

# Public Document Pack

## NORTH YORKSHIRE COUNTY COUNCIL

### MEETING OF THE CORPORATE DIRECTOR, HEALTH AND ADULT SERVICES AND EXECUTIVE MEMBERS CLLR MICHAEL HARRISON AND CLLR ANDREW LEE

Friday, 11 February 2022 / 1.30 pm via MS Teams

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## A G E N D A

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1 **Declarations of Interest**

2 **Items for Corporate Director decision**

**The following decisions have been delegated to the Assistant Director Strategic Resources**

2a **To approve the extension of the Welfare Benefits Unit Contract** Linda Porritt  
(Pages 3 - 4)

2b **To approve the extension of the Citizens Advice Bureau** Linda Porritt  
(Pages 5 - 6)

3 **Items for Executive Member decision**

**None**

4 **Notes of previous meeting held on 14 January 2022**  
(Pages 7 - 10)

**Date of future meetings**

11 March 2022

**Circulation:**

**Executive Members**

Michael Harrison

Andrew Lee

**Officer attendees**

Richard Webb

**Presenting Officers**

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## **Contract for Information Advice and Guidance Services Lot 2 – The Provision of a North Yorkshire Welfare rights, Information and Guidance Service**

**REPORT TO** Corporate Director of Health and Adult Services (HAS) in consultation with Executive Member for Adult Social Care and Health Integration and the Executive Member for Public Health, Prevention and Supported Housing, including Sustainability and Transformation Plans.

**DECISION DATE** 11 February 2022

### **SUPPORTING ANNEX**

*This report includes a supporting Annex which contains exempt information as described in paragraph 1, 3 and 5 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).*

### **PROPOSED RECOMMENDATION**

It is recommended that the Authority extend and vary the contract for up to 2 years from 1<sup>st</sup> April 2022 to the 31<sup>st</sup> March 2024. It is also recommended to vary the extension clause from 2 years to 4 periods of 6 months. It is proposed the contract will be reviewed and extended at 6 monthly break points.

### **BACKGROUND TO SUPPORT THE RECOMMENDATION**

The Welfare Benefits Unit (WBU) provides second tier welfare benefits advice and information to benefits advisers from North Yorkshire County Council (NYCC), district councils and City of York; plus other organisations including but not limited to Carers Resource, Citizens Advice Bureau's and Housing departments. The Provider does not offer direct support to members of the public.

The WBU offers specialist welfare benefits advice to those who work with members of the public. They aim to maximise benefit entitlement, helping to reduce the incidence and impact of poverty and in doing so improve health, well-being, financial and social inclusion.

The WBU has experienced advisers who provide independent support through: advice line, publications, training, consultancy and projects

The service was an initial term of 5 years from 1<sup>st</sup> April 2017 to the 31<sup>st</sup> March 2022. There is an option to extend the contract for 2 years from the 1<sup>st</sup> April 2022 to the 31<sup>st</sup> March 2024. It is proposed to vary this extension clause from being straight 2 year period to 4 periods of 6 months.

The Provider conforms to all relevant contractual responsibilities. The provider has provided a continuity in service throughout the pandemic with creating new ways of

working. The WBU meets all KPIs, attend all contract monitoring meetings and provides all relevant reporting in relation to its performance and service offer overall.

The proposed extension and variation has been through the council's governance and a gateway 4 report has been submitted and approved by the Procurement Assurance Board. The report is included in the annex and appendix one

## **LEGAL AND GOVERNANCE COMPLIANCE**

Initial legal advice was sought regarding the proposed changes to Lot 2. Appendix A confirms that the term is 5 years with the "option to extend for a further 2 years". We were advised that the existing clause could be interpreted in two different ways, either we can only extend for 2 years or not at all, or we could extend for a number of periods and the Provider was in agreement.

Clause F3 of the contract allows for variations to the contract as long as they are agreed in writing and signed, with an adjustment to the Agreement Price accordingly.

## **RECOMMENDATION**

It is recommended the Authority to extend and vary the contract for up to 2 years from the 1<sup>st</sup> April to the 31<sup>st</sup> March 2024, with the contract being reviewed and extended at 6 monthly break points.

