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Tender

## **Rotherham Advocacy Service**

Rotherham Metropolitan Borough Council

F21: Social and other specific services – public contracts

Contract notice

Notice identifier: 2024/S 000-021160

Procurement identifier (OCID): ocds-h6vhtk-047c71

Published 10 July 2024, 5:34pm

### **Section I: Contracting authority**

#### **I.1) Name and addresses**

Rotherham Metropolitan Borough Council

Riverside House, Main Street

Rotherham

S60 1AE

#### **Contact**

Lorna Byne

#### **Email**

[lorna.byne@rotherham.gov.uk](mailto:lorna.byne@rotherham.gov.uk)

#### **Telephone**

+44 1709334159

#### **Country**

United Kingdom

**Region code**

UKE31 - Barnsley, Doncaster and Rotherham

**National registration number**

GB173552264

**Internet address(es)**

Main address

<https://www.rotherham.gov.uk/>

Buyer's address

<https://yortender.eu-supply.com/ctm/Company/CompanyInformation/Index/104118>

**I.3) Communication**

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

[https://uk.eu-supply.com/app/rfq/rwlenrance\\_s.asp?PID=81670&B=UK](https://uk.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=81670&B=UK)

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

[https://uk.eu-supply.com/app/rfq/rwlenrance\\_s.asp?PID=81670&B=UK](https://uk.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=81670&B=UK)

Tenders or requests to participate must be submitted to the above-mentioned address

**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**

Rotherham Advocacy Service

Reference number

23-205

#### **II.1.2) Main CPV code**

- 85000000 - Health and social work services

#### **II.1.3) Type of contract**

Services

#### **II.1.4) Short description**

Rotherham Advocacy Service will be led by a Lead Provider determined by the tender process.

The Lead Provider will provide:

- The Advocacy Hub
- Independent Advocacy (statutory)
- Community Advocacy (non-statutory)

#### **II.1.5) Estimated total value**

Value excluding VAT: £2,533,690

#### **II.1.6) Information about lots**

This contract is divided into lots: No

### **II.2) Description**

#### **II.2.2) Additional CPV code(s)**

- 85300000 - Social work and related services
- 85310000 - Social work services
- 85312000 - Social work services without accommodation

### **II.2.3) Place of performance**

NUTS codes

- UKE31 - Barnsley, Doncaster and Rotherham

Main site or place of performance

Within the Borough of Rotherham

### **II.2.4) Description of the procurement**

Rotherham Advocacy Service will be led by a Lead Provider determined by the tender process.

The Lead Provider will provide:

- The Advocacy Hub
- Independent Advocacy (statutory)
- Community Advocacy (non-statutory)

The key objective of the Rotherham Advocacy Service is to help people with health and social care needs and their unpaid carers to have their voices heard and make informed decisions about their care and support and:

- Have ready access to information in respect of advocacy services and the levels of service that are available in their particular circumstances.
- Have greater understanding of the care, support and health care planning systems, their right to information, to be involved, to be heard, to exercise control and choice and to challenge.
- Have greater capacity and skills to articulate their needs, with or without the assistance of an Advocate, and negotiate arrangements to meet their care, support, and health needs.
- Be able to utilise the care and support planning process to obtain the support they require and to achieve the personal outcomes to which they aspire.

- Receive effective independent protection of their rights and best interests.

It is anticipated that the contract will commence on 01/04/2025 and will run for a period of 60 months making the expiry date 31/03/2030. The contract will have no further options to extend.

Bidders are advised that the indicative budget available for the provision of this contract is estimated to be £506,738 per annum which includes estimated expenditure to be made by Children and Young Peoples Services (CYPS) in relation to support for under 18 years, transitioning to adult health and social care services. This equates to £2,533,690 over the full 5 year duration of the contract. The contract will have no option to extend.

The Council has set initial fixed hourly rates for the mobilisation of the contract (Financial Year 25-26)

- Statutory Advocacy, including subcontracted out of area at £36 per hour
- Community (Non-Statutory) Advocacy at £33 per hour

In bidding for this contract, the provider accepts to deliver the services in accordance with the fixed rates proposed by the Council.

The rates set by the Council will be subject to an inflationary uplift which will be determined by the Council following an examination of market conditions and as part the Council's annual budget position.

The incumbent supplier of this service considers that the Transfer of Undertakings (Protection of Employment) Regulations 2006 as amended by the Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014 apply to this contract.

