

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

PERSONNEL COMMITTEE

25th June 2018

Report of the Head of Legal Services – Mr C Griffiths

Matter for Decision

Wards Affected: All Wards

Staffing Arrangements – Creation of a Senior Procurement Officer

Purpose of the Report

1. To seek Member approval to create an additional post of Senior Procurement Officer (Grade 7 JEID 1392) within the Corporate Procurement Unit of the Legal Services Section of the Finance and Corporate Services Directorate.

Executive Summary

2. This report is to consider approval for the creation of an additional post of Senior Procurement Officer within the Corporate Procurement Unit as a result of an increase in competitive tendering that has taken place over the last few years as a result of legislative changes and to meet demand that will arise in the future for procurement support.

Background

- 3 Since the implementation of the Public Contract Regulations 2015, the rules in respect of social care procurement have changed significantly. Whereas previously local authorities could rely on what was called the Part B exemption that limited the number of competitive procurements that authorities had to undertake, the new Regulations removed this element meaning all social work commissioning over the value of

£615,278 must now be competitively tendered in the Official Journal of the European Union.

- 4 The Welsh Government in their Procurement Practice Note of 2015 also advocated that in the future all contracts over the value of £25,000 should be subject to competitive tender via the Sell2Wales website and consultation was undertaken as to whether this should be implemented into law, though to date the decision has yet to be officially confirmed with the Welsh Government and it remains a practice position at this time.
- 5 As a result of this it is acknowledged that in coming years, the volume of procurement work within the authority will undoubtedly increase and there is a need to ensure that there is a professional, knowledgeable and resilient procurement team to ensure that this complex area of law is complied with, thereby negating the risk of potential challenge from unsuccessful tenderers.
- 6 The level of contractual and procurement work undertaken by the Legal Section is somewhat high for adult social services. It has involved advising on the set up of third sector arrangements, contracts and procurement arrangements for domiciliary care and residential care as well as the development of contracts for provision of support services for vulnerable service users, both adults and children. Tender packages are often bespoke to individual requirements and specific and detailed contracts put in place to ensure appropriate service provision and monitoring can take place. In recent years, Legal Services have undertaken procurement and legal advice on a number of contracts and procurement related matters and the number is increasing significantly:

Calendar Year	Number of contracts/tenders entered into
2014	12 contracts/tenders
2015	25 contracts/tenders
2016	48 contracts/tenders
2017	53 contracts/tenders

- 7 Discussions between the Corporate Procurement Unit and the Common Commissioning Unit have to date suggested that in the coming years, more procurement input will likely be required. Ensuring procurement expertise will be vital to ensure procurement options are being developed which can ensure best value to the Authority.

- 8 It is recognised by officers that in order to achieve the required aims, support will be required by the Corporate Procurement Unit,
- 9 The Corporate Procurement Unit presently undertakes all corporate based procurement such as food, equipment, stationery, agency contracts and the liaison with the National Procurement Service. There is limited scope therefore to be able to dedicate an officer full time to Social Services based procurement.
- 10 To that end it has been suggested that a further Senior Procurement Officer at a Grade 7 post be appointed, whose role it shall be to liaise with the Common Commissioning Unit and provide advice to the Common Commissioning Unit on all procurement related matters and overseeing the running of competitive tenders under the supervision of the Principal Solicitor Procurement and Corporate Procurement Manager.
- 11 Dialogue with the Head of Legal Services and Head of Adult Social Services has recognised the need for more active support in commissioning matters and therefore the funding of the post will be met by Adult Services and the funding coming from that budget. The post being line managed by the Principal Solicitor Procurement who oversees the Corporate Procurement Unit.

Equality Impact Assessment

- 12 An Equality Impact Assessment screening form was completed to assist the authority in complying with its Public Sector Equality Duty. The screening indicated that there was no requirement to carry out a full equality impact assessment. Please see Appendix 4.

Financial Impact

- 13 The financial impact is shown at Appendix 3. The costs will be funded by the Adult Services and within the budget of the Common Commissioning Unit.

Workforce Impacts

- 14 There are no workforce impacts associated with this report.

Legal Impacts

- 15 There are no legal impacts associated with this report.

Risk Management

- 16 There are no risks associated with this report.

Consultation

- 17 There is no requirement under the Constitution for external consultation on this item.

Recommendations

18. It is RECOMMENDED that Members approve the creation of an additional post of Senior Procurement Officer (Grade 7 JEID 1392) within the Corporate Procurement Unit of Legal Services Section of the Finance and Corporate Services Directorate.

Reasons for Proposed Decision

- 19 To ensure that legal services can continue to provide a high quality and essential service in respect of this adult social services procurement and to ensure that arrangements are competitively tendered in accordance with the appropriate legislation and best value can be achieved from such processes.

Implementation

- 20 The decision is proposed for implementation after the three day call in period.

