



Officer Decision Record – Key Decision

Key decisions taken by an officer are subject to the 5 day call in period from circulation to Members, and therefore the decision will be released for implementation following the call-in period and no call in being received

1. Cabinet date and copy resolution this key decision relates to

Approval it sought to extend the contract to supply temporary agency workers through a managed service provider, in accordance with the Cabinet decision on 10th April 2019

Cabinet considered a report from the Deputy Lead and Portfolio Holder for Finance, Governance and Resources seeking approval to commence the procurement exercise for the provision of temporary agency workers and undertake all legal documentation in connection with the award.

RESOLVED -

1. Approval to commence procurement exercise
2. To delegate authority to the Director Resources and Governance in consultation with the Portfolio holder for Finance, Governance and resources to deal with all matters to award the contract for the provision of temporary agency workers.
3. That the Chief Legal Officer and Monitoring Officer be authorised to complete and execute all requisite legal documentation in relation to the matters outlined above.

2. Subject and details of the matter (to include reasons for the decision)

Following a competitive tender process a provider was awarded the contract to supply and manage the effective provision of temporary agency workers across the

Council and that the provider should be a neutral vendor and will be using a tiered approach (meaning that they will send job adverts to all agencies on their books)

The estimated annual spend is £1,000,000 this is based on the previous year's usage.

The contract duration was for 24months with the option to extend for a further 2 x 12months depending on performance.

Comensura have continued to perform to a good standard against their contract.

The 24month contract is due to end on the 18th October 2021, a decision to extend the contract for a further 2 x 12months is required to ensure continuity of agency staff currently being utilised across the council and a full procurement exercise will not be completed in time for the 18th October.

3. Decision being taken

In accordance with the above, delegates authority to the Executive Director of Economy, Environment and Resources in consultation with the Portfolio Holder for Finance, Governance and Assets to extend the contract for 2 x 12months.

4. Is it an Urgent Decision? If yes, specify the reasons for urgency. Urgent decisions will require sign off by the relevant scrutiny chair(s) as not subject to call in.

No

5. Anticipated outcome(s)/benefits

Contract with Comensura will be extended for 2 x 12months, and there will be no disruption to the Council and the temporary agency workers.

6. Details of any alternative options considered and rejected by the officer when making the decision (this should be similar to original cabinet decision)

Do nothing. This option would leave the Council with no contract in place, and non-compliant with the requirements of the Public Contract Regulations 2015. We would also risk losing the temporary agency workers we are currently using through Comensura.

Contract directly with each agency. This would be resource intensive with contracts and invoices from many agencies. The Council would have no control over the fees the agency charge or be able to set standard fees across all job categories

The council set's up its own recruitment company. This option has previously been explored, but was not considered to be commercially viable, given the comparatively low expenditure on agency when compared to other successful examples such as City or Wolverhampton's YOO Recruit

7. Background documents considered (web links to be included and copies of documents provided for publishing)

None

8. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons

No

9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)

No conflicts of interest were identified

10. Monitoring Officer Comments (Monitoring Officer or nominee)

The decision is consistent with the Cabinet decision and delegations dated 10th April 2019. The benefits and managing risks in extending the contract have been clearly considered and identified.

11. Section 151 Officer Comments (Deputy S151 Officer or nominee)

The proposal to extend the contract is in accordance with the original procurement decision which sought to manage the effective provision of temporary agency workers across the Council. Current performance is good and the use of a managed service provider will continue to support delivery of value for money.

12. Human Resource Comments (Head of People and Culture or nominee)

Failure to extend the contract will require HR advice on how to ensure continuation of the agency workers through alternative means, this could result in disruption and additional costs for the Council

13. Risk Assessment (in accordance with the Report Writing Guide)

Extending the contract will look to manage the following risk;

- a) insufficient numbers of staff in services to cover emergencies
- b) insufficient numbers of staff during periods of high demand where workloads are significantly increase (eg over Christmas period there is short term need for refuse collectors)
- c) Unable to evidence value for money and control over spend

The extended contract will provide us with;

- a) access to a larger pool of workers, inside and outside the local area
- b) assured quality of candidates and workers, suitability qualified and experienced where necessary; and
- c) pre-employment checks completed by the agency and verified by the neural vendor prior to commencing the engagement.

14. Has the Cabinet Tracker been updated with details of this decision?

N/A

15. Decision Maker(s):

Name: Sharon Wroot

Title: Executive Director, Environment,
Economy and Resources

Signed: REDACTED

Dated:20.09.21

16. Consultation carried out with Portfolio Holder(s):

Name: Cllr Stanley Shreeve

Title: Deputy Leader and Portfolio Holder for Finance, Resources and Assets

Signed: REDACTED

Dated: 28th September 2021

17. If the decision is urgent then consultation should be carried out with the relevant Scrutiny Chair/Mayor/Deputy Mayor

Name: N/A

Title: N/A

Signed: N/A

Dated: N/A

Key Decisions are defined in the Constitution as:

A decision (whether taken collectively or individually by members) which is likely:

- (i) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (ii) to be significant in terms of its effects on communities living or working in an area comprising two or more wards.

A decision will be considered financially significant if:

- (i) in the case of revenue expenditure, it results in the incurring of expenditure or making savings of £350,000 or greater;
- (ii) in the case of capital expenditure, the capital expenditure/savings are in excess of £350,000 or 20% of the total project cost, whichever is the greater

In determining whether a decision is significant in terms of its effect on an area comprising two or more wards, consideration shall be given to:

- (i) the number of residents/service users that will be affected in the wards concerned;
- (ii) the likely views of those affected (i.e. is the decision likely to result in substantial public interest)
- (iii) whether the decision may incur a significant social, economic or environmental risk.