

Meeting of South Ayrshire Health and Social Care Partnership	Performance & Audit Committee
Held on	Friday 12th November
Agenda Item:	12
Title:	Annex 2 Contract Awards in Q1 and Q2 2021/22
Summary:	
<p>The purpose of this report is to advise the Performance and Audit Committee, in accordance with Clause C.6 of Annex 2 of Standing Orders Relating to Contracts, of contracts directly awarded under South Ayrshire Council's Annex 2 arrangements during 1st April 2021 to 30th September 2021.</p>	
Author:	John Wood, Senior Manager Planning, Performance & Commissioning
Recommendations:	
<p>It is recommended that the Committee:</p> <ul style="list-style-type: none"> i. Notes the detail listed at Appendix 1, of directly awarded contracts to service providers, using the provisions of Annex 2 of Standing Orders relating to Contracts. 	
Route to meeting:	
<p>This has previously been approved by South Ayrshire Council's Leadership Panel. A report outlining Annex 2 Contract Awards in Q1 and Q2 2021/22 was presented to Leadership Panel on 26th October 2021.</p>	
Implications:	
Financial	<input checked="" type="checkbox"/>
HR	<input type="checkbox"/>
Legal	<input checked="" type="checkbox"/>
Equalities	<input type="checkbox"/>
Sustainability	<input type="checkbox"/>
Policy	<input type="checkbox"/>
ICT	<input type="checkbox"/>

Annex 2 Contract Awards in Q1 and Q2 2021/22

1. PURPOSE OF REPORT

The purpose of this report is to advise the Performance and Audit Committee, in accordance with Clause C.6 of Annex 2 of [Standing Orders Relating to Contracts](#), of contracts directly awarded under South Ayrshire Council's Annex 2 arrangements during 1st April 2021 to 30th September 2021.

2. RECOMMENDATION

It is recommended that the Integration Joint Board:

- i. Notes the detail listed at Appendix 1, of directly awarded contracts to service providers, using the provisions of Annex 2 of Standing Orders relating to Contracts.**

3. BACKGROUND INFORMATION

The Council's Standing Orders Relating to Contracts, at Annex 2, indicate circumstances where an Executive Officer may, without prior advertisement or competition, enter negotiations with one or more providers to develop contracts relating to health or social care services.

Services procured using the provisions of Annex 2 of Standing Orders Relating to Contracts reflect the principles set down in the Statutory Guidance issued by Scottish Ministers in terms of the Procurement Reform (Scotland) Act 2014 as well as the Best Practice Guidance on the Procurement of Care and Support Services 2016, the 'Light Touch Regime,' issued in terms of the Procurement Reform (Scotland) Act. Procured services are defined by [Common Procurement Vocabulary \(CPV\) codes](#) covered under the Light Touch Regime.

Where there are special circumstances justifying a departure from advertisement or competition, the Executive Officer should provide the Leadership Panel with a list of such contracts, in accordance with Standing Orders Relating to Contracts, Annex 2, Clause C.6.

Special circumstances include (but are not limited to) for example; where EU Treaty principles around advertisement and competition do not apply; where service user(s) needs are best met by a particular provider; where particular provision of social care is limited due to geographic location or particular skills; or the existing service provider(s) are the only provider(s) capable of delivering the service to meet the needs of the individual(s) concerned.

Where there is a requirement to enter into a contract with a service provider, using the provisions of Annex 2 of Standing Orders Relating to Contracts, approval is first required by the relevant Executive Officer along with a Service Finance Team Coordinator and the Service Lead - Procurement.

Appointments then made under Annex 2 of Standing Orders Relating to Contracts are concluded following a robust process, using the Council's contract terms and conditions, the completion of a contract strategy and contract document. The contract document sets out the outcomes required for the service user against similar, national services and are assessed, financially, against Local Government Benchmarking Framework Data from Comparator Councils to ensure that Best Value is achieved.

Any decisions taken under paragraphs C.2, C.3, C.4 or C.5 of Annex 2 of Standing Orders Relating to Contracts, that neither advertising nor competition will be required for a particular contract, shall be subject to review by the Executive Officer at regular intervals (and at least annually).

4. REPORT

Members of the Performance and Audit Committee are requested to consider the award of contracts, during April 2021 to September 2021, under Annex 2 of the Council's with Standing Orders Relating to Contracts, as detailed at Appendix 1.

Column B of Appendix 1 details the name of the Directorate of the Contract Owner. This has been included as two contracts for Educational Services have been awarded in accordance with Annex 2 of Standing Orders Relating to Contracts.

5. STRATEGIC CONTEXT

The matters referred to in this report contribute to the IJB's current Strategic Plan Objectives; empowering communities to start well, live well and age well.

6. IMPLICATIONS

Financial Implications

The financial implications relating to these contracts have been accounted for and approved through the appropriate Request for Procurement Action (RPA) and Annex 2 approval process.

Human Resource Implications

There are no human resource implications for South Ayrshire Council as a result of this report.

Legal Implications

There are no legal implications arising from this report.

The recommendations in this report are consistent with procurement requirements and reflect appropriate advice.

Equalities implications

An Equalities Impact Assessment (EQIA) has been carried out on the proposals contained in this report, which identifies potential positive and negative equality impacts and any required mitigating actions. The EQIA is attached as Appendix 2.

Sustainability implications

Considering Strategic Environmental Assessment (SEA) - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

Clinical/Professional Assessment

Not applicable to this report.

7. CONSULTATION AND PARTNERSHIP WORKING

The following Portfolio Holders have been consulted on this report:

Consultation has taken place with Councillor Julie Dettbarn, Portfolio Holder for Adults' Health and Social Care.

Consultation has taken place with Councillor William Grant, Portfolio Holder for Children and Young People.

Consultation has taken place with Councillor Brian McGinley, Portfolio Holder for Resources and Performance.

The contents of this report reflect any feedback provided.

8. RISK ASSESSMENT

There are no risks associated with adopting the recommendations.

Rejecting the recommendations may impact on the reputation of the Council.

REPORT AUTHOR AND PERSON TO CONTACT

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BACKGROUND PAPERS



Report to Leadership Panel of 26 October 2021 – Annex 2 Contract Awards in Q1 and Q2 2021/22

Date: **20/10/2021**