Appendices

- 21 (a) Appendix 1 – Existing Structure
(b) Appendix 2 – Proposed Structure
(c) Appendix 3 – Financial Appraisal
(d) Appendix 4 – Equality Impact Assessment Screening Form

List of Background Papers

- 22 None

Officer Contact

Mr Craig Griffiths

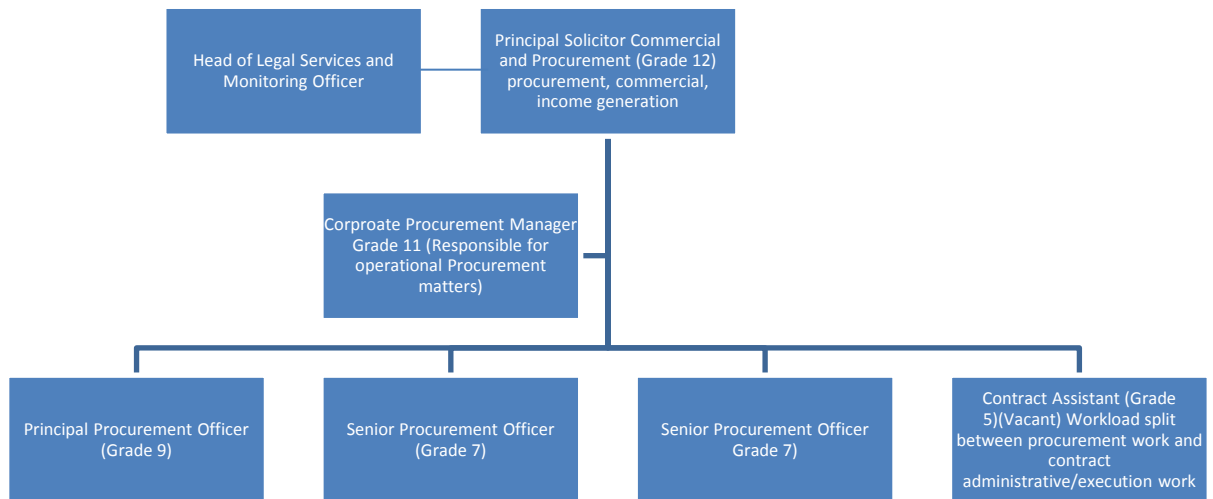
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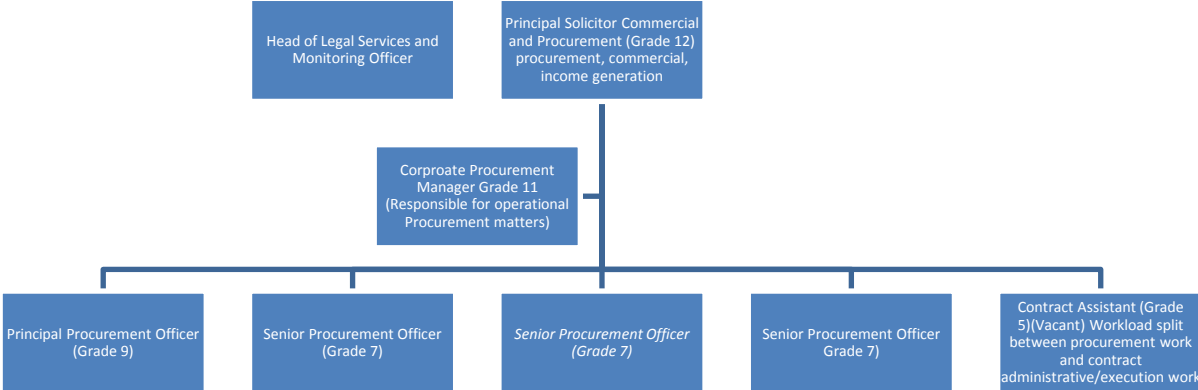
Appendix 1

Current Structure of Corporate Procurement Team



Appendix 2

Proposed Structure of Corporate Procurement Team



Appendix 3

Financial Appraisal

SET UP COSTS

	<u>Current</u> <u>Year</u>	-	-	-	-	<u>Comments</u>
	<u>£</u>					
-						
-						
<u>Costs</u>						
Recruitment Costs						
Accommodation Costs						
Office Costs						
Others						
Total Set Up Costs	<u> </u>	-				
<u>Funding of Set Up Costs</u>						
Revenue Budget						
Reserves						
Special Grant						
Other (Specify)						
Total Funding of Set Up Costs	<u> </u>	-				

RECURRING COSTS

	<u>Current</u> <u>Year</u>	-	<u>Next</u> <u>Year</u>	-	<u>Max</u> <u>in Full</u> <u>Year</u>
	<u>£</u>		<u>£</u>		<u>£</u>
-					
-					
<u>Costs</u>					
Employee Costs (Financial Appraisal Statement)					
> Starting Salary	33,505		34,638		34,638
> Additional cost at Maximum Salary					,,5,051
Accommodation Running Costs					
IT Annual Costs					
Other Running Costs (specify)	-				
Total Recurring Costs	<u> 33,505 </u>		<u> 34,638 </u>		<u> 39,689 </u>
<u>Funding of Recurring Costs</u>					
<u>External Sources</u>					
Specific Grant:					
- staffing costs					
- other					
Funding from External Agencies					
Service Level Agreement					
Other (specify)					
<u>Internal Sources</u>					
HRA					

Existing Budget Allocation			
Additional Guideline Allocation			
Other (specify)	<u>33,505</u>	<u>34,638</u>	<u>39,689</u>
Total Funds Available	<u>33,505</u>	<u>34,638</u>	<u>39,689</u>

Appendix 4

Equality Impact Screening Assessment