

OFFICER DECISION RECORD 2 FORM

This form should be used to record Officer Decisions which have a financial impact (income/expenditure) between £25k - £100k.

Decision Reference No: 2024/26/PH/S4HA4C

BOX 1.**DIRECTORATE:**

Chief Executive's – Public Health

DATE:

05/06/2024

Contact Name:

Saima Nazir

Tel. No.:

01302 737718

Subject Matter:

The transfer funds awarded to Solutions 4 Health Ltd by DHSC to support them in making non-consolidated payments relating to the Agenda for Change pay deal for their eligible staff.

BOX 2**DECISION TAKEN:**

To transfer the sum of £48,060 to Solutions 4 Health. This money is to be received by CDC as the commissioner, to pass on to the relevant provider, in this case Solutions 4 Health.

BOX 3**REASON FOR DECISION AND ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:**

Adult sexual health services in Doncaster are provided by Solutions 4 Health Ltd. Recently, the government agreed pay rises for all Agenda for Change employed NHS staff and those providing NHS services. As Solutions 4 Health are a non-NHS provider, this money has not been allocated directly to them, or via the ring-fenced public health grant despite staff transferring across via TUPE on their Agenda for Change terms and conditions.

Via an application process, Solutions 4 Health have been awarded some funding through DHSC to meet non-consolidated payments relating to the Agenda for Change pay deal for their eligible staff. This funding will be paid to CDC from DHSC and when received needs transferring across to Solutions 4 Health.

There are no alternative options to consider.

Legal implications

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

Section 111 of the Local Government Act 1972 gives the Council the power to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

The contract variation must be undertaken in accordance with the Council's Contract Procedure Rules and the Health Care Services (Provider Selection Regime) Regulations 2023 (the Regulations).

Regulation 13(1)(c) of the Regulations permits modifications of contracts during their term where: the modification is made in response to external factors beyond the control of the relevant authority and the provider including but not limited to-

- i. Changes in patient or service user volume, or
 - ii. Changes in prices in accordance with a formula provided for in the contract documents,
- and the modification does not render the contract or framework agreement materially different in character.

The decision maker should be satisfied that the variation will not render the contract materially different in character.

The report author is currently liaising with legal services to complete the necessary documentation.

BOX 4 BACKGROUND PAPERS

NO

BOX 5 INFORMATION NOT FOR PUBLICATION:

In accordance with the Freedom of Information Act 2000, it is in the public interest for this decision to be published in full, redacting only the signatures.

Name: Claire Hewitt

Date 04/07/2024_____

Name of FOI Lead Officer for service area where ODR originates

BOX 6

AUTHORISATION:

Name: Rachael Leslie Signature: Date: 04/07/2024

Director of Public Health

Does this decision require authorisation by the Chief Financial Officer or other Officer?

NO

If yes please authorise below:

Name: _____ Signature: _____ Date: _____

Chief Executive/Director/Assistant Director of _____

Consultation with Relevant Member(s)

Name: _____ Signature: _____ Date: _____

Designation _____

(e.g. Mayor, Cabinet Member or Committee Chair/Vice-Chair)

Declaration of Interest YES/NO

If YES please give details below:

PLEASE NOTE THIS FORM WILL BE PUBLISHED ON THE COUNCIL'S WEBSITE IN FULL UNLESS IT CONTAINS EXEMPT OR CONFIDENTIAL INFORMATION

Once completed a PDF copy of this form along with any relevant background papers should be forwarded to Governance Services at Ladem@doncaster.gov.uk who will arrange publication.

It is the responsibility of the decision taker to clearly identify any information that is confidential or exempt and should be redacted before publication.