independent Mental Capacity Advocacy (IMCA); Deprivation of Liberty Safeguards (DoLS) Relevant Person's Paid Representatives; Care Act Advocacy and Children's Advocacy.

2. Cabinet Member Introduction

- 2.1 Local authorities have a statutory obligation to provide advocacy services to adults and children to ensure they are involved and their voices are heard in decisions about their care and support. A large number of the people that Haringey Council provide services to access accommodation in Enfield and Barnet; consequently, Haringey have jointly commissioned these services with the London Boroughs of Enfield and Barnet over the last four years, it is in the Council's overall interest to continue with these arrangements.

3. Recommendations

- 3.1 That the Lead Cabinet Member approves this request pursuant to CSO 7.04(a) for the Council to lead on a joint procurement activity for the statutory advocacy services listed in 1.1 above on behalf of itself, the London Borough of Barnet and the London Borough of Enfield.

Subject to approval being granted, it is anticipated that the procurement process for the statutory advocacy services listed in 1.1 above shall commence in autumn 2017 to ensure that a new contract is awarded and in place by 1st April 2018.

- 3.2 Following the completion of the procurement process, cabinet approval will be required to award the contract. This report pertains to approval for the commencement of the joint procurement, as opposed to the award of contract.

4. Reasons for decision

- 4.1 Local authorities have a statutory obligation to provide IMHA, IMCA, Care Act Advocacy and Advocacy for looked after and vulnerable children in line with provisions with the Mental Capacity Act 2005, the Mental Health Act 2007, the Care Act 2014 and the Children and Families Act 2014.
- 4.2 Haringey's contracts for all of the above services expire on 31st March 2018. It is therefore necessary to tender these services in order to put in place a new contract to avoid any break in services.
- 4.3 Haringey's services for IMCA and IMHA are provided as part of a multi-borough contract led by Enfield Council, which also provides for Barnet Council. This contract was extended until 31st March 2018 to align with the respective end-dates of Haringey and Enfield's care act advocacy and children's advocacy contracts.
- 4.4 All boroughs have agreed that the most expedient and cost-effective means of re-commissioning these services is to procure these services jointly for the three boroughs, and as a result to benefit from economies of scale that come about with larger contracts.
- 4.5 Haringey is proposing to lead the procurement as both Barnet and Enfield have taken a lead role on previous procurements for these services. The intention is to seek a provider, or a consortium arrangement with a lead provider, to deliver all forms of advocacy across the three boroughs.
- 4.6 It is proposed for a contract to be awarded for 3 years with the option to extend for 2 further periods of 12 months each.

5. Alternative Options Considered

- 5.1 The alternative options considered and rejected are:

5.1.1 For Haringey to commission advocacy services independently:

- This is deemed not to be viable because Haringey would not benefit from economies of scale associated with a cross-borough arrangement

- This would also potentially increase the overall costs of these services because travel costs to Haringey would increase. This is because much of the accommodation-based provision that Haringey uses, and subsequently needs to send advocates to see clients in, is in Barnet and Enfield.

5.1.2 Do nothing – this is not an option as this service is a statutory requirement.

6. Background

6.1 Details of Haringey’s existing contracts for advocacy services are detailed in the table below.

Contract	Value (Haringey – annual value)	Expiry date
Care Act & Children’s Advocacy	£64,500	31 st March 2018
IMCA/IMHA	£69,000	31 st March 2018

6.2 It is estimated that through re-commissioning these services with Barnet and Enfield Council, Haringey should be able to achieve a 5% efficiency saving. It is not expected that demand for these services will reduce as they are statutory services, in fact demand may increase given projected increases to populations of older adults and adults with a learning disability or mental health condition. However, it is expected that through a single contract across three boroughs, the management/infrastructure costs of providing a service to Haringey would be reduced, allowing the Council to realise some savings.

6.3 The overall value of Haringey’s spend over a 5 year period is estimated to be approximately £634,125, or £126,825 per annum.

6.4 It is anticipated that the procurement process will start in the autumn 2017 to ensure that the new contract is in place by April 2018. Representatives from the three boroughs will be involved in the development, preparation and evaluation of the tender.

7. Contribution to strategic outcomes

7.1 This will contribute to both priority 1 and priority 2 within the Corporate Plan, as it will support children, families and vulnerable adults to exercise greater choice, control and independence.

8. Statutory Officers comments (Chief Finance Officer, Procurement, Assistant Director of Corporate Governance, Equalities).

8.1 Finance

- The full annual cost for the IMHA contract of £69,000 will be met from existing resources within the Voluntary Sector budgets in Commissioning.
- £44,500 of the Care Act & Children's Advocacy contract cost will also be met from existing resources within the Voluntary Sector budgets with the balance of £20,000 (to a total cost of £64,500) being funded from E42009.
- We would always recommend that value for money is obtained through the best use of resources ensuring that efficiencies and savings opportunities are always explored fully.

8.2 Procurement

8.3 The recommendation is in line with the Procurement Code of Practice and may be approved.

8.4 Legal

8.5 The Assistant Director of Corporate Governance notes the contents of the report.

8.6 By virtue of CSO 7.04 and subject to approval of the Lead Cabinet Member under CSO 7.04(a), the Council may lead a joint procurement activity with other contracting authorities. The Assistant Director of Corporate Governance sees no legal reasons preventing the Lead Cabinet Member from approving the recommendations in the report.

8.7 Equalities

8.8 The commissioning of advocacy services is designed to meet the Council's legal obligations to offer independent advocacy to vulnerable individuals to make the necessary reasonable adjustments to involve them as much as possible in decisions made about their care and support.

8.9 The Council will use the procurement exercise to seek a suitably qualified provider or providers with experience in working with all vulnerable groups across adults and children's care services. The Council will also monitor access against all protected characteristics upon award of the contract.