

05 April 2016

Authority to award a contract for the provision of a Local Healthwatch Service for Walsall.

Ward(s) All

Portfolios: Cllr A Harris – Portfolio Holder for Community, Leisure and Culture

Report:

Reason for Call In.

Concerns over how assessments have been made on the merits of the bid by a local Healthwatch. Issues around Transitional Arrangements.

Background to the Cabinet paper.

The Health and Social Care Act 2012 has made Healthwatch the new consumer champion for the public both locally and nationally. The Act placed a duty on Local Authorities to commission a local Healthwatch, commencing in April 2013. Cabinet on the 23rd January 2013 awarded the contract to a consortium of organisations. The consortium consisted of:

MyNHS Walsall
Walsall LINK
Age UK Walsall
Walsall Housing Group and
Walsall CAB

The contract was awarded for a two year period with an option to extend for a further year. The option of a one year extension was approved by Cabinet on the 29th October 2014 and commenced on the 1st April 2015.

The process for retendering is governed by EU regulations and the EU contract notice was published on the 23rd December 2015.

The contract ended on the 31st March 2016 and transitional arrangements are in place whilst the award is scrutinised.

Healthwatch Walsall, like many other Healthwatch organisations encountered issues during the contract period. Council Officers have provided full support to the organisation during that difficult period. Healthwatch Walsall have worked through there issues and now are a much improved organisation.

The Healthwatch contract sits within Change and Governance and is managed by officers within the Communities team. The Head of Business Change is the Senior Responsible Officer for this contract.

Contract Process

The process for the re-tendering of a Walsall Healthwatch and the evaluation criteria is detailed in the Public report to Cabinet dated 16th March 2016 and this report has been attached as appendix (a) to this briefing.

Independence and Integrity of the tender process

The tender preparation was carried out by Communities staff not involved in the day to day monitoring of Healthwatch. There was a clear separation of duties between monitoring and re-tendering. The tender was prepared in consultation with various staff across the Council representing all Directorates. Procurement had oversight of the process and the in-tend system, Walsall Council's electronic tendering portal was used for managing the process. The closing date for tender return was the 29th January 2016 and the Head of Business Change opened the tenders with a senior procurement officer.

The overall evaluation criteria is set out in tender quality questionnaire and accompanying financial forecast document. The criteria was an 80/20 Quality/Cost split.

The evaluation was carried out by a range of individuals from Communities, Adult Social Care, Public Health, Children's Services, Finance and Procurement. There were eleven questions to evaluate and their weighting was as follows:

Question	Weighting
1. Service Delivery	13%
2. Governance Set up	8%
3. Business Plan	8%
4. Delivery of key functions of the contract	8%
5. Community Engagement	7%
6. Accessible Services	6%
7. Training	6%
8. Collaborative working	8%
9. Impact and Influence	6%
10. Financial Model – Funding Opportunities	10%
11. Financial Model – Budget Forecast	20%

After completion of the evaluation reports were prepared for Cabinet for both Public and Private session seeking permission to award the contract.

Transitional Arrangements

The Healthwatch contract, Clause 20 allows Walsall Metropolitan Borough Council to invoke a period of 90 calendar days during which the service provider, Walsall Healthwatch are obliged to provide any “reasonable assistance” requested in writing. For absolute clarity this “assistance includes continued performance of all or any of the services performed by the Service Provider in the same manner as required prior to the termination until such transfer is completed. This clause has been invoked by the Council.

Once a Contract has been awarded and if a transitional arrangement is required the Council would seek an orderly transfer to any new Healthwatch organisation and would encourage early discussions between the outgoing and incoming service provider.

The relationship between the existing staff of Healthwatch Walsall and any current and future employer is not a matter for the Council however it is known that the Transfer of Undertakings (Protection of Employment) Regulations (2006) would apply.

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