

Report to: **STRATEGIC COMMISSIONING BOARD**

Date: 28 April 2021

Executive Member: Councillor Allison Gwynne – Executive Member (Neighbourhoods, Community Safety and Environment)
Councillor Eleanor Wills – Executive Member (Adult Social Care and Population Health)

Clinical Lead: Dr Christine Ahmed, Clinical Lead, Starting Well

Reporting Officer: Emma Varnam – Assistant Director, Operations and Neighbourhoods

Subject: **UPDATE ON PROVISION OF SOCIAL WELFARE INFORMATION AND ADVICE AND SPECIALIST EMPLOYMENT ADVICE**

Report Summary: The Council has had a contract with Citizens Advice Tameside for many years to deliver generalist social welfare advice and specialist employment advice.

A report was presented to Strategic Commissioning Board on 25 November 2020, which gave approval to tender the service for a 3 year period to commence 1 April 2021.

It has taken longer than envisaged to get to a position of being tender ready and this is due in part to the current climate during the Covid-19 pandemic, but this has been further exacerbated by the nature of the contract and the fact that this is the first time the service has been tendered.

This report outlines the current position with the tender process and requests additional time by way of a 6 month direct contract award to Citizens Advice to allow a competitive tender process to take place for the remaining 2.5 year contract period.

Recommendations: That the Strategic Commissioning Board and Executive Cabinet be recommended to agree that :

- (i) the current situation with the tender process and the difficulties encountered in meeting the tender commencement date of 1 April 2021 is noted;
- (ii) approval is granted to directly award a 6 month contract to Citizens Advice to cover the period 1 April 2021 to 30 September 2021 to allow a competitive tender process to take place
- (iii) approval is granted to tender the provision of generalist social welfare information and advice and specialist employment advice for a period of 2.5 years
- (iv) approval is granted to allow a 1 plus 1 year optional extension in the contract noting that further governance would need to be obtained before any such extension could be exercised
- (v) authority is delegated to the Director of Operations and Neighbourhoods to award the tender and enter into all necessary contract arrangements

Financial Implications:
(Authorised by the statutory
Section 151 Officer & Chief
Finance Officer)

Budget Allocation (if Investment Decision)	Six Month Extension : £0.058m £0.039m – Operations and Neighbourhoods £0.019m – Population Health Annual : £0.116m £0.078m – Operations and Neighbourhoods £0.038m – Population Health)
CCG or TMBC Budget Allocation	TMBC
Integrated Commissioning Fund Section – s75, Aligned, In-Collaboration	Section 75 Population Health Six Month Extension : £0.019m Annual : £0.038m Aligned Operations and Neighbourhoods :
Decision Body – SCB Executive Cabinet, CCG Governing Body	Six Month Extension : £0.039m Annual : £0.078m SCB Six Month Extension : £0.019m Annual : £0.038m Executive Cabinet Six Month Extension : £0.039m Annual : £0.078m

Additional Comments

The proposed 6 month extension (£0.058m) to 30 September 2021 will be financed via the existing 2021/22 directorate revenue budgets of Operations and Neighbourhoods (£0.039m) and Population Health (£0.019m).

Members should note that there is no budget provision for any subsequent price increases (e.g. inflation) that may arise above the proposed annual value of £0.116m (Operations and Neighbourhoods £0.078m and Population Health £ 0.038m).


In addition the new contract from 1 October 2021 should have appropriate break clauses included in the event of savings that may need to be realised to support the Council's medium term financial plan.

This decision will require approval by both the Executive Cabinet (for the Operations and Neighbourhoods directorate budget provision that is within the Aligned section of the Integrated Commissioning Fund) and the Strategic Commissioning Board for the Population Health directorate budget provision that is within the Section 75 of the Integrated Commissioning Fund).

Legal Implications:
(Authorised by the Borough
Solicitor)

Any contract awards need to be undertaken with advice from STAR to ensure that any risks relating to the same are identified and mitigated wherever possible.

How do proposals align with Health & Wellbeing Strategy?	The proposal aligns with the Starting, Living Well and Ageing Well programmes.
How do proposals align with Locality Plan?	The proposals link into the Council's priorities for people: <ul style="list-style-type: none"> • Improve health and wellbeing of residents • Protect the most vulnerable • Increasing self-sufficiency and resilience of individuals and families
How do proposals align with the Commissioning Strategy?	The proposal supports the 'Care Together Commissioning for Reform Strategy 2016-2020' commissioning priorities for improving population health and wellbeing of residents.
Recommendations / views of the Health and Care Advisory Group:	N/A
Public and Patient Implications:	The proposed service model has been informed by data on customer satisfaction and engagement on social policy issues
Quality Implications:	The provider will be required to maintain Advice Quality Standards (AQS) accreditation at the general help level for welfare benefits and debt and specialist level in relation to employment law advice throughout the duration of the contract. Services commissioned via the contract will be subject to ongoing quality monitoring.
How do the proposals help to reduce health inequalities?	The provision of advice and information is essential in reducing poverty, which can help reduce stress, anxiety and improve health outcomes and reduce inequalities.
What are the Equality and Diversity implications?	There are no equality and diversity implications associated with this report
What are the safeguarding implications?	There are no safeguarding implications associated with this report.
What are the Information Governance implications? Has a privacy impact assessment been conducted?	The provider will hold personal data relating to users of the service. The provider must comply with the provisions of the General Data Protection Regulation and the Data Protection Act 2018 in relation to their handling of this data. A privacy impact assessment has not been conducted.
Risk Management:	There is a significant risk that if the contract expired this would mean that residents would not have access to independent advice and information. This would very likely lead to poverty, homelessness and poor health outcomes and subsequently increase demand on statutory services.
Access to Information:	The background papers relating to this report can be inspected by contacting the report writer Janine Yates, Team Manager, Welfare Rights and Debt Advice Service

