

Finance and Resources Committee

10.00am, Thursday 08 September 2016

Waivers - independent advocacy contracts

Item number	7.6
Report number	
Executive/routine	
Wards	All

Executive summary

This report is seeking the approval of the Finance and Resources Committee for waivers allowing the extension of contracts for the delivery of independent advocacy services. These services support citizens to make their views known and engage in informed decision making about their lives.

Links

Coalition pledges	P30
Council outcomes	CP2 , CP3 , CP4
Single Outcome Agreement	SO2

Waiver/Extension of independent advocacy contracts

Recommendations

- 1.1 The Finance and Resources Committee is asked to:
 - i. waive the requirement in Contract Standing Orders and agree to further extend the existing contracts for Independent Advocacy Services with Partners in Advocacy and Advocard from 1 December 2016 to 30 June 2017; in order to allow more time for the completion of the procurement process and in particular consultation and engagement with service users and providers

Background

- 2.1 The City of Edinburgh Council and NHS Lothian have a duty to provide access to independent advocacy services to people who meet the requirement of the following key legislation; Mental Health (Care and Treatment) (Scotland) Act 2003, Adults with Incapacity (Scotland) Act 2000, Adult Support and Protection (Scotland) Act 2007, Carers (Scotland) Act 2016 and Children (Scotland) Act 1995.
- 2.2 Independent advocacy can only be provided by organisations who meet the requirements of the Scottish Independent Advocacy Alliance. Independent advocacy is about speaking up for an individual or group and provides a means of supporting people have a stronger voice and take as much control as possible over their own lives. Independent Advocacy organisations are separate from organisations that provide other types of services.
- 2.3 The volume of service provided over the period December 2014 to November 2015 by the two agencies was a total of 36,800 hours per annum of which 7,100 hours was for people with learning disabilities, 18,200 for people with mental health issues, 8,800 hours for older people and people with physical disabilities and 2,700 hours for unpaid carers.
- 2.4 In terms of the number of people supported with independent advocacy over the same period this was 1,681 people of which 65% were people with mental health issues. The remaining 35% were people with a disability, older people or unpaid carers. There were 48 groups that had collective advocacy and 116 consultations or forums.

Main report

- 3.1 A comprehensive review of independent advocacy services was undertaken in Edinburgh in 2010. The successful providers following a procurement exercise were Advocard and Partners in Advocacy. Advocard provides advocacy to people with mental health issues and carers, whilst Partners in Advocacy have two separate contracts and provide support to people with learning disabilities, older people and people with physical disabilities. The existing contracts are due to expire on 30 November 2016.
- 3.2 The current procurement work began on 7 March 2016 with a future contract notice published on the public procurement portal. Prior to that, commissioning officers from NHS Lothian and the City of Edinburgh Council had been in discussion for several months planning the work required for this procurement exercise.
- 3.3 The value of the contract requires the contract opportunity to be openly and transparently advertised. Subject to the requirements to comply with the principles of fairness, transparency and equal treatment and published in advance the procurement process to identify providers can be light touch. The original plan had been for the procurement exercise to commence in March 2016 with coproduction followed by an appropriate procurement process with the award of contracts in September and a contract start date of 1 December 2016.
- 3.4 However, this timetable has proved to be too ambitious and it has become clear that more time is required to ensure meaningful engagement and consultation with both service providers and people who use the service. The very nature of this service means that engagement with service users is resource intensive.
- 3.5 Changes in staff within the Health and Social Care Partnership has necessitated the identification of new a lead officer for this piece of work. A project team has now been established to take the procurement process forward with representation from the commissioning and contracting teams in Health and Social Care and the Council's Procurement Team. The production of a clear timeline to ensure that the procurement process is completed and new contracts awarded before the end of June 2017 is a key priority for the project team. Progress against this timeline will be overseen by the Procurement Board that has been established in Health and Social Care, membership of which includes officers from the Council's Procurement Team.
- 3.6 The annual value of the existing contracts is £809,500; the cost of extending the contracts from 1 December 2016 to 30 June 2017 can be met within the existing financial envelope.

- 3.7 On 19 August 2016 the Integration Joint Board approved the recommendation that a report be submitted to the Finance and Resources Committee of the City of Edinburgh Council seeking a waiver to extend the existing contracts for independent advocacy services to 30 June 2017.

Measures of success

- 4.1 A new service specification is developed through the procurement process which meets the needs of people who use independent advocacy services in Edinburgh.

Financial impact

- 5.1 The annual value of the existing contracts is £809,500; the cost of extending the contracts from 1 December 2016 to 30 June 2017 can be met within the existing financial envelope.

Risk, policy, compliance and governance impact

- 6.1 If the waiver is not approved, then the contracts for independent advocacy services in Edinburgh will cease after 30 November 2016 and therefore the IJB will be unable to fulfil their statutory duty for the provision of this service.

Equalities impact

- 7.1 As part of the procurement process, an Integrated Impact Assessment will be undertaken.

Sustainability impact

- 8.1 There are no adverse sustainability impacts arising from this report.

Consultation and engagement

- 9.1 There is no requirement for consultation and engagement arising from this update report. However, following approval by the IJB and the Finance and Resources Committee, significant consultation and engagement work will be undertaken in relation to the procurement exercise with both service users and carers and interested parties. This will allow for a coproduction approach to

developing the service specification and the subsequent evaluation of submissions from interested providers.

Background reading/external references

Scottish Independent Advocacy Alliance website <http://www.siaa.org.uk/>

Rob McCulloch-Graham

Chief Officer, Edinburgh Health and Social Care Partnership

Contact: Gordon Dodds, Planning and Commissioning Officer

E-mail: gordon.dodds@edinburgh.gov.uk | Tel: 0131 553 8347

Links

Coalition pledges	P30 – Continue to maintain a sound financial position including long-term financial planning
Council outcomes	CP2 – improved health and wellbeing: reduced inequalities CP3 – Right care, right place, right time CP4 – safe and empowered communities
Single Outcome Agreement	SO2 – Edinburgh's citizens experience improved health and wellbeing, with reduced inequalities in health
Appendices	