

Report of Chief Officer Public Private Partnerships Unit and Procurement Unit

Report to Deputy Chief Executive

Date: 03/07/14

Subject: Request for approval for the creation of additional positions on the PPPU and Procurement Unit organisational structure

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. The PPPU and Procurement Unit require 12.5 full time equivalent (FTE) 'more of the same' positions to be created in order to fulfil project and programme management commitments required by the council and 1.5FTE new job roles and positions to be created to ensure adherence to statutory obligations on behalf of the authority. These responsibilities and duties cannot be delivered by existing staff within the service as they are fully resourced on other projects of equal priority.
2. The project resources are required to support the Best Council Plan, with the majority of the positions required for the Primary Basic Need Programme. These roles would be 'more of the same' on the PPPU staffing structure and as such would not require the creation of new job descriptions.
3. The 1.5FTE Data Transparency Assistants are required in order to fulfil the Authority's statutory obligations under Data Transparency legislation, and therefore to protect the Authority from penalties applied for non-compliance under the Freedom of Information (FOI) Act. These roles would be new roles on the PPPU staffing structure and the job descriptions have been evaluated as C1 by the council's Job Evaluation team.

Recommendations

4. That approval is granted for the creation of the positions outlined in this report.

1 Purpose of this report

- 1.1 To outline the business reasons behind the requirement for the creation of additional positions on the PPPU and Procurement Unit organisational structure.

2 Background information

- 2.1 The Primary Basic Need Programme represents the council's response to the demographic pressures in primary school provision. This programme is required to deliver the continued expansion of existing primary provision in 2015.
- 2.2 In April 2014 the project management responsibility for delivery of the Primary Basic Need capital programme totalling 27 schemes transferred from Children's Services (CS) to PPPU along with 3 members of staff from the existing CS Built Environment team. Within CS this portfolio of projects were previously managed by 13.5 FTE, the remainder of which have now been deployed to other projects within CS. Since April 2014 a further 3 schemes have also been confirmed, making the current total number of schemes within the programme 30 schemes. There is therefore a pressing need to recruit experienced project staff to PPPU in order to deliver the programme.
- 2.3 The Waste Solution Programme and Integrated Waste Strategy involves a range of major projects identified as being required to ensure that national and local recycling and landfill diversion targets are met by the council, that a major step change is achieved in reducing the environmental impact of managing Leeds' waste, and that annual savings of c £5-8m are realised.
- 2.4 Project management of this programme on behalf of the client department sits within PPPU, and the Residual Waste PFI procurement has already progressed to construction phase. The programme now requires the development and implementation of the wider Waste Strategy to support the Waste Solution Programme, such as the implementation of recycling collection strategy and the delivery of other major procurements for food waste processing, materials recycling facility (mixed dry recyclables), garden waste composting and landfill capacity. Resource planning within PPPU has identified that the unit currently has insufficient project management capacity to deliver this work in line with the programme's requirements.
- 2.5 The PPPU Business and Professional category team has agreed project management work for internal clients on key cross-council projects including the Manager Challenge programme, the Employee Self Service and Managers' Self Service project, the Better Business Management Review admin hub, and the Better Business Management Review reorganisation of Mail and Print services, and wider HR project support. Resource planning within PPPU has identified that the unit currently has insufficient project management capacity to deliver this work in line with client requirements.
- 2.6 Under the new Department for Communities and Local Government (DCLG) Code of Practice on Data Transparency issued 01/05/14, local authorities must publish details of every invitation to tender for contracts to provide goods and/or services

with a value that exceeds £5,000. For each invitation, the following must be published:

- title
- description of goods and/or services sought
- the start, end and review dates
- the local authority department responsible

- 2.7 Local authorities must also publish details of any contract, commissioned activity, purchase order, framework agreement and any other legally enforceable agreement with a value that exceeds £5,000. For each contract, the following must be published:
- reference number
 - title of agreement
 - the local authority department responsible
 - description of the goods and/or services being provided
 - supplier name and details
 - the sum to be paid over the length of the contract or the estimated annual spending or budget for the contract
 - the start, end and review dates
 - whether the contract was the result of an invitation to quote or a published invitation to tender or not
 - whether the supplier is a small or medium sized enterprise and/or a voluntary or community sector organisation or not

- 2.8 Failure to comply with the Code of Practice on Data Transparency is likely to lead to penalties applied for non-compliance under the Freedom of Information (FOI) Act, such as a Decision of Enforcement Notice potentially leading to a High Court Inquiry and contempt of court proceedings. Resource planning within PPPU has identified that capacity does not exist within current staffing levels to provide even the minimum of legislative compliance required by the legislation.

