

## Officer Decision Record – Executive Decision

**If Key Decision: Decision Ref. No.**

**B019/24**

*If not a Key Decision write n/a above*

### OFFICER DECISION RECORD <sup>i</sup>

Officer Key Decisions are subject to the Council's Call-In Procedure (Annex 9 of the Council's Constitution <https://www.hertfordshire.gov.uk/about-the-council/freedom-of-information-and-council-data/open-data-statistics-about-hertfordshire/who-we-are-and-what-we-do/who-we-are-and-what-we-do.aspx>)

**Subject:** Direct contract award of Healthwatch Hertfordshire services under Single Tender Action or Provider Selection Regime

**Type of Decision:** Executive

**Key Decision (Executive Functions only):** Yes

**Executive Member/Committee Chairman:**

Tony Kingsbury Executive Member for Adult Care, Health and Wellbeing

**Portfolio (Executive Functions only):**

Adult Care, Health and Wellbeing

**Officer Contact:** Susan Ebanyat

**Tel:** 01438 843059

## 1. Decision

A proposal to directly award the new Healthwatch Hertfordshire contract.

## 2. Reasons for the decision

Healthwatch to be excluded from the User Voice tender process, however the current contract specification will enter a period of negotiations with commissioners. A proposal was put forward and approved to directly award the new Healthwatch Hertfordshire contract via Single Tender Action (STA) or the new Provider Selection Regime (PSR) on the following grounds.

- Potential low market appetite due to specialist provision also evidenced by the zero interest from other organisations wanting to bid for the Healthwatch provision during PPME.
- Healthwatch is a statutory service with different statutory regulations (including Enter and View)
- Has a unique funding arrangement, direct from central government.
- Falls under a National umbrella organisation (Healthwatch England)
- Re-negotiating the contract specification with the existing provider could give same outcomes as a tender (improved diversity of service users).

It is also important to note that savings were made on the Healthwatch contract in 2018, therefore a tender will give room for contract re-negotiations which could potentially lead to a higher contract value.

## 3. Alternative options considered and rejected

**Option 1** – Continue delivering services in the way they are now. This option is not desirable.

- Existing User Voice contracts have never been through a competitive tender and can't be extended.
- Service specifications are outdated and do not align with current co-production model.

**Option 2** – Jointly tender all the User Voice Services (including Healthwatch). This option is not recommended for the Healthwatch provision, there would be little benefit to the service taking it through a full tender.

- Healthwatch is a specialist service, so potentially there would be little appetite from other providers.
- Some of the User Voice services would benefit from a competitive tender being in a stronger provider market.

## 4. Consultation (see Summary of Requirements below)

**Was any Councillor consulted?**      **Yes/No** (*delete as applicable*)

**If yes:**

(a)    Comments of Executive Member/Committee Chairman (*delete as applicable*)  
Agreed

(b)    Comments of other consultees

**5. Any conflict of interest declared by a councillor who has been consulted in relation to the decision**

N/A

**6. Following consultation with the Executive, I am proceeding with the proposed decision.**

Signed: Chris Badger

Title: Executive Director, Adult Care Services

Date: 01/03/2024

Copies of record to:

- All consultees
- hard & electronic copy (if required to be made available for public inspection) to Democratic Services Manager - Room 213 County Hall.<sup>ii</sup>

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### Summary of Requirements to Inform/Consult Councillors

Significance of Proposed Action	Controversial	Relevant Councillor(s) to be Consulted
Technical/Professional/ Routine	No	No need to inform or consult councillors
Technical/Professional/ Routine	Yes	<b>Executive Functions:</b> Consult relevant Lead Executive Member and, where appropriate, Local Councillor <b>Non-Executive Functions:</b> Relevant Committee Chairman and, where appropriate, Local Councillor

Local	No	<p><b>Executive Functions:</b> Inform Lead Executive Member and Local Councillor</p> <p><b>Non-Executive Functions:</b> Inform Local Councillor</p>
Local	Yes	<p><b>Executive Functions:</b> Consult Lead Executive Member and Local Councillor</p> <p><b>Non-Executive Functions:</b> Consult Local Councillor</p>
General or County-wide	No	<p><b>Executive Functions:</b> Consult relevant Lead Executive Member (s)</p> <p><b>Non-Executive Functions:</b> Consult relevant Committee Chairman</p>
General or County-wide	Yes	<p><b>Executive Functions:</b> Consult relevant Lead Executive Member (s) and the Leader of the Council</p> <p><b>Non-Executive Functions:</b> Consult relevant Committee Chairman/Leaders all Political Groups</p>