## **REPORT AUTHORS**

Linda Porritt  
Zaheer Ishtiaq  
Rosie Wilkinson

## **Contract for Information Advice and Guidance Services Lot1 – The Provision of a North Yorkshire Information and Advice Service**

**REPORT TO** Corporate Director of Health and Adult Services (HAS) in consultation with Executive Member for Adult Social Care and Health Integration and the Executive Member for Public Health, Prevention and Supported Housing, including Sustainability and Transformation Plans.

**DECISION DATE** 11 February 2022

### **SUPPORTING ANNEX**

*This report includes a supporting Annex which contains exempt information as described in paragraph 1, 3 and 5 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).*

### **PROPOSED RECOMMENDATION**

It is recommended that the Authority extend the contract for 2 years from 1<sup>st</sup> April 2022 to the 31<sup>st</sup> March 2024. This is permitted under the original contract.

### **BACKGROUND TO SUPPORT THE RECOMMENDATION**

The Citizens Advice Bureau (CAB) is a trusted and recognised public facing organisation, which provides holistic advice and information covering a broad spectrum of topics including debt, housing, unemployment, benefits, and bankruptcy. North Yorkshire County Council (NYCC) is the major funder and the CAB also receives funds from 6 out of the 7 district councils, Craven being the only one which doesn't contribute funds, but offers accommodation in lieu of the service in that District.

CAB is a consortium of three local Citizens Advice; Citizens Advice Craven & Harrogate Districts, Citizens Advice Mid-North Yorkshire (Hambleton, Richmondshire, Ryedale, and Selby & District), and Citizens Advice Scarborough & District. They provide free, confidential, and impartial legal advice, information, and support across North Yorkshire and work with over 200 partners.

The people the CAB support are the most vulnerable in our community. They are five times more likely to be on low incomes; many have mental health problems; many are in insecure employment and/or live in rented accommodation.

Since 2010, the majority of North Yorkshire's advice charities have closed and, other than the Welfare Benefits Unit (who don't provide legal representation), it is now the only organisation providing free information and advice at this level and at a time when it's badly needed.

Local offices also deliver services funded nationally through various funded projects including Help to Claim, Help through Hardship, and Pension Wise.

The service was an initial term of 5 years from 1<sup>st</sup> April 2017 to the 31<sup>st</sup> March 2022. There is an option to extend the contract for 2 years and it is proposed to utilise this extension from the 1<sup>st</sup> April 2022 to the 31<sup>st</sup> March 2024.

The CAB meets all KPIs, attend all contract monitoring meetings and routinely and reliably provided quarterly reports and extensive updates in relation to their performance and service offer overall. It is forward thinking, innovative and proactive in relation to the services it provides, paying due regard to patterns and trends presented by customers. During the pandemic, it has successfully created and applied different ways of working in order to ensure service delivery was uninterrupted.

The proposed extension has been through the council's governance process and a gateway 4 report has been submitted and approved by the Procurement Assurance Board. The report is included in the annex and appendix one.

## **LEGAL AND GOVERNANCE COMPLIANCE**

The two year extension is provisioned for in the contract, as there are no other changes we are making to the contract this is a legally compliant extension.

## **RECOMMENDATION**

It is recommended the Authority extend the contract for 2 years from the 1<sup>st</sup> April to the 31<sup>st</sup> March 2024.

