

# Request to approve an extension to the Provision of Advocacy Support and Services Contract (DN298883).

Date: 25 January 2023

Report of: Deputy Director Integrated Commissioning

Report to: Director of Adults and Health

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

## Brief summary

The Director of Adults and Health, is requested to approve the 3 year extension to the Provision of Advocacy Support and Services contract currently delivered by Advonet. The extension is provided for in the contract and would run from 1 April 2023 – 31 March 2026. The contract incorporates all statutory advocacy provision and an element of community advocacy, and the service is meeting all the required outcomes. The annual value would be up to a maximum of £1,223,300, with the total value of the extension for the three year contract period being £3,669,900 which is made up of contributions from the Council, West Yorkshire Integrated Care Board (ICB) and the Department of Health and Social Care (DHSC). There are no further extension provisions in the contract.

## Recommendations

- a) The Director of Adults and Health is recommended to approve the extension of the contract delivered by Advonet for the Provision of Advocacy Support and Services at a cost of £1,223,300 per annum, with the total value of the extension for the three year contract period being £3,669,900. The extension period is to commence on 1 April 2023 and will run for 3 years, expiring on 31 March 2026.
- b) The Commissioning Manager will oversee implementation of the contract in conjunction with colleagues from Procurement and Commercial Services, with the service being subject to robust contract monitoring and on-going review. Details of the monitoring arrangements are outlined in the service specification.

## What is this report about?

- 1 Advonet has been delivering the Provision of Advocacy Support and Services contract since 1 April 2018. The contract includes statutory and community advocacy provision and has an option to extend the contract for a maximum period of up to 3 years.

2 The statutory advocacy provision within the contract consists of:

1. Care Act Advocacy
2. Independent Mental Capacity Advocacy (IMCA)
3. Independent Mental Health Advocacy (IMHA)
4. NHS Complaints Advocacy

The community advocacy is mainly short-term issue based advocacy that supports people to exercise their rights where their issues fall outside of a statutory advocacy requirement. Whilst this provision is not a statutory obligation it does contribute to the 3 pillars of the Best City Ambition as detailed later in the report.

3 The service is meeting its required outcomes as detailed in the service specification. As part of their work, Advonet also promotes and facilitates self-advocacy which not only empowers people but aims to reduce demand on the service.

4 The indicative annual financial breakdown of this service is as follows:

LCC:	£541,710
ICB:	£428,000
DHSC:	£253,590
<b>Total:</b>	<b>£1,223,300</b>

Of this total the indicative amounts for statutory and community advocacy are as follows:

Statutory	– £675,000
Community	– £548,300

However, the service specification states that any increase in demand for statutory advocacy must take priority and be managed by the provider through the funding for community advocacy.

5 A financial efficiency has been made to this contract of £33,700 per annum from the community advocacy funding from 2022 onwards which means the annual funding throughout the extension period will be up to a maximum of £1,223,300 down from a previous £1,257,000.

6 The Council is experiencing extreme financial pressures so during the extension period, may have to look at reducing the funding. However, this would be based on good faith negotiations with the provider and would need to be balanced with any increasing future demand for advocacy services. This requirement will be clearly stated within the contract extension letter issued to the provider and be made as a condition of the contract extension.

7 Having considered the Council's current budgetary pressures, it has been determined that the service is still required to be delivered, both in order to fulfil the Council's statutory obligations and to support the on-going wellbeing of the citizens of Leeds.

### **What impact will this proposal have?**

- 8 This proposal will enable the continuance of a quality service that supports the Council's statutory responsibilities regarding advocacy provision.
- 9 An Equality, Diversity, Cohesion and Integration screening tool has been completed for the procurement (See Appendix 1).

### **How does this proposal impact the three pillars of the Best City Ambition?**

- Health and Wellbeing       Inclusive Growth       Zero Carbon

- 10 Effective Advocacy can lead to better health and wellbeing outcomes for people – including enabling more equal access to services and support.
- 11 Effective advocacy provision understands that place matters and promotes positive identity, culture, heritage and pride in our communities. Staff are trained appropriately to meet diverse needs and the contract has specific partnership arrangements with Age UK and Touchstone.
- 12 Effective advocacy delivers support where people are located. Following the pandemic, staff work increasingly peripatetically, not regularly attending the office base, and group sessions/drop-ins are based in localities near to those who attend – thereby reducing the carbon footprint of the service.

### **What consultation and engagement has taken place?**

Wards affected:

Have ward members been consulted?       Yes                       No

- 13 The Executive Member for Adult and Children's Social Care and Health Partnerships has been briefed regarding this decision on 12 January 2023.

### **What are the resource implications?**

- 14 The value of this contract extension will be up to a maximum of £1,223,300 per annum. This figure is provided for within Adults & Health's budgets and includes contributions from the ICB and the DHSC.
- 15 Resources exist within the Adults & Health Integrated Commissioning Service for implementation, review and ongoing contract management of this contract.
- 16 An efficiency has been applied to this contract from 2022 onwards. Further efficiencies were considered however, the future implementation of the new Liberty Protection Safeguards (LPS) is likely to increase demand as eligibility for the service has been widened to include other groups and settings. There are also potential changes to the Mental Health Act 1983 which may also affect demand. In addition, the impact of the pandemic and rise in daily living costs make strong and effective advocacy provision increasingly important, particularly as it is usually the poorest and most vulnerable people and communities who are worst affected. This must therefore be taken into account when considering any future efficiencies.
- 17 Through robust contract management, existing resources are being flexed to meet future demand, for example planning for the LPS implementation. Any reduction in funding would create detrimental impacts on individuals and direct advocacy support.

### **What are the key risks and how are they being managed?**

- 18 This is a high value contract which is being robustly performance managed to ensure it is meeting the required outcomes. In addition, the timescale will allow for a full review of provision, to inform future commissioning decisions for advocacy services in accordance with anticipated legislative changes relating to the introduction and implementation of LPS.
- 19 The future LPS implementation may increase demand on the service and therefore create pressure on the contract budget. The Head of Service for this service is sighted on the potential impact on demand due to LPS implementation – they will be planning a discussion with Children's

Services, in particular around 16+ demand. Children's Services, Advonet and the Advonet contract officer attend the regular city-wide LPS planning and implementation meetings where we are aiming to predict demand to inform future planning.

### **What are the legal implications?**

20 As the original authority to procure report was a key decision dated 15 February 2017, decision number D44145, future decisions arising under the report are required to be at most a significant operational decision and therefore not subject to call-in. Due to the consequential nature of this decision, it is considered that this is a significant operational decision.

21 The report does not contain any exempt or confidential information under the Access to Information Rules.

### **Options, timescales and measuring success**

#### **What other options were considered?**

22 The option to not utilise the extension was considered, but this would have meant the Council was at risk of not meeting its statutory obligations in regards to the statutory elements of this contract.

#### **How will success be measured?**

23 There will continue to be a robust performance management process in place that includes regular analysis of both quantitative and qualitative data to assess whether the required outcomes are being met.

#### **What is the timetable and who will be responsible for implementation?**

24 The extension would commence on 1 April 2023 and expire 31 March 2026. The Commissioning Managers would be responsible for implementation.

### **Appendices**

- EDCI Screening Tool (Appendix 1)

### **Background papers**

- None