

Record of Cabinet portfolio holder decision

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Decision made by	Councillor Lynn Lloyd
Key decision?	Yes
Date of decision (same as date form signed)	
Name and job title of officer requesting the decision	Mark Gibbons HR Manager
Officer contact details	Tel: 07717 271897 Email: mark.gibbons@southandvale.gov.uk
Decision	<ul style="list-style-type: none"> To authorise the HR Manager to procure agency staff using the Eastern Shires Purchasing Organisation (ESPO) MSTAR 2 framework agreement. To appoint Hays Recruitment as the 'Master Vendor'.
Reasons for decision	<p>Oxford City Council used to provide an agency staff framework contract for the councils. They have not provisioned a replacement contract and the existing arrangements are both out of date and inadequate.</p> <p>The scope of the old Oxford City Council framework contract was based largely around the provision of manual workers and administrative staff (their requirement), whereas this council has a requirement for professional staff that is not being fulfilled.</p> <p>Obtaining professional staff requires a wide database of potential candidates to achieve the maximum opportunity of finding fully competent staff. Therefore a 'Master Vendor' with access to many other agencies' books was required (300 agencies) in the case of this recommendation. This enables the 'Master Vendor' to fill roles through a second tier agency if they do not have suitable candidates on their books.</p> <p>It was felt that a mini-competition through a Government approved collaborative framework was the best and most expeditious route to find a 'Master Vendor' for sourcing Agency Staff.</p>

	<p>A full mini-competition was conducted under MSTAR 2 and we received six bids, out of the eight potential applicant companies possible under MSTAR 2.</p> <p>A series of ten method statements were devised for the suppliers to output how they conduct their business and how they can assist the Councils. These were the qualitative scoring for mini-competition. The tenderers also had to provide two relevant references to achieve maximum marks in the criteria table at Appendix 1.</p> <p>The generic pricing has already been driven fairly hard on the framework contract but we additionally reviewed the charge out hour rate of twenty jobs.</p> <p>The resultant price and qualitative index is added at Appendix1</p>
<p>Alternative options rejected</p>	<p>A full competitive procurement exercise would have required advertisement in the Official Journal of the European Union, and would have taken several months. We do not wish to be out of contract for that length of time. The use of the ESPO framework is fully compliant with procurement regulations and the council's contracts procedure. This is also in line with government policy of councils using as many collaborative framework contracts as possible.</p>
<p>Legal implications</p>	<p>This procurement is carried out under Contracts Procedure Rule 72(e), covering government framework agreements, and will be subject to the standard ESPO contract terms.</p>
<p>Financial implications</p>	<p>The total estimated cost is approximately £1.5m per annum for the collaborative contract over the two years of the term of the contract. Vale at £550,000 per year currently and South £483,000 per year. There is also at least 20 professional consultants who are with other agencies and probably account for another £1/2m plus that could be migrated to the contract. There is the option of an additional further year by agreement with the Councils. The initial costings represent a three per cent lowering in costing from the council's existing base and there are substantial savings that have been outlined, post the implementing of the contract. The councils have also been paying a level of retrospective charge to Oxford City Council for the use of their contract which will cease.</p>
<p>Other implications</p>	<p>The adopting of the 'Master Vendor' approach to supply will be accompanied with a robust service level agreement from the MSTAR2 where the supplier will have to work towards a 98 per cent post fill rate. There will also be a move towards consolidated invoicing and back office savings. The companies that are bidding the outsourcing project for the five councils will expect this level of organisation of the procurement of temporary staff from a major provider when</p>

	they take over. In the unlikely situation they wish to exit the contract that can also be accommodated on notice.			
Background papers considered	None			
Declarations/conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?	N/A			
List consultees		Name	Outcome	Date
	Ward councillors			
	Legal	Pat Connell	Agreed	
	Finance	Bob Watson	Agreed	
	Health and safety	Sarah Minns	Agreed	
	Diversity and equality	Cheryl Reeves	Agreed	
	Communications	Shona Ware	Agreed	
	Strategic Management Board	Steve Bishop	Agreed	
Confidential decision? If so, under which exempt category?	No			
Call-in waived by Scrutiny Committee chairman?				
Has this been discussed by Cabinet members?				
Cabinet portfolio holder's signature To confirm the decision as set out in this notice.	Signature __Lynn Lloyd_____			
	Date _____4 December 2015_____			

ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY.

For Democratic Services office use only		
Form received	Date: 4 December 2015	Time: 10:30
Date published to all councillors	Date: 4 December 2015	
Call-in deadline	Date: 11 December 2015	Time: 17:00

Guidance notes

1. This form must be completed by the lead officer who becomes the contact officer. The lead officer is responsible for ensuring that the necessary internal consultees have signed it off. The lead officer must then seek the Cabinet portfolio holder's agreement and signature.
2. Once satisfied with the decision, the Cabinet portfolio holder must sign and date the form and return it to the lead officer who should send it to Democratic Services immediately to allow the call-in period to commence. Democratic Services staff are located on the ground floor north wing (C block) of the Crowmarsh Gifford offices. Tel. 01235 540307 or extension 7307.
Email: democratic.services@southandvale.gov.uk
3. Democratic Services will then publish the decision to the website (unless it is confidential) and send it to all councillors to commence the call-in period (five clear working days). The decision cannot be implemented until the call-in period expires. The call-in procedure can be found in the council's constitution, part 4, under the Scrutiny Committee procedure rules.
4. Before implementing the decision, the lead officer is responsible for checking with Democratic Services that the decision has not been called in.
5. If the decision has been called in, Democratic Services will notify the lead officer and decision-maker. This call-in puts the decision on hold.
6. Democratic Services will liaise with the Scrutiny Committee chairman over the date of the call-in debate. The Cabinet portfolio holder will be requested to attend the Scrutiny Committee meeting to answer the committee's questions.
7. The Scrutiny Committee may:
 - refer the decision back to the Cabinet portfolio holder for reconsideration or
 - refer the matter to Council with an alternative set of proposals (where the final decision rests with full Council) or
 - accept the Cabinet portfolio holder's decision, in which case it can be implemented immediately.