

RECORD OF OFFICER DECISION

APPROVAL FOR THE PROVISION OF 47 HOSPITAL SUPPORT DISCHARGE UNIT BEDS

Decision made

To approve the provision of provision of 47 Hospital Support Discharge Unit Beds to allow customers who have tested positive for Covid 19 to be discharged from hospital in timely manner to continue their journey.

Two providers have been selected and the total value for initial period is anticipated to be £1,080.00. Please see appendix 1 for details of the contracts to be awarded.

The contracts shall have staggered commencement dates with the initial contract on the 09th April with the initial term expiring on the 31st July 2020.

Discussions in relation to exit provisions are on going and may require a separate Record of Officer Decision Report to be produced.

To allow either the Strategic Procurement Hub or Legal services to enter in to the resulting contracts in line with the Council's Constitution and Schemes of Delegation.

Made by: Helen Jones Director of Commissioning

Background

1. As the Director for Commissioning, I am responsible for any matters relating to provision of Care Home beds in the County of Wiltshire on behalf of Wiltshire Council. The power to make a decision in respect of this matter is delegated to me pursuant to Wiltshire Council's Constitution. In any event, pursuant to paragraph 4 of Part 3 Section D, the Directors of Wiltshire Council are is empowered to take all necessary decisions in cases of emergency where the Director concerned believes that there is a risk of damage to property, a threat to the health or wellbeing of an individual and/or that the interests of the Council may be compromised if this decision is not otherwise taken.
2. Currently, the UK is experiencing a pandemic outbreak of the COVID-19 virus. A direct impact of this is the necessity for Wiltshire Council to make rapid decisions to secure the health & wellbeing of the Community and to support the wider Health and Social Care System
3. During the Covid-19 pandemic, it should be noted that cells reporting into the Gold Command structure are not in and of themselves decision-making bodies. The relevant officers are still responsible for making operational and incidental decisions and where these have implications for expenditure outside the normally agreed budgetary framework (which will be a significant amount of expenditure relating to the pandemic) CEOs have asked for these to be shared with CLT where individual expenditure is greater than £5k or cumulatively greater than £30k

4. These services are being procured under regulation 32(2) c Use of the Negotiated Procedure without Prior Publication, of the Public Contract Regulations 2015, which states that *'in so far as strictly necessary where, for reasons of extreme urgency brought about by events unforeseeable by the contracting authority, the time limits for the open or restricted procedure or competitive procedures with negotiation cannot be complied with'*
5. The UK finds itself facing unprecedented times and the use of this regulation allows the Council to act quickly and responsively to the changing environment due to Covid 19.
6. The use of regulation 32(2) (C) does not in itself mean that the Council has acted in a compliant manner with the Public Contract Regulations 2015 and the decision to award these contracts could be challenged. Paragraph 5 support the Council's use of this regulation in procuring these services and should help mitigate risks to a degree.
7. The contracts will be funded by the NHS Bath and North East Somerset, Swindon and Wiltshire Clinical Commissioning Group and a letter detailing this arrangement has been created

Reason for decision

1. There is an urgent need to secure additional in a care home setting because:
 - a. The UK is experiencing a pandemic outbreak of the COVID–19 virus.
 - b. There is an established need to support the wider health and care system. NHS modelling shows that the acute hospitals serving Wiltshire are very likely to imminently breach their capacity in the first weeks of April.
 - c. The provision of these services will mean that customers can be supported in a nursing environment having tested positive for Covid – 19 in a nursing environment following discharge from an NHS Hospital. This will help support the health system by releasing beds in NHS hospitals for those in greater need of specialist healthcare support.
 - d. A block contract agreement for additional nursing bed capacity will mean that customers can be discharged quickly, without delay, compared to alternative commissioning arrangements. This therefore provides more responsive capacity needed to support such discharges.
2. I confirm that in making this decision I have considered the following in line with Wiltshire Council's Constitution: **(Please insert 'Yes' / 'No' / 'Not Applicable' and any other comments necessary to evidence the issue identified has been addressed)**

Key decision requirements	yes
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Views of relevant cabinet member(s), committee chairman, area board(s)	N/A
Consultation with cabinet member(s), the Leader and Scrutiny (for Executive decisions taken under Emergency Powers)	Leader via the CEOs
Consultation with local members (as appropriate)	N/A
Consideration of the area boards and delegated decision checklist for officers on the issue of when and how to involve local councillors and area boards in decisions about local services	N/A
Implication of any council policy, initiative, strategy or procedure	yes
Consultation in accordance with requirements and expectations of consultation with the public	N/A
Range of options available	yes
Staffing, financial and legal implications	yes
Equality implications.	yes
Risk assessment	yes
Involvement of statutory officers and/or directors	yes
Regional or national guidance from other bodies	yes
The council's constitution	yes
Contract is suitable for execution under the e-signature process	N/A

Conflict of Interest

3. Not applicable

Other options considered

4. No other options were considered.

A handwritten signature in black ink, appearing to read "Helen Jones". The signature is written in a cursive style with a large, looped initial 'H'.

Made by:

Helen Jones, Director of Commissioning

Date:

10/4/2020

Appendix 1

Provider	Area	Number of Beds
Wessex Care - Kimberly East	South	27
Order of St John - Athelstan house	North	20

The beds purchased from the order of St John will be available as follows:

	From 20/04/2020	From 27/04/2020	From 04/05/2020	From 11/05/2020
Athelstan House	12	16	20	20
20 beds				
Total Beds Available	12	16	20	20