



**OFFICIAL DECISION NOTICE PUBLISHED BY
DEMOCRATIC SERVICES ON 26 MARCH 2021**

The Leader of the Council and the Cabinet Member for Health and Social Care have made the following decision today:

<p>1.</p>	<p><i>THE LEADER OF THE COUNCIL AND THE CABINET MEMBER FOR HEALTH AND SOCIAL CARE</i></p> <p><i>RENEWAL OF CONTRACTS VIA SINGLE TENDER ACTION – HEALTHWATCH HILLINGDON AND THE NHS INDEPENDENT COMPLAINTS ADVOCACY SERVICE</i></p> <p>DECISION:</p> <p>That the Leader of the Council and Cabinet Member for Health and Social Care:</p> <ol style="list-style-type: none">1) Approved an agreement with Healthwatch Hillingdon to provide the statutory local Healthwatch services from 01 April 2021 to 31 March 2023 at a value of £316k;2) Noted that this includes an option for a further two-year extension to 31 March 2025, subject to further Cabinet Member approval; and3) Accepted the single tender from Powher Limited for the provision of the NHS ICAS to the London Borough of Hillingdon for an eighteen-month period from 01 April 2021 to 30 September 2022 with an estimated value of up to £63.5K. <p>REASONS FOR THE DECISIONS MADE</p> <ol style="list-style-type: none">Healthwatch Hillingdon was established in April 2013, by the Council as an independent company and charity, to deliver functions required of 2012 Health and Social Care Act. The current grant agreement expires on the 31 March 2021. Healthwatch Hillingdon has proven itself as a key partner since its inception and has developed strong and effective links and networks to provide the “customer voice” in Hillingdon.Health and Social Care Act 2012 also requires the commissioning of NHS Independent Complaints Advocacy Service (ICAS). NHS ICAS supports and empowers anyone who wishes to resolve a complaint about healthcare commissioned and/ or provided by the NHS in England. In October 2017 Cabinet gave approval for Hillingdon to participate in a joint procurement venture to procure the NHS ICAS with other London local authorities. As a result, a pan-London procurement exercise was undertaken and the contract to deliver the ICAS was awarded to Powher. The exercise was led by the London Borough of Southwark. Hillingdon Council was responsible for all contract payments to the provider (as the service is delivered through	<p><i>Dan Kennedy, Director of Housing, Environment, Education, Performance, Health and Wellbeing</i></p> <p><i>Kevin Byrne, Head of Policy and Partnerships</i></p>
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a Service Agreement, called off from the Framework Agreement put in place by Southwark). An annual administration fee was also paid to Southwark Council. Southwark Council has now decided not to lead the consortium after March 2021, and it seems very unlikely that another Borough would pick this up.

3. Given experience during the recent Covid-19 pandemic, where former face-to-face advocacy has moved to more virtual routes, and in a desire to simplify arrangements, Powher has suggested an hourly cost for individual Borough contracts.
4. The proposed new model would be based on hourly invoicing rather than separating out core, remote, intensive and switched cases. Powher would only invoice for work carried out in relation to the service provided so that Hillingdon only pays for work delivered. Powher propose an hourly rate for the service going forward of £36 per hour for the duration of the agreement. Based on forecast demand, and anticipated delivery of up to 1,176 hours within 2021/2022, the expected cost would therefore be up to £42,353.
5. Powher would also agree to an upper limit of £43,000 be set for the service to allow for increased demand should this occur. If there is no additional demand, the Council would only pay for hours delivered.

ALTERNATIVES CONSIDERED AND REJECTED

Healthwatch Hillingdon

6. The alternative would be to put the provision of Healthwatch services (as required by the 2012 Act) out for fully competitive tender. It is unlikely that this process would attract a strong field of alternative providers.
7. In addition, Healthwatch Hillingdon has successfully established itself as the independent champion for health and social care for the people of Hillingdon. This has resulted in a number of improvements in the provision of local services. The current provider offers a credible voice at many of the key partnership boards such as the Health and Wellbeing Board. Our relationship has been open and collaborative. The current contract has strong governance, policies and programmes and has delivered innovatively for local people. Further change at this stage is not considered helpful and would attract wider risks of disrupting services and detracting from a clear focus at an important period for health and social care in Hillingdon. It is considered, therefore, that there is significant benefit in renewing the grant to Healthwatch Hillingdon as this offers stability and business continuity.

ICAS

8. The alternative for ICAS would be to run a full competitive tender now. To attract interest this would need to offer a provider a contract for several years, probably two plus two. This option would preclude the opportunity to align the ICAS contract (which is a relatively small

	<p>service of approximately £43k pa) to larger contracts for statutory advocacy and put these out to fully competitive tender prior to September 2022 as a single package, where potentially greater value could be achieved.</p> <p>9. Procurement supports the recommendations in this paper. There is value in co-terminating the contracts so that a larger integrated advocacy service tender is an opportunity for the Council to consider. We have conducted initial market engagement which indicated that there are providers interested in tendering and who are delivering adult advocacy, young people's advocacy for looked after children and care leavers and ICAS advocacy. We have spoken to another local authority who contracted for this larger integrated model to gain efficiencies. Before any further extension takes place, we will review the market to ensure best value.</p> <p>FURTHER INFORMATION</p> <p>That this report be declared as exempt from publication as it involves the disclosure of information in accordance with Section 100(A) and paragraph 3 of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that the report contains information relating to the financial or business affairs of any particular person (including the authority holding that information) and that the public interest in withholding the information outweighs the public interest in disclosing it.</p>	
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DECISION AUTHORITY & IMPLEMENTATION

Where required, these decisions have been taken under The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

These decisions, unless called in, will come into effect from 5pm on Tuesday 06 April 2021.

This is the formal notice by the Council of the above decisions. If you would like more information on any of the decisions, please contact Democratic Services on 01895 250636. The right hand column indicates the name of the officer(s) responsible for implementing / following up the decision in each case. Circulation of this decisions sheet is to a variety of people including Members of the Council, Corporate Directors, Officers, Group Secretariats and the Public.