

KENT COUNTY COUNCIL – URGENT RECORD OF DECISION

DECISION TAKEN BY:

Peter Oakford

**Deputy Leader and Cabinet Member for Finance,
Corporate and Traded Services**

DECISION NO:

20/00035

For Publication**Key decision: YES**

The decision will:

- a) result in savings or expenditure which is significant having regard to the budget for the service or function (currently defined by the Council as in excess of £1,000,000)

Decision subject - Emergency purchase of bulk Personal Protective Equipment (PPE)

As Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, I agree to;

- a) the emergency purchase of bulk Personal Protective Equipment (PPE), including but not limited to hand sanitiser, wipes, aprons, masks, gloves and goggles;
- b) the ongoing review and replenishment of KCC stocks of PPE as required to deal with the COVID-19 pandemic; and
- c) delegate authority to the Strategic Commissioner to take relevant actions, including but not limited to, reviewing and agreeing the necessary replenishment of stock over the course of the pandemic, placing orders and entering into relevant contracts and other legal agreements, as necessary to implement this decision.

Reason(s) for decision:

To secure supplies of appropriate PPE bulk orders with suppliers must be placed. This requires KCC to make significant financial commitments.

The PPE is for use by KCC and for mutual aid to KCC's suppliers where they are unable to source supplies. KCC will pay for the additional cost and usage of PPE during the outbreak from the additional funds (£39m) provided by central government. When KCC provides mutual aid, the provider will be charged the full cost, recognising that any cost increases they incur will be reflected in the contract price KCC pays for service delivery, so also drawn from the additional funds KCC receives.

The Council has a legal obligation and duty of care to provide appropriate PPE to relevant employees. Whilst it does not have an obligation to supply it to providers, the outbreak has caused PPE to be in very short supply and the means of placing bulk orders to be beyond many of them, particularly the smaller and voluntary sector organisation. In order for them to continue to provide essential services e.g. care home placements, care in the community etc., KCC has to provide mutual aid through these bulk orders.

Financial Implications:

This decision provides for expenditure up to £2m. A further decision will be made should expenditure on bulk orders need to exceed that. Additional funding from central government (£39m) has been provided to respond to the outbreak and this will be drawn on where costs exceed those normally incurred for PPE.

Reason for Urgency:

The Council's stocks of PPE are now exhausted and need to be replenished as soon as possible given the unprecedented demand both internally and for mutual aid to its providers (particularly social care). Many buyers worldwide are chasing supplies with demand exceeding supply. Suppliers require buyers to place and confirm bulk orders at very short notice (almost immediately) when stock is identified else they are passed to the next buyer. The Council identified a secure source for some stock on 30th March valued at £523k and must confirm the order today else it will be lost to another buyer. This pattern is expected to continue during the outbreak – hence the inclusion of ongoing delegation to allow swift Officer action to replenish stock while remaining within approved spend limit of £2m.

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:

Mr R Bird and Mr D Farrell, as the Group Spokespeople of the Scrutiny Committee, supported the urgent decision

The Chair and Group Spokespeople of the Policy and Resources Cabinet Committee provided the following comments:

Mr Sweetland as the Chair and both Mr R Bird and Mr D Farrell as Group Spokespeople of the Policy and Resources Cabinet Committee, supported the urgent decision

Any alternatives considered and rejected:

The Council is working as part of a co-ordinated effort with its partners in the NHS, national government and locally in Kent to provide Personal Protective Equipment (PPE). The Council has considered relying on mutual aid from its partners but they are experiencing the same supply issues as the Council. The Council is also having to act as an aggregator for the many of its providers in the care sector to provide mutual aid to them.

Urgent approach precludes wider procurement option consideration - delay to purchase would risk failure to meet legal obligation to ensure appropriate supply of PPE for staff.

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:

None



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signed

01/04/2020

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date