GIG CYMRU NHS WALES | Bwrdd Iechyd Prifysgol Hywel Dda University Health Board

CYFARFOD BWRDD PRIFYSGOL IECHYD
UNIVERSITY HEALTH BOARD MEETING

DYDDIAD Y CYFARFOD: **DATE OF MEETING:**	30 May 2024
TEITL YR ADRODDIAD: **TITLE OF REPORT:**	Sexual Assault Referral Centre Project – Business Justification Case Approval to Proceed
CYFARWYDDWR ARWEINIOL: **LEAD DIRECTOR:**	Lee Davies, Senior Responsible Owner / Executive Director of Strategy and Planning
SWYDDOG ADRODD: **REPORTING OFFICER:**	Peter Skitt, Project Director / Ceredigion County Director Rachel Stuart, Capital Planning Project Manager

Pwrpas yr Adroddiad (dewiswch fel yn addas) **Purpose of the Report** (select as appropriate)
Ar Gyfer Penderfyniad/For Decision

ADRODDIAD SCAA
SBAR REPORT

Sefyllfa / Situation

The Sexual Assault Referral Centre (SARC) project is a tranche within the national programme of work, which is being delivered by three regional Service Delivery Groups (South-west, South-east and North Wales) and governed by the Welsh Sexual Assault Services (WSAS) Programme Board. The role of the Hywel Dda University Health Board (HDdUHB) is to deliver a capital solution for the South-west by procuring the new SARC facility to ISO 15189:2022 quality standards.

This report provides an update on the SARC project following tender return and provides assurance that the Business Justification Case (BJC) and appendices, **see Attachment 1** has been robustly reviewed by the Health Board's internal BJC scrutiny process. Please note that a previous SARC BJC review was undertaken between June and September 2023 based on budget cost estimates, which was scrutinised by the Health Board's internal scrutiny process, concluding in submission to Board in July 2023 and subsequent onward submission to Welsh Government for further comment.

The scrutiny journey through the Health Board is shown below:

- SARC Stakeholders (Health, NHS Collaborative, Dyfed Powys Police, Third Sector) Review – 1 May 2024 - Completed;
- SARC Project Group – Review 7 May 2024 - Completed;
- Executive Team – Review 15 May 2024 - Completed;
- SDODC (Chair's Action) – Completed;
- University Health Board – Review 30 May 2024 – to be completed.

The purpose of this paper is to seek Board approval for the onward submission of the BJC to Welsh Government, for further scrutiny and approval of capital to deliver the project.

Cefndir / Background

In 2013, Welsh Government undertook a review looking at unmet need in SARC services and the lack of integration between services. The findings from the review formed the case for change for a multi-agency review of sexual assault services across Mid, South and West Wales, led by the National Health Service (NHS) Wales Health Collaborative.

A SARC Project Board was established comprising of representatives from health, police and third sector, to oversee the development of a service model to address the service gaps that were identified. The SARC Project Board identified concerns at the Aberystwyth SARC, located in Bow Street, concluding it was not fit for purpose and commenced the process of identifying and assessing potential options.

Asesiad / Assessment

Project Aim:
To allow the Health Board to invest in the refurbishment of infrastructure for the delivery of adult (16+) acute SARC services and non-acute SARC services to people of all ages. The project will form part of the Mid and West Wales Hub and Spoke model of care under the national SARC programme of work which is being delivered by three regional Service Delivery Groups (South-west, South-east and North Wales) and governed by the WSAS Programme Board by:

- providing sustainable ISO-accredited infrastructure through the refurbishment of the ground and first floors of the Canolfan Rheidol Ceredigion County Council Offices in Aberystwyth. This will replace the current SARC facility, which is leased by Dyfed-Powys Police (DPP) from Ceredigion County Council.

Strategic Alignment:
- The objectives of the Well-being of Future Generations (Wales) Act;
- A Healthier Wales: long term health and care strategy;
- The national WSAS Programme;
- The HDdUHB 'A Healthier Mid and West Wales: Our Future Generations living well' (AHMWW) strategy.
- The Ceredigion Local Well-being Plan 2023-28.