## **REPORT AUTHORS**

Linda Porritt  
Zaheer Ishtiaq  
Rosie Wilkinson

**NORTH YORKSHIRE COUNTY COUNCIL  
HEALTH AND ADULT SERVICES EXECUTIVE**

**Meeting of the Health and Adult Services Executive**

**14 January 2022 at 13.30  
Via MS Teams**

**DECISION RECORD & MEETING NOTES**

**Present:** Councillor Michael Harrison and Councillor Andrew Lee

**Officers:** Richard Webb (RW); Carly Walker (CW); Anton Hodge (AH); Sarah Abram (SA)

**Minutes:** Dawn Day

NO.	ITEM	For Note/ Action
	<p><b>Declaration of Interests</b></p> <p>County Councillor Michael Harrison declared an interest as his spouse works in Health and Adult Services. He relied on a dispensation granted by the standards committee enabling him to partake fully in the meeting.</p>	
<b>1</b>	<b>Items for Corporate Director Decision</b>	
1.1	<p><b>Extension of Welfare Benefits Unit Contract</b></p> <p>This item was deferred to the February meeting pending additional information.</p>	
	<p><b>Extension of Citizens Advice Bureau Contract</b></p> <p>This item was deferred to the February meeting pending additional information.</p>	
1.2	<p><b>To approve the procurement of a provider to deliver the Sustainable Warmth Programme</b></p> <p>CW presented.</p> <p>NYCC has led a consortium with three district councils (Scarborough, Ryedale and Hambleton) and was successful in the latest round of Government funding to tackle fuel poverty as part of the seasonal health strategy. The bid set out how we would target wards with the highest rates of fuel poverty and the worst homes first.</p> <p>Approval was requested to procure a provider who will deliver this programme on our behalf and will complete activities such as marketing, taking enquiries from potential households, checking eligibility and carrying out the work in individual</p>	

	<p>properties. All measures must be completed by 31<sup>st</sup> March 2023. Payment is made to providers only on completion of an installation and any unused funding will need to be returned. A provider needs to be identified as soon as possible using an external framework.</p> <p>Should the successful providers sub-contract, it will be stipulated within the specification that local installers are to be used. Unfortunately, the skills to install air source pumps is not widely available in North Yorkshire due to the new technology and installers may need to be brought in from outside the area.</p> <p>Cllr Lee asked that we consider more than one provider to ensure a competitive process. It was agreed to explore with legal and procurement the use of up to two end-to-end providers.</p> <p>Cllr Lee asked if the funding could be used for re-skilling, but this was not an option under the terms of the funding.</p> <p>RW thanked CW for all her hard work in securing the funding.</p> <p><b>Recommendations/Agreed</b></p> <ol style="list-style-type: none"> <li>1. RW and Cllrs were broadly in support of the proposal. They would like officers to explore the option of up to two end-to-end providers.</li> <li>2. An update was requested on next steps, contract awards and press releases at a future meeting.</li> </ol>	
<b>2</b>	<b>Items for Executive Member Decision</b>	
	<p><b>Local Government and Social Care Ombudsman (LGSCO) public report</b></p> <p>SA and AH presented.</p> <p>The LGSCO recently published a report outlining its findings into a complaint about North Yorkshire County Council (NYCC). The Ombudsman upheld the complaint and made recommendations accepted by the Council.</p> <p>A review was undertaken and a further six cases were found, resulting in no financial redress. The Council were able to give assurance that the necessary work had been undertaken and remedies put in place.</p> <p>There has been learning for the Council in relation to decisions around finance. Cllr Harrison asked that in future we consider and understand our actions and the impact they have on others.</p> <p>He acknowledged that decisions around social care and finance are complicated and SA confirmed that we have changed the way we interpret the policy.</p>	



	<p>Following the review of the additional six cases, Cllr Harrison felt reassured that the additional processes have been put in place to prevent this occurring again.</p> <p><b>Recommendations/Agreed:</b></p> <ol style="list-style-type: none"> <li>1. Cllr Harrison noted the content of the report</li> <li>2. Cllr Harrison accepted the finding and recommendations of the LGSCO and those actions have been taken to address the recommendations.</li> </ol>	
<b>3</b>	<b>Notes of previous meeting held on 10 December 2021</b>	
	Reviewed and accepted as an accurate record.	
<b>4</b>	<b>Non-decision item</b>	
	<p><b>Update of Weight Management Provider Sustainability</b></p> <p><b>Recommendations/Agreed:</b></p> <ol style="list-style-type: none"> <li>1. The arrangements in each locality were noted.</li> <li>2. It was noted that in the event of provider failure, the Council would review its options in light of the presenting circumstances and its contractual obligations.</li> <li>3. A report will be presented to Executive ahead of the procurement in September.</li> </ol>	

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