

Record of Officer Decision

This form is the written record of a key or significant operational decision taken by an officer.

Decision type	<input checked="" type="checkbox"/> Key Decision	<input type="checkbox"/> Significant Operational Decision
Director¹	Director of Public Health	
Contact person:	Dawn Bailey – Head of Public Health (Health Protection)	Telephone number: 07712214797
Subject²:	Due to the global Public Health emergency COVID-19 pandemic approval is sought to immediately implement a Co-Operation agreement variation to strengthen, enhance and increase capacity and capability of the existing Infection Prevention and Control Service under the Modification of Contracts during their term under Regulation 72 (1) (C) of the Public Contracts Regulations 2015. This service is commissioned by Public Health to Leeds Community Healthcare NHS Trust (LCH) and is required to scale up in order to implement and deliver on outbreak management the new COVID-19 NHS Test and Trace programme announced by the Government on the 27 th May 2020.	
Decision details:	What decision has been taken?³	
	The Government has provided £300m to Local Authorities in England for the Test and Trace programme, Leeds has received a £4,141,249 non-recurrent ring-fenced grant. To increase the capacity of the existing Leeds Infection Control and Prevention service at a cost of approximately £529,200 annually for a period of 2 years with the option to extend by 12 months, the rationale for this time period is due to the COVID-19 pandemic and the need to have a robust contract with flexibility with the Provider. This will be achieved by formally entering into a co-operation agreement variation with Leeds Community Healthcare NHS Trust to deliver this new vitally important service immediately as the start date announced by the Government was 28 th May 2020. This will be reviewed annually	
	A brief statement of the reasons for the decision⁴	
	The existing Infection Prevention and Control Service has the specialist skills, knowledge and expertise to deliver this programme. As requested, please see	

¹ With delegated authority set out in Constitution

² If the decision is key and has appeared on the list of forthcoming key decisions, the title of the decision should be the same as that used in the list

³ Set out all necessary decisions to be taken by the decision taker including decisions in relation to exempt information, exemption from call in etc.

⁴ Include any significant financial, procurement, legal or equalities implications, having consulted with Finance, PACS, Legal or Equality colleagues as appropriate.

a case for resource to support local outbreak plans in Leeds.

Leeds has strong local health protection outbreak management arrangements in place which has ensured that we have been able to immediately scale up, on a temporary basis, to respond to COVID-19 in Leeds, working on the principle of building on existing arrangements. The LCH infection prevention service is an integral service in the provision of the local outbreak management response to community settings in Leeds. Whilst the service has responded effectively to this initial surge in demand through temporarily increasing capacity through mutual aid, this urgently needs reviewing to ensure we have a resilient, effective and responsive service that can manage the increased demands on a more sustainable footing. The next phase of responding to the pandemic will include implementing the Test and Trace programme and managing local COVID 19 outbreaks across the city. In order to do this we need to rapidly increase the existing capacity of the LCH infection control service, as directed by the national COVID -19 Test and Trace programme in Leeds.

Additional resource is required to:

- Increase capacity and capability of existing LCH Infection Prevention Service to ensure there is sufficient capacity to implement the national Track and Trace programme and safely manage outbreaks in Leeds. Additional resource would enable the service to scale up to deliver the following areas as outlined in the 'test, track and trace local delivery model':
 - Local outbreak management in complex settings (care homes/ schools / hostels)
 - Direct infection prevention and wider support to complex groups and households
 - Proactive advice & guidance (e.g. schools/ workplaces)
 - Local engagement & intelligence gathering (e.g. VCS/ LA front-line)
 - Local communications
 - Care home testing/ support and contact tracing.

Specific activities required from LCH IPC service will include:

Increased provision of Infection Prevention and Control (IPC) training (increased frequency and additional training requirements including PPE, COVID specific topics, new updated evidence) to care homes using innovative

ways of ensuring delivery. Monitor and report monthly on numbers training and evaluations.

Increased provision of IPC training to homecare and other community settings such as luncheon clubs using innovative ways of ensuring delivery. Monitor and report monthly on numbers training and evaluations.

Develop and deliver an IPC package for schools and early year's settings and engaging with existing work across the city. Monitor and report monthly on numbers training and evaluations.

Provide IPC expertise to the management of covid-19 outbreaks, incidents and cases of concern.

Monitor the number of outbreaks providing daily contact to schools, nurseries and care settings and a daily update across the system.

Manage and respond to IPC enquiries relating to Covid-19.

Promote best practice based on evidence across the Leeds Health and social care system.