It is also informed by relevant strategies including: The Violence Against Women; Domestic Abuse and Sexual Violence (VAWDASV) Strategy (Wales) 2022-2026; The Victims' Strategy 2018; The Race Equality Action Plan; and Together for Mental Health.

Case for Change:
Current Situation:
SARC services in Aberystwyth are currently provided from the Bow Street SARC, a facility which occupies rooms above a residential home owned by Ceredigion County Council at Cartref Tregerddan, Bow Street, Aberystwyth. The WSAS Programme Board determined that the facility was not fit for purpose, highlighting that it:

- Was not accessible to disabled persons and could not cater for any disabled patients or their families;
- Was housed within a residential care home and could not be accessed due to restrictions during the pandemic;
- Shares toilet facilities with the care home, which puts patients' anonymity at risk;
- Is not conducive to future proofing for developments in remote technologies, such as live links to court for vulnerable witnesses;

- Is unable to support the holistic needs of victims and their families due to space limitations.

In addition, on 4 April 2023, Ceredigion County Council served notice to DPP that Bow Street must be vacated by 1 April 2025 (see Appendix 1). (Note: The current project completion date is 26 May 2025, discussions with the provider of Bow Street facility to gain an extension from 1 April 2025 are in progress).

Business Need:
The business need for the Aberystwyth SARC Project is therefore to procure a new SARC facility which will be capable of:

- Securing ISO 15189:2022 accreditation.
- Meeting acute demand in Aberystwyth (redistribution from Newtown and Carmarthen).
- Meeting growth in demand due to increased incidence and/or reporting of sexual assault.
- Meeting the needs of all service users.

Drivers – Spending Objectives – Expected Benefit Outcomes:

Drivers	Spending Objective	Benefit	Expected Outcome
Effectiveness	To deliver an acute and non-acute Aberystwyth SARC facility compliant with ISO accredited standards from which DPP, the University Health Board and the third sector can deliver their respective services.	Contribution to achievement of the objectives of the national SARC programme.	Improved access. Provision of on going therapeutic support for victims.
Efficiency	To deliver an acute and non-acute Aberystwyth SARC facility that is compliant with accredited standards to meet an anticipated in acute demand of 194% resulting from the consolidation of services from Newtown and Carmarthen.	Ability to support acute and non-acute cases presenting in Dyfed Powys region, as well as south Gwynedd.	Enhanced integration of clinical, forensic, social and therapeutic services across the region.
Economy	To deliver an acute and non-acute Aberystwyth SARC facility that is compliant with accredited standards to allow for the consolidation of services and the rationalisation of estate.	Rationalisation of Estate.	Outcomes related to cost efficiency.
Compliance	To deliver an acute and non-acute Aberystwyth SARC facility which meets the standards required for ISO 15189:2022 and complies with the requirements of the Equality Act on disabled access.	An ISO-compliant SARC.	Improved quality of evidence collected and in doing so mitigate potential defence challenges and loss of prosecutions in court.
Replacement	To replace the current acute and non-acute Aberystwyth SARC facilities to provide business continuity and prevent the loss of essential SARC services serving Aberystwyth and surrounding areas.	Continuation of Business as Usual continuity for SARC services.	Continuation of BAU SARC Services.

Key Project Business Risks:

Description	Mitigation
Reputational risk arising from failure to provide infrastructure that: • Meet required timescales. • Meets quality standards. • Is sustainable.	• Technical capability of the Aberystwyth SARC project group. • Support from and technical capability of wider WSAS programme. (note: the current project completion date is 26 May 2025, discussions with the provider of Bow Street facility to gain an extension from 1st April 2025 are in progress)
Non-compliance with ISO 15189 Accreditation standards.	• Technical capability of the Aberystwyth SARC project group and wider Wales Sexual Assault Services programme. • Award of ISO 15189 Accreditation Standards. • The WSAS Programme Board has procured specialist ISO accreditation resource for the new Aberystwyth and Swansea SARCs.
Design does not meet regulatory standards.	Technical capability of the SARC Project Group and wider Wales Sexual Assault Services programme.
Failure to secure capital funding in time and / or in entirety.	Engagement with WG.
Capital and / or revenue costs are higher than projected.	• Technical capability of the Aberystwyth SARC Project Group and wider Wales Sexual Assault Services programme. • Engagement with WG. • A risk allowance has been included in the capital estimates - 2% risk allowance under the main contract plus provisional sums + 15% planning contingency + 1% cost indices for late approval linked to Q3 to Q4 2024.
Delay in Approval leading to Tender Cost Increase	Risk contingency figure for cost indices associated with late approval for Q3 to Q4 included within Development Approval Cost Form.

