

Delegated Decision Notice D54340 (addendum to DDN previously published on 22nd July 2021)

This form is the written record of a key, significant operational or administrative decision taken by an officer.

Decision type	<input type="checkbox"/> Key Decision	<input checked="" type="checkbox"/> Significant Operational Decision	<input type="checkbox"/> Administrative Decision
Approximate value	<input type="checkbox"/> Below £500,000 <input type="checkbox"/> £500,000 to £1,000,000 <input type="checkbox"/> over £1,000,000	<input type="checkbox"/> below £25,000 <input type="checkbox"/> £25,000 to £100,000 <input type="checkbox"/> £100,000 to £500,000 <input checked="" type="checkbox"/> Over £500,000	<input type="checkbox"/> below £25,000 <input type="checkbox"/> £25,000 to £100,000
Director¹	Director of Adults and Health		
Contact person:	Eleanor Hastwell		Telephone number: 0113 37 89864
Subject²:	Request for authority to procure a counselling and therapy service for women in line with Contract Procedure Rule 3.1.6, subject to Schedule 7, Paragraph 27 of the Equality Act 2010.		
Decision details³:	<p>What decision has been taken? (Set out all necessary decisions to be taken by the decision taker including decisions in relation to exempt information, exemption from call in etc.)</p> <p>The Director of Adults and Health approved the request in line with CPR 3.1.6 for authority to procure a counselling and therapy service for women in Leeds, subject to Schedule 7, Paragraph 27 of the Equality Act 2010.</p> <p>The Director of Adults and Health approved the award of a contract for five years with the option to extend for up to a further five years to the successful provider(s) following the procurement exercise, at a maximum cost of £1,290,060 for this period (£129,060 per annum).</p> <p>This significant operation decision is an addendum to the original key decision taken in July 2021 and is to clarify that the request for authority to procure a service for women only is subject to Schedule 7, Paragraph 27 of the Equality Act 2010.</p>		

¹ Give title of Director with delegated responsibility for function to which decision relates.

² If the decision is key and has appeared on the list of forthcoming key decisions, the title of the decision should be the same as that used in the list

³ Simply refer to supporting report where used as these matters have been set out in detail.

	<p>A brief statement of the reasons for the decision (Include any significant financial, procurement, legal or equalities implications, having consulted with Finance, PACS, Legal, HR and Equality colleagues as appropriate)</p> <p>A request for authority to procure a counselling and therapy service for women is being put forward in this report. The Council already commissions this provision, and has done since 1983. In recent years, the existing provider WCTS has been commissioned to deliver the service via a number of short term interim contracts. A delegated decision was taken in 2019 to test the market in order to ensure the Council is achieving value for money. The commencement of the MSE was delayed due to the Covid-19 pandemic, but was eventually undertaken in early 2021. Five MSE responses were received which indicates that there is a potential market locally for this type of provision. PACS colleagues have therefore advised that a full market test through open procurement is now required.</p> <p>A request to procure a women only service is being put forward subject to Schedule 7, Paragraph 27 of the Equality Act 2010 as a proportionate means of achieving a legitimate aim (as detailed below):</p> <p>27 Single-sex services</p> <p><i>(1) A person does not contravene section 29, so far as relating to sex discrimination, by providing a service only to persons of one sex if—</i></p> <p><i>(a) any of the conditions in sub-paragraphs (2) to (7) is satisfied, and</i></p> <p><i>(b) the limited provision is a proportionate means of achieving a legitimate aim.</i></p> <p><i>(3) The condition is that—(b) the service would be insufficiently effective were it only to be provided jointly.</i></p> <p><i>(5) The condition is that the service is provided at a place which is, or is part of—(b) another establishment for persons requiring special care, supervision or attention.</i></p> <p><i>(6) The condition is that—(a) the service is provided for, or is likely to be used by, two or more persons at the same time, and (b) the circumstances are such that a person of one sex might reasonably object to the of a person of the opposite sex.</i></p> <p>Brief details of any alternative options considered and rejected by the decision maker at the time of making the decision</p> <p>Refer to report</p>
Affected wards:	All

Details of consultation undertaken⁴:	Executive Member		
	The Executive Member for Health, Wellbeing and Adults was briefed on this proposal on 18 th June 2021		
	Ward Councillors		
	Others		
Implementation	Officer accountable, and proposed timescales for implementation		
	Eleanor Hastwell. Approval to procure July 2021; Contract start date is July 2022		
List of Forthcoming Key Decisions⁵	Date Added to List:- 17 th June 2021		
	If Special Urgency or General Exception a brief statement of the reason why it is impracticable to delay the decision		
	If Special Urgency Relevant Scrutiny Chair(s) approval		
	Signature	Date	
Publication of report⁶	If not published for 5 clear working days prior to decision being taken the reason why not possible:		
	If published late relevant Executive member's approval		
	Signature	Date	
Call In	Is the decision available ⁷ for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	If exempt from call-in , the reason why call-in would prejudice the interests of the council or the public:		
Approval of	Authorised decision maker ⁸ Cath Roff - Director of Adults and Health		

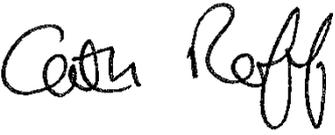
⁴ Include details of any interest disclosed by an elected Member on consultation and the date of any relevant dispensation given.

⁵ See Executive and Decision Making Procedure Rule 2.4 - 2.6. Complete this section for key decisions only

⁶ See Executive and Decision Making Procedure Rule 3.1. Complete this section for key decisions only

⁷ See Executive and Decision Making Procedure Rule 5.1. Significant operational decisions taken by officers are never available for call in. Key decisions are always available for call in unless they have been exempted from call in under rule 5.1.3.

⁸ Give the post title and name of the officer with appropriate delegated authority to take the decision.

Decision		Date 13/10/2021
-----------------	---	---------------------------