

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:

2017/10/PH/IPC

Box 1

DIRECTORATE: Adults Health & Wellbeing
Contact Name: Dr Victor Joseph

DATE: 26/07/2017
Tel. No.: 01302 734 911

Subject Matter: Provision of Public Health Service: Community Infection Prevention and Control

Box 2

DECISION TAKEN:

To tender for infection prevention and control services commencing on 1 April 2018 to 31 March 2022 (4 years) with option for up to 2 years extension. This is in line with approval by the Cabinet decision on 6 June 2017 to approve Public Health Commissioning Strategy. The contract value for the 4 years is £280,000 (£70,000 per year).

Box 3

REASON FOR THE DECISION:

Give relevant background information

Under the Health and Social Care Act (2012) local authorities have the responsibility to protect the health of their resident population. Part of this Health Protection function is Infection Prevention and Control (IPC).

Existing IPC services are in place in Doncaster to cover service users under the direct care of Doncaster and Bassetlaw NHS Foundation Trust (DBHFT) and Rotherham, Doncaster and South Humberside NHS Foundation Trust (RDASH). However there is a gap in the provision of IPC specialist support in the community including support for care homes and domiciliary care providers.

Between 1 January 2015 and 31 March 2016, there had been a fixed-term contract with RDASH to provide community infection prevention and control. The contract ended on 31 March 2016. There was provision within the contract to extend it for a further one year, but a decision was taken not to do so with a view that the risks identified could be mitigated through spot purchasing specific aspects of the service. Following the end of the contract, it became clear that: (a) it was difficult to find providers who could provide the service; and (b) the risks to the organisation were greater without having a service in place. These risks include increased infections in care homes in Doncaster, the lack of expertise to investigate and advise on appropriate course of prevention and the lack of expert IPC advice on training of care home staff, amongst others. As a result, a decision was made to re-establish the service in the short and medium term and grant a further fixed term contract from May 2016 to March 2018. This period was to enable the Council to develop a sustainable and efficient long-term model for the delivery of IPC service beyond March 2018 and re-procure the service.

On 6 June 2017, a public health commissioning strategy was approved by the Cabinet, and it included

the procurement of an Infection Prevention and Control Service in 2017/18 with start of the service 2018/19. This ODR is consistent with, and in support of the process for procurement of the new Infection Prevention and Control service for 2017/18.

Box 4

OPTIONS CONSIDERED & REASONS FOR RECOMMENDED OPTION:

The following options have been considered:

1. **Extension of contract:** The existing contract is a fixed-term, and it was based on the understanding that during the period of the contract, a tender process will be undertaken.
2. **Direct award to current provider:** The existing fixed term contract was a direct award in contravention of contract procedure rules, for which a Waiver was granted in order to offer the opportunity to explore potential providers of the service. There is now the opportunity to test the market with a procurement
3. **Tender:** This option offers the opportunity to test the market, and meets the procurement requirements, given that previous procurement had to make the case for single tender waiver.

Recommendation: Option 3 – to tender. The reason is to provide a competitive and fair opportunity for potential providers in the market that can deliver infection prevention and control service.

Box 5

LEGAL IMPLICATIONS:

Section 1 Localism Act 2011 gives the Council a general power of competence to do anything that individuals may generally do.

The Health and Social Care Act 2012 transferred Primary Care Trust's public health duties to Councils on the abolition of Primary Care Trusts on the 31st March 2013.

Section 2B of the National Health Service Act 2006 (as amended by Section 12 of the Health and Social Care Act 2012) introduced a new duty on Councils in England to take appropriate steps to improve the health of the people who live in their area.

A waiver was granted in August 2016 to enable the award of the current fixed term contract with a recommendation that the contract term should be limited and a tender commenced as soon as practicable with a view to a new contract being awarded for 2018.

This service is a "light touch" service under the Public Contracts Regulations 2015, featuring within Schedule 3 of the Regulations. The procurement of this service will be in compliance with the Public Contracts Regulations 2015 and the Councils contract procedure rules.

