

Notice of Non-key Executive Decision

Subject Heading:	Approval to award the My Health Matters contract to Age UK Redbridge, Barking & Havering
Cabinet Member:	Councillor Jason Frost, Cabinet Member for Health and Adult Care Services
SLT Lead:	Mark Ansell, Director for Public Health
Report Author and contact details:	Daren Mulley, Commissioning Manager T: 01708 433982 E: daren.mulley@havering.gov.uk
Policy context:	At a local level, this contract supports the Council to meet its Communities Theme priorities in its Corporate Plan 2019/20. This plan sets out how the Council intends to invest and transform the borough with an emphasis on improving the lives of vulnerable children, adults and families. In summary, this service ensures the Council fulfils its aim of ensuring that the needs of the most vulnerable are met and that people are supported to be healthy and active.
Financial summary:	This service will be funded by the Council's Public Health grant. The three year contract value is £174,990.00

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Relevant OSC:	Individuals
Is this decision exempt from being called-in?	Yes, it is a Non Key Decision by Officer

Non-key Executive Decision

The subject matter of this report deals with the following Council Objectives

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This report seeks approval to award a two year contract with an option to extend for one year for the provision of the My Health Matters service to Age UK Redbridge, Barking and Havering from 1st April 2021 at a cost of £174,990.

AUTHORITY UNDER WHICH DECISION IS MADE

Power to authorise the award is delegated to members of the Second Tier Management under Paragraph 3.4, Part 3 (Responsibility for Functions), of the Council's Constitution:

Contract Powers

- (a) To approve commencement of a tendering process for, and to award all contracts below a total contract value of £500,000 but above the EU Threshold for Supplies and Services.

STATEMENT OF THE REASONS FOR THE DECISION

1) Procurement Approach

This procurement was subject to and adhered to the Council's Contract Procedure Rules and was published on the Council's web based procurement system, Capital E Sourcing in December 2020 (see table below). The procurement followed a formal tender process in accordance with the Council's Contract Procedure Rules and Public Contracts Regulations (as amended) 2015.

2) Evaluation & Award

In total, the Council received four bids for this service. Following the completion of the evaluations of the four bids (the quality and price score weighting was 70% and 30% respectively), the evaluation panel met for its moderation meeting on 1st February 2021 and recommended that Age UK Redbridge, Barking & Havering is awarded the contract based on the scores below;

Supplier	Technical Score (%)	Commercial Score (%)	Total Score (%)
Bidder A - Age UK Redbridge, Barking & Havering	56	30	86
Bidder B	53.97	29.39	83.36
Bidder C	51.98	29.17	81.15
Bidder D	45.00	29.19	74.18

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3) Contract & Mobilisation

The contract is for an initial 2 year period (1st April 2021 – 31st March 2023) with an option to extend for an additional one year (subject to satisfactory performance and funding). The Council is using a version of its standard terms and conditions for the provision of these services with appropriate break and contract modification clauses. The contract includes service specification requirements including the need to report on service user outcomes and service performance.

A Commissioning Manager has been identified within the Joint Commissioning Unit to lead on the management of the contract and will work closely with Public Health to monitor and manage the performance of the service.

OTHER OPTIONS CONSIDERED AND REJECTED

1. Extend existing contract: The previous contract had already been extended as permitted and so this approach would contravene the Council's Contracts Procedure Rules.

2. Do nothing: Allowing the previous contract to lapse would have led to a potential destabilisation of the current service. This is not a practical option and would lead to the Council not being fully compliant with its existing obligations to provide this service.

PRE-DECISION CONSULTATION

The pre-decision consultation has involved engaging with a number of stakeholders to prepare the tender. In summary, the table below presents the type, methods and stakeholders engaged in the pre-decision consultation:

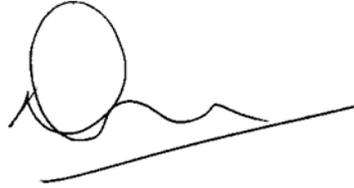
Type	Methods	Consultees
Project Board	Formal regular meetings, phone, email	a) Joint Commissioning Unit b) Public Health c) Procurement
Review of Tender Documents	Desktop research, phone, email, meetings	a) Current Provider b) Joint Commissioning Unit c) Project Board members
Prior Information Notice	Notice published via the Council's procurement system	a) Current provider b) Other interested Providers in the market
Market Engagement Event	Meeting with potential bidders	a) Joint Commissioning Unit b) Procurement

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

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Name: Daren Mulley

Designation: Senior Commissioning Manager

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a series of wavy lines and a long horizontal stroke extending to the right.

Signature:

Date: 9th September 2021

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

1. This report seeks approval to award a two year contract with an option to extend for one year for the provision of the My Health Matters service to Age UK Redbridge, Barking and Havering from 1st April 2021.
2. The Council has the general power of competence under section 1 of the Localism Act 2011 to do anything an individual may generally do subject to any limitations. The contract may be awarded in accordance with these powers.
3. The proposed contract value is below the EU threshold for services (currently £189,330) and accordingly is not subject to the full rigours of the Public Contracts Regulations 2015 (as amended).
4. Legal officers are available to assist the client department in finalising the terms and conditions of the proposed contract.
5. In accordance with paragraph 17.1 of CPR contracts with a total value of more than £150,000 will be executed under seal in accordance with Article 10.04 of the Constitution unless the Director of Legal and Governance approves otherwise.

FINANCIAL IMPLICATIONS AND RISKS

The cost of the contract is £58,330 per annum. The total cost of the contract for the initial two year contract and the one year extension is £174,990.

This will be funded from the Public Health ring-fenced grant. £70k has been made available from the 2021/22 Public Health Grant for the My Health Matters contract so there is sufficient budget to cover the annual contract cost.

As this contract is grant funded there will be contract variation clauses and exit clauses written into the contract to mitigate the risk of the grant ceasing or significantly reducing.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

There are no implications or risks anticipated to Council staff as the employees involved in the delivery of the current service are employed directly by the existing Supplier. As a new supplier will be awarded the new contract the Transfer of Undertakings (Protection of Employment) Regulations 2006 as amended by the "Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014 will apply.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

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The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

The action undertaken in respect of the new contract will include monitoring how the service meets the needs of all eligible users, including those from ethnic minority communities and the disabled. The Council will also ensure that potential providers have undertaken equality training and adhere to the Council's Fair to All Policy or their own equivalent.

BACKGROUND PAPERS

No background papers

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

~~Proposal NOT agreed because~~

Details of decision maker

Signed



Name: Mark Ansell

Cabinet Portfolio held:

CMT Member title:

Head of Service title

Other manager title:

Date: 14th September 2021

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____