3 Main issues

- 3.1 Comprehensive resource planning within PPPU has identified that the above programme and project management requirements cannot be met from within current staffing resources as all staff are fully deployed on other work of equal priority.
- 3.2 Analysis of the requirements of the Primary Basic Need programme has identified a requirement for additional resource not currently on the PPPU staffing structure of 3FTE Project Managers, 1FTE Technical Manager (Construction), 4.5FTE Project Officers, 1FTE Project Assistant and 1FTE Senior Procurement Project Officer.
- 3.3 Analysis of the requirements of the Waste programme has identified a requirement for additional resource not currently on the PPPU staffing structure of 1FTE Project Manager.
- 3.4 Analysis of the requirements of the projects and programmes of work confirmed within the PPPU Business and Professional category team has identified a requirement for additional resource not currently on the PPPU staffing structure of 1FTE Project Manager.

- 3.5 The above job roles would be 'more of the same' on the PPPU staffing structure and as such would not require the creation of new job descriptions.
- 3.6 Analysis of the authority's statutory obligations under the DCLG Code of Practice on Data Transparency has identified a requirement for additional resource not currently on the PPPU staffing structure of 1.5FTE Data Transparency Assistant.
- 3.7 The Data Transparency roles would be new roles on the PPPU staffing structure and as such would require the creation of new job descriptions which have been evaluated as being NJC grade C1 by the council's Job Evaluation team.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Local HR and the relevant Financial Management team have been consulted in relation to this requirement.
- 4.1.2 Staff and trade union representatives have been consulted in relation to this requirement.
- 4.1.3 The council's Job Evaluation team have been consulted with reference to the creation of the job descriptions and the grading of the Data Transparency posts, in line with council policy.
- 4.1.4 Recruitment to the posts would be in line with the usual council recruitment and selection policy and procedures, and as such would include engagement with the resourcing team and the talent pool.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 Recruitment to these posts would be in line with the usual council recruitment and selection policy and procedures, and as such would give due regard to equality.

4.3 Council policies and City Priorities

- 4.3.1 These posts will enable the unit to support the council to deliver the Best Council Plan and agreed programmes of work across the city and across the authority as follows:
- 4.3.2 The Primary Basic Need programme is essential work to deliver the Best Council Plan priority 'Building a child-friendly city – improving outcomes for children and families' with a specific focus on:
- Ensuring the best start in life
 - Raising educational standards
 - Ensuring sufficiency of school places
- The work programme is specifically concerned with delivering a capital programme totalling over 30 schemes.

4.3.3 The Waste Programme is essential work to deliver the Best Council objective of 'dealing effectively with the city's waste – minimising waste in a growing city', asked with realisation of annual savings of circa £5-8m and with a focus on:

- Ensuring a safe, efficient and reliable waste collection service
- Providing a long-term solution for disposing of our waste
- Increasing recycling & reducing the use of landfill

The work programme is specifically concerned with delivering:

- Recycling and Energy Recovery Facility PFI
- Alternate Week Collections
- Integrated Waste Management System
- Kirkstall Road Household Waste Sorting Site Redevelopment
- Household Waste Sorting Site Review
- Waste Category Procurement
- Anaerobic Digestion / Food Waste

4.3.4 The Best Council priority of 'being a more efficient and enterprising council' will be supported by delivery of:

- The Manager Challenge programme providing a comprehensive training programme for nearly 3000 managers across the council
- The Employee Self Service and Managers' Self Service project enabling reduction of 23 FTE within the Business Support Centre and an overall saving for the council of £2.6m
- The Better Business Management Review admin hub, a single business admin service under single line management to deliver admin support across the council and deliver budget savings of a minimum of £3.5m
- The Better Business Management Review reorganisation of Mail and Print services to ensure those services are procured and delivered through a single location, enabling budget savings across the council

4.3.5 The Data Transparency posts will ensure that the council complies with statutory requirements under the new DCLG Code of Practice on Data Transparency, and therefore is protected from penalties applied for non-compliance under FOI legislation, and associated adverse reputational impact.

