

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

Decision Maker:	Executive Member for Adult Social Care
Date:	17 September 2015
Title:	Advocacy Services
Reference:	6715
Report From:	Director of Adult Services

Contact name: Liz McGill

Tel: 01962 846458

Email: Liz.mcgill@hants.gov.uk

1. The decision:

- a) That the Executive Member for Adult Social Care gives approval to go out to tender and spend and award a contract for statutory advocacy - Independent Mental Health Advocacy (IMHA), Independent Mental Capacity Advocacy (IMCA), Paid Representative, Care Act and Children's advocacy and for general advocacy for people with mental health needs, learning disability, physical disability and older people to commence on April 1 2016 for two years with an option to extend for one plus one year, with a value up to £2,148,672 for the two year contract and a maximum total contract value of £4,297,344.
- b) That the Executive Member for Adult Social Care gives approval to enter into a Section 75 agreement with NHS England for Hampshire County Council to act as Lead Commissioner for IMHA services in the secure hospitals and to vary the Section 256 agreement with the Hampshire 5 CCGs from 2017 to 2018 or 2020, depending on their funding agreement.

2. Reasons for the decision:

- 2.1. Hampshire County Council has a legal responsibility to arrange advocacy for eligible people under the IMHA, the IMCA, the Care Act and the Children Act and other children's legislation.
- 2.2. Statutory Advocacy has to be independent of the local authority and the NHS and is free to the individual.

3. Other options considered and rejected:

- 3.1. Separate tenders for the different types of advocacy which was rejected on the grounds that it would not be the most cost effective method of procurement and would not be the best option for service users who could have need of different types of advocacy.

3.2. Inclusion of HealthWatch, which includes the Local Authority requirement for NHS Complaints Advocacy, in the contract was considered but rejected on the grounds that it was more advantageous to locate it within other community resources than to align it with other advocacy.

3.3. In-house provision of advocacy is not permitted under some of the legislation so was not an 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:

17 September 2015

**Executive Member for Adult Social Care
Councillor Liz Fairhurst**