

# Nottingham City Council Delegated Decision



Nottingham  
City Council

Reference Number:

4629

Author:

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Department:

People

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Subject:

COVID-19: Infection Prevention and Control

Total Value:

£189,090 (Type: Revenue)

Decision Being Taken:

- 1) To approve funding of up to £189,090 for an enhanced infection prevention and control service for a period of 12 months commencing 1 April 2022
- 2) To approve varying the contract with the existing provider (City Care) in accordance with Article 18.79 of the Contract Procedure Rules
- 3) To delegate authority to the Head of Contracting and Procurement to sign the contract variation

Reasons for the Decision(s)

As the city and nation move toward the policy direction of living with COVID-19, there remains a requirement to protect those citizens who are most vulnerable. The Government's most recent COVID-19 response, Living with COVID-19 (published on the 23 February 2022), acknowledges care home residents and those in receipt of adult social care in other settings as among the most vulnerable in society to COVID-19.

The existing infection prevention and control (IPC) service was broadened in September 2020 to include; receipt of notification of a suspected/outbreak, initial IPC advice, enactment of a (separate) local swabbing service, IPC support visit and IPC training to improve the knowledge base of staff. The overall aim of the enhanced service is to improve IPC practices across the care sector, reducing the risk of further infection transmission and outbreaks, and thereby continuing to protect Nottingham's most vulnerable citizens. The enhanced service has expanded in scope to include those in the wider care sector who did not previously benefit from the IPC service, and enhance resilience and responsiveness. In addition to older adults care homes, the enhanced service will include support for; supported living (adults <65 years), extra care, domiciliary/homecare, CSE, outreach, day and evening services and shared lives facilities. The service will continue to be an important part of the COVID-19 response, including responding to emerging variants.

The current service provider is the only provider in a position to continue to deliver the enhanced service. It would not be possible to disaggregate the enhanced service from the existing contract. To have multiple providers of IPC services within Nottingham City would lead to duplication of (already well established) pathways and processes to the detriment of care providers in Nottingham City, with significant risk attached.

Neither would it be feasible for a new provider to implement the service (including recruitment of specialist nurses) within the required timescales. The existing service provider (CityCare) already have the specialist staff with relevant technical knowledge of Infection Prevention and Control and the needs of the local care sector which enable a rapid response.

The intention is to issue a a contract extension for a 12 month period commencing 1 April 2022 to retain and continue the enhanced IPC service. An exemption has been approved under Article 18.79.

Funding for this service has been allocated from the Contain Outbreak Management Fund, awarded to local authorities for the mitigation against and management of local outbreaks of COVID-19. The resourcing of the service was approved by Corporate Leadership Team on 18 January 2022 (see background paper).

**Other Options Considered:**

1) Do not have an enhanced IPC service: This option has been rejected due to the need to ensure Nottingham's most vulnerable citizens are protected during the COVID-19 pandemic. The current service was commissioned based on an estimated 25 outbreaks per year and is insufficient in scope and to meet the current level of need.2) To undertake a procurement exercise to secure the enhanced service: This option has been rejected, as the current provider is uniquely well placed to delivered the enhanced service for the reasons outlined above and it would be detrimental to care providers in the City to have multiple IPC providers.

**Background Papers:**

**Unpublished background papers:**

For information - not for publication.doc

**Published Works:**

**Affected Wards:**

Citywide

**Colleague / Councillor Interests:**

**Consultations:**

Those not consulted are not directly affected by the decision.

**Crime and Disorder Implications:**

This decision will not have any impact on crime and disorder.

**Equality:**

EIA not required. Reasons: Not required as the decision does not involve new or changing policies.

**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.

**Decision Type:**

Portfolio Holder

**Subject to Call In:**

Yes

Call In Expiry date:

25/05/2022

Advice Sought:

Legal, Finance, Procurement

Legal Advice:

The proposals in this report raise no significant legal issues and are supported. The Council has received further Contain Outbreak Management Funding from government to support and mitigate the continued effects of covid-19 in the city.

It is understood that the Council already has in place a contract with City Care for Infection Protection Control services and this money will be used to extend the enhanced services for 1 year. For this reason it would not be possible practically or financially to separate the services and procure them from an alternative provider.

The services are light touch under the Public Contracts Regulations 2015 and the value remains below threshold. It is noted that an exemption from Contract Procedure Rule 18.79 with respect to the extension has been sought and approved.

A contract variation to establish the extension will need to be put in place and should the services be required beyond this time, it should form part of the broader service re-procurement in due course.

Advice provided by Dionne Claire Screamton (Solicitor) on 28/04/2022.

Finance Advice:

This decision seeks to provide approval for renewal of enhanced infection prevention and control service, starting 1st April 2022, for a period of 12 months. In addition, for the variation to a current contract for infection prevention and control with the existing provider.

The total cost of this proposal, for 12 months, is up to £189,090, and the funding for this service will be provided from the Contain Outbreak Management Fund (COMF). As this grant will fully fund the proposal, the costs of this decision will be covered, without additional pressure to the Council. Advice provided by Graeme Black (Commercial Business Partner) on 26/04/2022.

Procurement Advice:

This decision seeks to award additional funding to the existing Infection Prevention and Control (IPC) service contract for a continuation of an enhancement to the service for a one year period to 31st March 2023. Funding is allocated for this enhanced service from the Government's Contain Outbreak Management Fund, allocated to the Council for the mitigation and management of local outbreaks of COVID-19. The current contracted supplier is considered to be the only provider able to deliver the additional services needed, as it is not possible to disaggregate the enhanced provision from the existing contract, and having multiple suppliers would be detrimental to infection control activities. Therefore the proposal is supported from a procurement perspective and exemption from the tendering requirements of the Contract Procedure rules has been approved in accordance with Article 18.79 of the Constitution.

Advice provided by Jo Pettifor (Procurement Team Manager) on 29/04/2022.

Signatures

Linda Woodings as Portfolio Holder (PH Adult Social Care and Health)

SIGNED and Dated: 10/05/2022

Lucy Hubber (DPH)

SIGNED and Dated: 18/05/2022