Key Project Service Risks:

Description	Mitigation
Failure to achieve full planning permissions and / or building regulations approvals.	Engagement with local authorities as required.
Noise pollution during construction.	Noise reduction / abatement requirements detailed in tender specifications.
Tendered price is higher than costs estimated.	Estates team followed the University Health Board's project approval process prior to tender for construction and engineering projects based on three key stages: Stage 1: Provisional cost estimate; Stage 2: Budget cost estimate; Stage 3: Pre-tender estimate. University Health Board, Shared Services and WG will review and scrutinise the full Business Justification Case fully tendered costs.
Risk associated with potential reduction in parking spaces, including disabled spaces, during construction.	Requirements detailed in tender specifications.

Key Project Constraints:

Area	Constraint
Policy decisions	The Project is constrained by the scope and timescales of the national SARC programme.
Legal considerations	The Project is constrained by the need to reach an acceptable agreement with Ceredigion County Council as lessor.
Regulations	The new SARC must meet the quality standards of ISO 15189:2022 – Medical Laboratories: Requirements for Quality and Competence.
Timescales	The project must be delivered by 1st April 2025 following a termination of the lease by Ceredigion County Council (note: the current project completion date is 26th May 2025, discussions with the provider of Bow Street facility to gain an extension from 1st April 2025 are in progress).
Affordability – Capital / Revenue	The space must be delivered within the affordability constraints shown in the Financial Case.
Quality of fit-out	The SARC must be of sufficient quality to serve for a typical operational life of 20 years.

Key Project Dependencies:

Area	Dependency
Other Projects	Other projects in the SARC programme.
External factors	Lease / HoTs.
Partner operations	Integrated working between LA, UHB, DPP and New Pathways.
Legislation	The Project will be dependent on receiving accreditation under ISO 15189:2022 – Medical Laboratories: Requirements for Quality and Competence.
Approvals	The Project will be dependent on internal approvals from the University Health Board and the SARC Programme Board and external approvals from Welsh Government.
Availability of capital	The Project will be dependent on capital funding from Welsh Government. This could be vulnerable to inflation and / or competing priorities at a national level.
Supply market availability	The Project will be dependent on the capacity of the supplier market to meet the Project's requirements.

Economic Case:

Critical Success Factors:

CSF	Description
Strategic fit	The option will meet the Spending Objectives and Drivers relating to Effectiveness, Efficiency, Economy, Compliance and Replacement.
Business needs	The option will provide SARC infrastructure to ISO accreditation standards which will meet projected demand and the needs of all service users.
Value for Money	The option will: • Provide a robust solution within required timescales. • Optimise costs and benefits. • Provide flexibility to meet future service needs.
Supplier capacity and capability	The scope and timeline of the option are consistent with the capacity and capability of the supplier market.
Affordability	The option is affordable from a capital and revenue perspective.
Achievability	The option is deliverable, specific, measurable, realistic and timely.

Options Analysis:

Options considered and discounted:

Options	Rational for discounting
Option 1: Business As Usual (BAU)	The option is unachievable as it does not meet the needs of all service users and Ceredigion County Council has stated that the accommodation at Bow Street, Aberystwyth will not be available after 1st April 2025. (Note: the current project completion date is 26th May 2025, discussions with the provider of Bow Street facility to gain an extension from 1st April 2025 are in progress). Furthermore, the option does not enable the University Health Board to meet the Spending Objectives and CSFs for the reasons stated above.
Option 2: Development of the new SARC facility as part of the Aberystwyth Integrated Care Centre (AICC)	Although this option may comply with the requirement to make a new ISO 15189:2022-accredited SARC facility available, the timescale within which it can be delivered is uncertain. This would mean that services would have to continue to be delivered from the Bow Street SARC, which cannot meet the needs of all service users and will no longer be available after 1st April 2025. (Note: the current project completion date is 26th May 2025, discussions with the provider of Bow Street facility to gain an extension from 1st April 2025 are in progress).

