

KENT COUNTY COUNCIL – URGENT RECORD OF DECISION

DECISION TAKEN BY:

Leader of the Council

DECISION NO:

23/00115

For publication

Key Decision

Subject: PATHWAY 1 – DISCHARGE TO ASSESS SERVICE CONTRACT

Decision: As Leader of the Council, I agree to:

a) **APPROVE** the Direct Award the Discharge to Assess Service Contract to the incumbent provider (Hilton Nursing Partners) for up to nine months from 1 January 2024 to 30 September 2024 and
b) **DELEGATE** authority to the Corporate Director Adult Social Care and Health to take other relevant actions, including but not limited to finalising the terms of and entering into required contracts or other legal agreements, as necessary to implement the decision.

Reason(s) for decision: It is the ambition of KCC for the people in Kent to have home-based care and support services, in line with Home First principles. Discharge Pathway 1 Services enable the Council to deliver towards this ambition. The pathway relates to people being discharged from hospital with home-based support; all people needing such support should be offered reablement and rehabilitation and, where necessary, time for assessment and future care planning. This includes people whose package of care is being restarted after lapsing during their hospital stay.

The discharge to assess service contract was commissioned by Kent County Council (KCC) and forms part of Discharge Pathway 1 Service, for people discharged from hospital who need support to recover at home. Across Kent, there are a few other services that also align with the pathway, commissioned by the Integrated Care Board (ICB) and other health partners.

Discussions between KCC and the ICB resulted in in principle agreement to a new model, but more time is needed to undertake appropriate governance and subsequent implementation.

Financial Implications: This is a demand-led service and activity can fluctuate. The annual budget for the Discharge to Assess is £2,953,400 with additional budget of £732,600 for bridging. The service's forecast spend this year is £3,928,400; an overspend of £242,400.

If the contract is extended by nine months, it is anticipated that costs of the extension will be circa £2,970,000 (based on current activity) and within the budget for the service.

Historically, the ICB has financed additional Discharge to Assess capacities (for example from NHSE winter funding); the ability to incorporate additional funding, including from the ICB, over and above the KCC budget allocation will still be available within the extension period.

Legal implications: Legal advice in relation to the proposed award has been taken from Legal Services. The relevant legal considerations are appended in an exempt section to the Decision report.

Equalities Implications: An Equalities Impact Assessment has been completed (full details at appendix 1) and this indicates no substantive negative impact on protected characteristic groups.

Data Protection Implications: A Data Protection Impact Assessment has been completed for this service.

Reason for Urgency: If the contract terminates on 31 December 2023, this would impact on people who require support at home in the early days post discharge from hospital. The activity from the Hilton service would transfer to higher cost services eg care home support and the gap in service provision would impact on delayed hospital discharges

The proposal to Direct Award the Discharge to Assess Service to the current incumbent was not planned but has become necessary as it has taken longer to develop the new model than anticipated, ensuring a collaborative and joined up approach with NHS Kent and Medway, and more time for mobilisation is required, ensuring safe transfer of individuals from the current to the new service.

There is also insufficient capacity to provide enablement support for everyone in hospital who can be safely discharged home with a short-term package of care. For this reason, the Discharge to Assess service is still required to ensure sufficient capacity over the winter period until the new service has a full complement of staff.

Member and other consultation:

No Cabinet Committee consultation possible due to urgency process.

The Chair of the Scrutiny Committee, in addition to agreeing that the decision could not be reasonably deferred provided the following comments:

Mr Booth was supportive of the decision.

The Group Spokespeople of the Scrutiny Committee providing the following comments:

Dr Sullivan provided the following the comments:

“While this decision falls within the Urgency Criteria I will question how it has come to be here?”

Clearly this contract needs to be extended but this gives me concerns about the contracts and new contract procurement in the Council.

Long term planning would have shown that potentially switching contracts mid winter during high demand and pressure, is probably the worst time to change contracts. This is due to it could lead to delays and confusion, an ultimately poorer service for patients.

Is this new agreement with health nearly there?

What processes were in place to identify potential time delays to setting up new contracts? Were these processes followed?

I expect to see an outcome or report on the learning and accountability for this urgent decision that KCC are forced. As Members we must have confidence and assurance that this situation is under control.”

The Chair and Group Spokespeople of the Adult Social Care Cabinet Committee provided the following comments:

No specific comments provided.

Any alternatives considered:

Do nothing – if the contract terminates this would impact on people who require support at home in the early days post discharge, the Discharge to Assess activity would transfer to higher costs services and the gap in service provision would impact on delayed hospital discharges.

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer: None



18 December 2023

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signed

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date