

OFFICER DECISION RECORD

For staff restructures, please also complete an RA1 form to update the HR Portal. This is attached at Annex 2.

Decision Ref. No:
2016A&C341 participation in a joint procurement exercise with NHS England to provide Social Care in prison settings

Box 1

DIRECTORATE:

Contact Name: Glyn Sparrow / Teresa Bainbridge

DATE: 29/09/16

Tel. No.: 01302 736901

Subject Matter: Participation in a joint procurement exercise with NHS England to provide Social Care in prison settings, through joint contracting arrangements for Health and Social Care.

Box 2

DECISION TAKEN:

Approval to be included in NHS England's procurement exercise, and be a named purchaser on their contract to procure social care services in prison settings.

Box 3

REASON FOR THE DECISION:

1. The Care Act 2014 requires local authorities to assess and provide social care to prisoners in the criminal justice system. Adult Social Care supports the offender's rehabilitation and may positively impact on the likelihood of reoffending and the person's ability to rebuild their lives on release.
2. Within Doncaster Metropolitan Borough there are four prison establishments over five sites (HMP & YOI Doncaster, HMP & YOI Hatfield and the Lakes, HMP Lindholme and HMP & YOI Moorland) and 1 Bail Hostel:
3. The current arrangement to deliver this service is as a named party on NHS England contract. The service is delivered by Nottinghamshire Health Care Trust as part of their Healthcare arrangements.
4. Nottinghamshire Health Care Trust recently activated the 12month termination clause and will be withdrawing from providing care services on 14 August 2017.
5. NHS England is in the planning and development stage of re-commissioning this service and has invited DMBC to participate and be included in future contracting arrangements.
6. The procurement process being proposed will be fully compliant with EU procurement regulations and as a named purchaser; DMBC will be adhering to all regulations and in-house contract procedure rules.
7. The Commissioned Care and Support at Home (CCaSH) contract commenced on 1st November 2016 and has provision to implement this service during phase 1 (commencing June 2017).

8. As phase 1 of CCaSH has not yet commenced, it is unlikely that the CCaSH providers covering the geographic area of Doncaster's prisons will be ready to, or have the necessary clearances and approvals to commence delivery of services in August 2017.
9. The Governor of each prison has previously expressed a desire for one approved provider, and the same care workers to deliver this service across all sites. It is felt that issues such as the checking and vetting requirements to give workers full prison clearance would add additional complications to the implementation under different arrangements. It would therefore be sensible to have dedicated Care Worker's for both NHS England and DMBC requirements, whilst ensuring the boundaries of health and social care are identified.
10. The future delivery of the service will be reviewed on an annual basis and as the CCaSH providers are ready to commence services, with negotiated agreement with prison governors, there will be an opportunity to transfer to the local CCaSH arrangements.

Box 4**OPTIONS CONSIDERED & REASONS FOR RECOMMENDED OPTION:**

- 1) Participate in, and purchase services via NHS England contract – This option is the preferred option. See table below demonstrating the pro's and con's for this option.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Same provider delivering Health & Social care in prisons – a more seamless service for prisoners • Prison Governors prefer just one provider accessing prison from a security and time perspective • Care workers require heightened clearance to access prison settings • Reducing overheads/ access times through being on site • Consistency of provider across all (four) prison locations • Prison Governors are involved in the whole procurement process • Development of policies/ practice will only done once. • Will enable consistency in provision across all Doncaster's prisons 	<ul style="list-style-type: none"> • Potential to dilute social care with health provider • Not making best use of recent procurement exercise (CCaSH)

- 2) Do not participate in, and purchase services via the CCaSH contract – This option is not the preferred option, although this model shall be implemented as the CCaSH service evolves. See table below demonstrating the pro's and con's for this option.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Consistent approach for DMBC contract management • Clearer understanding of delivery • Less providers to be monitored by CMO's and the contracts team • DMBC has full responsibility as the primary customer (rather than secondary with NHS England) 	<ul style="list-style-type: none"> • Will need to agree with prison governors approval and access to prisons • Two providers operating within Doncaster's prisons (HMP Doncaster would be different to those in the Hatfield/ Thorne area) • Potential for increased time spent accessing the prisons • Prison lock down may become more of an issue for a provider who is working in the prison's locality • Unknown experience of operating in Prisons • Given a wider remit than just prisons quality monitoring of service within prison setting will diluted • CCaSH costings have not currently considered the financial implications in accessing and delivering a service within a prison.

Box 5

LEGAL IMPLICATIONS:

The Care Act 2014 states that the Council are responsible for assessing and meeting the care and support needs of adult prisoners located within their area.

