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| Decision maker: | Cabinet member: health and wellbeing |
| Decision date: | 10 April 2017 |
| Title of report: | Vision Links contract extension |
| Report by: | Commissioning officer |

Classification

Open

Key decision

This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function to which the decision relates.

Notice has been served in accordance with Part 3, Section 10 (General Exception) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) Regulations 2012

Wards affected

Countywide

Purpose

To approve the extension of the Sensory Impairment contract with Herefordshire Vision Links for 18 months to 30 September 2018

Recommendation(s)

THAT:

- (a) the contract with Herefordshire Vision Links be extended for 18 months to 30 September 2018 at a value of £155,883 (equating to £103,922 pa)**
- (b) By virtue of this decision report an exemption to paragraph 4.6.13.7 of the council's contract procedure rules shall be granted to enable the extensions for the reasons as set out in paragraph four below and referred to throughout this document.**

Alternative options

- 1 There are no alternative options as the provision of a sensory impairment service for visually impaired, and blind/deaf people is a legal requirement for Herefordshire Council.

Reasons for recommendations

- 2 The current contract with Vision Links will end on 31 March 2017. In order to ensure continuity of service an extension for 18 months to 30 September 2018 is recommended.

Key considerations

- 3 The current contract with Herefordshire Vision Links started on 01 April 2014 with an initial end date of 31 March 2016. At the end of the initial term the option to extend for a further year to 31 March 2017 was exercised. The original intention to review and retender the service during 2016 did not happen due to a lack of resources within commissioning coupled with a reorganisation of the adults and wellbeing commissioning function.
- 4 The service covers adults across Herefordshire and offers training and the supply of equipment to those with sensory impairments. It is the only such service for adults provided by the council and it enables the council to fulfil its legal duties.
- 5 An outline timetable for the redesign and tender exercise of a new sensory impairment service would include;

| Activity | Timescales |
|---|---|
| Commissioning and redesign process | May to mid-September 2017 |
| Decision process 2-3 months - key decision | September 2017 |
| Tender development, Specification development and Contract development | Start November 2017 End January 2018 |
| Out to tender | February 2018 |
| Evaluation | April 2018 |
| Award and standstill | May 2018 |
| Implementation start (to include including TUPE transfer if applicable) | June 2018 |
| Contract start | September 2018 |

- 6 A further extension of 18 months is recommended, firstly to ensure continuity of service and secondly to enable a full review of the service with a view to issuing a retender during the first part of 2018.
- 7 Children's Wellbeing (CWB) have decided to withdraw from this contract as, in their view, it does not meet the highly specialised needs of the young people they work with. Children's Wellbeing have commissioned a dedicated service for children from 1 April 2017.

Community impact

- 8 This service directly affects adults with a sensory impairment. It covers all of the county. Without the service, people with a sensory impairment would not be able to

Further information on the subject of this report is available from
John Gorman, commissioning officer on Tel (01432) 383157

access the training and specialised equipment they require. In addition, the equipment and training provided by this service enables those with sensory impairments to continue living full and active lives in their local communities.

- 9 Demand for this service is indicated by the fact that, during 2016/17, a total of 476 clients attended one of the hearing clinics held on a weekly basis in each of the market towns. In addition, there were 225 home visits to people with hearing impairments. (Source; Statistical return from Deaf Direct dated 17 February 2017). Currently there are 170 people with visual impairments registered with Vision Links for services. (Source; statistical return from Vision Links dated 13 February 2017)

Equality duty

- 10 This service assists those with a sensory impairment to achieve and maintain their independence and enable them to participate in the life of their local communities. Section 149 of the Equality Act 2010 has three aims (general duty)

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the act
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those that who do not

This service supports the council in its duty to advance equality of opportunity, by supporting those with a sensory impairment to achieve and maintain their independence and enable them to participate in the life of their local communities. If it is not implemented, and the council does not provide an alternative service then we will not be full filling its legal obligations.

Financial implications

- 11 The agreed price for this service going forward is £155,883 (equivalent to £103,922 per annum). The previous price of the contract was £109,422 per annum, however this is now reduced following CWB's decision to withdraw (see paragraph 7 above). In addition there is an equipment budget which, under the terms of the contract, Vision Links can access on behalf of the clients they support. The contract specifies the terms on which this fund can be accessed and the maximum funds available during the lifetime of the contract extension is £30,000 (equivalent to £20,000 per annum).

Legal implications

- 12 The provision of this service enables the council to meet its statutory duties under the Care Act towards people with a sensory impairment. Failure by the council to offer such a service would leave it open to challenge by way of complaint to the Local Government Ombudsman and also by way of a judicial review or other legal challenge.
- 13 An extension to an existing contract is being sought. However, given that the council has already extended the contract under its current terms already and no further extension is allowable, by agreeing to this extension, effectively a new contract for

procurement purposes will be entered into.

- 14 Given the value of the contract, the council is required to conduct a procurement exercise. This is in accordance with our own procedure rules. The inability to procure this contract creates a risk of legal challenge in the high court.
- 15 In the circumstances where we are procuring for a longer contract it is hoped that the risk of a challenge is probably low.
- 16 Officers will work with legal services to draft/approve the terms and conditions of the extension
- 17 Given there will be no changes to the services (from the perspective of adult service users) during the 18-month extension period, there is no requirement for the council to consult with service users regarding the extension itself.

Risk management

- 18 No risks have been identified in the extension of this contract. Any risks subsequently identified will be managed through the departmental risk management process and escalated as required through the corporate risk management process.

Consultees

- 19 There is no need to consult on this decision.

Appendices

None

Background papers

None identified