

KENT COUNTY COUNCIL – URGENT RECORD OF DECISION

DECISION TAKEN BY:

Cabinet Member for Adult Social Care and Public Health

DECISION NO:

20/00044

For publication**Non-Key/Key decision***

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

Subject: Covid-19 Block Beds for Older Persons Residential and Nursing**Decision:** As Cabinet Member for Adult Social Care and Public Health, I agree to:

- a) Purchase a number of block beds across all need types within the Older Persons Residential and Nursing service to support the discharge of clients from hospital with the increase caused by Covid-19.
- b) Delegate authority to the Corporate Director for Adult Social Care and Health, in consultation with the Cabinet Member for Adult Social Care and Public Health, to review the bed requirements and increase the numbers purchased providing the total cost remains within the approved limit of £2,494,828.44
- c) Delegate Authority to the Corporate Director for 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 this decision.

Reason(s) for decision:**Financial Implications:**

The costs of each phase, the total weekly cost, and the cost for the 6 months are as follows:

Phase	Total cost (£)
I	18,525.00
II	12,700.36
III	30,784.58
Covid	33,945.00
Total per week (£)	95,954.94
Total cost - 26 weeks (£)	2,494,828.44

This will be funded via the Covid-19 budget

Legal Implications:

This is being procured under Procurement Policy Note (PPN 01/20) was released in March 2020 setting out information and associated guidance on the public procurement regulations and responding to the current coronavirus, COVID-19, outbreak.

The regulation states that: *in responding to COVID-19, contracting authorities may enter into contracts without competing or advertising the requirement so long as they are able to demonstrate the following tests have all been met:*

- 1) *There are genuine reasons for extreme urgency, eg: you need to respond to the COVID-19 consequences immediately because of public health risks, loss of existing provision at short notice, etc;*
 - *you are reacting to a current situation that is a genuine emergency - not planning for one.*
- 2) *The events that have led to the need for extreme urgency were unforeseeable, eg:*
 - *the COVID-19 situation is so novel that the consequences are not something you should*

have predicted.

3) It is impossible to comply with the usual timescales in the PCRs, eg:

- there is no time to run an accelerated procurement under the open or restricted procedures or competitive procedures with negotiation;
- there is no time to place a call off contract under an existing commercial agreement such as a framework or dynamic purchasing system.

4) The situation is not attributable to the contracting authority, eg:

- you have not done anything to cause or contribute to the need for extreme urgency.

Equality Implications:

EqIA is part of current service documentation

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Reason for Urgency: Public Health England modelling would indicate that there is going to be a surge in COVID19 cases over the coming weeks, in order to relieve pressure and free capacity within an already overburdened hospital system there is an urgent need to procure additional bed capacity from the current Older Persons Residential & Nursing market. These beds will be short term (6 months) and will be used to assist with timely discharge from a hospital setting and as stated relieve pressure and create additional capacity within the hospital system.

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 supported the decision.

The Group Spokespeople of the Scrutiny Committee providing 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:

Do Nothing: this will lead to bed shortages within hospitals and will not support our Health colleagues as the situation with Covid-19 escalates.

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

N/A

9 April 2020

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signed

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date