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Award

VEAT notice for the City of London Healthwatch Services

City of London Corporation

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-025806

Procurement identifier (OCID): ocds-h6vhtk-048ad0

Published 14 August 2024, 2:08pm

Section I: Contracting authority/entity

I.1) Name and addresses

City of London Corporation

Guildhall

London

EC2P 2EJ

Email

Mohammad.Mostafa@cityoflondon.gov.uk

Telephone

+44 2076063030

Country

United Kingdom

Region code

UKI - London

Internet address(es)

Main address

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

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

VEAT notice for the City of London Healthwatch Services

II.1.2) Main CPV code

- 85000000 - Health and social work services

II.1.3) Type of contract

Services

II.1.4) Short description

This VEAT Notice indicates that the Contracting Authority intends to directly award a Public Services contract under Regulation 32 (1) (2) (b) (ii) and (iii) of the Public Contracts Regulations 2015 for the provision of the City of London Healthwatch Services. The services will be delivered on a 36-month contract with 12 months + 12 months optional extension period.

The Negotiated Procedure without Prior Publication is being followed and is justified under Regulation 32 (1) (2) (b) (ii) and (iii) .

Healthwatch is a statutory service which was established under the Health and Social Care Act 2012 to understand the needs, experiences and concerns of people who use health and social care services and to speak out on their behalf. The Contracting Authority has a duty under Section 130 of the Act to have in place a Local Healthwatch organization.

Through its core functions the Healthwatch service supports the achievement of the strategic ambitions of the local health and care system, while operating as an organisation that is independent of these systems. This includes working with local residents to understand and represent their views and experiences of local health and care services. Healthwatch also has a key role in promoting and supporting residents to be actively involved in the commissioning and provision of local services and in their scrutiny once services are in place. Healthwatch also performs a vital function in considering the standard of health and care provision and working with partners to achieve improvements. Finally, Healthwatch offers advice and information about access to health and care services to enable residents to make informed choices.

II.1.6) Information about lots

This contract is divided into lots: No

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £465,000

II.2) Description

II.2.2) Additional CPV code(s)

- 85323000 - Community health services

II.2.3) Place of performance

NUTS codes

- UKI - London

II.2.4) Description of the procurement

Healthwatch is a statutory service which was established under the Health and Social Care Act 2012 to understand the needs, experiences and concerns of people who use health and social care services and to speak out on their behalf.

Through its core functions the Healthwatch service supports the achievement of the strategic ambitions of the local health and care system, while operating as an organisation that is independent of these systems. This includes working with local residents to understand and represent their views and experiences of local health and care services. Healthwatch also has a key role in promoting and supporting residents to be actively involved in the commissioning and provision of local services and in their scrutiny once services are in place. Healthwatch also performs a vital function in considering the standard of health and care provision and working with partners to achieve improvements. Finally, Healthwatch offers advice and information about access to health and care services to enable residents to make informed choices.

The statutory functions are :

- Promoting and supporting the involvement of local people in the commissioning, provision and scrutiny of local care services
- Enabling local people to monitor the standard of provision of local care services and

whether and how local care services could and ought to be improved.

- Obtaining the views of local people regarding their needs for, and experiences of, local care services and importantly making these views known.
- Making reports and recommendations about how local care services could or ought to be improved within an overall framework that recognises financial constraints. These should be directed to commissioners and providers of care services, and people responsible for managing or scrutinising local care services and shared with Healthwatch England
- Providing advice and information about access to local care services so choices can be made about local care services.
- Formulating views on the standard of provision and whether and how the local care services could and ought to be improved; and sharing these views with Healthwatch England
- Making recommendations to Healthwatch England to advise the Care Quality Commission to conduct special reviews or investigations (or, where the circumstances justify doing so, making such recommendations directly to the CQC); and to make recommendations to Healthwatch England to publish reports about particular issues.
- Providing Healthwatch England with the intelligence and insight it needs to enable it to perform effectively.
- Make the views and experiences of people known to Healthwatch England, helping us to carry out their role as national champions.

