

From: Clair Bell, Cabinet Member for Adult Social Care and Public Health
Richard Smith, Corporate Director Adult Social Care and Health

To: Adult Social Care Cabinet Committee – 13 July 2022

Subject: **People’s Voice Activity (Including Healthwatch Kent)**

Decision Number **22/00062**

Classification: Unrestricted - Restricted Appendix (Exempt from publication by Schedule 12A to the Local Government Act 1972, as it contains commercially sensitive information)

Past Pathway of report: None

Future Pathway of report: Cabinet Member decision

Electoral Division: All

Summary: To inform the Adult Social Care Cabinet Committee on the outcome of the procurement process to establish a new contract for People’s Voice Activity (Including Healthwatch Kent) from 1 October 2022.

Recommendation(s): The Adult Social Care Cabinet Committee is asked to **CONSIDER** and **ENDORSE** or make **RECOMMENDATIONS** to the Cabinet Member for Adult Social Care and Public Health on the proposed decision (attached as Appendix A) to:

- a) **AWARD** the contract, to the successful provider identified as part of the procurement process and as detailed in Exempt Appendix 1, for the provision of People’s Voice Activity (Including Healthwatch Kent) for a maximum of five years (initial three-year contract with options for two one-year extensions);
- b) **DELEGATE** authority to the Corporate Director Adult Social Care and Health, after consultation with the Cabinet Member for Adult Social Care and Public Health and the Corporate Director of Finance, to agree the relevant contract extensions as required; and
- c) **DELEGATE** authority to the Corporate Director Adult Social Care and Health to take other relevant actions, including but not limited to finalising the terms of and entering into required contracts or other legal agreements, as necessary to implement the decision.

1. Introduction

- 1.1 Kent County Council (KCC) 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.
- 1.2 Healthwatch Kent has been established since April 2013 to carry out the functions set out in the Act.
- 1.3 Giving people a greater say in relation to how health and care services operate is a key component of the reforms introduced as part of the Health and Social Care Act 2012 and as such Healthwatch have a statutory right to be a member of the local Health and Wellbeing Board and the Health Overview and Scrutiny Committee, supporting the amplification of User Voice.
- 1.4 The aim of the People's Voice Activity Service is to promote and empower Kent citizens to have a voice in influencing, developing, and shaping health and care services in Kent and to provide information and advice as appropriate (in collaboration with other services) and through a variety of methods.
- 1.5 The combination of The People's Voice Activity Service and the statutory Local Healthwatch Service in Kent will ensure the optimum representation of the views of all people living within the Kent County Council footprint.

2. Background

- 2.1 The current contracted service provision was let in April 2015 to Engaging Kent CIC with an initial five-year contract period. The contract was extended following that initial period and the final extension period will end on 30 September 2022.
- 2.2 A key decision taken by the Cabinet Member for Adult Social Care and Public Health taken on 17 December 2021 approved the commencement of a procurement to award a new People's Voice Activity Contract, which includes the delivery of Healthwatch Kent, for a maximum of five years (three years plus two one-year extensions).
- 2.3 Market and stakeholder engagement was undertaken in 2021 to gather views to shape the new service specification and contract before a formal procurement process commenced in March 2022. The procurement timetable is summarised in Table 1:

Table 1: Procurement Milestones

Event	Date
Procurement go-live	16 March 2022
Procurement close	20 April 2022 @ 12:00
Tender evaluation	21 April 2022 – 23 May 2022
Contract award governance (Adult Social Care Cabinet Committee)	13 July 2022
Issue contract award letters	4 August
Service mobilisation	8 August – 30 September 2022
Service commencement	1 October 2022

2.4 The intention of this commissioning process was to procure a well-managed contract for adult social care that contributes to the Council's Making a difference everyday approach, putting people at the heart of everything we do. This will be ensured using:

- Key Performance Indicators (KPIs). Ongoing management and monitoring of quality ensures that all providers remain compliant to their contractual commitments; and
- Contract Management. Regular communication with the provider to strengthen the relationship. Regular analysis of KPIs, and management information for quality of services and improved contract monitoring.

2.5 Based on the procurement process carried out, the successful provider can be found in Exempt Appendix 1. This is a Restricted Appendix that is exempt from publication by Schedule 12A to the Local Government Act 1972, as it contains commercially confidential information.

3. Financial Implications

3.1 The budget of the People's Voice Activity Contract is made up from various sources. The annual contribution from each source is:

Government grant (covering the Healthwatch element): £363,000

Adult Social Care: £311,130

Kent and Medway Clinical Commissioning Group: £78,129

Total contract value: £752,259 per annum

3.2 The lifetime value of the contract (including provision for the two one-year extensions) is £3,761,295.

3.3 A budget saving to the Adult Social Care contribution has been applied, equivalent to 10% of the previous year's contributions.

4. Legal implications

- 4.1 The Strategic Commissioning Division used the standard Care Services Terms and Conditions of contract. There will need to be resource allocated at the end point of the contract award for contracts to be signed and sealed. The new contracts will be taken forward in a way which ensures the Council's statutory responsibilities are discharged accordingly.
- 4.2 The provision of Healthwatch Kent is a statutory responsibility of the Council.

5. Equalities implications

- 5.1 An Equality Impact Assessment (EQIA) has been undertaken as part of the tender process (attached as Appendix 1) and has been updated when changes have occurred and have been fully considered. All the significant changes will be approached in a manner that respect and adhere to the Council's equalities responsibilities.

6. Data Protection Implications

- 6.1 A Data Protection Impact Assessment is not required.

7. Conclusions

- 7.1 The current contracted service provision was let in April 2015 to Engaging Kent CIC with an initial five-year contract period. The contract was extended following that initial period and the final extension period will end on 30 September 2022.
- 7.2 Comprehensive work has been carried out to develop the new contract and a formal procurement process was undertaken in accordance with the Public Contract regulation 2015 (PCR15) to award the People's Voice Activity (including Healthwatch Kent) Contract.
- 7.3 Awarding this contract will allow KCC to discharge its statutory responsibility to commission a local Healthwatch organisation and harness the views, experiences and opinions of Kent's population who are experiencing or have experienced health and or social care problems through the People's Voice Service.

8. Recommendations

8.1 Recommendation(s): The Adult Social Care Cabinet Committee is asked to **CONSIDER** and **ENDORSE** or make **RECOMMENDATIONS** to the Cabinet Member for Adult Social Care and Public Health on the proposed decision (attached as Appendix A) to:

- a) **AWARD** the contract, to the successful provider identified as part of the procurement process and as detailed in Exempt Appendix 1, for the provision of People's Voice Activity (Including Healthwatch Kent) for a maximum of five years (initial three-year contract with options for two one-year extensions);
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- c) **DELEGATE** authority to the Corporate Director Adult Social Care and Health to take other relevant actions, including but not limited to finalising the terms of and entering into required contracts or other legal agreements, as necessary to implement the decision.

9. Background Documents

People's Voice Contract (including Healthwatch Kent) – Record of Decision No. 21/00103

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2544>

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