

DMPC Decision – PCD 1054

Title: Contract Award Temporary Agency Workers - MOPAC

Executive Summary:

Following agreement for the collaborative cross-GLA procurement of agency workers this paper seeks the approval for the award of a call-off contract from the Transport for London (TfL) framework for the supply of temporary workers and permanent recruitment services to MOPAC. The call-off contract will have an estimated value of £1.1m over four years for MOPAC. The call-off contract does not commit MOPAC to any spend.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to approve the award of a call-off contract via the Greater London Authority (GLA) agreement for Temporary Agency Staff (the Agreement) for the supply of temporary workers and permanent recruitment services up to an estimated value for MOPAC of £1.1m over 4 years, to the winning supplier outlined below.

Deputy Mayor for Policing and Crime

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct. Any such interests are recorded below.

The above request has my approval.

Signature



Date 29/09/2021

PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE DMPC

1. Introduction and background

- 1.1. Following a competitive tendering process, the GLA Group has appointed Reed Specialist Recruitment, supported by their lead supplier Morson, to replace Hays (and other existing suppliers) as the provider of agency workers for MOPAC. MOPAC has a current contract with Reed Recruitment via the MPS, for the supply of agency workers. MOPAC also has a contract with additional vendors specialist roles such as finance and audit.
- 1.2. The MPS has also submitted a DMPC Decision Paper on the same call-off contract (but for MPS) which has recently been approved by the DMPC (PCD983).

2. Issues for consideration

- 2.1. Over the last two years the GLA Group has been working with Functional Bodies to learn lessons from existing arrangements and implement improvements in preparation to re-tender the contract. This has included alignment of recruitment processes and approach to IR35; stream-lining invoicing processes and reducing the utilisation of non-permanent labour – in line with the Mayor’s pledge to reduce non-permanent labour and consultant spend by 50%. There has also been work undertaken to determine the most beneficial delivery model, utilisation of technology, pricing model and approach to supplier performance.
- 2.2. The TfL-led procurement started in August 2020 and has resulted in a framework agreement between Reed Specialist Recruitment and TfL, with the ability of the GLA and its functional bodies to call-off contracts for their requirements.
- 2.3. Establishing and utilising a broader workforce profile including temporary agency workers is a cost-effective option when it comes to addressing short to medium term skill / capability gaps when it does not make financial sense to retain within the substantive workforce. This resourcing option also addresses surge requirements and offsets future redundancy / outsourcing costs where change is imminent. This paper and the new contract arrangements therein seeks to secure the most cost effective and suitable means to achieve this.
- 2.4. The consolidation of GLA-wide requirements has enabled a contract which will continue to meet requirements and provide opportunities to derive greater value. This is the first collaborative agreement that has been signed up to by all members of the GLA family. Further detail is provided in Appendix 1.
- 2.5. The award of a call-off contract does not commit the MOPAC to any spend.

3. Financial Comments

- 3.1. The estimated value of MOPAC's requirements over a four year period would be £1.1m. The funding for the costs of agency workers to be supplied via this call-off contract will be from, and in line with, the existing MOPAC staffing budget.

4. Legal Comments

- 4.1. Under the Police Reform and Social Responsibility Act 2011 ("2011 Act") MOPAC may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of the Office which includes entering into contracts and other agreements (whether legally binding or not).
- 4.2. The Mayor's Office for Policing and Crime ("MOPAC") is a contracting authority as defined in the Public Contracts Regulations 2015 ("the Regulations"). All awards of public contracts for goods and/or services valued at £189,330 or above shall be procured in accordance with the Regulations. This report confirms the value of the proposed contract exceeds this threshold.
- 4.3. This report confirms the MOPAC intends to place a call-off contract under a framework agreement procured for the benefit of itself and GLA functional bodies. The framework agreement which provides for such use by MOPAC. On this basis the MOPAC's route to market is compliant with the Regulations.
- 4.4. The MOPAC Scheme of Delegation and Consent provides the Deputy Mayor for Policing and Crime ("DMPC") has delegated authority to approve:
- Business cases for revenue or capital expenditure of £500,000 and above (paragraph 4.8); and
 - All requests to go out to tender for contracts of £500,000 or above, or where there is a particular public interest (paragraph 4.13).
- 4.5. Paragraph 4.14 of the Scheme provides the DMPC reserves the right to call in any proposal to award a contract for £500,000 or above.

5. Commercial Issues

- 5.1. The services to be provided are the supply of agency workers and recruitment services. The procurement was via a contract notice in the Official Journal of the European Union (OJEU) for the services to be provided by way of a Managed Service Provider (MSP).
- 5.2. The joint working across the GLA has included alignment of recruitment processes and approach to IR35; stream-lining invoicing processes and reducing the utilisation of non-permanent labour – in line with the Mayor's pledge to reduce non-permanent labour and consultant spend by 50%. There has also been work undertaken to determine the most beneficial delivery model, utilisation of technology, pricing model and approach to supplier performance.

6. GDPR and Data Privacy

6.1. MOPAC will adhere to the Data Protection Act (DPA) 2018 and ensure that any organisations who are commissioned to do work with or on behalf of MOPAC are fully compliant with the policy and understand their GDPR responsibilities.

7. Equality Comments

7.1. MOPAC is required to comply with the public sector equality duty set out in section 149(1) of the Equality Act 2010. This requires MOPAC to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations by reference to people with protected characteristics. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.2. Part of the evaluation process focused on bidders sharing the wider GLA diversity ambitions in creating a workforce that looks and feels like London.

7.3. There are no adverse equality or diversity implications associated with the award of this contract.

8. Background/supporting papers

- Appendix 1 MOPAC Contract Award Temporary Agency Workers

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOIA) and will be made available on the MOPAC website following approval.

If immediate publication risks compromising the implementation of the decision it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.

Part 1 Deferral:

Is the publication of Part 1 of this approval to be deferred? NO

If yes, for what reason:

Until what date: N/A

Part 2 Confidentiality: Only the facts or advice considered as likely to be exempt from disclosure under the FOIA should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a **Part 2** form – YES

ORIGINATING OFFICER DECLARATION	<i>Tick to confirm statement (✓)</i>
Financial Advice: The Finance Team has been consulted on this proposal.	✓
Legal Advice: The TfL legal team has been consulted on the proposal.	✓
Equalities Advice: Equality and diversity issues are covered in the body of the report.	✓
Commercial Issues Commercial issues are covered in the body of the report.	✓
GDPR/Data Privacy GDPR compliance issues are covered in the body of the report	✓
Director/Head of Service: The MOPAC Chief Finance Officer and Director of Corporate Services has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓

Chief Executive Officer

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Deputy Mayor for Policing and Crime.

Signature

Date 27/09/2021

