

# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

## DECISION TO BE TAKEN BY:

Clair Bell  
Cabinet Member for Adult Social Care and Public Health

## DECISION NO:

21/00103

### For publication

### Key decision: YES

Expenditure in excess of £1m.

### Title of Decision: PEOPLE'S VOICE CONTRACT (INCLUDING HEALTHWATCH KENT)

**Decision:** As Cabinet Member for Adult Social Care and Public Health, I propose to:

- a) **APPROVE** procurement of a new People's Voice Contract, which includes the delivery of Healthwatch Kent, for a maximum of five years (three years plus two single year extensions);
- b) **APPROVE** a direct award contract, to the current provider (EK360), for a maximum of six months (1 April 2022 to 30 September 2022) to allow procurement to progress; and
- c) **DELEGATE** authority to the Corporate Director Adult Social Care and Health to take relevant actions, including but not limited to finalising the terms of the contract modification or other legal agreements, as necessary to implement the decision.

**Reason(s) for decision:** Kent County Council has a statutory duty to commission a local Healthwatch organisation to carry out the eight statutory activities laid out in the Health and Social Care Act 2012 and the Local Government and Public Involvement in Health Act 2007, in an objectively reasonable way. The current contract commenced in April 2015 with an initial five-year period. The contract has expanded to include funding from the Clinical Commissioning Group through that time and has been extended a number of times. The current contract shall expire automatically on 31 March 2022. It was extended using Procurement regulations during the COVID19 pandemic.

To allow a procurement process to take place a further short contract is required for six months (1 April to 30 September 2022). It is proposed to also have a three-month notice period, should the procurement conclude in such times that allows a transition to the new contract.

**Financial Implications:** The total budget of the People's Voice contract is made up from various sources:

Government Grant (for Statutory Healthwatch Service)	£363,000
Adult Social Care	£345,700
Kent and Medway Clinical Commissioning Group	£78,129
Annual Contract Value	£786,829
Proposed Adult Social Care Cost Reduction	£34,570
New Annual Contract Value (pending Kent and Medway Clinical Commissioning Group) continuing to contribute beyond April 2023	£752,259

The contract value for the new procurement will be a maximum of £3,761,295 (a five-year contract term – three years plus two single year extensions).

The financial implications for the short contract extension 1 April 2022 to 30 September 2022 are £393,414.

Healthwatch Kent is the biggest local Healthwatch in terms of population served, and therefore has the largest local authority funding envelope, but as a per capita spend, we are in the lowest 10% of the national range.

**Legal implications:** The provision of Healthwatch Kent is a statutory responsibility of the council. The direct award of a short contract of six months is in line with PCR Regulation 32 (2) (c). Direct award due to urgency related to the ongoing impact of the COVID-19 pandemic and the inability to complete appropriate engagement with Kent residents and the Provider Market.

**Equalities implications:** An Equality Impact Assessment was undertaken as part of the original tender process and will be refreshed as part of the extension. A copy is available on request.

**Data Protection Implications:** A Data Protection Impact Assessment has been completed.

**Cabinet Committee recommendations and other consultation:** The proposed decision will be discussed at the Adult Social Care Cabinet Committee on 1 December 2021 and the outcome included in the paperwork which the Cabinet Member will be asked to sign.

**Any alternatives considered and rejected:**

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

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signed

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date