

## **COUNCIL – 21 JANUARY 2020**

### **REPORT OF THE LEADER OF THE COUNCIL**

#### **COUNCIL CONSTITUTION – RULE 46 (WAIVING CALL-IN) PROVISIONS**

I wish to report that the Chair of the Overview and Scrutiny Committee (Adult Social Care and Health) gave her consent, under Rule 46 (Waiving Call-In). The report was in relation to Sefton Community Infection Prevention and Control Service it was not subject to call-in Due to the rapid increases in rates of COVID-19 infection both within Sefton, the Merseyside area and across the North West of England, changes to the scale and focus of the Community Infection Prevention and Control Service are now essential to reduce the impact of COVID-19 on vulnerable people in Sefton.

#### **DECISION MADE BY THE CABINET MEMBER FOR HEALTH AND WELLBEING – 12 NOVEMBER 2020**

The Community Infection Prevention and Control Service was procured in 2019 through an OJEU light touch open procedure. The contract started 1 September 2019 and has a three-year core contract ending on 31 August 2022 with two, one-year built in extension options (3+1+1). Following this procurement process the contract was awarded to Mersey Care NHS Foundation Trust.

The recent COVID-19 pandemic has led to an increased requirement for the Community Infection Prevention and Control Services in Sefton. The key elements of this are related to:

- Management and prevention of outbreaks in complex community settings, cases, clusters and outbreaks involving people in vulnerable groups; and
- Increasing skills and knowledge in community settings around prevention in order to reduce the number of community outbreaks in Sefton.

Due to the rapid increases in rates of COVID-19 infection both within Sefton, the Merseyside area and across the North West of England, changes to the scale and focus of the Community Infection Prevention and Control Service are now essential to reduce the impact of COVID-19 on vulnerable people in Sefton.

It be noted that the Leader of the Council, and the Chair of the Overview and Scrutiny Committee Adult Social Care and Health, Councillor Doyle has given their consent under Rule 46 of the Overview and Scrutiny Procedure Rules for the report's decisions to be treated as urgent and not subject to "call in" on the basis that they cannot be reasonably deferred due to the rapid increases in rates of Covid-19 infection both within Sefton, the Merseyside area and across the North West of England, changes to the scale and focus of the Community Infection Prevention and

Control Service were now essential to reduce the impact of COVID-19 on vulnerable people in Sefton.

### **Decisions Made:**

- (1) A variation to the contract be made that would extend the scale and scope of the Community Infection Prevention and Control Service. These changes would increase the cost of the Service from £128k per annum to £271k per annum, an increase of £143k per annum. It is anticipated that this increase in contract scale, scope and value would remain in place in future;
- (2) the variation to the contract and associated additional elements of the Service be implemented at the earliest opportunity; and
- (3) It be noted that the Leader of the Council and the Chair of the Overview and Scrutiny Committee Adult Social Care and Health, Councillor Doyle had given their consent under Rule 46 of the Overview and Scrutiny Procedure Rules for these decisions to be treated as urgent and not subject to "call in" on the basis that they cannot be reasonably deferred due to the rapid increases in rates of Covid-19 infection both within Sefton, the Merseyside area and across the North West of England, changes to the scale and focus of the Community Infection Prevention and Control Service are now essential to reduce the impact of COVID-19 on vulnerable people in Sefton.

### **Reason for the Decisions:**

An increase in scale and scope of the Community Infection Prevention and Control Service is urgently required in order to support the management and prevention of COVID 19 outbreaks in complex, and/or vulnerable community settings.

In order to protect vulnerable people in Sefton strategic work with community settings is required to increase skills and knowledge around infection prevention and control measures which help prevent the transmission of infections, and improve the responses to cases and outbreaks, limiting the impact of infections such as COVID-19.

Due the high rates of COVID-19 transmission locally and the expected seasonal increases in respiratory and gastrointestinal infections and outbreaks, it is essential that increases in Community Infection Prevention and Control Service are expedited, so that the additional staff required to deliver the expanded Service offer can be recruited and deployed.

Any future commissioning of the Community Infection Prevention and Control Service will need to include the upscaled provision, enhanced capacity to respond to future pandemics and prevention elements to protect against outbreaks in community settings in Sefton.

The increase in contract value is above the threshold usually allowed for a contract variation, however following procurement and legal advice we feel the council has

grounds for the contract variation. We have considered various options pursuant to the Public Procurement Notice 01 (PPN 01) responding to COVID. Council officers are satisfied that a variation pursuant to Regulation 72 (1)(e) can be justified under the current circumstances.

**Alternative Options Considered and Rejected:**

The Council could seek to negotiate an end to the current contract to allow an open procurement procedure to take place.

This option has been rejected due to the length of time taken to complete the procurement process and mobilise the new Service. This delay could have a negative impact on the management of infectious diseases and outbreaks in community settings, which could result in worse outcomes for people living in Sefton.

Additionally, as we are currently in a position of escalating COVID-19 outbreaks and imminent winter pressures, it is essential that the Service focuses its efforts on recruiting additional staff needed and delivering support to vulnerable settings experiencing an outbreak. Therefore, any procurement activity, at this time, could negatively impact on the current service capacity.