

# Report to Cabinet

**17 March 2021**

<b>Subject:</b>	West Bromwich Town Hall Lateral Flow Testing Contract Extension
<b>Cabinet Member:</b>	Cabinet Member for Living Healthy Lives Cllr Shaeen
<b>Director:</b>	Director of Public Health Lisa McNally
<b>Key Decision:</b>	Yes Continuation of funding to provide the community lateral flow testing at West Bromwich Town Hall, which will exceed the £250,000 limit and therefore Cabinet approval is needed
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## 1 Recommendations

- 1.1 That the Director Public Health be authorised to award a contract to Solutions4Health to provide community lateral flow testing programme at West Bromwich Town Hall from 9 April 2021 to 29 July 2021 (a further 16 weeks) with further potential extensions (in 16-week blocks) to be utilised as needed and to end no later than 30 June 2022.



- 1.2 That approval be given to provide lateral flow tests to people aged 11+, who live or work in Sandwell.
- 1.3 That in connection with 1.1 above, the Director of Public Health be authorised to continue to fund Solutions4Health to provide the lateral flow testing service up to 30 June 2022 and to a maximum total value of £1,095,000.

## 2 Reasons for Recommendations

- 2.1 Lateral flow testing allows the identification of COVID-19 in asymptomatic individuals. This, in turn, helps reduce community transmission and prevent outbreaks.
- 2.2 There is no information on how long local areas will be required to provide lateral flow testing. This will depend on the future course of the pandemic as well as any changes in national testing policy. Therefore, a flexible approach to commissioning is required that allows for longer term service provision but provides the ability to stop the contract when appropriate. It is therefore proposed to commission the testing service in blocks of 16 weeks. This will allow regular review of the need for the service.
- 2.3 Continuing with the same service provider will ensure continuity of the high quality of service experienced by Sandwell residents. The service to date has tested well over 3000 residents a month and the Council has received consistently positive feedback from residents on the testing experience, including comments about the simple and accessible booking system, a spacious venue, minimal waiting times, very helpful testing staff and prompt expert advice at follow up if required.
- 2.4 The initial contract (covering stage 1 above) was set up on the basis of a negotiated solution with the current provider, without advertising or conducting a competitive tender process, in December of last year on the basis of urgency.






The Government gave very little notice of the requirement to set up the service and so an exemption was sought (and granted by Statutory Officers Group) under the provisions of Section 15 of the Council's Procurement and Contract Procedure Rules. The current contract is due to terminate by 8 April 2021.

- 2.5 Due to the value of the service from December 2020 to April 2021 is below the threshold for Light Touch Regime set out in the Public Contracts Regulations 2015, there was no requirement to justify the negotiated procedure without prior publication of a contract notice, as set out in regulation 32 of PCR 2015.
- 2.6 It has become apparent, however, that there is likely to be a continued requirement for this service. On that basis, there is a proposal to vary the end date of the current contract: the provider in place is delivering the service to a satisfactory standard and any change of supplier is likely to cause a disruption in service to the detriment of service users' health and wellbeing.
- 2.7 As there is a lack of certainty about the length of time for which the service will need to continue, and the concerns regarding the impact of changing supplier, it would be prudent to ensure continuation of the current provision to 30 June 2022. This would be reviewed on a regular basis with the contract having provision for termination following one month's written notice. This will allow time for a clearer assessment of future requirements, minimising the risk of service disruption/suspension.
- 2.8 The potential value of this longer contractual period is in excess of the threshold for Light Touch Regime. On that basis, a notice should be published via the Find a Tender Service to notify the market of the Council's intentions: this will fulfil the Council's obligations to act in a transparent way (in compliance with Regulation 32).



### 3 How does this deliver objectives of the Corporate Plan?

	<p><b>Best start in life for children and young people</b></p> <p>Helping to protect the young, by enabling asymptomatic people aged 11+ to be tested. Self-isolation of those who test positive, will help to limit the spread of Covid-19 to all ages, including children and young people, who are currently affected through missing the opportunity to receive face to face education due to the lockdown, or when impacted by school/bubble closures.</p>
	<p><b>People live well and age well</b></p> <p>Continuing to provide the community lateral flow testing site will enable asymptomatic people to be tested for Covid-19, helping to identify those who wouldn't have known they were positive to self-isolate, and reduce the risk of transmission.</p>
	<p><b>A strong and inclusive economy</b></p> <p>Supporting people to remain healthy and avoid contracting Covid-19 will enable the local economy to recover. The employees working for the Provider have mostly been sourced from Birmingham and the Black Country, meaning wages are more likely to be spent in the local economy.</p>

### 4 Context and Key Issues

#### 4.1 Sustainability

- Funding for providing the community testing is being allocated through a Government reimbursement programme, based on the expenditure for providing the lateral flow testing programme, and the number of tests performed. The exact amount paid per test is yet to be confirmed. There is the possibility that Sandwell Council may get less back than we spend on the testing programme. Any shortfall will be made up from the Public Health grant.