Name: _Paula Coleman _ Signature: _____ Date: 28th July 2017
Signature of Assistant Director of Legal and Democratic Services (or representative)

Box 6

FINANCIAL IMPLICATIONS:

The Infection prevention and control budget allocated for the IPC service, which is currently delivered by Rotherham & Doncaster NHS trust, is £70k per annum. This report is seeking agreement to go out to tender and secure a new contract for a period of 4 years with a potential 2 year extension. The potential cost of this re tender if the maximum budget available is needed is £280k over the 4 year period. (£420k over the 6 year period). In specifying the contract, regard needs to be made of the budget available.

In addition, the AHWB draft budget proposals include funding gaps for financial years 2018/19 and beyond due to a reduction in grant available from the Department of Health. This re-tender is an opportunity to consider those funding gaps.

Name: Nick Cameron__ Signature: Date: 31.7.2017
Signature of Assistant Director of Finance & Performance
(or representative)

Box 7

HUMAN RESOURCE IMPLICATIONS:

There are no HR implications as the contract will be undertaken by the provider and therefore there will be no impact on employees of Doncaster Council.

Name: ____Bill Thompson Senior HR & OD Officer____ Signature: _Bill Thompson____ Date: 27/07/2017

Signature on behalf of Assistant Director Human Resources, Communications & Executive Office (or representative)

Box 8

PROCUREMENT IMPLICATIONS:

As this was previously subject to a waiver, it should now be subject to procurement as recommended in the options.

The procurement will be above the OJEU threshold so must comply with all relevant regulations

Name: Daniel Charlesworth Signature: Date: 1st August 2017

Signature of Assistant Director of Finance & Performance
(or representative)

Box 9**ICT IMPLICATIONS:**

This ODR has no direct ICT implications. If through the commissioning of these services, ICT requirements are identified or the implementation of systems are required then a separate bid should be submitted to the ICT Governance Board. It is the responsibility of the lead office for implementation to ensure that the required approval and purchasing processes are adhered to by submitting requirements in advance to the ICT Governance Board for consideration corporately ensuring value for money and legislative and statutory guidelines around ICT, Security and Data Protection are complied with.

Name: Dan Parry Signature: Date: 18.08.17

**Signature of Assistant Director of Customer Services and ICT
(or representative)**

Box 10**ASSET IMPLICATIONS:**

There are no implications arising from the recommendations of this report that impact on the use of DMBC assets.

Name: David Stimpson, Property Manager

Signature: Date: 27 July 2017

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

Box 11**RISK IMPLICATIONS:**

To be completed by the report author

Not having Infection Prevention and Control Service in place has inherent risks to the Council. These risks include increase in infections in care homes in Doncaster and the wider community, and the lack of expertise to investigate and advise on appropriate course of prevention, lack of expert IPC advice on training to care home staff, among others. These risks could impact on the wider Directorates of Doncaster Council such as Adults Social Care Services, and could pose potential reputational damage to the organisation.

(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

This is a specialist provision to a group covered under equality Act 2010 such as age, and disability. The main focus of the service is prevention and control of infections in care homes and other settings in the community. Residents in care homes are vulnerable individuals in terms of their age (predominantly old people) or disability.

Name: Dr Victor Joseph

Signature:

Date: 26/07/2017

(Report author)

Box 13**CONSULTATION****Officers**

(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:

We have worked closely with our NHS commissioning (Doncaster CCG), other local authority public health colleagues in South Yorkshire in exploring the options available for consideration, and identify best option at the time. We have also consulted with care home managers, staff of care homes and supported living providers.

Box 14

INFORMATION NOT FOR PUBLICATION:

None identified

Name: Claire Hewitt

Signature:

Date: 23rd August 2017

Signature of FOI Lead Officer for service area where ODR originates

Box 15

**Signed: _____ Rupert Suckling _____
Director**

Date: 23rd August 2017

**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**