

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

CABINET

**Report of the Assistant Chief Executive and Chief Digital
Officer - K.Jones**

25 September 2019

Section B: Matter for Information

Ward Affected: All

**Officer Urgency Action 037 re:
Extension of Contract for Managed Service for the Provision
of Agency Workers.**

Details of the above Urgency Action taken by the Head of Finance in consultation with the requisite Members, was for immediate implementation.

There is no call-in of this matter.

The Urgency Action was authorised 15 August, 2019 and for Members' Information a copy of the detailed report is attached.

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

CABINET

URGENCY ACTION REPORT OF THE HEAD OF HUMAN RESOURCES – S.REES

Matter for Decision

WARD(S) AFFECTED: All

EXTENSION OF CONTRACT FOR MANAGED SERVICE FOR THE PROVISION OF AGENCY WORKERS

PURPOSE OF REPORT

- 1 To seek approval to make an extension to our contract with Comensura Ltd (“Comensura”) for the provision of a Managed Service for the supply of agency staff (the “contract”) for a period of time until a contract is awarded under the National Procurement Service (NPS) Framework for the Provision of Agency Workers

EXECUTIVE SUMMARY

- 2 The current contract with Comensura Limited expires on 7th October 2019. There will be a requirement to carry out a procurement exercise before this to ensure that the authority continues to have in place agency workers to deliver our services in the relevant areas. The Council’s intention is to use the NPS Framework for the Provision of Agency Workers to appoint a provider. To enable a procurement exercise to be carried out there would be a requirement to extend our current contract with Comensura Limited for the interim period and to cover any possible transition period with a new provider.

BACKGROUND

- 3 The Council currently has an agreement in place with Comensura Limited to provide a vendor neutral managed service for agency staff.
- 4 A vendor neutral provider manages the supply chain of recruitment agencies on behalf of the Council, but does not supply the staff themselves. The purpose of such a service is to improve control over the supply market, maintain

safeguarding requirements and provide visibility of spend in relation to agency staff.

- 5 The Neutral Vendor Service provider model has worked well since it commenced in April 2014 and provides the best value supply model.
- 6 The current contract with Comensura Limited via the NPS Framework expires on the 7th October 2019 and to ensure there is suitable time for the Council to undertake a procurement exercise for a new provider and to ensure a smooth transition to a new provider (should a new provider be the successful tenderer) it is felt that a three month extension to the contract with Comensura Limited should be granted, with the option for a further three month extension to be exercised by the Council in the event that the need arises..

FINANCIAL IMPACT

- 7 The Council's usage of agency workers has significantly reduced over the duration of the contract. The spend on agency workers during September 2013/14 was £2,380,863.16. However, the spend on agency workers for the 2018 / 19 financial year was £874,966.50. Assuming that spend remains in line with current figures, it is estimated that the spend for the maximum six months would be £437,483.25.

INTEGRATED IMPACT ASSESSMENT

- 8 A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016. The first stage assessment has indicated that a more in-depth assessment is not required as the proposal is seeking authorisation to extend an existing arrangement. It will only affect back office systems.

WORKFORCE IMPACTS

- 9 As part of the Workforce Strategy Agreement in 2013, the Council gave a commitment to reduce the over-reliance on agency workers by services. As the usage has reduced by

half, the Council has delivered on this Agreement. However, it is inevitable that certain areas will always have a requirement for agency workers to continue to provide essential services to citizens of the County Borough.

LEGAL IMPACTS

- 10 The Council will be utilising an EU/UK compliant framework undertaken by the NPS for the purposes of extending the Contract with Comensura Limited which will be compliant with the Public Contract Regulations 2015. In respect of the extension however, Rule 3.1(x) of the Council's Contract Procedure Rules permits awards of arrangements such as this where the services to be supplied constitute a variation to an existing contract. The value of this proposed extension could be in excess of the appropriate threshold but would be caught under the extension arrangements that are open to the Council under the Public Contract Regulations 2015

RISK MANAGEMENT

- 11 This report seeks to minimise the risk to the Authority by ensuring continuity of service of a Vendor Managed Service for the provision of agency workers.

CONSULTATION

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

RECOMMENDATION

- 13 It is recommended that the Authority make an extension to our contract for a duration of three calendar months (with an option in favour of the Council to extend for a further three months should the need arise) with Comensura Limited for the Provision of a Managed Service for the supply of agency staff (the "contract") for a period of time until a new contract is procured and completed under the terms of the National Procurement Service (NPS) Framework for the Provision of Agency Workers

REASONS FOR PROPOSED DECISION

- 22 To ensure continuity of service of a Vendor Managed Service for the provision of agency workers.

IMPLEMENTATION OF DECISION

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

APPENDICES

- 24 None

LIST OF BACKGROUND PAPERS

- 25 First Stage Integrated Impact Assessment.

OFFICER CONTACT

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