

Meeting: Cabinet **Date:** 17th October 2023

Wards affected: All

Report Title: Approval to award Agency Framework Agreement

When does the decision need to be implemented? As soon as possible.

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1. Purpose of Report

- 1.1 The purpose of this report is to seek approval to award the Agency Framework Agreement for Torbay Council and SWISCo thereby appointing a number of successful suppliers following a procurement exercise.
- 1.2 The current framework comes to an end on 2nd January 2024. It is critical for service delivery that the Council and SWISCo have appropriate suppliers in place to deliver agency worker requirements, which have been appropriately procured.
- 1.3 The intended outcome is that the Council and SWISCo will have a new Agency Framework Agreement with a number of preferred Recruitment partners for interim workers who are able to meet our organisational requirements.
- 1.4 The current procurement process continues until 2nd November 2023, when the preferred suppliers will be informed of their success to be on the Framework, subject to a 'Standstill period'.

2. Reason for Proposal and its benefits

- 2.1 The proposals in this report help us to deliver this ambition by ensuring that we have several suppliers that can supply Agency workers through an agreed framework. As our customers, residents, visitors and business through their dealings with the Council will benefit the Council having suitably skilled and experience interim workers;
- By having approved Recruitment partners, who have been appropriately procured and understand our requirements, where we have need for interim support for professional roles, and frontline roles, we are able to ensure that we meet our statutory obligations in terms of supporting our customers and the community that we serve by being able to hire skilled and experience workers at short notice that will be able to support our ambition.
 - By having approved Recruitment partners for Agency workers we will be able to ensure that in the instance of SWISCo we are able to keep Torbay a beautiful place to live, work and visit by having access to competent and skilled workers that are keeping our environment clean and tidy on a daily basis at short notice.
- 2.2 The reasons for the decision are if the Council does not have an Agency Framework Agreement in place, we will not be able to source interim workers at short notice which will impact on service delivery and discharging some of our statutory functions.

3. Recommendation(s) / Proposed Decision

1. That the Director of Corporate Services be given delegated authority to appoint the successful bidders identified through the Procurement process to the Framework for a 4-year period as preferred suppliers to the Council and SWISCo for interim workers.

Supporting Information

1. Introduction

- 1.1 We currently have an Agency Framework Agreement that ends on 2nd January 2023, this is for the supply of agency workers to the Council and SWISCo.

- 1.2 The Contract is currently being re-procured and the approval is being sought for the appointment of a new Agency Framework Agreement to be in place from 3rd January 2024 to ensure that there is no interruption to service.
- 1.3 As this is a Framework Agreement, there will be several Suppliers who will be able to be contacted by managers for interim workers, subject to the specialism of the Agency.

2. Options under consideration

- 2.1 No other options have been considered, the Council and SWISCo need to ensure that there is an Agency Framework Agreement in place so that when needed interim workers can be hired to ensure that service delivery and statutory functions are discharged appropriately.
- 2.3 A Framework Agreement is best option as it allows the Council and SWISCo to use several approved suppliers to meet the needs to the services. In a challenging Recruitment market, the Council has to reach far in order to secure workers in some cases.

3. Financial Opportunities and Implications

- 3.1 The Framework is split into 3 separate lots and suppliers can bid to be a supplier for independent lots or each lot depending on their specialism. The overall contract value for each lot is as follows and is based on usage in the previous 4 years. There is no guarantee that this will be the future spend and suppliers are advised of this through the procurement process.
- 3.2 Anticipated Annual Cost:
 - LOT 1 (Core Council) £1,828,557
 - LOT 2 (Children's Social Care) £2,297,995
 - LOT 3 (SWISCO) £1,186,465
- 3.3 Anticipated Total Contract Value:
 - LOT 1 £7,314,228
 - LOT 2 £9,191,980
 - LOT 3 £4,745,860

4. Legal Implications

- 4.1 The framework is being procured in line with the Council's procurement policies and procedures.

4.2 If we are unable to appoint Recruitment partners for the supply of interim workers then the Council may be unable to fulfil some of its statutory functions as we will not have workers who are skilled and experienced in specialist areas.

5. Engagement and Consultation

5.1 Engagement has been carried out with service areas that use the current agency framework to seek views and opinions on what could be improved when the current procurement exercise commenced, this feedback has been taken into consideration when shaping the Procurement tender documentation, to ensure that we have suppliers in place that are fit for purpose and meet organisational need.

6. Purchasing or Hiring of Goods and/or Services

6.1 The procurement has been undertaken with full support and advice from the procurement team and Social Value has been incorporated into the process and contracting requirements.

7. Tackling Climate Change

7.1 There are no immediate impact on tackling Climate Change as these Contracts Procuring suppliers for Agency Workers. However, with Microsoft Teams there is the ability for a smaller carbon footprint in terms of travel with workers able to work remotely in some cases and Contract review meetings taking place virtually as a preferred option.

8. Associated Risks

8.1 The risk of not awarding contracts to have dedicated Recruitment Partners is significant. If we are unable to recruit interim employees at short notice, to meet service need across the Council and SWISCo we will be unable to fulfil some or all of our statutory duties.

9. Equality Impacts - Identify the potential positive and negative impacts on specific groups

	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people			Neutral Impact
People with caring Responsibilities			Neutral Impact

People with a disability			Neutral Impact
Women or men			Neutral Impact
People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)			Neutral Impact
Religion or belief (including lack of belief)			Neutral Impact
People who are lesbian, gay or bisexual			Neutral Impact
People who are transgendered			Neutral Impact
People who are in a marriage or civil partnership			Neutral Impact
Women who are pregnant / on maternity leave			Neutral Impact
Socio-economic impacts (Including impact on child poverty issues and deprivation)			Neutral Impact
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)			Neutral Impact

10. Cumulative Council Impact

10.1 None.

11. Cumulative Community Impacts

11.1 None.