

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

4160

Author:

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Department:

COVID Response & Recovery

Contact:

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Subject:

Allocation of Local Authority Test and Trace Service Support Grant

Key Decision (decision valued at more than £1million):

Yes

Total Value:

£3,126,717 (Type: Revenue)

Decision Being Taken:

1) To accept the allocation of £3,126,717 in grant funding from DHSC, as Local authority test & trace support grant, for mitigation against and management of outbreaks of COVID-19) 2) To delegate authority to the Director of Public Health, in conjunction with the Corporate Director for COVID Response & Recovery, to spend the grant funding on the required resources to mitigate and manage outbreaks of COVID-19, including recruitment to temporary posts and procurement of temporary agency staff, in accordance with grant funding conditions and subject to compliance with the Council's Constitution and Contract Procedure Rules. Spend will be subject to further delegated decisions where required) 3) To establish posts detailed in Appendix A on a temporary basis (Non-executive Decision, approved by the Director of Public Health under delegation 16) 4) To establish the following posts, required for the delivery of the Local Outbreak Control Plan and funded from the Test and Trace support grant, on a permanent basis (Non-Executive Decision, approved by the Director of Public Health under delegation 16). Total anticipated cost: £284,535 per annum including on costs 2fte Public Health Consultants (SLMG2)

Reasons for the Decision(s) The Department of Health and Social Care (DHSC) has established a Local authority test and trace service support grant, worth £300 million and paid directly to local authorities. It is ring-fenced for spend in relation to the mitigation against and management of local outbreaks of COVID-19. The Council has received an allocation of £3,126,717 to resource its published Local Outbreak Control Plan. Successful management of local outbreaks is a core element of NHS Test and Trace's ambition to break the chain of COVID-19 transmission and to enable people to return to maintain a more normal way of life. Locally, Directors of Public Health (DPH) are accountable for controlling local outbreaks, working with Public Health England and both the local Health Protection Board and Engagement Board. The COVID-19 local outbreak plan is based on tried and tested practice of preventing and containing outbreaks in individual settings (like workplaces and care homes), enhanced with a broader range of partners capacity, communications and governance. The local outbreak plan is centred on 7 themes; healthcare and education settings, high-risk workplaces, communities and locations, local testing, contact tracing in complex settings, data integration, vulnerable people and diverse communities, local boards and communications. In order to deliver the Local Outbreak Control Plan it is necessary to increase the public health staffing resource.

Payment by the DHSC to the Council is subject to the funding being used entirely on expenditure lawfully incurred (or to be incurred) in relation to the mitigation against and management of local outbreaks of COVID-19. Funding may be reduced, suspended, withheld or recovered by DHSC if the grant conditions are not fully complied with. Payment was received from DHSC in a single installment in June 2020.

Briefing notes documents: Appendix A.docx

Other Options Considered: 1) To do nothing: this option was rejected as the Local authority test and trace service support grant funding is available to the Council to resource measures to mitigate against and manage local COVID-19 outbreaks. If the funding is not accepted, the local authority will not be able to respond swiftly and appropriately to local outbreaks of COVID-19 and geographical increases of COVID-19 incidence. This will increase the risk of the spread of the virus within individual settings and the wider community, with significant consequences for public health and the economy.

Background Papers: None

Published Works: Nottingham City Local Outbreak Control Plan

Affected Wards: Citywide

Colleague / Councillor Interests: None

Consultations: Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

None

Equality:

EIA not required. Reasons: EIA not required. Reasons - EIA of overall plan being undertaken....

Social Value Considerations:

None

Regard for NHS Constitution:

Local authorities have a statutory duty to have regard to the NHS Constitution when exercising their public health functions under the NHS Act 2006. In making this decision relating to public health functions, we have properly considered the NHS Constitution where applicable and have taken into account how it can be applied in order to commission services to improve the health of the local community.

Relates to staffing:

Yes

Decision Type:

Leader's Key Decision

Subject to Call In:

No

The call-in procedure does not apply to the proposed decision because the delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. The Chair of the Overview and Scrutiny Committee (or Vice-Chair) in his/her absence has been consulted and agreed both that the decision proposed is reasonable in all circumstances and that it should be treated as a matter of urgency.

Person Consulted: N/A

Consultation Date: 18/03/2021

Retrospective Decision

Advice Sought:

Legal, Finance, Procurement, Human Resources

Legal Advice:

The proposals in this report raise no significant legal issues and are supported.

The Council has been awarded grant money from the Department for Health and Social Care to provide a test and tracing service in the City to support local outbreaks of Covid-19.

The Council must ensure it uses the money in compliance with the grant conditions which is understood to include reporting on how and when the money is used to satisfy any audit trail of the grant funding. Spend of the funding must also be in line with the Council's constitutional requirements with respect to procuring any support required to deliver the services.

Legal services will support as necessary. Advice provided by Dionne Claire Screamor (Solicitor) on 02/09/2020.

This decision seeks approval to accept and allocate the £3.127m Local Authority Test & Trace Service Support Grant from the Department of Health and Social Care.

The purpose of the grant is to provide support to local authorities in England towards expenditure lawfully incurred or to be incurred in relation to the mitigation against and management of local outbreaks of COVID-19.

The funding will be used to resource the Council's published Local Outbreak Control Plan (LOCP) which is centred on 7 themes; healthcare and education settings, high-risk workplaces, communities and locations, local testing, contact tracing in complex settings, data integration, vulnerable people and diverse communities, local boards and communications.

Although the full plans for this funding are being finalised, costs will be contained within the total value of this decision (value of the grant received) in line with grant conditions and will require the allocation of funding externally for the provision of services or supplies or procurement of agency staff as required, as well as the allocation of funding internally for the provision of staffing support to deliver the LOCP.

As outlined by the report author, this decision seeks approval to establish 2fte Public Health Consultants on a permanent basis with an estimated cost of c£0.205m per annum. These costs and any future associated costs arising as a result of this recruitment will need to be met from the Test & Trace Service Support Grant in full (including salary and on costs, redundancy, pension strain costs etc).

As referenced above, this decision also seeks approval to establish the following posts on a temporary basis for a 12 month period with an estimated total cost of c£0.551m for the duration (based on Level 1 of the respective grades).

- . 1fte COVID-19 Programme Director (SLMG2 - 50% of the costs to be reimbursed by Nottinghamshire County Council)
- . 2fte Senior Public Health Managers (K-grade)
- . 3fte Executive Officers/Insight Specialist (I-grade)
- . 1fte Project Officer (G-grade)
- . 1fte Senior Public Health Analyst (I-grade)
- . 1fte Public Health Analyst (H-grade)
- . 1fte Community specialist (COVID response) (G-grade)
- . 1fte Vulnerable people programme lead (COVID response) (J-grade)

Further approval will be required if:

- . The temporary posts need extending past the initial 12 month period, with further funding to be identified,
- . To establish any additional temporary posts not requested in this decision and.
- . If there are any changes to the proposals outlined in this decision.

As the Test & Trace Service Support Grant funding is temporary, management should be aware of the risk of employees attaining employment rights over the course of this period and ensure these risks are appropriately managed.

The actual costs associated with this decision will require regular tracking and monitoring to form the audit trail against this grant funding and any decisions taken will need to be robustly captured against this decision value to ensure it is not exceeded. This information will also be used for internal/external reporting purposes as required.

Advice provided by Hayley Mason (Strategic Finance Business Partner) on 15/10/2020.