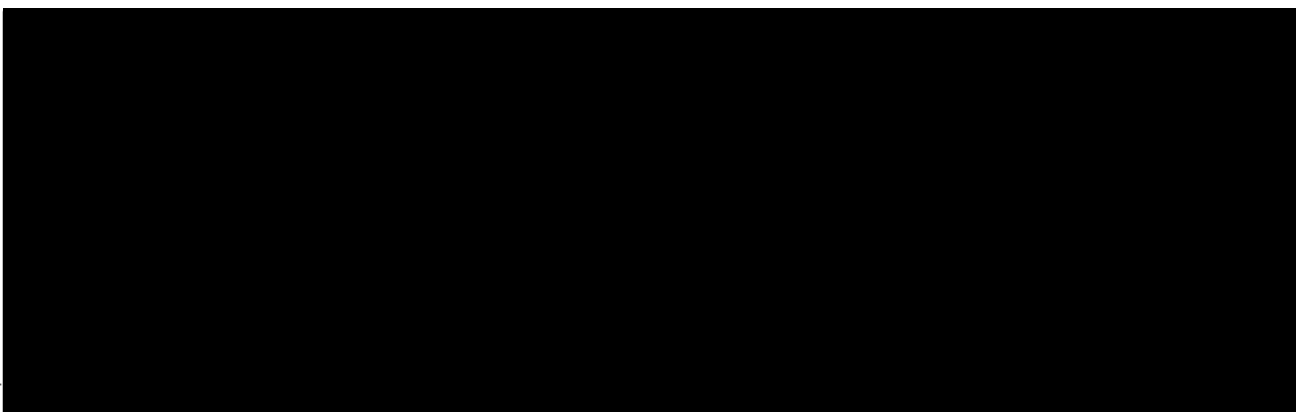
Section 1 of the Localism Act 2011 gives a local authority the power to do anything which an individuals may generally do.

The procurement of this service must be in accordance with the Public Contracts Regulations 2015 and the Councils contract procedure rules

Name: Nicky Dobson Signature: By email Date: 11th November 2016
Signature of Assistant Director of Legal and Democratic Services
(or representative)

Box 6

FINANCIAL IMPLICATIONS:



Name: Paul Williams Signature: by email Date: 04/10/16
Signature of Assistant Director of Finance & Performance
(or representative)

Box 7

HUMAN RESOURCE IMPLICATIONS:

There are no Human Resources Implications.

Name: Kelly Gunn Signature: K Gunn Date: 18th October 2016
Signature of Assistant Director of Human Resources, Communications & Executive Office (or representative)

Box 8

PROCUREMENT IMPLICATIONS:

The proposal meets the requirements of the Contract Procedure Rules.

Name: Andy Perrins Signature: By email Date: 15th October 2016
Signature of Assistant Director of Finance & Performance
(or representative)

Box 9

ICT IMPLICATIONS:

It is understood that there are no ICT implications associated with this decision.

Name: Peter Ward (ICT Strategy Programme Manager) **Signature:** 

Date: 06/10/16

Signature of Assistant Director of Customers, Digital & ICT (or representative)

Box 10

Asset IMPLICATIONS:

There are no asset implications associated with this Officer Decision Record

Name: Gillian Fairbrother (Assets Manager, Project Co-ordinator) **Signature:** By email

Date: 30th September, 2016

Signature of Assistant Director of Trading Services and Assets (or representative)

Box 11

RISK IMPLICATIONS:

To be completed by the report author

The main risk in not taking this decision is a failing in DMBC's statutory duty under the Care Act to provide social care for all eligible prisoners who are in custody within Doncaster.

(Explain the impact of not taking this decision and in the case of capital schemes, any risks associated with the delivery of the project)

Box 12

EQUALITY IMPLICATIONS:

To be completed by the report author

The prisons in Doncaster are for male prisoners only therefore the above request is for all adult males irrespective of age, disability, ethnicity, sexual orientation and religion.

Name: Glyn Sparrow **Signature:**  **Date:** 29/09/16
(Report author)

Box 13

CONSULTATION

No consultations made as this is a re-procurement of DMBC's existing delivery model

(In addition to Finance, Legal and Human Resource implications and Procurement implications where necessary, please list below any other teams consulted on this decision, together with their comments)

Members

Under the Scheme of delegation, officers are responsible for day to day operational

matters as well as implementing decisions that have been taken by Council, Cabinet, Committee or individual Cabinet members. Further consultation with Members is not ordinarily required. However, where an ODR relates to a matter which has significant policy, service or operational implications or is known to be politically sensitive, the officer shall first consult with the appropriate Cabinet Member before exercising the delegated powers. In appropriate cases, officers will also need to consult with the Chair of Council, Committee Chairs or the Chair of an Overview and Scrutiny Panel as required. Officers shall also ensure that local Members are kept informed of matters affecting their Wards.

Please list any comments from Members below:

Box 14
INFORMATION NOT FOR PUBLICATION:

It is in the public's interest to be aware of this decision under the Freedom of Information Act 2000, therefore this decision will be published with redactions to signatures and financial information in box 6 which is considered to be commercially sensitive.

Name: Siobhan Savage Signature: [REDACTED] Date: 15 November 2016
Signature of FOI Lead Officer for service area where ODR originates

Box 15

Signed: [REDACTED]

Director/Assistant Director

Date: 30/11/16

Signed: _____

Date: _____

Additional Signature of Chief Financial Officer or nominated representative for Capital decisions.

Signed: _____

Date: _____

Signature of Mayor or relevant Cabinet Member consulted on the above decision (if required).

- This decision can be implemented immediately unless it relates to a Capital Scheme that requires the approval of Cabinet. All Cabinet decisions are subject to call in.
- A record of this decision should be kept by the relevant Director's PA for accountability and published on the Council's website.
- A copy of this decision should be sent to the originating Directorate's FOI Lead Officer to consider 'information not for publication' prior to being published on the Council's website.
- A PDF copy of the signed decision record should be e-mailed to the LA Democratic Services mailbox