

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

Decision Maker:	Executive Member for Adult Social Care and Public Health
Date:	27 January 2015
Title:	Advocacy Services
Reference:	6351
Report From:	Director of Adult Services

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1. The decision:

- a) That the Executive Member for Adult Social Care and Public Health gives approval to take up the one year extension to the mental health, IMHA, IMCA and Paid Representative contract to commence on 1 February 2015 with a value of up to £325,000.
- b) That the Executive Member for Adult Social Care and Public Health gives approval to put in place a contract for mental health, IMHA, IMCA and Paid Representative for a maximum of two months to commence on 1 February 2016, using the Single Tender Approach with the current provider, with a value of up to £54,167 and a total contract value of up to £959,167.
- c) That the Executive Member for Adult Social Care and Public Health gives approval to go out to tender and award a contract for Care Act Advocacy for a maximum of up to one year to commence on 1 April 2015, using an accelerated restricted process, with an annual and total contract value of up to £300,059.
- d) That the Executive Member for Adult Social Care and Public Health gives approval to the future direction for commissioning statutory and non-statutory advocacy services with effect from 1 April 2016.

2. Reasons for the decision:

- 2.1. From 1 April 2015, under the Care Act, the Council will become responsible for the arrangement of an Independent Advocate in certain circumstances.
- 2.2. There is currently very limited advocacy provision for older people and no advocacy provision for people with a physical disability or people involved in safeguarding.
- 2.3. People with a learning disability currently have access to advocacy through Adult Services grant provision which ends on 31 March 2015. It will therefore

be necessary to procure Independent Advocacy for people with a learning disability, a physical disability and older people under the Care Act 2014 from 1 April 2015.

2.4. The existing mental health advocacy, Independent Mental Health Advocacy, Independent Mental Capacity Advocacy and Paid Representative, most of which are also statutory requirements under the Mental Health Act 1983 and Mental Capacity Act 2005 runs until 31 January 2015 with the option to extend for a further twelve months. This contract will cover Care Act 2014 requirements for advocacy but only for people with mental health problems. There will be a need to take up the extension and put in place a contract from 1 February 2016 to 31 March 2016.

2.5. These are interim measures to allow the development of a single advocacy contract covering statutory and non-statutory advocacy whereby a single organisation will be contracted to source advocacy according to requirement of the different legislation, being independent of the County Council and providing a single point of contact for referrers.

3. Other options considered and rejected:

3.1. Using the grant process was considered but rejected as it does not give the same level of security or monitoring as a contract does.

3.2. Requesting a variation to the existing mental health advocacy contract to cover Care Act 2014 requirements was considered but there are other advocacy providers who would also be capable of delivering this service so a tendering process was considered to be the most appropriate option.

4. Conflicts of interest:

4.1. Conflicts of interest declared by the decision-maker: None

4.2. Conflicts of interest declared by other Executive Members consulted: Not applicable

5. Dispensation granted by the Conduct Advisory Panel: none

6. Reason(s) for the matter being dealt with if urgent: not applicable

7. Statement from the Decision Maker:

Approved by:

Date:

27 January 2015

Executive Member for Adult Social Care and Public Health
Councillor Liz Fairhurst