II.2.11) Information about options

Options: No

II.2.13) Information about European Union Funds

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

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Negotiated without a prior call for competition

- No tenders or no suitable tenders/requests to participate in response to open procedure

Explanation:

The Negotiated Procedure without Prior Publication is being followed by the Contracting Authority and is justified under the following :-

Regulation 32 (1) (2) (b) (ii)

(ii) competition is absent for technical reasons

- There appears to be an extremely limited market for a Local Healthwatch Service as Healthwatch England, the national body for Healthwatch, have themselves confirmed to the Contracting Authority. Healthwatch England's research during 2023/4 concluded that the Local Healthwatch network is under significant pressure, and an increased number of local authorities are unable to award contracts because there are no viable Healthwatches willing to bid for contracts in that area. .
- The CEO of Healthwatch England have advised that the previous government had launched a consultation on the NHS Constitution which sets out patient rights as an NHS Patient. The new government is planning to make some changes to the NHS Constitution. .
- Any change in a provider of the Local Healthwatch Service will have governance implications for not only the Contracting Authority's Health & Wellbeing Board, but could also impact on any integrated commissioning arrangements.

Regulation 32 (1) (2) (b) (iii)

The protection of exclusive rights, including intellectual property rights

- The Healthwatch City of London logo is an integral part of the organisation's visual presentation. The Contracting Authority's logo and branding must be used in the provision of the Local Healthwatch Service.

It is highly likely the Local Healthwatch Service is outside the scope of the Health Care

Services [Provider Selection Regime] Regulations 2023. This is also the initial view of Healthwatch England whom the Contracting Authority have consulted with. The Service falls within Schedule 3 [Social and Other Specific Services] referred to in Regulation 74 [Public Contracts for Social and Other Specific Services] of the Public Contracts Regulations 2015. Whilst the anticipated contract value is below the threshold of the Light Touch Regime, it is the Contracting Authority's intention that the LTR will apply to the direct award.

For the purposes of ensuring that, the Contracting Authority's duty under Section 221 of the Public Involvement in Health Act 2007 (as amended by the Localism Act 2012) is met ,the Contracting Authority intends to award a new contract via direct award to the Social Enterprise, the current contractor. The Contracting Authority is satisfied there is justification for a direct award. However, the Contracting Authority will observe a 10 calendar day voluntary standstill period from the date of publication of this VEAT Notice during which the Contracting Authority will not enter into any arrangement for the direct award .

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: No

Section V. Award of contract/concession

Title

VEAT Notice Intention to award the City of London Healthwatch Services

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

13 August 2024

V.2.2) Information about tenders

The contract has been awarded to a group of economic operators: No

V.2.3) Name and address of the contractor/concessionaire

Healthwatch City of London

20 Little Somerset Street

London

E1 8AH

Email

info@healthwatchcityoflondon.org.uk

Country

United Kingdom

NUTS code

- UKI - London

National registration number

1184771

The contractor/concessionaire is an SME

No

V.2.4) Information on value of contract/lot/concession (excluding VAT)

Initial estimated total value of the contract/lot/concession: £465,000

Total value of the contract/lot/concession: £465,000

V.2.5) Information about subcontracting

The contract/lot/concession is likely to be subcontracted

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

High Court, Royal Courts of Justice

Strand

London

WC2A 2LI

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

The Public Contracts Regulations 2015 ('Regulations') provide for aggrieved parties who have been

harmed or at risk of harm by a breach of the rules to take action in the High Court (England, Wales and

Northern Ireland). Any such action must be brought promptly and within the time limits as defined in

the above regulations. 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 has the option to award damages and/or to

shorten or order the contract ineffective.

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

obtained

High Court, Royal Courts of Justice

Strand

London

Wc2A 2LI

Country

United Kingdom