4.4 Resources and value for money

4.4.1 The salary cost of these posts will be between £452,190 and £520,394 per annum dependent on the grades of those appointed to the posts. Further information is included at Appendix A.

4.4.2 These proposals have been discussed with the representatives from the local HR and the relevant Financial Management team.

4.4.3 These posts will provide value for money for the council as they will support the delivery of the Best Council Plan and ensure that the council complies with statutory requirements in relation to data transparency as outlined in 4.3 above.

4.5 Legal Implications, Access to Information and Call In

4.5.1 The Deputy Chief Executive holds delegated authority to take this decision.

- 4.5.2 It is not believed that there are any legal implications in relation to this decision other than that outlined in 4.5.3 below.
- 4.5.3 It should be noted that the 1.5FTE Data Transparency posts are required to ensure that the council complies with statutory requirements under the new DCLG Code of Practice on Data Transparency, and therefore is protected from penalties applied for non-compliance under FOI legislation.
- 4.5.4 It is believed that there are no Access to Information issues in relation to this report.
- 4.5.5 Due to its nature, this decision is open to Call In.

4.6 Risk Management

- 4.6.1 Due to its nature, it is not believed that there are any significant risks associated with the implementation of this proposal.
- 4.6.2 There is a risk that should the additional project-focussed posts not be approved for creation and recruitment that there is a significant risk to the delivery of the project programmes to be serviced by the roles.
- 4.6.3 There is a risk that should the 1.5FTE Data Transparency posts not be approved for creation and recruitment there is a significant risk that the council is unable to comply with statutory requirements under the new DCLG Code of Practice on Data Transparency.

5 Conclusions

- 5.1 These posts are critical to ensuring that the PPPU and Procurement Unit can assist the council with delivering the Best Council Plan and ensuring that the council complies with statutory requirements in relation to data transparency.
- 5.2 Comprehensive resource planning within the unit has confirmed that current staffing resources are not sufficient to deliver this work as all existing staff within the service are fully deployed on other projects of equal priority.
- 5.3 Due to their work programmes, these posts will provide key resource and value for money for the council.
- 5.4 In conclusion in order to deliver the key work programmes and council priorities referenced in this report the creation of these posts is necessary.

6 Recommendations

- 6.1 That approval is granted for the creation of the positions outlined in this report.
- 6.2 Implementation of the decision, if agreed, will be from 11/07/14, in line with the council's recruitment and selection policies and procedures, by the Chief Officer PPPU and Procurement.

7 Background documents¹

7.1 Appendix A – Salary costs of the proposed posts

7.2 Appendix B – Equality, Diversity, Cohesion and Integration Screening

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

Appendix A – Salary costs of the proposed posts

Post	Level	Min. salary cost p.a. (£)	Min. cost inc. oncosts p.a. (£)	Max. salary cost p.a. (£)	Max. cost inc. oncosts p.a. (£)
5 x Project Manager (3 x Primary Basic Need Programme, 1 x Waste Programme, 1 x HR projects)	PO6	196,755	241,240	210,160	258,320
4.5 x Project Officer (Primary Basic Need Programme)	PO1/4	126,572	154,031	169,101	207,149
Project Assistant (Primary Basic Need Programme)	SO1/2	24,892	30,188	28,922	35,222
Technical Manager (Primary Basic Need Programme)	PO6	39,351	48,248	42,032	51,664
Senior Procurement Projects Officer (Primary Basic Need Programme)	PO4	34,894	42,681	37,578	46,033
1.5 x Data Transparency Assistant	C1	29,726	35,774	32,601	39,366
Total		452,190	552,162	520,394	637,754

Appendix B – Equality, Diversity, Cohesion and Integration Screening

Equality, Diversity, Cohesion and Integration Screening – Organisational change impacting on the workforce



As a public authority we need to ensure that all organisational change arrangements impacting on the workforce have given proper consideration to equality, diversity, cohesion and integration.

Equality and diversity will always have relevancy to organisational changes which impact on a diverse workforce. If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration then you have already carried out an impact assessment.