Preferred Option:

Option:	Rational
Option 3: Development of the new SARC facility within the Canolfan Rheidol Ceredigion County Council Offices in Aberystwyth.	This option aligns with the Spending Objectives and CSFs, as demonstrated in the analysis above. There is some risk to the achievement of the business needs over the longer-term if Ceredigion County Council were to terminate one or both of the leases before the end of their twenty-year terms, however this risk is mitigated by the fact that the University Health Board and Ceredigion County Council are partners with a shared interest in providing SARC services to the population. The Aberystwyth SARC Project Group has therefore concluded that Option 3 is the only option which is realistically capable of providing SARC infrastructure to ISO 15189:2022-accredited standards in the required timeframe (Note: the current project completion date is 26th May 2025, discussions with the provider of Bow Street facility to gain an extension from 1st April 2025 are in progress) and therefore of mitigating the risk of prosecutions failing or not being possible because admissible evidence cannot be collected.

Commercial Case:

Outputs:
The University Health Board will procure the refurbishment (including works, furniture and medical equipment; IT hardware and software, infrastructure, networking, installation and construction commissioning of the ground and First Floor within the Canolfan Rheidol Ceredigion County Council Offices in Aberystwyth.

Procurement Route:
The procurement route for all goods, services and works pertaining to the Aberystwyth SARC will comply with Hywel Dda Standing Orders and Standing Financial Instructions and ensure due regard to statutory requirements (including Public Contract Regulations), Welsh Government and central government policy and Audit Commission guidelines are followed.

Contracting Arrangements:
NHS Wales Shared Services Partnership's ("NWSSP") Construction Framework 4 West: Hywel Dda University Health Board - £200k to £2million is compliant with UK/EU procurement legislation. The project was procured on a traditional single stage basis under the JCT Intermediate Building Contract 2016 for refurbishment of the premises located within the Canolfan Rheidol Ceredigion County Council Offices in Aberystwyth. The tender was assessed in detail against subcontractor pricing, framework agreed uplift percentages and the works requirements utilising industry data to benchmark submitted rates to confirm acceptability.

Payment Terms:
- Payment terms have been agreed in principle as per the tender documents, and the terms and conditions of the form of contract used.
- The price and payment structure of the contract is based on a lump sum with monthly interim payments. Half of the retention is released upon practical completion the remainder is released when the rectification/defects liability period has expired and the relevant certification under the contract has been issued to confirm this.

- The tender costs have been agreed for a period of 6 months, expiring on 29 September 2024. To account for any delays during the scrutiny or approvals from Welsh Government, a 1-month contingency has been included which aligns with the expiry of the standstill period.

Heads of Terms of the Lease – Key details:

Title	Detail
Landlord	Ceredigion County Council
Tenant	Hywel Dda University Health Board
Security of Tenure	Lease to be excluded from provisions of Part II Landlord & Tenant Act 1954
Term	20 years from date to be agreed
Rent (ground floor)	£21,250 per annum excluding VAT
Rent (first floor)	£12,270 per annum excluding VAT
Break Clause	Either party can break the lease (both ground and first floors) at the 10 and 15 years, with 6 mos. advance written notice. Additionally, the first floor has a tenant only break from the year 3, and every year thereafter, on providing a 12 month advance written notice.
Other	Exclusive of all outgoings. Cleaning/repairs and maintenance to be carried out by Ceredigion County Council and recharged to the tenant. Apportioned building insurance to be recharged to the tenant. Reinstatement at the end of occupation shall be carried out by the tenant to the satisfaction of the landlord, with the space to be returned bare shell. Fixtures and fittings may be retained with prior approval from the landlord

Financial Case

Funding and Affordability – Capital and Operating Costs for Preferred Option:
The Health Board is seeking funding only for capital costs element of the Project. An adequate risk allowance has been built into the capital estimates. This includes a 2% risk allowance under the main contract plus provisional sums, a 15% planning contingency, and a 1% cost index for late approval linked to Q3 to Q4 2024.

