

# Agency Staffing Contract Award

Cabinet Member for Waste and Recycling

Date: 21 September 2022

Agenda Item:

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Key Decision? YES

Local Ward N/A

Members



## Cabinet Member Decision

### 1. Executive Summary

- 1.1 The Authority's contracts for the provision of agency staff for Operational Services, including the Joint Waste Service, is due to expire at the end of September 2022 so a procurement exercise has been undertaken in order to identify suitable suppliers and award a new contract.

### 2. Recommendations

- 2.1 To award the contract to The Best Connection Group Ltd for 24 months with 2 optional extensions of 12 months.
- 2.2 This will see us change from using two agencies to provide our temporary staff to one. Benefits of this can include ease of Contract Management, better visibility of spend and reducing overall temp spend.

### 3. Background

- 3.1 Operational Services – specifically the Joint Waste Service, Grounds Maintenance and Streetscene teams – require a regular supply of agency staff to cover vacancies, holidays, sick leave and seasonal variations in workload.
- 3.2 The value of the contract is approximately £2.1m over the maximum 4 year term based on current budgets and therefore it has to be procured in accordance with the Authority's Contract Procedures Rules as well as the Public Contract Regulations 2015 as the potential spend is above the EU threshold for goods & services of £189,330.
- 3.3 A comprehensive agency solution is essential for Operational Services. The service delivers front-line services vital to residents, requiring large numbers of trained staff. For example, completing waste collections is reliant on around 70 staff starting work promptly at 6am, five days a week. An effective supply of agency staff to back-fill holidays, sickness and staff vacancies is critical to ensure business continuity. Having an established agency pathway provided important workforce resilience during the Covid pandemic, allowing Joint Waste to maintain full service throughout, where more than 90% of authorities could not.
- 3.4 Whilst there will always be a need for agency staffing to provide front-line cover for absence and vacancies, the unusually high levels of agency staffing within the Joint Waste Service were identified in the 2019 service review. Covid-related absence and the ongoing national HGV driver shortage has meant agency staffing has remained high. There are however clear business and operational benefits to reducing agency usage to more appropriate levels. A task and finish group has been established to review recruitment, retention and attendance within the Joint Waste Service.

Alternative Options	<ol style="list-style-type: none"> <li>1. Do nothing – This would not meet the operational needs of the service and would result in repeated service failure.</li> <li>2. Further extend current contract – This would be in breach of CPR's and PCR2015, potentially leaving the council at risk of legal challenge.</li> <li>3. Re-run the procurement exercise</li> </ol>
Consultation	<ol style="list-style-type: none"> <li>1. Leadership Team</li> </ol>
Financial Implications	<ol style="list-style-type: none"> <li>1. The forecast expenditure for 2022/23 is £900k against the approved budget of £600k. The overspend is due to several factors including covering vacant driver posts, the backfilling of posts because the bag and bin deliveries were undertaken inhouse, catch up collections during the rollout of the new service and an extra bank holiday. The overspend will be met by savings in the employee budget and from additional funds allocated for the implementation of the new service.</li> </ol>
Approved by Section 151 Officer	Yes
Legal Implications	<ol style="list-style-type: none"> <li>1. Resultant Agreement will be PCR2015 compliant.</li> <li>2. Agency staff will be engaged in line with current Agency Workers Regulations.</li> <li>3. A compliant procurement procedure has been undertaken.</li> <li>4. We have sought employment law advice relating to long term agency staff and no issues have been raised.</li> </ol>
Approved by Monitoring Officer	Yes
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> <li>1. Ensuring the Joint Waste Services and Operational Services have the necessary Agency Staffing provision helps them to deliver their services, which in turn support the Strategic aims of; <ul style="list-style-type: none"> <li>• Shaping Place – to keep it green and safe</li> <li>• A Good Council that is – responsive and customer focussed</li> </ul> </li> </ol>
Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> <li>1. The Best Connection is a member of REC and abides by its code of practice which is approved by the Equal Opportunities Commission.</li> <li>2. The Best Connection are quality approved (ISO 9001) and abide by legislation and code of practice.</li> </ol>
Crime & Safety Issues	None
Environmental Impact	The use of a local supplier employing people local to the area will have a positive impact on travel and therefore carbon emissions.
GDPR / Privacy Impact Assessment	None

	Risk Description & Risk Owner	Original Score (RYG)	How We Manage It	Current Score (RYG)
A	Lack of contract/compliant contract in place Ben Percival	Likelihood: Yellow Impact: Red Severity of Risk: Red	Carry out procurement process and award compliant contract before expiry of current agreement.	Likelihood: Green Impact: Red Severity of Risk: Yellow
B	Insufficient temporary staff available with correct qualifications Ben Percival	Likelihood: Yellow Impact: Red Severity of Risk: Red	Carry out procurement process and award compliant contract before expiry of current agreement. Procurement process will include questions on sourcing of staff that meet our requirements. Current national difficulties with HGV drivers has been noted. Continue to develop in-house training capabilities. The option to use more than one staffing agency should help to reduce the risk of being unable to obtain appropriately qualified staff	Likelihood: Yellow Impact: Yellow Severity of Risk: Yellow

None	<b>Background documents</b> Any previous reports or decisions linked to this item
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None	<b>Relevant web links</b> Any links for background information which may be useful to understand the context of the report
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