



Report of: Deputy Head of Employment Services

Report to: Chief Officer Strategy & Policy

Date: 15 March 2021

Subject: Request for approval to carry out a competitive tender exercise in accordance with the Council's Contract Procedure Rule (CPR) 9 for the procurement of a new Disclosure and Barring Service (DBS) solution.

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 type="checkbox"/> Yes	<input checked="" 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

- The Council currently has a contract in place – “DN196034 - Disclosure and Barring Service (DBS) checks” (also known as e-Bulk DBS Checking). This contract ends on 5th November 2021 and there are no options to extend. This was extended last year as a pause was put on the procurement exercise due to the Covid-19 pandemic.
- The Disclosure and Barring Service (DBS) helps employers make safer recruitment decisions each year by processing DBS checks to check for spent and unspent convictions, cautions, reprimands and warnings as appropriate. They also maintain the barred list for those banned from working with Children and vulnerable adults.
- The current DBS solution is software based which provides a quick and easy process for carrying out and managing checks, which equate to around 13,000 checks per year. This ensures that the authority and its customers meet their legislative requirements in regards to DBS and safeguarding responsibilities. The DBS does not have its own electronic process but they have an arrangement with “e-brokers” who umbrella bodies can use to manage their checks electronically.
- The DBS solution is primarily managed by the Council's Business Support Centre (BSC) to carry out appropriate and relevant checks of new and existing staff and also for candidates applying for roles and positions within the Council. Note: all customers use the front end of the system to complete and submit their requests.

- The BSC also acts as an umbrella organisation, providing a paid DBS processing service to a number of other organisations, including over 250 schools, a number of Colleges within Leeds and also to a small number other external affiliated organisations.
- The Council requires on-going use of a software based DBS solution to enable it to carry out appropriate and relevant checks in a timely and cost-effective manner.
- There are limited suppliers that can tender as they have to be registered “e-brokers” with the DBS. Previously it was scoped whether an in house solution could be developed but this was deemed not possible.

Best Council Plan implications

Carrying out a competitive tender exercise to procure a new DBS solution will support and contribute to the delivery of the following Council policies and priorities:

- Safe, Strong Communities
- Child Friendly City
- Age Friendly Leeds
- Spending Money Wisely
- Working with Communities

Resource implications

The procurement exercise will be managed by the Council’s Strategic Sourcing team in Digital and Information Service (DIS), and supported throughout the process by key stakeholders within BSC and DIS.

Recommendations

The Chief Officer Strategy & Policy is recommended to approve the commencement a competitive tender exercise in accordance with the Council’s Contract Procedure Rule (CPR) 9 for the procurement of a new Disclosure and Barring Service (DBS) solution.

1 Purpose of this report

- 1.1 The purpose of this report is to set out the reasons for carrying out a competitive tender exercise to procure a new DBS solution.

2 Background information

- 2.1 The Council currently has a contract in place - “DN196034 - Disclosure and Barring Service (DBS) checks” (also known as e-Bulk DBS Checking). This contract ends on 5th November 2021 and there are no options to extend. This was extended last year as a pause was put on procurement due to the Covid-19 pandemic.
- 2.2 The DBS solution is primarily used by the Council’s Business Support Centre (BSC) to carry out appropriate and relevant checks of new and existing staff and candidates applying for roles and positions within the Council. Taxi and Licensing also have access to the system to carry out their checks.
- 2.2 The existing DBS solution is paperless and enables customers to use self-service technology to speed up the process of applying for vacancies and improves the quality of their application and ID requirements. This enables the BSC to query and countersign checks efficiently and quickly submit this directly to the DBS, speeding up the process and minimising the risk of data breaches.
- 2.3 The key stakeholder of the DBS is the Council’s Business Support Centre (BSC) which provides HR Administration, Payroll and Pension Administration Services for the Council.

The BSC also acts as an umbrella organisation, providing a paid DBS processing service to a number of other organisations, including over 250 schools, a number of Colleges within Leeds and also to a small number of other external affiliated organisations.