The Council has partnered with the Social Value Portal. The Social Value Portal will be used for the submission of all social value proposals and the ongoing management and monitoring of these commitments. The Council is committed to a performance and evidence-based approach to Social Value and has partnered with the Social Value Portal (SVP) to assist in the delivery of this. Based on the National TOMs (Themes, Outcomes and Measures) developed by the Social Value Portal, bidders are required to propose credible commitments against which performance (for the successful bidder) will be monitored. The TOMs within this tender process have been developed to reflect the specific needs of the Council and bidders will be given access to them after registering on the Social Value Portal

## **II.2.6) Estimated value**

Value excluding VAT: £2,533,690

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

Duration in months

60

### **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

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## **Section III. Legal, economic, financial and technical information**

### **III.1) Conditions for participation**

#### **III.1.4) Objective rules and criteria for participation**

List and brief description of rules and criteria

As stated in the tender documentation.

### **III.2) Conditions related to the contract**

#### **III.2.2) Contract performance conditions**

As stated in the tender documentation.

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Form of procedure**

Open procedure

#### **IV.1.11) Main features of the award procedure**

As stated in the tender documentation.

### **IV.2) Administrative information**

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

Date

9 August 2024

Local time

10:00am

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

English

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## **Section VI. Complementary information**

### **VI.3) Additional information**

The Advocacy Hub - This is a single gateway of administration for all referrals, a portal by which people with health and social care needs, their unpaid carers, health, and social professionals receive streamlined access to Independent Advocacy (statutory) and Community Advocacy (non-statutory) services, information and self-help tools and sign posting to alternative sources of advice and support.

Independent Advocacy (statutory) - The Council has a statutory responsibility to commission Independent Advocacy services. Rotherham Advocacy Service will be expected to assist the Council in meeting Independent Advocacy statutory duties and provide necessary advocacy provision in accordance with the relevant legislation and demands for advocacy in Rotherham.

The Care Act places a duty on local authorities to arrange independent advocacy if the authority considers an individual would experience 'substantial difficulty' in participating in (amongst other things) their assessment and / or the preparation of their care and support plan. The duty does not arise if the local authority is satisfied that there is some other person who is an appropriate representative (provided that person is not engaged in providing care or treatment for the individual in a professional capacity or being paid to do so).

Independent Advocacy will be available to those individuals aged 18 years and over and for those under 18 in transition to adult health and social care services, who fall within the eligibility criteria as described by the relevant legislation and the independent advocacy type (Independent Health Complaints Advocacy, Independent Care Act Advocacy, Independent Mental Capacity Advocacy, Independent Mental Health Advocacy).

Community Advocacy (non-statutory) - In line with The Care Act 2014, the Rotherham Advocacy Service will be expected to support the health and social care system to promote wellbeing and prevent, reduce, or delay peoples' needs for care and support, in particular through the activity of the Advocacy Hub (see above) and through the provision of Community Advocacy.

Community Advocacy will be made available to Adults who are; aged 18 years and over, are under 18 years and are in transition to adult health and social care services and are resident within the Rotherham geographical boundary.

## **VI.4) Procedures for review**

### **VI.4.1) Review body**

High Court

The Royal Courts of Justice, The Strand,

London

WC2A 2LL

Country

United Kingdom

### **VI.4.2) Body responsible for mediation procedures**

High Court

Royal Courts of Justice, The Strand

London

WC2A 2LL

Country

United Kingdom

### **VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures

Precise information on deadline(s) for lodging appeals: The Contracting Authority will incorporate a minimum 10 calendar day standstill period at the point information on the award of the Contract is communicated to tenderers. Applicants who are unsuccessful shall be informed by the Contracting Authority as soon as possible after the decision has been made as to the reasons why the applicant was unsuccessful. If an appeal regarding the award of the contract has not been successfully resolved, the Public Contracts Regulations 2015 (as amended) provide for aggrieved parties who have been harmed or are at risk of harm by breach of the rules to take legal action. Any such action must be brought within the applicable limitation period. Where a contract has not been entered into, the Court may order the setting aside of the award decision or order the Contracting Authority to amend any document and may award damages. If the Contract has been entered into, the Court may, depending on the circumstances, award damages, make a declaration of ineffectiveness, order the Contracting Authority to pay a fine, and/or order that the duration of the Contract be shortened. The purpose of the standstill period referred to above is to allow the parties to apply to the Courts to set aside the award decision before the contract is entered into.

### **VI.4.4) Service from which information about the review procedure may be obtained**

High Court

The Royal Courts of Justice, The Strand,

London

WC2A 2LL

Country

United Kingdom

