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Tender

Advocacy and Related Support Services

Portsmouth City Council

F21: Social and other specific services – public contracts

Contract notice

Notice identifier: 2023/S 000-017528

Procurement identifier (OCID): ocds-h6vhtk-03d7ee

Published 20 June 2023, 2:08pm

Section I: Contracting authority

I.1) Name and addresses

Portsmouth City Council

Civic Offices, Guildhall Square

PORTSMOUTH

PO12AL

Contact

Procurement Service

Email

procurement@portsmouthcc.gov.uk

Telephone

+44 2392688235

Country

United Kingdom

Region code

UKJ31 - Portsmouth

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

<https://www.portsmouth.gov.uk/ext/business/business.aspx>

Buyer's address

<https://www.portsmouth.gov.uk/ext/business/business.aspx>

I.3) Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at

<https://intendhost.co.uk/portsmouthcc/asp/home>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://intendhost.co.uk/portsmouthcc/asp/home>

I.4) Type of the contracting authority

Regional or local authority

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Advocacy and Related Support Services

II.1.2) Main CPV code

- 85310000 - Social work services

II.1.3) Type of contract

Services

II.1.4) Short description

Portsmouth City Council ('the council') is inviting tenders from suitably qualified providers to provide statute mandated independent advocacy Services.

The service provider will deliver Independent Advocacy Services to service-users resident in Portsmouth who find themselves involved in various processes as set out in various Acts of Parliament, notably:

- Care Act 2014
- Mental Health Acts 1983/2007
- Mental Capacity Act 2005
- Deprivation of Liberty Safeguards (DoLS) - this will change to Liberty Protection Safeguards (LPS) in due course

The aims and purposes of the service are:

- to provide good quality independent advocacy for the most vulnerable in our community
- to support individuals to make decisions about their treatment, care, and support
- to ensure the council fulfils its statutory obligations with regards to advocacy support outlined in the relevant legislation and statutory guidance

Services to be provided comprise of:

- Independent Mental Health Advocacy (IMHA)
- Independent Mental Capacity Advocacy (IMCA) - Including IMCA in DoLS processes
- Relevant Person Representative (IMCA)
- Independent advocacy in respect to the Care Act 2014

Providers will need to have their own premises within the Portsmouth city limits (i.e. a premises within the PO1 to PO6 postal code areas) or relatively near to the city in order to be geographically close to the service-users requiring advocacy in the city.

The initial contract term will be in effect for 3 years with the option to extend for an additional 2 years in increments to be agreed.

The contract value is estimated at around £633,000.00 for the 3-year initial term of the contract and may rise to in the region of £1,055,000.00 if extended for the full two years.

The services covered under the contract are health and social work services and fall under the 'light touch regime'. The Council will execute this procurement process in general accordance with the Open Procedure as set out within the Public Contract Regulations (2015).

The procurement process will be undertaken in line with the following programme:

- Issue FTS Contract Notice - 20th June 2023
- Issue Invitation to Tender - 20th June 2023
- ITT return deadline - 25th July 2023 at 14:00
- Standstill period - 22nd August 2023 - 31st August 2023
- Contract award - 1st September 2023
- Service Commencement - 1st December 2023

Application is via completed tender submission by the deadline stated above via the Council's e-sourcing system InTend which will be used to administrate the procurement process, the system can be accessed free of charge via the web link below:

<https://in-tendhost.co.uk/portsmouthcc.aspx/home>

II.1.5) Estimated total value

Value excluding VAT: £1,055,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 85311100 - Welfare services for the elderly
- 85312300 - Guidance and counselling services
- 85312310 - Guidance services
- 85312320 - Counselling services
- 85312400 - Welfare services not delivered through residential institutions

II.2.3) Place of performance

NUTS codes

- UKJ31 - Portsmouth

II.2.4) Description of the procurement

The purpose of the service is to provide good quality independent advocacy for the most vulnerable in our community which will support them to make decisions about their treatment, care, and support and to ensure the Local Authority fulfils its statutory obligations with regards to advocacy support outlined in the relevant legislation and statutory guidance.

