

## The Cabinet

**18<sup>th</sup> September 2019 at 3.30pm  
at the Sandwell Council House, Oldbury**

**Present:** Councillor Y Davies (Leader of the Council);  
Councillors Crompton, Hadley, Lloyd, Millard,  
Shaeen, Taylor and Underhill.

**Apology:** Councillor Ali.

**In attendance:** Councillors E M Giles, L Giles, S Jones, Rollins,  
Singh and Moore.

110/19 **Minutes**

**Resolved** that the minutes of the meeting held on 28<sup>th</sup> August, 2019 be approved as a correct record.

111/19 **Award of Contract for Social Care Beds at Russells Hall Hospital**

The Council had contracted with the Dudley Group NHS Foundation Trust for the provision of 12 Social Care discharge beds at Russells Hall Hospital since January 2019. The beds were used to accommodate individuals who had been patients within the hospital and had subsequently been declared medically fit.

The proposed beds would allow patients with ongoing social care needs to remain in the hospital whilst Adult Social Care (ASC) made arrangements to support them either in their own homes or within a nursing home setting.

The Care Act 2014 updated and re-enacted the provisions of the Community Care (Delayed Discharges) Act 2003, which set out how the NHS and local authorities should work together to minimise delayed discharges of NHS hospital patients from acute care.

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The NHS were required to notify relevant local authorities of a patient's likely need for care and support where the patient was unlikely to be safely discharged from hospital without arrangements, and to give at least 24 hours' notice of when it intended to discharge the patient.

From 1 April 2015, if a local authority had not carried out an assessment or put in place care and support, and that was the sole reason for a patient not being safely discharged, the NHS body had a discretion as to whether to seek reimbursement from the relevant local authority for each day an acute patient's discharge was delayed. This situation was frequently referred to in the media as 'bed-blocking'.

The purchase of these additional beds would ensure that delays in acute beds were not coded against the Council, adversely impacting its national Delayed Transfer of Care (DToC) position.

Approval of this contract would ensure that Adult Social Care could meet its obligations around easing pressure to the health and social care system and securing optimum use of hospital provision by managing the level of DToCs relating to individuals for whom the Council has a statutory duty.

Without the provision of this contract, there would be increased DToC from Russells Hall Hospital which would leave the Council in a vulnerable position around its ability to effectively respond to its obligations around transfers from care from Russells Hall Hospital.

If the direct award of this contract was not approved, risks would include:

- increased DToC from hospital;
- increase on delays regarding family choice;
- undermining delivery of enablement and independence.

Budget allocation for this contract had been approved by the Partnership Board (JPB) and would be funded through the Better Care Fund (BCF).

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The Council's Procurement Manager had been consulted and supported the view that there was not another supplier who could meet the immediate needs of patients at Russells Hall Hospital who were deemed medically fit but had ongoing social care needs that were not yet provided for.

The report was accompanied by a presentation by the Interim Director – Adult Social Care.

### **Resolved:-**

- (1) that the Interim Director - Adult Social Care award a contract to Dudley Group NHS Foundation Trust for the provision of 12 Social Care discharge beds at Russells Hall Hospital from 1<sup>st</sup> October 2019 to 31<sup>st</sup> March 2020, at a value of £241,318.44;
- (2) that in connection with Resolution (1) above, the Interim Director - Adult Social Care continue to procure this service from Dudley Group NHS Foundation Trust for a further two-year period from 1<sup>st</sup> April 2020 to 31<sup>st</sup> March 2022 if required, subject to funding being available and authorised through the Joint Partnership Board and funded through the Better Care Fund with any extension to contract being based on the same contract rate plus any negotiated cost of living increase based upon the Consumer Price Index;
- (3) that the Interim Director - Adult Social Care enter into a contract for the provision 12 Social Care discharge beds at Russells Hall Hospital with Dudley Group NHS Foundation Trust;
- (4) that any necessary exemptions be made to the Council's Procurement and Contract Procedure Rules to enable the course of action referred to in Resolutions (1), (2) and (3) above to proceed.

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### **Sandwell Compact and the Voluntary and Community Sector Funding Protocol**

The Sandwell Compact was an agreement that set out the principles that governed the relationship between the Council and the voluntary and community sector. Sandwell had had a Compact since 1999.

The Third Sector Funding Strategy was last updated in November 2012 and the Sandwell Compact was reviewed in July 2011. It was agreed to update these documents and to take a light touch approach to the review process, working closely with Sandwell Council of Voluntary Organisations (SCVO).

Refreshing the Sandwell Compact and the Funding Protocol enabled the Council to restate its support for the voluntary and community sector at a significant point in time, giving a clear message from the new leadership.

There had been no substantive changes to policy. Changes had been largely about terminology; for example, the Third Sector Funding Strategy has been re-named the Voluntary and Community Sector Funding Protocol, reflecting more accurately how the sector saw itself. Efforts had been made to make the documents shorter and more readable.

The report was accompanied by a presentation by the SCVO Chief Executive and the Executive Director – Neighbourhoods.

In response to questions, the Cabinet Member for Safer Communities confirmed that:-

- in 2011, the review had been extensive, involving the wider sector, however, this was a lighter touch review updating the terminology and style of the Compact;
- the voluntary sector budget would be considered during the budget process in December/January.

#### **Resolved:-**

- (1) that the 2019 Compact, Funding Code of Practice, Volunteering Code of Practice and Capacity Building Code of Practice be approved;

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- (2) that the 2019 Voluntary and Community Sector Funding Protocol be approved.

113/19 **Minutes of the Cabinet Petitions Committee held on 7<sup>th</sup> August, 2019**

The minutes of the meeting of the Cabinet Petitions Committee, held on 7<sup>th</sup> August 2019, were noted.

(The meeting ended at 3.57pm)

<p>Contact Officer: Suky Suthi-Nagra Democratic Services Unit 0121 569 3479</p>
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