- 2.4 Currently the costs for the system are £5,000 in maintenance and £2.40 per check. Total of approximately £36,200 per annum based on 13k checks. The income generated from the contract is around £175k per annum, although this covers the staffing costs for the DBS team in the BSC. The overall cost of contract is approximately £145k based on a two (2) year contract with the option to extend up to a maximum of twenty four (24) Months.

3 Main issues

- 3.1 The Council's current contract for DBS (e-Bulk DBS Checking) ends on 5 November 2021 with no further options to extend.
Please note: there will need to be sufficient lead in time to transfer from the current to new system if the incumbent is not awarded the new contract. Therefore a timely period to do this would be over the School Summer Holidays as there will be fewer requests coming in from Schools. This has been factored into the proposed timeline.
- 3.2 The Council requires on-going use of a DBS solution to enable it to carry out appropriate and relevant checks of new and existing staff and also for candidates applying for roles and positions within the Council. This is a legislative requirement and the authority must have an appropriate system in place.

4 Consequences if the proposed action is not approved

- 4.1 If a procurement exercise for a new DBS solution is not carried out, the Council will have to revert to carrying out DBS checks using a manual paper-based system, which would be time-consuming, resource heavy, costly and difficult to manage. The staffing resource in the BSC would require a review to accommodate this and also there would be informative governance considerations given that the service do not require to see ID using the current solution.
- 4.2 If appropriate checks are not undertaken on a timely basis then this will delay recruitment and new starter processing. Regular renewals are also carried out for Directorate employees which is seen as good practice with Ofsted and the Care Quality Commission.
- 4.2 Ultimately if the authority does not have an appropriate system then there is a risk to service users and meeting legislative requirements.

5 Advertising

- 5.1 This tender opportunity will be advertised through the YORtender procurement portal.

6 Corporate Considerations

6.1 Consultation and Engagement

- 6.1.1 Key stakeholders from BSC, ICT Strategic Sourcing team and other members from the Council's Digital and Information Service have been consulted and have agreed that carrying out a competitive tender exercise to procure a new DBS solution is the best and most appropriate course to take.

6.2 Equality and Diversity / Cohesion and Integration

- 6.2.1 There are no specific issues relating to equality and diversity or cohesion and integration identified in relation to carrying out a competitive tender exercise for the procurement of a new DBS solution.

6.3 Council Policies and Best Council Plan

6.3.1 Carrying out a competitive tender exercise to procure a new DBS solution will support and contribute to the delivery of the following Council policies and priorities:

- Safe, Strong Communities
- Child Friendly City
- Age Friendly Leeds
- Spending Money Wisely
- Working with Communities

Climate Emergency

This report relates to the procurement of a software solution, its impact on climate change initiatives is mainly through the support it gives to those services using it. The solution directly contributes by facilitating digital working – e.g. electronic document management and workflows, removing the need for paper copies of letters and documents.

6.4 Resources, procurement and value for money

6.4.1 The Council's DIS Strategic Sourcing team will manage and carry out the procurement exercise on behalf of the Project Team.

6.4.2 Carrying out a competitive tender exercise to procure a new DBS solution will ensure that the Council procures a solution that meets its needs and will provide on-going value for money. This proposed course of action therefore represents best use of Council funds.

6.5 Legal Implications, Access to Information and Call In

6.5.1 The decision to undertake a competitive procurement exercise at the anticipated value is a Significant Operational Decision and not subject to call-in.

6.6 Risk Management

6.6.1 There are no identifiable risks in relation to carrying out a competitive tender exercise to procure a DBS solution.

6.6.2 The contract agreement will be managed by an appointed contract manager in line with the contract management plans and any risks which are highlighted through the term of the contract will be managed and mitigated through regular account management/supplier review meetings.

7 Conclusions

7.1 Carrying out a competitive tender exercise to procure a new DBS solution is the most appropriate course of action.

8 Recommendations

8.1 The Chief Officer Strategy & Policy is recommended to approve the commencement a competitive tender exercise in accordance with the Council's Contract Procedure Rule (CPR) 9 for the procurement of a new Disclosure and Barring Service (DBS) solution.

9 Background documents

9.1 None.