The operating costs shown in the Financial Annex include an assumption that the lease is payable to Ceredigion County Council during the works period; however, this is to be negotiated, therefore, the Health Board may not be liable for the lease until completion. This assumption has been included however to be prudent.

The Health Board will pay a service charge to Ceredigion County Council, detailed in Appendix 12: Canolfan Rheidol Service Charge Costs.

The operating costs of the SARC will be recharged and subject to the Welsh Sexual Assault Services (WSAS) cost pooling arrangement (see letter attached in Appendix 13: WSAS Funding Confirmation) and recharged. The gross estimated annual revenue costs of approximately £132,762 of the facility will, therefore, be funded through the cost pooling arrangement. The balance net costs to the Health Board of £11,520 will be covered by the residual existing Women's and Children's budget which has been allocated for SARC.

Capital Expenditure	Total	Y1 2023/24	Y2 2024/25	Y3 2025/26	Y4 2026/27	Notes
Works	**2,156,731**		1,844,914	311,818		Based on the VAT assessment conducted by an independent consultant, the VAT recovery is recommended at 20% under the Contracted-Out Service ("COS") in relation to the refurbishment works.
Fees	414,462	69,501	281,019	63,942		100% VAT recovery is recommended on the professional fees including design, architecture, quantity surveying and cost advisory.
Non Works Costs	480,026	4,449	133,911	341,666		
Equipment	**120,000**			120,000		0% VAT recovery has been recommended on the purchase of the equipment
Contingency	**323,510**		228,360	95,150		Contingency at 10%
Less VAT Recoverable	**- 131,237**	- 11,584	-108,334	- 21,051		VAT assessment will be undertaken with VAT advisors on approval of funding. VAT recovery % to be notified to WG. Recovery shown here relates to VAT on fees, assumed to be fully recoverable.
Total Capital Costs	**3,353,762**	**62,367**	**2,379,870**	**911,525**		
Operating Expenditure						
Lease	**163,200**		40,800	40,800	40,800	Yr 5 £40,800. Annual lease rent estimate on basis of discussion between HBUHB and Ceredigion County Council
Other premises costs	**286,448**			95,483	95,483	Yr 5 £95,483. Costs based on estimates developed from information provided by Ceredigion County Council and reviewed by HDUHB Estates team. Annual cost comprises £83k of service charge + £10k of contingency + VAT to reflect uncertainty and inflation risk.
IT revenue costs	15,000			5,000	5,000	Yr 5 £5,000. Estimate provided by HDUHB IT department
Equipment service contract	9,000			3,000	3,000	Yr 5 £3,000. Estimate of service contract on colposcope
Total Operating Costs	**473,648**		**40,800**	**144,283**	**144,283**	**144,283**
Revenue						
Recharge to WSAS	**435,828**		37,540	132,763	132,763	Yr 5 -£132,763. Recharge confirmed by Welsh Sexual Assault Services Committee (WSAS)
Net Cost to University Health Board	**3,391,583**	**62,366**	**2,383,130**	**923,045**	**11,520**	**Yr 5 £11,520.** The balance net costs to the Health Board of £11,520 will be covered by the residual existing Women's and Children's budget that has been allocated for SARC.

Management Case.

Delivery Arrangements

Implementation - Milestones	Timeline
BJC HB Internal Scrutiny	April to May 2024
BJC WG Scrutiny	June to August 2024
Contractor Mobilisation	September 2024
Construction Period	September 2024 to April 2025
Commissioning	May 2025
Handover – Project Completion	May 2025
ISO Validation period (following handover) - Award	May 2025 to November 2025

Project management:

- The Project will be undertaken in line with NHS Infrastructure Investment Guidance and using established project management methodology.
- The University Health Board set up the SARC Project Group (the Project Group) on 10 October 2022. The Project Group is responsible for good management and governance of the project, to ensure its delivery within available resources, on time and to agreed service model specifications and that the Spending Objectives and expected benefit outcomes are realised.
- The Project Group is accountable to the SRO, being the HDdUHB Executive Director of Strategy and Planning; and HDdUHB Project Director, being the Ceredigion County Director.

Argymhelliad / Recommendation

The Board is requested to **APPROVE** the Sexual Assault Referral Centre (SARC) Business Justification Case (BJC) for onward submission to Welsh Government, for further scrutiny and approval of capital to deliver the project.

Amcanion: (rhaid cwblhau) Objectives: (must be completed)	
Cyfeirnod Cofrestr Risg Datix a Sgôr Cyfredol: Datix Risk Register Reference and Score:	A project risk register is held and managed by the Project Group. Risks are summarised under the assessment section of this SBAR.
Parthau Ansawdd: Domains of Quality Quality and Engagement Act (sharepoint.com)	2. Timely 3. Effective 3. Effective 5. Equitable
Galluogwyr Ansawdd: Enablers of Quality: Quality and Engagement Act (sharepoint.com)	5. Whole systems persepctive
Amcanion Strategol y BIP: UHB Strategic Objectives:	All Strategic Objectives are applicable
Amcanion Cynllunio Planning Objectives	7 Primary and community strategic plan
Amcanion Llesiant BIP: UHB Well-being Objectives: Hyperlink to HDdUHB Well-being Objectives Annual Report 2021-2022	4. Improve Population Health through prevention and early intervention, supporting people to live happy and healthy lives

Gwybodaeth Ychwanegol: Further Information:	
Ar sail tystiolaeth: Evidence Base:	Public Health England with NHS England and NHS Improvement Public Health Commissioning. National Service Specification for Sexual Assault Referral Centres: Incorporating NHS public health functions agreement 2023-24. October 2023. https://www.england.nhs.uk/publication/public-health-functions-to-be-exercised-by-nhs-england-service-specification-sexual-assault-referral-centres/ BSI Standards Publication. BS EN ISO 15189:2012. Medical laboratories —Requirements for quality and competence (ISO 15189:2012). 2014 Codes of Practice and Conduct. Sexual Assault Examination: Requirements for the Assessment, Collection and Recording of Forensic Science Related Evidence. FSR-C-116. Issue 1. 2020 https://assets.publishing.service.gov.uk/government/upl

	oads/system/uploads/attachment_data/file/886562/116_Requirements_Sexual_Assault_Examination.pdf Codes of Practice and Conduct for forensic science providers and practitioners in the Criminal Justice System. FSR-C-100. Issue 5. 2020 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/880708/Codes_of_Practice_and_Conduct_-_Issue_5.pdf Forensic Science Regulator Guidance. Guidance for the Assessment, Collection and Recording of Forensic Science Related Evidence in Sexual Assault Examinations. FSR-G-212. Issue 1. 2020 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/886647/212_Guidance_Sexual_Assault_Examination.pdf
Rhestr Termau: Glossary of Terms:	Included in the body of the report
Partïon / Pwyllgorau â ymgynhorwyd ymlaen llaw y Cyfarfod Bwrdd Iechyd Prifysgol: Parties / Committees consulted prior to University Health Board:	SARC Stakeholders (Health, NHS Collaborative, Dyfed Powys Police, Third Sector) Review – 1 May 2024 SARC Project Group – Review 7 May 2024 Executive Team – Review 15 May 2024

Effaith: (rhaid cwblhau) Impact: (must be completed)	
Ariannol / Gwerth am Arian: Financial / Service:	Mitigate the risk of negative financial impacts Included in the body of the report.
Ansawdd / Gofal Claf: Quality / Patient Care:	Reduce the risk of negative impacts on patient care by providing a safe, sustainable SARC service solution.
Gweithlu: Workforce:	No additional workforce costs are anticipated as a result of this development.
Risg: Risk:	Included in the body of the report.
Cyfreithiol: Legal:	Included in the body of the report.
Enw Da: Reputational:	Reputational risk arising from to achieve quality standards.
Gyfrinachedd: Privacy:	Reputational risk arising from to achieve quality standards.
Cydraddoldeb: Equality:	Equality Impact Assessment screening continues to be undertaken and, at this stage, does not indicate adverse impacts for protected groups.