## Timescales

- The service will be provided to 29<sup>th</sup> July 2021 (a further 16 weeks) with further potential extensions (in 16-week blocks) to be utilised as needed and to end no later than 30<sup>th</sup> June 2022.

## Scrutiny involvement:

- As the budget spent will exceed £250,000, scrutiny and oversight is required to justify the additional resources.

## 5 Alternative Options

5.1 We currently do not have any alternative providers to run the community testing site at West Bromwich Town Hall. To change providers would a competitive tender process and an inevitable delay or even full break in service if a new provider is selected.

5.2 An alternative solution would be to close the testing site at the end of the initial 16 week testing period, on 8<sup>th</sup> April 2021, however, this would not serve the interests of the local population and would result in reputational damage to the Council.

## 6 Implications

<b>Resources:</b>	<b>Financial:</b>  We anticipate costs of £219,000 for each 16-week period of service provision (£54,750/month).  The costs for each 16-week block of service is shown below. It is already confirmed that the service will be required up until 29 <sup>th</sup> July 2021 (stages 1 and 2). Decisions will be taken as to whether to extend the service into stages 3, 4 and 5 based on infection rates and Government policy at that time.
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Stage	From	To	Value
1	18 December 2020	08 April 2021	£219,000.00
2	09 April 2021	29 July 2021	£219,000.00
3	30 July 2021	18 November 2021	£219,000.00
4	19 November 2021	10 March 2022	£219,000.00
5	11 March 2022	30 June 2022	£219,000.00
<b>Total</b>			£1,095,000.00

**Staffing:**  
No anticipated changes to staffing levels.

**Land/building implications:**  
No anticipated change in the use of West Bromwich Town Hall.

**Legal and Governance:**  
No anticipated legal implications from the continued provision of the community lateral flow testing.

**Risk:**  
Decline in usage of WBTH for lateral flow testing:  
Promote the availability of the testing through social media, Council website, billboards.

**Health and safety implications:** No additional implications expected. Swabs are self-administered with guidance from trained personnel.

**Insurance:** no requirement for the Council as the Medical malpractice insurance is covered by the provider for the extended testing period (£10M). Currently no issues obtaining relevant insurance.

**Risk assessment completed for WB Town Hall site:** will be updated on an ongoing basis identifying any new risks and also including any additional controls/ assurances that have been in place since the project started (e.g. performance of the provider). This will also include financial impact regarding the amounts reimbursed by government vs block contract costs and therefore the impact on the Public Health grant.





	<p>Unable to recover full expenditure of testing programme from the Government: Accurate reporting of numbers of tests undertaken at sites set up by Sandwell Council. Completion of financial returns, as requested by the Department of Health and Social Care, in a timely manner</p>
<p><b>Equality:</b></p>	<p>There are no anticipated negative impacts on people with protected characteristics.</p> <p>During Lockdown 3, testing was prioritised to be made available for members of the public who leave their home to work. This is to prevent non-essential travel, as per the Government guidelines, however, it was agreed the testing should be provided for workers, as they are at higher risk.</p> <p>Once the current lockdown is over, there will continue to be 2 booking systems: one for organisations with workers in critical areas, and a public booking system, which anyone can use.</p> <p>WBTH has a maximum provision of 12 booths for able-bodied people, and 3 booths for disabled people, people with mobility issues, or with visual impairment. Booths also have coloured tape around the Perspex holes to enable people with some visual impairment to provide the completed test kit through the hole to the testing assistants.</p> <p>In all social media material, a good mix of ethnicities, age, and gender are used to portray the types of people the testing is open to.</p> <p>Demographic data is collected on the “Public” booking system, which will enable review of the groups of people who are accessing lateral flow testing.</p>
<p><b>Health and Wellbeing:</b></p>	<p>Sandwell has one of the highest rates of Covid-19 infections in the country.</p>



	Having a regular testing site for people without symptoms, can help to identify those who need to self-isolate, and therefore help to reduce the spread.
<b>Social Value</b>	<p>Most of the employees from Solutions4Health, and the marshals hired for WBTH are from the Birmingham and Black Country area, therefore supporting the local economy and local employment rates.</p> <p>There is a good mix of ethnic representation in the S4H employees, reflecting the high proportion of BAME residents in the local area.</p>