The service proposes to use £3.1m of the Local Authority Test and Trace Grant, for Nottingham City Council in response to the Covid-19 pandemic, to:

- a) enable the internal redeployment of colleagues against the key competencies required for a number of job roles
- b) approve the external recruitment of the specialist public health resource required

The current level of resourcing across the service is not sufficient to deliver the work required to ensure that Nottingham is prepared for and, able to effectively respond to, COVID-19 outbreaks. Therefore a number of proposed posts will be created in the Council's structure and some of these posts are to be shared and jointly resourced across Nottingham City and Nottinghamshire County Councils to maximise value for money and facilitate a joined up system-wide approach. It is anticipated that all resources will be required for (at least) the next 12 months and, therefore, posts will be recruited to, or seconded on a fixed-term basis.

The service proposes to recruit to a number of new posts as outlined in the background paper for the Leader's information.

External Recruitment

Posts that are advertised externally should be conducted through the appropriate NCC job evaluation and recruitment processes and, in the first instance, consideration should be given to those colleagues on the Redeployment Register. Successful candidates should commence on a starting salary of level one within the respective grade. Consideration should be given to the Council's commitment for a workforce that reflects the communities it serves through the recruitment process and management should ensure balanced recruitment panels are in place.

Fixed Term Contracts

The Council's management will need to plan for any potential employee exit costs, which may result through the ending of a fixed term contract with more than two years' continuous service - including redundancy compensation and associated pension strain costs. Adherence to the appropriate timelines will be required to ensure the affected employee(s) are notified in good time before the end of the contract and afforded the appropriate notice period.

NCC Secondments

Where it is proposed to recruit to vacancies through an internal secondment arrangement, management should be mindful to ensure that a fair and transparent process is applied. All internal secondments should be agreed with the exporting manager and confirmed in writing to the Secondee.

External Secondments

External secondments should be recruited to through a fair and transparent process. The Terms & Conditions along with the wider arrangements for the external secondment, should be clearly set out in a Secondment Agreement, supported by HR and Legal services. All arrangements should be confirmed in writing with the Secondee. Salary reimbursement should be agreed with Finance, as part of the pre-planning arrangements, and in all cases agreed prior to the commencement of the Secondee.

Permanent Appointments

Recruitment to posts on a permanent basis should be undertaken in observance of the Council's recruitment process to ensure a fair and transparent process. Management should be mindful of, and plan for, any potential exit costs arising from externally recruited applicants with employment rights protected under the RMPO (redundancy and pension). Given the reliance on current funding streams (as set out above) to support the proposed pandemic resourcing requirements, it is prudent for management to anticipate a need for reduced resourcing, as the pandemic diminishes. Any reduced resourcing requirements in the future would potentially place all post-holders at risk of redundancy through a restructure/redesign process.

HR supports the decision and will provide the needed policy advice and guidance so the decision can be implemented correctly.

Advice provided by Andrew Morley (Senior HR Consultant) on 26/08/2020 (reviewed and updated 30/09/20).

Procurement Advice:

This decision relates to the receipt and expenditure of Department of Health and Social Care (DHSC) Local Authority Test and Trace Service Support Grant, awarded to the Council for the mitigation against and management of local outbreaks of COVID 19. The funding will be used to resource the Council's published Local Outbreak Control Plan, which may involve the allocation of funds to external organisations for the provision of some services or supplies as required. The allocation of any funding to external providers should be through a compliant process, in accordance with the Council's Financial Regulations and Contract Procedure Rules, and UK and EU Procurement Regulations if applicable. The Procurement Team will provide support with this. In the use of this funding, the DHSC grant conditions should be fully complied with and appropriate agreements should be in place with any external providers to ensure compliance with the grant terms and satisfactory performance. Advice provided by Jo Pettifor (Procurement Team Manager) on 21/08/2020.

Signatures:

David Mellen (Leader/ PH Regeneration, Schools, Communications)
SIGNED and Dated: 06/10/2020
Hugh White (Corporate Director for COVID Response and Recovery)
SIGNED and Dated: 05/10/2020
Alison Challenger (Corporate Director for People)
SIGNED and Dated: 09/12/2020
Catherine Underwood (Director of Public Health)
SIGNED and Dated: 18/03/2021