A full service description, eligibility criteria, staffing responsibilities and expectations for each aspect of the required service are set out in the service specification document, however are summarised as follows:

1. Independent Mental Health Advocacy (IMHA)

To provide support to secure or exercise their rights, choices and interests to individuals detained or receiving treatment under the Mental Health Act (1983). The overall purpose of the Service would be to provide an advocacy service to eligible individuals who are community based within Portsmouth City and/or who are patients in Solent NHS Trust in-patient units. It would also extend to those who are subject to detention under the Mental Health Act (1983).

2. Independent Mental Capacity Advocacy (IMCA) - Including IMCA in DoLS processes

To provide support to secure or exercise their rights, choices and interests to individuals designated as lacking the capacity to take decisions as per the Mental Capacity Act (2005) as amended by the Mental Health Act (2007). The Service would operate as specified in, and within the legal framework of, the Mental Capacity Act (2005) and associated regulations/codes of practice and respond quickly and appropriately to changes or the introduction of any new legislation.

3. Relevant Person Representative (IMCA)

To represent and support people deprived or potentially deprived of liberty safeguard ("the Relevant Person") as defined by The Mental Capacity Act (2005) as amended by the Mental Health Act (2007). In addition, to maintain contact with the Service User (the "Relevant Person"). Further, to also represent and support the Relevant Person in all matters relating to the DoLS including if appropriate triggering a review, using an organisation's complaints procedure on the Relevant Person's behalf or making an application to the Court of Protection.

4. Care Act 2014

There is a requirement set within the Care Act 2014 that local authorities must provide independent advocacy to ensure that they meet their statutory duty to involve individuals in the completion of assessments and care plans, where without this support they would have significant difficulty in being involved. Local Authorities must consider whether the individual would experience substantial difficulty in any of the following areas:

- Understanding the information required
- Retaining the information
- Using or weighing up the information as part of the process of being involved

The service provider will be required to deliver different types of advocacy at different times, depending on people's needs/ statutory requirements. As far as possible however, the service provider will support self-advocacy which is where an individual is supported to speak or act on their own behalf either as a member of a group or as an individual.

All services will be available to individuals who are residents of Portsmouth (PO1 - PO6 postcodes). All elements of the Service will be open to take referrals and telephone requests Monday - Friday 9:00am - 5:00pm. Provision of support should be flexible and based around individual need and statutory requirements.

The service provider will have simple referral criteria and establish systems to facilitate

ease of use for Council staff, Adult Mental Health staff at Solent NHS Trust, the individuals' carers, family, friends and significant others to directly refer into the service. Referrals will be accepted from a person acting in the best interests of a person who lacks capacity.

The service provider will respond to the referring organisation within two working days of receiving the advocacy request. The response would be to indicate they have received the referral and to agree a timescale for the allocation of the case to an Independent Advocate (provided this timescale is within the limits as set out in the service specification). Once the case is allocated to the Independent Advocate, first contact with the Eligible Client shall not exceed 4 working days. The requirements above apply to all elements of the advocacy service.

The service provider must ensure that they operate a robust Adult and Child Safeguarding procedure which is formally documented. All staff and volunteers that work with individuals have enhanced Disclosure and Barring Service ("DBS") clearance certificates prior to delivering Services under this Contract and to have undertaken appropriate safeguarding training.

II.2.6) Estimated value

Value excluding VAT: £1,055,000

II.2.7) Duration of the contract or the framework agreement

Duration in months

60

Section IV. Procedure

IV.1) Description

IV.1.1) Form of procedure

Open procedure

IV.2) Administrative information

IV.2.2) Time limit for receipt of tenders or requests to participate

Date

25 July 2023

Local time

12:00pm

IV.2.4) Languages in which tenders or requests to participate may be submitted

English

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

The High Court of Justice

The Strand

London

WC2A 2LL

Country

United Kingdom