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1. INTRODUCTION

- 1.1 The Council has had a contract with Citizens Advice Tameside for many years to deliver generalist social welfare advice and specialist employment advice.
- 1.2 The contract was last reviewed in 2018 when a waiver to standing orders was granted to allow the direct award of a three-year contract to Citizens Advice Tameside. The current contract ended on 31 March 2021.
- 1.3 A report was presented to Strategic Commissioning Board on 25 November 2020, which gave approval to tender the service for a 3 year period to commence 1 April 2021.
- 1.4 It has taken longer than envisaged to get to a position of being tender ready. This report outlines the current position with the tender process and requests additional time by way of a 6-month direct contract award to Citizens Advice to allow a competitive tender process to take place for the remaining 2.5 years of the agreed contract period.

2. CURRENT POSITION

- 2.1 In August 2020 the Council, in conjunction with STAR Procurement, reviewed the future options available for this contract prior to the contract expiring. It was agreed that a soft market testing exercise would be conducted to establish whether there were any interested parties apart from the incumbent. The soft market testing exercise was conducted in September 2020 and this confirmed there were other parties interested in bidding, so it was agreed that a procurement exercise would be conducted. Approval to allow a tender to take place was granted at Strategic Commissioning Board on 25 November 2020.
- 2.2 It has taken longer than envisaged to get to a position of being tender ready and this is due in part to the current climate during the Covid-19 pandemic, but this has been further exacerbated by the nature of the contract and the fact that this is the first time the service has been tendered. Unfortunately, the delay means there is no longer sufficient time to tender the service in time for a contract start date of 1 April 2021.
- 2.3 To address this, consideration was initially given to extend the current contract however, the Contract Particulars do not provide for an extension option. Unfortunately, this did not become apparent until very recently and there was then insufficient time to put the necessary governance arrangements in place before the current contract expires. It is for this reason that approval is requested to directly award a 6 month contract to Citizens Advice to cover the period 1 April 2021 to 30 September 2021. This would ensure sufficient time to complete a competitive tender process and allow transition to new contracting arrangements. .
- 2.4 Thereafter, approval is requested to tender the provision of generalist social welfare information and advice and specialist employment advice for a period of 2.5 years. This would cover the period 1 October 2021 – 31 March 2024. The overall total contract spend would be for a 3 year period as previously agreed at SCB on 25 November 2020. Additionally approval is sought to allow a 1 plus 1 year optional extension in the contract noting that further governance would need to be obtained before any such extension could be exercised.
- 2.5 Permission has previously been afforded to the Director of Operations and Neighbourhoods by way of delegated authority to award the tender and enter into all necessary contract arrangements. Further approval is requested to award the same delegation powers to the Director of Operations and Neighbourhoods for the revised 2.5 year tender exercise for the provision of the contract.

3. FINANCE

- 3.1 SCB granted approval on 25 November 2020 to go out to tender with a spend of £0.116m per year for 3 years.
- 3.2 This report seeks permission to award the following for the same total contract spend:-
- £0.058m - direct contract award for 6 months with Citizens Advice 1 April 2021 – 30 September 2021
 - £0.290m – 2.5 year contract award by way of a formal tender process for the provision of generalist social welfare information and advice and specialist advice. This would cover the period 1 October 2021 – 31 March 2024 with a 1 plus 1 year optional extension.

4. RISK MANAGEMENT

- 4.1 If the exemption request is not approved, this could potentially mean that the authority incurs additional costs due to this contract expiring. Vulnerable residents would have no access to advice and information which could potentially mean that other services (e.g. Mental Health, Children's Services, Housing) see an increase in demand and their spend because of residents presenting with worsening issues later on rather than deal with them at an earlier stage. This could in turn significantly outweigh the value of the extension.
- 4.2 Furthermore, if the contract expired this would likely put additional pressure on the council's welfare rights service due to increased demand for advice and an increase in benefit appeals as a result of the lack of availability of advice to help make claims. This scenario would potentially result in the need for additional welfare rights staff to be recruited to deal with the increased workload which would be additional cost to the council and could exceed the value of the extension.

5. EQUALITIES

- 5.1 The proposal is intended to reduce inequality.

6. CONCLUSION

- 6.1 The Council has had a contract with Citizens Advice for many years to deliver generalist social welfare advice and information to residents. The contract is due to expire on 31 March 2021 and approval was given at SCB on 25 November 2020 to tender the service for a 3 year period to commence 1 April 2021.
- 6.2 It has taken longer than envisaged to get to a position of being tender ready and this is due in part to the current climate during the Covid-19 pandemic, but this has been further exacerbated by the nature of the contract and the fact that this is the first time the service has been tendered. It is now not possible to complete the tender process within the time available.
- 6.3 Failure to provide the service would result in residents unable to access advice and information. This could lead to unnecessary and costly demand on statutory services because of increased poverty, homelessness and poor health.
- 6.4 It is proposed that permission is granted to award a new contract to Citizens Advice for 6 months in order to allow a competitive tender process to take place and to approve the tender of the contract for a period of 2.5 years with a 1 plus 1 year extension.

6.5 Following the successful tender exercise it is proposed that the Director of Operations and Neighbourhoods is afforded delegated authority to award the tender

7. RECOMMENDATIONS

7.1 As set out at the front of the report.