

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> 4 January 2021	<b>Decision maker:</b> Strategic Director of Environment and Leisure
<b>Report title:</b>		Rapid Mass Testing (Lateral Flow Test) – Direct Appointment of a Supplier to Set up and Manage Mass Lateral Flow Testing across the borough	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Director of New Homes (Sponsor of Initiative)	

## RECOMMENDATION

1. Award direct appointment of supplier to setup and manage Rapid Mass Testing sites across the borough. Having received appropriate advice from our legal and Procurement Officers accordingly, we are seeking to go via a single source negotiation.

## BACKGROUND INFORMATION

2. As part of Southwark's approach to tackling the COVID-19 pandemic, Southwark Council is delivering a programme of Community Testing using Lateral Flow Tests (LFT) to identify asymptomatic residents. It is currently estimated that 1 in 3 cases are asymptomatic and may be spreading the virus unknowingly. With the more transmissible variant prevalent in London, there is an urgency to establishing this service.
3. This service will provide: A 6-week intensive community testing programme delivered from community sites across Southwark, which is accessible to all but will also include testing for key workers, carers and voluntary and community sector staff and volunteers.
4. It should be noted that as technology, use case and national directives are refined, new initiatives will be added to the programme in future.
5. This service aims to identify asymptomatic residents through a mass testing offer at key community sites. These sites may include community centres, leisure centres and other premises that are assessed as suitable. The aim of the community testing is to better identify asymptomatic cases so that those that are spreading the virus unknowingly, are informed and supported to isolate.

6. In addition to delivery of a programme of testing, this programme aims to increase awareness of key COVID-19 related messages that keep individuals and communities safe e.g. 'hands, face and space', to mitigate impact of COVID-19 by making lifestyles changes e.g. stopping smoking by signposting to the Council's health improvement offer and to community support where needed.
7. The Service Objectives are:
  - To identify asymptomatic cases of COVID-19 within the population, to ensure that they self-isolate to reduce transmission to other people.
  - Improve awareness of key messages around keeping safe and mitigating health harm in higher risk residents.
  - To learn from the programme, to inform any further local, regional or national roll out of testing programmes e.g. regular testing for 'test to release' from self-isolation by key workers, the pharmacy testing programme which is anticipated to run simultaneously and the testing in secondary schools.

#### **KEY ISSUES FOR CONSIDERATION**

8. This paper is seeking permission to proceed with the appointment of a contractor, having received appropriate advice from our legal and Procurement Officers accordingly, via a single source negotiation.
9. The project team identified 4 contracting organisations whom are already providing similar professional services to other local authorities and provided them with our requirements together with the DHSC SOP's and guidance documents.
10. All four were requested to confirm their ability to deliver the service and, in particular, the volume of tests (c.117k) within a fully encompassed delivery methodology – in short, a 'one stop shop'.
11. The contractors were requested to provide their Best and Final Offer price being mindful that the LA is only able to recover £14 per test from the DHSC, under strict recover guidance measures. There is no guarantee of throughput for the test centres and as such the fixed cost of running these centres cannot be guaranteed to be recovered. In the event that there is a shortfall then the Strategic Director for Environment and Leisure, Caroline Bruce, has confirmed that this department will cover that cost shortfall.
12. The programme officers have reviewed the offers, prices, any caveats or omissions and as a result of the combination of these factors seek to appoint Trojan to undertake the project on our behalf.

13. In order to limit the risk exposure the centres will be opened consecutively with + 1 week interval. There will be a comprehensive communications campaign to signpost as many people as possible to the centres, via both a booking system and variable 'walk in' opportunity to assist in ensuring that overhead cost is recoverable. Each centre will operate for approximately 6 weeks or until all tests have been undertaken providing that income receipts continue to exceed overhead costs.
14. It is anticipated that the preferred contractor, Trojan, will be appointed and contractually engaged by close of play Wednesday 6<sup>th</sup> January 2021, with a 10 day lead time to commence test delivery from the 16<sup>th</sup> January 2021. As such a full procurement and tender process is not possible within the time parameters therefore it is requested that you authorise the Gateway 1 (procurement strategy) to negotiate with the one provider under CSOs.
15. Once we have satisfied ourselves as fully as is reasonably practicable that as much risk to the LA has been mitigated we will request authorisation from Caroline Bruce to appoint the contractor and commence the operation.
16. It is confirmed that OSC have been advised of the urgency of the need for the testing programme and have waived the 5 day call in period for this particular appointment. It is further confirmed that full Gateway reports will be submitted to formalise decisions in due course.

### **Policy implications**

17. The only internal policy implications is the route in which the preferred supplier is being selected (paragraphs 13 -15). The purpose of this paper is to seek permission to proceed with the appointment of a contractor, having received appropriate advice from our legal and Procurement Officers accordingly, via a single source negotiation with the appropriate gateway reports to follow in due course to formalise decisions.
18. This proposal is being driven by the Government's strategy for tackling COVID-19 - <https://www.gov.uk/government/publications/roll-out-of-lateral-flow-tests-to-local-authorities>

### **Community impact statement**

19. Section 149 of the Equality Act, lays out the Public Sector Equality Duty (PSED) which requires public bodies to consider all individuals when carrying out their day to day work – in shaping policy, in delivering services and in relation to their own employees. It requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their activities. The council's [Approach to Equality](#) ("the approach") commits the council to ensuring that equality is an integral part of our day to day business.

20. The award to a single supplier has no potential for discrimination and we have taken all appropriate opportunities to advance equality of opportunity and foster good relations between people with different protected characteristics.
21. Engagement with the community to undertake the testing will be undertaken by colleagues in External Affairs, Public Health, Communities and Resident Engagement teams.

### **Resource implications**

22. Funding for this programme will be provided by the Department for Health and Social Care (DHSC). Appendix 1 details the initial bid detailing the full amount the Council is hoping to be allocated in order to conduct mass lateral flow testing.
23. As the model for funding this from the DHSC is for costs to be recovered per test (£14 per test), there is a financial risk that the total amount that we are paying our preferred supplier is not fully recovered (including the running of the test centres) due to having no guarantee of throughput for the test centers. The risks are mitigated by safeguards that are built into the contract, and will be reviewed throughout the contract period.
24. A new budget code will be created to identify all associated costs with this initiative
25. There are minimal staffing issues identified as the supplier will be providing resource to cover this initiative. Mitigation, through a quality assurance and monitoring framework will be put in place where the initiative can access the Council's redeployment scheme in the event that workforce issues arise.

### **Consultation**

26. No consultation has taken place and will take place in the future

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

27. All information to date has been in collaboration with officers from Finance, Procurement and Legal Services.

## FOR DELEGATED APPROVAL

### PART A – TO BE COMPLETED FOR ALL DELEGATED DECISIONS

Under the powers delegated to me in accordance with the council's constitution, I authorise action in accordance with the recommendation(s) contained in the above report (and as otherwise recorded in Part B below).

Signature Caroline Bruce

Date 7 January 2021

Designation Strategic Director of Environment and Leisure

### PART B – TO BE COMPLETED BY THE DECISION TAKER FOR:

- 1) All key decisions taken by officers (including contract reports)
- 2) Any non-key decisions which are sufficiently important and/or sensitive that a reasonable member of the public would reasonably expect it to be publicly available (see paragraph 41 of the guidance).

1. DECISION(S)
As set out in the recommendations of the report.

2. REASONS FOR DECISION
As set out in the report.

3. ALTERNATIVE OPTIONS CONSIDERED AND REJECTED BY THE OFFICER WHEN MAKING THE DECISION
None

4. ANY CONFLICT OF INTEREST DECLARED BY ANY CABINET MEMBER WHO IS CONSULTED BY THE OFFICER WHICH RELATES TO THIS DECISION (IF APPLICABLE)*
None

\*Contract standing order 4.5.1 states that for contracts with an Estimated Contract Value of over £100,000, the lead contract officer (LCO) must consult

with the relevant cabinet member before a procurement strategy is implemented.

**5. NOTE OF ANY DISPENSATION GRANTED BY THE MONITORING OFFICER, IN RESPECT OF ANY DECLARED CONFLICT OF INTEREST**

*If a decision taker or cabinet member is unsure as to whether there is a conflict of interest they should contact the legal governance team for advice.*

N/A

**6. DECLARATION ON CONFLICTS OF INTERESTS**

**I declare that I was informed of no conflicts of interests.\***

**or**

**~~I declare that I was informed of the conflicts of interests set out in Part B4.\*~~**

(\* - Please delete as appropriate)

**7. CONSIDERATION GIVEN TO WHETHER AS A NON-KEY DECISION, THIS DECISION SHOULD BE FORWARDED TO THE CONSTITUTIONAL TEAM FOR PUBLICATION IN ACCORDANCE WITH REGULATION 13(4)\***

*The decision taker should consider whether although a non-key decision, the decision is sufficiently important and/or sensitive that a reasonable member of the public would reasonably expect it to be publicly available. Where there is any doubt, having considered the importance and/or sensitivity of a decision, it should be deemed that Regulation 13(4) would apply.*

**I consider that the decision be made available for publication under Regulation 13(4).\***

**or**

**I do not consider that the decision be made available for publication under Regulation 13(4).\***

(\* - Please delete as appropriate)

\* Under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the council is required to put in place a scheme for recording and publishing some officer executive decisions. This process is sometimes referred to as "Regulation 13(4)".

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Application for Lateral Flow Testing This can be viewed at the link below -	Public Health	Jin Lim <a href="mailto:Jin.Lim@southwark.gov.uk">Jin.Lim@southwark.gov.uk</a>
<a href="http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=7259">http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=7259</a>		
Clinical Standard Operating Procedure (SOP) for Mass Testing with Lateral Flow Antigen Testing Devices v.2.7 This can be viewed at the link below -	DHSC (Delegated to Public Health at the Council)	Jin Lim <a href="mailto:Jin.Lim@southwark.gov.uk">Jin.Lim@southwark.gov.uk</a>
<a href="http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=7259">http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=7259</a>		
Community Testing Support – Workforce Blueprint This can be viewed at the link below -	NHS Test and Trace (Delegated to Public Health at the Council)	Jin Lim <a href="mailto:Jin.Lim@southwark.gov.uk">Jin.Lim@southwark.gov.uk</a>
<a href="http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=7259">http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=7259</a>		

## APPENDICES

No.	Title
Appendix 1	Mass Testing Specification Draft

## AUDIT TRAIL

<b>Lead Officer</b>	Stuart Davis, Director of New Homes	
<b>Report Author</b>	Stuart Davis, Director of New Homes Kamran Khan, Head of Organisation Transformation	
<b>Version</b>	Final	
<b>Dated</b>	4 January 2021	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	Yes	No
Strategic Director of Finance and Governance	Yes	No
<b>Cabinet Member</b>	Yes	No
<b>Date final report sent to Constitutional Team</b>		4 January 2021

