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Tender

Advocacy Services

SANDWELL METROPOLITAN BOROUGH COUNCIL

F21: Social and other specific services – public contracts

Contract notice

Notice identifier: 2023/S 000-029116

Procurement identifier (OCID): ocds-h6vhtk-04077a

Published 3 October 2023, 2:16pm

Section I: Contracting authority

I.1) Name and addresses

SANDWELL METROPOLITAN BOROUGH COUNCIL

Sandwell Council House

OLDBURY

B693DE

Email

contracts_team@sandwell.gov.uk

Country

United Kingdom

Region code

UKG37 - Sandwell

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

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

I.3) Communication

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

<https://in-tendhost.co.uk/sandwellmbc>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://in-tendhost.co.uk/sandwellmbc>

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

Advocacy Services

Reference number

ASC131

II.1.2) Main CPV code

- 85000000 - Health and social work services

II.1.3) Type of contract

Services

II.1.4) Short description

Sandwell Metropolitan Borough Council invites tenders for the delivery of Advocacy Services. The purpose of the Advocacy Services is to provide high-quality support to Service Users who are legally eligible to receive advocacy under existing legislation, and to provide non-statutory advocacy to inpatients who are voluntarily in hospital due to their mental health diagnosis and treatment. These Services will ensure that as many people as possible in Sandwell who are legally eligible to access these services do access them, have their legal rights upheld, and are effectively supported to engage with the processes and decisions in relation to their health and social care needs. The services will ensure that the Service User's voice (or best interests in the case of IMCA/IMCA DoLS) are at the heart of any decisions made and ensure maximum choice, safety and independence for service users.

The services in this contract are:

1. Care Act Advocacy
2. Independent Mental Capacity Advocacy / Deprivation of Liberty (IMCA/ IMCA DoLS) and Relevant Paid Person Representatives (RPPR)
3. Independent Mental Health Advocacy (IMHA) and Inpatient Mental Health Advocacy
4. Independent Complaints Advocacy (ICAS)

The successful contractor will be required to deliver Advocacy Services in compliance with legislation including the Care Act 2014, Mental Capacity Amendment Act 2005 and the Amendment Act 2019, Mental Health Act 1983 and NHS and Social Care Act 2012, and to ensure all services are flexible and responsive to developments in legislation, policy and guidance, and to any variations in demand for any of the services.

The successful contractor will also be required to work to outcomes, including:

- Improved awareness and take up of Statutory Advocacy
- Improved services and service practices

Tenderers should note that the Council has a maximum budget for all services which is £246,242 per contract year, and a maximum total contract value over the duration of the contract being £984,968. Further details can be found in the Invitation To Tender (ITT) documentation.

The duration of the contract will be four (4) years from 1 April 2024 to 31 March 2028.

The Tender Document(s) will be made available to suppliers who Express Interest on the Sandwell Metropolitan Borough Council Tendering Portal. To access the portal please click

the following link <https://in-tendhost.co.uk/sandwellmbc>

You will be required to log into an existing account or register a new one. Once logged in, from the top menu bar click on "Tenders" to list all the current opportunities. Once you have

found the relevant opportunity you should click on "View Details" in order to Express an Interest.

Closing date for submission of Tenders is 7 November 2023 at 13:00 hours.

II.1.5) Estimated total value

Value excluding VAT: £984,968

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 85000000 - Health and social work services
- 98000000 - Other community, social and personal services

II.2.3) Place of performance

NUTS codes

- UKG37 - Sandwell

Main site or place of performance

Please refer to the ITT Documentation for further information.

II.2.4) Description of the procurement

Please refer to the ITT Documentation for further information.

II.2.6) Estimated value

Value excluding VAT: £984,968

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

Start date

1 April 2024

End date

31 March 2028

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

Please refer to the ITT Documentation for further information

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

7 November 2023

Local time

1:00pm

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

English

Section VI. Complementary information

VI.3) Additional information

Participants are advised that as the services sought pursuant to this notice are adult social services and therefore subject to the "light touch regime" as set out in regulations 74-77 of the Public Contracts Regulations 2015 it is not subject to the full obligations of the Procurement Directive but are nonetheless subject to the general obligations of transparency, equal treatment and non-discrimination. Participants should not infer from any references to the authority using a process or tender documents which are similar to one of the mandatory procedures that the authority is following one of those procedures. The authority is following its own tender process akin to the open procedure for this procurement. The authority reserves the right to award the contract in whole or part, to cancel or amend the tender process, not award the contract in whole or part, and does not bind itself to accept any tender. The authority reserves the right to make any changes it sees fit to the content and structure of the procurement competition and shall not be liable in any circumstances for any costs, or expenses incurred by any economic organisation in responding to this notice or in tendering for the contract. The contract is for the term of 4 years (1.4.24 - 31.3.28). Potential suppliers should note that in accordance with UK Government's policies on transparency the authority may decide to publish the ITT and other tender documents and text from the contract awarded subject to possible redaction at the discretion of the authority. To comply with the public sector equality duties the successful contractor will be expected to comply with the equality and diversity legislation in executing this contract. As a minimum standard the authority utilises the common standard for equalities in public procurement. If you are not currently subject to UK legislation, documentary evidence of your compliance of equivalent legislation which is designed to eliminate discrimination and to promote equality of opportunity in the Country where you are registered will be required. Under this

procurement, the contractor will be required to support the Public Services (Social Value) Act 2012. The contract mainly reflects services currently being provided by existing

organisations, and therefore the EC Acquired Rights Directive 2001/23/EC as amended and/or the transfer of undertakings (protection of employment) Regulations 2006 (TUPE)

may apply to this contract.

This opportunity will not be split up into multiple lots. This decision was made because due to the close link between Care Act and IMCA advocacy, that the provider should be the same to avoid the need for clients to repeat their stories. The Council will also get better value for money by working with one provider for all four forms of advocacy through reduced contract management, monitoring and administration. One contract also allows flexibility to meet changes in demand between the different elements of advocacy. This will also provide a more

joined up and simpler referral process for clients at the front end.

To tender for this provision, please visit <https://in-tendhost.co.uk/sandwellmbc> to access the Sandwell MBC In-tend Supplier Portal; from the homepage click "Register" to complete the registration process.

If you require any further help in respect of the supplier portal please contact the In-tend Support Team on 0844 272 8810.

VI.4) Procedures for review

VI.4.1) Review body

The High Court of Justice

London

Country

United Kingdom