

## Officer Decision Record – Executive Decision

If Key Decision: Decision Ref. No.

**B075/24**

*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:** Provider Selection Regime - Direct Award of the Mental Health User voice contract to Viewpoint

**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

To directly award the Mental Health User voice contract to Viewpoint.

## 2. Reasons for the decision

The Mental Health services provided by the existing provider Viewpoint fall under the new NHS Provider Selection Regime (PSR) which came into effect in January 2024, and as such we are mandated to commission your service provision in accordance with the rules pertaining to the PSR.

A decision to award Viewpoint the Mental health user services via the PSR direct award (process C) on the following grounds.

- The existing provider is satisfying its existing contract, will likely satisfy the new contract to a sufficient standard, and the proposed contracting arrangements are not changing considerably.

Formalising PSR contract arrangements will allow new specifications to be developed to commence in July 2024 in line with procurement plans set out in the User voice briefing paper presented to board on the 30/10/2023.

## 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- Service specifications are outdated and do not align with current co-production model.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 Mental Health

- This option will NOT apply to the Mental Health User voice provision, given that it falls under the new NHS Provider Selection Regime (PSR).
- PSR legislation has removed the procurement of health care services by relevant authorities from the scope of the Public Contracts Regulations 2015 and has revoked the National Health Service (Procurement, Patient Choice and Competition) (No. 2) Regulations 2013.

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

**Was any Councillor consulted?** No

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

No

## 6. I am proceeding with the proposed decision.

Signed: Jackie Albery

Title: Director of Planning and Resources

Date: 05/07/2024

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

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