

Delegated Decision Notice

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

Decision type	<input type="checkbox"/> Key Decision	<input checked="" type="checkbox"/> Significant Operational Decision	<input type="checkbox"/> Administrative Decision
Approximate value	<input type="checkbox"/> Below £500,000 <input type="checkbox"/> £500,000 to £1,000,000 <input type="checkbox"/> over £1,000,000	<input type="checkbox"/> below £25,000 <input type="checkbox"/> £25,000 to £100,000 <input checked="" type="checkbox"/> £100,000 to £500,000 <input type="checkbox"/> Over £500,000	<input type="checkbox"/> below £25,000 <input type="checkbox"/> £25,000 to £100,000
Director¹	Victoria Eaton, Director of Public Health		
Contact person:	Daniel Burn, Health Improvement Principal (Drugs, Alcohol and Tobacco)		Telephone number: 0113 378 3744
Subject²:	Public health COVID-19 grant allocation – Rough sleepers		
Decision details³:	<p>What decision has been taken? (Set out all necessary decisions to be taken by the decision taker including decisions in relation to exempt information, exemption from call in etc.)</p> <p>Leeds City Council recently received £10.4m, from the Government, to support the public health response to the COVID-19 pandemic. The funding is a one-off contribution, for the 2020-21 financial year, and is non-recurrent. The funding is to support proactive and preventative evidence based measures, in the fight against the pandemic, which are informed by the Leeds outbreak plan. As part of this allocation, a budget has been identified for measures that support rough sleepers, it is necessary that this activity is implemented immediately as part of the Public Health response to COVID-19:-</p> <p>In partnership with members of the Street Support Improvement Board, including Public Health, Safer Leeds and Housing Options, a meeting was held to discuss how best to allocate these funds. A wide range of options were put forward around accommodation, staffing, and essential urgent and emergency provision (e.g. food) for this cohort. It was decided that Bevan Healthcare, who are commissioned, by Leeds CCG, to provide primary care services to those who are homeless/ rough sleeping, would receive £110,000 of this funding, to support the work it does with rough sleepers, in Leeds. This work, which is being done alongside, and in collaboration with, commissioned and non-commissioned services, has been critical to the city's response to the Covid-19 pandemic, and efforts to prevent the spread of the virus. Leeds CCG are supportive of this urgent funding allocation, as outlined below.</p> <p>The allocation will specifically fund:</p> <ul style="list-style-type: none"> • One dedicated street health 'Bevan bus' for Leeds - £60,000 • One Covid-specific outreach worker/ navigator - £20,000 • A successful isolation and personalisation budget - £30,000 		

¹ Give title of Director with delegated responsibility for function to which decision relates.

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 Simply refer to supporting report where used as these matters have been set out in detail.


	<p>A brief statement of the reasons for the decision (Include any significant financial, procurement, legal or equalities implications, having consulted with Finance, PACS, Legal, HR and Equality colleagues as appropriate)</p> <p>In partnership with members of the Street Support Improvement Board, including Public Health, Safer Leeds and Housing Options, £110,000 one off grant funded from the £10.4m Leeds City Council has received from the Government, to support the public health response to the COVID-19 pandemic, has been identified to support the urgent Covid-19 related work that Bevan Healthcare (the city's CCG commissioned primary care service for those who are homeless/rough sleeping) is currently doing with rough sleepers, in order to protect this cohort from the virus and prevent its spread. Leeds CCG are supportive of this urgent funding allocation, which has been agreed with the public health finance team.</p> <p>As the Council would be entering into a grant arrangement with the 3rd sector organisation namely Bevan Healthcare, the Council will have no contractual control over enforcement of the terms. The only sanction available with grant payments is for the Council to claw-back grant monies unspent. However, this is balanced by the opportunity for creative approaches to be developed making use of the flexibility of the grant; and for added value to be obtained. There is a risk of challenge that the grant payment is not a grant. Legally there is some confusion about when a grant can and cannot be used as there is a fine line between a grant (which is not caught by the procurement rules) and a contract for services (which is caught by the procurement rules). The preamble to EU Procurement Directive 2014/24/EU makes it clear at paragraph (4) that "the mere financing, in particular through grants, of an activity, which is frequently linked to the obligation to reimburse the amounts received where they are not used for the purposes intended, does not usually fall within the scope of the public procurement rules".</p> <p>Funding from which any grant payment is made must be designated as "grant" money. If the Council wish to make a grant, the money must be in the "grant" block. If it is not, it can normally be moved from other blocks in the Council budget into the grant block.</p> <p>Awarding the grant to the 3rd sector organisation in this way could leave the Council open to a potential claim from other providers, to whom this grant could be of interest, that it has not been wholly transparent. However the risk of this would appear to be low.</p> <p>As this is a grant it is not subject to the council's Contracts Procedure Rules or within the Public Contract Regulations 2015 but good practice and transparency will be observed throughout.</p> <p>There is no overriding legal obstacle preventing the award of the grant the contents of this report should be noted. In making their final decision, the Director of Public Health should be satisfied that the course of action chosen represents best value for the Council</p>
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	<p>Brief details of any alternative options considered and rejected by the decision maker at the time of making the decision</p> <p>N/A</p>
Affected wards:	All areas affected by rough sleepers.
Details of consultation undertaken⁴:	Executive Member – Cllr Charwood – 02-12-2020
	<p>Ward Councillors</p> <p>No.</p>
	<p>Others</p> <p>Members of the Street Support Improvement Board, including Safer Leeds, Housing Options and Bevan Healthcare.</p>
Implementation	<p>Officer accountable, and proposed timescales for implementation</p> <p>The allocation of this funding, which will be spent by 31 March 2021, followed consultation with members of the Street Support Improvement Board, including Public Health, Safer Leeds and Housing Options, and has been coordinated by the Public Health Team's Health Improvement Principal (Drugs, Alcohol and Tobacco). The funding is a one-off, non-recurrent payment, to be used to fund:</p> <ul style="list-style-type: none"> • One dedicated street health 'Bevan bus' for Leeds • One Covid-specific outreach worker/ navigator • A successful isolation and personalisation budget.
List of Forthcoming Key Decisions⁵	Date Added to List:-
	If Special Urgency or General Exception a brief statement of the reason why it is impracticable to delay the decision
	<p>If Special Urgency Relevant Scrutiny Chair(s) approval</p> <p>Signature _____ Date _____</p>
Publication of report⁶	If not published for 5 clear working days prior to decision being taken the reason why not possible:
	<p>If published late relevant Executive member's approval</p> <p>Signature _____ Date _____</p>

⁴ Include details of any interest disclosed by an elected Member on consultation and the date of any relevant dispensation given.

⁵ See Executive and Decision Making Procedure Rule 2.4 - 2.6. Complete this section for key decisions only

⁶ See Executive and Decision Making Procedure Rule 3.1. Complete this section for key decisions only

Call In	Is the decision available ⁷ for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	If exempt from call-in , the reason why call-in would prejudice the interests of the council or the public:		
Approval of Decision	Authorised decision maker ⁸ Victoria Eaton Director of Public Health		
	Signature: 	Date 02-12-2020	

⁷ See Executive and Decision Making Procedure Rule 5.1. Significant operational decisions taken by officers are never available for call in. Key decisions are always available for call in unless they have been exempted from call in under rule 5.1.3.

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