

KENT COUNTY COUNCIL – RECORD OF DECISION

DECISION TO BE TAKEN BY:

Cabinet Member for Adult Social Care and Public Health

DECISION NO:

20/00041

For publication

Key Decision: Affects more than 2 Electoral Divisions and expenditure of more than £1m

Subject: SUPPORT FOR COMMUNITY BASED WELLBEING PROVIDERS

Decision: As Cabinet Member for Adult Social Care and Public Health, I agree to:

- a) **AWARD** temporary rolling three month contracts, with the option to extend for a further three months on a rolling basis as required depending on the position and longevity of the COVID19 crisis, to all those currently grant aided through the Community Wellbeing Service Offer;
- b) **DELEGATE** authority to the Corporate Director of Adult Social Care and Health, in consultation with the Cabinet Member for Adult Social Care and Public Health and the Corporate Director for Finance, to agree the relevant contract extensions as required; and
- c) **DELEGATE** authority to the Corporate Director of 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 for urgency:

The justification of this action is to ensure the survival of key community-based providers, that will be key to supporting the most vulnerable and isolated residents through the COVID-19 crisis. If this package of support is not put in place, within 3 months, the majority of these organisations will have to close or cease to exist through a lack of income, or support from the Government. If the latter were to happen the majority of the support would then fall to Adult Social Care to cope with.

In order to protect and maintain a community response and support for elderly and vulnerable people, these providers need to be secure in their financial footing and be able to pay their staff and run their vital services. Government financial support packages are not appropriate or available for these providers.

The COVID-19 outbreak has significantly impacted on the provider's income, due to all their centre closures, while demand for support from those they have supported in the past, along with new referrals, increasing greatly and constantly since the UK Government declared a lockdown.

Financial Implications: The total value for the three month contracts will be approximately £3.4m (a total of £6.8m if a second three month period is required).

Legal Implications:

Senior officers in both strategic commissioning and finance have been consulted on this issue and no market or competition issues have been identified.

Advice from Invicta Law and the Office of the General Counsel has also been sought and provided. The Council will be relying on recent government guidance (Procurement Policy Note 01/20: Responding to COVID-19) in relation to the procurement of these services in compliance with The Public Contract Regulations 2015 ("PCR 2015") and the situation will be kept under review in consultation with the General Counsel.

In the wake of the COVID19 pandemic the Cabinet Office have issued guidance on the application of the PCR 2015 in response to the outbreak in the form of Procurement Policy Note 01/20:

Responding to COVID-19. Guidance has also been issued in relation to the interpretation and applicability of Regulation 32(2)(c) PCR 2015. The guidance acknowledges that contracting authorities such as the Kent County Council authorities may need to procure goods, services and works with extreme urgency and advices on the use of specific processes within the PCR 2015 that support the Council's position.

Equality Implications: The contracts will support vulnerable and elderly people in the community who are required to either shield or isolate themselves to protect them from exposure to COVID-19. A number of these organisations are also engaged with the local community hubs coordinated through local District / Borough Council's. As such they will also be supporting and engaging with other vulnerable and isolated families and residents.

Cabinet Committee recommendations 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 be reasonably deferred provided the following comments:

Mr Booth supported the decision.

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

Mr Bird supported the decision.

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

Mrs Cole supported the decision.

Any alternatives considered: Other alternatives were considered, including not following this course of action, however in order to sustain services and providers in the care market to support the vulnerable people of Kent, these were discounted.

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

None



7 April 2020

.....
signed

.....
date