A **screening** process is a short, sharp exercise, which completed at the earliest opportunity will help to determine:

- whether or not equality, diversity, cohesion and integration is being/has already been considered, and therefore
- whether or not it is necessary to carry out an impact assessment.

Directorate: Strategy & Resources	Service area: PPPU & Procurement
Lead person: David Outram	Contact number: 0113 39 52451

1. Please provide a brief description of the organisational change arrangements that you are screening
Request for approval for the creation of additional positions on the PPPU and Procurement Unit organisational structure

2. Consideration of equality, diversity, cohesion and integration checklist		
Questions	Yes	No
Have you already considered equality and diversity within your current and future planning	X	
Where you have made consideration does this relate to the	X	

range of equality characteristics		
Have you considered positive and negative impacts for different equality characteristics	X	
Have you considered any potential barriers for different groups	X	
Have you used equality information and consultation where appropriate to develop your proposals	X	
Is there a clear plan of how equality areas identified for improvement will be addressed	N/A	

If you have answered **no** to the questions above:

- there may be gaps in your equality and diversity considerations and you should complete an equality and diversity, cohesion and integration impact assessment (organisational change). Please go to **section 4**

If you have answered **yes** to the questions above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 3**.

3. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.

Please provide specific details for all three areas below (use the prompts for guidance).

- **How have you considered equality, diversity, cohesion and integration?**

(think about the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected

This proposal will affect our workforce and result in organisational change in that it will increase the full time equivalent (FTE) staff numbers of PPPU and the Procurement Unit by 14FTE.

Recruitment to the posts would be in line with the usual council recruitment and selection policy and procedures, and as such would include engagement with the resourcing team and the talent pool. Recruitment to the posts would be undertaken with due regard to equality, diversity, cohesion and integration considerations.

Local HR and the relevant Financial Management team have been consulted in relation to the proposal to create the required posts.

Staff and trade union representatives have been consulted in relation to the proposal to create the required posts.

The council's Job Evaluation team have been consulted with reference to the creation of the job descriptions and the grading of the 1.5 FTE Data Transparency posts, in line with council policy.

- **Key findings**

(think about any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)

This proposal will affect our workforce and result in organisational change in that it will increase the full time equivalent (FTE) staff numbers of PPPU and the Procurement Unit by 14FTE.

Recruitment to the posts would be in line with the usual council recruitment and selection policy and procedures, and as such would include engagement with the resourcing team and the talent pool. Recruitment to the posts would be undertaken with due regard to equality, diversity, cohesion and integration considerations.

- **Actions**

(think about how you will promote positive impact and remove/ reduce negative impact)

This proposal will affect our workforce and result in organisational change in that it will increase the full time equivalent (FTE) staff numbers of PPPU and the Procurement Unit by 14FTE.

Recruitment to the posts would be in line with the usual council recruitment and selection policy and procedures, and as such would include engagement with the resourcing team

and the talent pool. Recruitment to the posts would be undertaken with due regard to equality, diversity, cohesion and integration considerations.

4. If you are **not already considering the impact on equality, diversity, cohesion and integration you **will need to carry out an impact assessment.****

Date to scope and plan your impact assessment:	
Date to complete your impact assessment	
Lead person for your impact assessment (Include name and job title)	

5. Governance, ownership and approval		
Please state here who has approved the actions and outcomes of the screening		
Name	Job title	Date
David Outram	Chief Officer	18/06/14
Date screening completed		18/06/14

6. Publishing	
<p>Though all key decisions are required to give due regard to equality the council only publishes those related to Executive Board, Full Council, Key Delegated Decisions or a Significant Operational Decision.</p> <p>A copy of this equality screening should be attached as an appendix to the decision making report:</p> <ul style="list-style-type: none"> • Governance Services will publish those relating to Executive Board and Full Council. • The appropriate directorate will publish those relating to Delegated Decisions and Significant Operational Decisions. • A copy of all other equality screenings that are not to be published should be sent to equalityteam@leeds.gov.uk for record. <p>Complete the appropriate section below with the date the report and attached screening was sent:</p>	
For Executive Board or Full Council – sent to Governance Services	Date sent:
For Delegated Decisions or Significant Operational Decisions – sent to appropriate Directorate	Date sent: 25/06/14
All other decisions – sent to equalityteam@leeds.gov.uk	Date sent:

