
Report of Urgent Action: Regulation 19

- 1** Under regulation 19 of the The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 the County Council is required to receive a report from the Leader on any decisions taken under regulation 11. These are key decisions which were not in the Forward Plan and which needed to be taken with less than five clear days' notice. Such urgent decisions can only be taken with the agreement of the relevant Scrutiny Committee Chairman or, in his or her absence, the Chairman of the County Council. Key decisions taken with less than five clear days' notice which are in the Forward Plan are reported via the Executive Decision Database.
- 2** Such action is avoided wherever possible as it circumvents the normal mechanism for publication of decisions and ensuring that members have the opportunity to comment before decisions are taken.
- 3** However, on occasion this is not possible and the County Council is asked to note the following decisions which have been taken by the Director of Law and Assurance with the agreement of the relevant decision-maker and Scrutiny Committee chairman.

Mental Health Individual Placement Agreements

- 4** A decision has been taken to enter into a contract with a single contractor to allow up to three Individual Placement Agreements to be made for adult mental health customers requiring community support services. The preferred provider is a specialist organisation which offers accommodation alongside care and support. The proposed contract covers care and/or support for people with autism and/or learning disabilities who have significant risk management challenges.
- 5** The urgency of the decision was due to the need for the County Council to respond quickly to patients in acute hospitals who are ready for discharge now. The County Council had been developing a new specialist service for these patients that should have come online in May 2020 but this has been significantly delayed due to COVID-19. This proposal allows the County Council to safely discharge the patients, is very similar in terms of cost, and is supported by the operational mental health colleagues budget holder.
- 6** The Director of Law & Assurance, with the agreement of the Cabinet Member for Adults and Health and the Chairman of the Health and Adults Social Care Scrutiny Committee, has therefore used his delegated powers under Standing Order 5.23 to authorise the Interim Executive Director of Adults to enter into a contract with Sussex Empowering Living Ltd.

Financial Support to the Care Sector

- 7** A decision has been taken, following the allocation of funding to commissioned care provision in April 2020 to support with COVID-19-related costs, and the Infection Control Grant allocated and disseminated to the wider market in June and July 2020, to temporally increase the contracted rates paid to care providers by 5% in recognition of additional costs related to provision of services during the pandemic. A simple across the board approach is being taken rather than one tailored to the needs of individual suppliers in order to achieve a timely response and to avoid administrative burdens. The arrangements are limited to three

months from 1 July to 30 September 2020 and subject to a continuation of conditions included in the original allocation. Any longer-term proposals will be considered and reviewed during the three-month period and subject to further decision. The decision was urgent as at the point of relevant consultation, engagement and planning the need to make the financial commitment to the market had become pressing as the recipients needed to have assurance about future funding.

- 8** The Director of Law and Assurance, in consultation with the Interim Executive Director Adults and Health and the Chairman of the Health and Adults Social Care Scrutiny Committee has therefore used his delegated powers under Standing Order 5.23 to authorise a cross-market uplift of 5% being given in payments to commissioned care providers for a period of three months from the 1 July to 30 September 2020.

Provision of site for Regional COVID-19 Testing Centre

- 9** The County Council has agreed to work with the Department of Health and Social Care to provide a Regional Testing Site for COVID-19. The decision was urgent due to a request by the Department of Health to make land available within four days (including a bank holiday weekend).
- 10** The Director of Law and Assurance, with the agreement of the Cabinet Member for Finance and the Chairman of the Performance and Finance Scrutiny Committee, has therefore used his delegated powers under Standing Order 5.23 to agree the proposal.

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