

# Portfolio Holder decision record sheet

**Name of decision maker:** Councillor Janice Marshall

**Portfolio:** Environment and Sustainability

**Date of Portfolio Holder decision:** 19/10/18

**Title of decision:**

To approve an exemption to comply with the Council's commissioning & procurement standing orders and award a contract directly without the need to carry out a competitive tendering process

**Part II:**

**Part II reason:**

**Decision:**

1. To retrospectively approve the suspension of the Council's commissioning & procurement standing orders to enable the direct appointment of the following temporary staff agencies for the provision of Agency Staff in Environmental and Community Protection without undertaking a tendering process.
  - Abacus
  - Extra Staff
  - First Call

**Reason**

To maintain the statutory services in Environmental Services it is necessary to make a range of agency engagements on a daily basis. These are fairly predictable in nature but can vary due to fluctuating sickness absence levels.

The Waste service has also suffered recently from a number of key staff leaving and has found it difficult to fill these vacancies due to comparative salary levels in neighbouring authorities and also a national shortage generally in LGV drivers.

The Council have a corporate contract for Agency Staff with Pertemps however this is not fit for purpose for Environmental Services and therefore is not included in the corporate contract arrangement.

The Council shall not exceed the current OJEU threshold for this which is currently £181,302 on the combined value of the contracts with the suppliers named above.

**Reports considered: (here reference can be made to specific documents)**

N/A

**Officers/Councillors/Ward Councillors/Stakeholders consulted:**

David Austin, Assistant Director, Neighbourhood Delivery  
Ben Hosier, GM for Procurement & Contracted Services  
Graham Patterson, Operations Manager, Waste  
Simon Coultas, Operations Manager, Clean, Safe and Green

**Financial comments:**

As advised above there is a pool of staff that cover the majority of annual leave and sickness however additional staff are required to cover fluctuations in short term absence but also in cases

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where staff are on sick for the longer term.

There are currently 9 vacant posts in the service and a number of long term sickness being covered by agency while permanent recruitment takes place.

### **Monitoring Officer comments:**

If there is likely to be a need to continue to recruit outside of the current per temps contract then the service should consider a procurement process for a suitable agency who can supply appropriate staff to ensure that value for money is being received.

### **Deputy S151 Officer Comments**

The recruitment of temporary staff must be procured within existing service budgets and when recruiting value for money should be obtained.

### **Implications:**

#### **Risk:**

To not fill these posts would render the service unable to perform its statutory functions under the Clean Neighbourhood Act, predominantly waste collection and street cleansing functions

#### **Value for money:**

The hourly rates are comparable with full time employed staff

### **Options considered and reasons for rejection:**

#### **Appointment into vacant in-house roles.**

The service has adverts out to recruit to vacate posts but will always need temporary staff to service fluctuation in levels of sickness and absence

### **Portfolio Holder's signature:**

#### **Date:**

### **Details of any interests declared and any dispensations given by the Standards Committee:**

### **For Member Support Officer use only**

Date decision record sheet received from portfolio holder:19/10/18

Date decision published:19/10/18

Decision no:PH-024-18

Date of expiry of call-in period:26/10/18

Date any call-in received or decision implemented: