

RECORD OF DECISION TAKEN UNDER DELEGATED POWERS OUTLINED IN THE CONSTITUTION – Part 3 Section 16

DELEGATED OFFICER DECISION Chief Executive
TAKEN BY:
PORTFOLIO
AREA: ALL

SUBJECT: Coronavirus Emergency – Securing Emergency and Strategic PPE Supplies for Blackburn with Darwen and the care sector through the Lancashire Resilience Forum

1. DECISION

The Chief Executive in accordance with the Blackburn with Darwen Constitution Section 16, under powers delegated to her, to take any action, including incurring expenditure, in connection with an emergency or disaster to the district agrees:

- the purchase of significant supplies of PPE (personal protective equipment) through the Lancashire Resilience Forum for frontline staff across the Council, primarily in social care, and for the wider commissioned and independent care sector to comply with the latest government and Public Health England guidance on the use of PPE, including in care settings, in relation to providing services and caring for people during the current response to the national Covid-19 pandemic

2. REASON FOR DECISION

The Coronavirus pandemic has resulted in the implementation of the Lancashire Resilience Forum (LRF) Gold Command structures and reporting through to Central Government. As part of the urgent action required to deliver essential services, including social care and other support to the most vulnerable across our communities, it has been agreed through the LRF to source and secure sufficient supplies of PPE for our frontline staff and for the commissioned and independent care sector in our local authority areas.

3. BACKGROUND

In response to the national Covid-19 pandemic, the government and Public Health England (PHE) have issued and updated guidance in relation to the use of appropriate PPE in frontline services, particularly across the health and care sectors, including residential and domiciliary care. This has resulted in significant difficulties in securing sufficient supplies of appropriate PPE for all staff requiring it. The government has provided some emergency supplies to LRFs but these have been limited and of variable quality. A national sourcing, supply and distribution system is also being established for the NHS, local government and other agencies, however the timescales and reliability of this remain uncertain, giving rise to concerns and reducing confidence in the ability to secure PPE nationally.

Working collectively through the LRF, with support from Lancashire Constabulary, military planners and other agencies, and using local Lancashire contacts, a significant supply of appropriate PPE to meet our requirements has been sourced and a number of orders placed to secure initial stocks for

the short term. We now have an opportunity to place further orders for each of the upper tier authorities to secure supplies for a further period which should result in supplies being available for c.8 weeks by which time we would hope the national supply system is in place and operating effectively. In BwD, we have also worked with the CCG in Pennine Lancashire to ensure they can procure and fund additional supplies for primary and community care providers.

Whilst supplies will be distributed to each of the upper tier authorities to manage in their respective areas, including provisions for the wider care sector, we will work together to manage the supply and demand across Lancashire and support other agencies where possible and appropriate to do so. Staff continue to be provided with guidance on the appropriate use of PPE.

The requirements for PPE include appropriate facemasks, disposable gloves and aprons, goggles/visors and hand sanitisers depending on the care setting and risk assessment. The Director of Adults & Prevention (statutory DASS), Head of Commissioning and the Head of Procurement have assessed and agreed the Council's PPE requirements based on the latest PHE guidance.

Lancashire County Council are acting as the accountable body for the LRF and will place the orders and make the initial payments with reimbursement from LRF partners as appropriate.

Monitoring Officer & Legal Implications and Comments

The Chief Executive (who also undertakes the statutory Head of Paid Service role) has delegated powers under the Officer Scheme of Delegation "To take any action, including incurring expenditure, in connection with an emergency or disaster in a district". In addition, all local authority chief executive officers are responsible for ensuring their local authority complies with the Civil Contingencies Act 2004 and that the local authority continues to perform its functions. In relation to the current situation, the Council must also have regard to Article 2 of the ECHR, as the ultimate aim of expenditure is to protect individual's right to life.

The contract has been awarded pursuant to a negotiated procedure without prior publication, as permitted by Regulation 32 (2c) of the Public Contracts Regulations 2015.

Section 151 Officer & Finance Implications and Comments

The cost has been negotiated by the LRF with the identified suppliers and payment arrangements agreed to secure the orders urgently. LCC will invoice BwD for our supply and we will invoice the CCG for their contribution.

4. OPTIONS CONSIDERED AND REJECTED

In the current climate the LRF logistics sub-group have considered all options to source and secure the required quantities or appropriate PPE and assessed the national supply chain position. This option is the only one currently considered viable to be delivered in the extreme circumstances and shortage of time to secure the required PPE supplies across Lancashire to avoid severe potential hardship and adverse health implications for our residents.

Further information is available via the Lancashire LRF.

5. DECLARATION OF INTEREST

All Declarations of Interest of the officer with delegation and that of any Member who has been consulted, and note of any dispensation granted should be recorded below.

VERSION:	1
-----------------	----------


CONTACT OFFICER:	Denise Park, Chief Executive
DATE:	17 April 2020
BACKGROUND DOCUMENTS:	LRF – PPE Requests

Signed:




Blackburn with Darwen Borough Council Monitoring Officer to confirm decision in accordance with Council Constitution Delegated Powers	Date: 23/04/2020
--	-------------------------

Signed:



Blackburn with Darwen Borough Council Section 151 Officer to confirm decision in accordance with Council Financial Regulations	Date: 23/04/2020
---	-------------------------


I am making the decision as set out above in this report:

Signed: 

Chief Executive, Blackburn with Darwen Borough Council	Date: 17/04/2020
---	-------------------------

I have noted the decision as set out above in this report. I acknowledge and support the decision made in these extreme circumstances.

Signed:

A handwritten signature in black ink, appearing to read 'M. Khan', with a long horizontal stroke extending to the right.

**Leader, Blackburn with Darwen Borough
Council**

Date: 23/04/2020