Provide a 7 day service, Mon – Fri 8am-5pm, Sat, and Sun 9-5.

Ensure the ability to set up IPC services to manage a surge in Covid-19 cases

Retain the ability to test for Covid-19 should it be required.

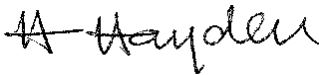
This is the best value for money option as the skills and local knowledge already existing in this team. The NHS test and trace programme is a local level programme which will support the residents of Leeds and provide an essential element against the fight against COVID-19 and saving lives.

This request to increase capacity has come as a recommendation from the National Test and Trace programme and from discussions at a Leeds Gold command level, supported by the Association of Directors of Public Health. It is working on the principle of enhancing and boosting existing outbreak management systems and services as agreed regionally. LCH Infection Prevention Service is the only Infection Prevention Service provider for the community in Leeds and has a strong and award winning track record of effective outbreak management in the community, there is no other service operating in Leeds that could provide this service. This service operates in a fragmented and complex health protection system with well-established systems, relationships, local networks and intelligence and is well placed to provide an enhanced service to implement Test and Trace and meet the future demands of responding to the management of COVID-19.

Extending or modifying a contract during its term

	<p>The modification of contracts is governed under the Public Contracts Regulations 2015 at regulation 72 which permits certain types of modifications. It considers the extent to which a contract may be modified before it should be considered so substantially changed as to necessitate a new procurement. Permissible grounds for modification include a need for additional services due to unforeseen circumstances (subject to 50% maximum increase in initial contract value). It also requires the consideration of the effect of cumulative variations. Therefore this needs to be considered in taking this decision.</p> <p>The provisions of Regulation 72 (1) (C) provide an exception to a new procurement “where all of the following conditions are fulfilled:—</p> <ul style="list-style-type: none"> (i) the need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen; (ii) the modification does not alter the overall nature of the contract; and (iii) any increase in price does not exceed 50% of the value of the original contract or framework agreement.” <p>In relying on this regulation to modify the contract, the Council will be required to send a modification notice to that effect for publication at EU level, in accordance with regulation 51.</p> <p>Due to the council formally entering into a co-operation agreement with another Public Body namely LCH, the Infection Protection and Control service agreement will continue on a rolling basis with the option to end the agreement by either party. Since the agreement is a partnership arrangement it is deemed extremely unlikely that the partners will invoke the option and the agreement will continue for countless years to come with the standard performance review procedures being applied by both parties.</p>
Affected wards:	ALL
Details of consultation undertaken⁵:	Executive Member – Cllr Charlwood – briefed by Skype Meeting on 25 th June 2020.
Implementation	Officer accountable, and proposed timescales for implementation

⁵ Include details of any interest disclosed by an elected Member on consultation and the date of any relevant dispensation given.

	Ruth Speare – Chief Officer/Consultant in Public Health Immediately once all required approvals have been given	
List of Forthcoming Key Decisions⁶	Date Added to List:- Due to the urgent nature of formalising this decision and the need to provide support to the NHS Test and trace programme immediately there is not sufficient time to add this decision to the forthcoming list of key decisions.	
	If Special Urgency or General Exception a brief statement of the reason why it is impracticable to delay the decision On the 27 th May 2020 the Government announced the NHS Test and Trace Programme would start on the 28 th May there is an immediate turnaround required to implement this decision to allow the Co-Operation agreement variation to be formalised and the Infection Control and Prevention service to start to deliver this programme and increase capacity. Due to the urgent nature of this request there is no time to put this decision on the forthcoming list of decisions or be subject to call-in. The relevant approvals have been sought as detailed on this report and email clearance has been received from the Head of Finance – Adults and Health and the Procurement Category Manager – Adults and Health.	
	If Special Urgency Relevant Scrutiny Chair(s) Cllr Helen Hayden Chair of the Adults, Health & Active Lifestyles Scrutiny Board	
	Signature 	Date: 02-07-2020
Call In	Is the decision available ⁷ for call-in?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	If exempt from call-in , the reason why call-in would prejudice the interests of the council or the public: This is a Government led initiative therefore due to the urgent nature of formalising this decision and the need to provide support to the Leeds NHS Test and trace programme immediately there is not sufficient time to allow for call-in	
Approval of Decision	Authorised decision maker ⁸ The Director of Public Health Victoria Eaton	

⁶ Complete this section for key decisions only

⁷ Significant operational decisions are never available for call in. Key decisions are always available for call in unless they have been exempted from call in.

⁸ Give the post title and name of the officer with appropriate delegated authority to take the decision.

	Signature 	Date 02-07-2020
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