

Report

Report on Independent Advocacy Procurement

Edinburgh Integration Joint Board

19 August 2016



Executive Summary

1.1 This report is to provide an update to the Integration Joint Board on the procurement for independent advocacy services and the requirement to revise the timetable and extend the incumbent providers' contracts for this work to 30 June 2017.

Recommendations

2.1 The Integration Joint Board is asked to:

- i. approve the submission of a report to the Finance and Resources Committee of the City of Edinburgh Council requesting the extension of the existing contracts for Independent Advocacy Services 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

3.1 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.

3.2 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.

- 3.3 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.
- 3.4 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.
- 3.5 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.
- 3.6 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.

Main report

- 4.1 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.
- 4.2 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. Changes in staff within the Health and Social Care Partnership has also necessitated the identification of new lead officers who have required a little time to familiarise themselves with this area of work.

- 4.3 The annual value of the existing contracts, which have been jointly funded by the Council and NHS Lothian is £809,500 per annum. The cost of extending the contracts from 1 December 2016 to 30 June 2017 is approximately £500,000.
- 4.4 Subject to the approval of the Integration Joint Board a report will be submitted to the Finance and Resources Committee of the Council on 8 September 2016, seeking a waiver to extend the advocacy contracts to 30 June 2017.

Key risks

- 5.1 There are some direct risk, policy, compliance or governance impacts arising from this report. These include the risk of the waiver extending the current contracts not being approved by the Finance and Resources Committee on 8 September 2016 is not endorsed.
- 5.2 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.

Financial implications

- 6.1 There are direct financial impacts outlined in this report in relation to the procurement of new independent advocacy services. The cost of extending the existing contracts from 1 December 2016 to 10 June 2017 is £500,000 as detailed in section 4.3.

Involving people

- 7.1 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.

Impact on plans of other parties

- 8.1 There is no impact on plans of other parties from this report.

Background reading/references

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

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Links to priorities in strategic plan

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Approach to prevention