

REQUEST FOR DMPC DECISION – PCD 373

Title: Engagement of Temporary Agency Workers to the MPS

Executive Summary:

The Metropolitan Police Service (MPS) has a contract with Reed to supply temporary agency workers via the national MSTAR2 framework that harnesses the collective buying power of UK public bodies and reduces the time to purchase managed temporary agency resourcing services.

The contract was agreed for an initial 2-year period with the option of two additional 12-month extension periods. The profile of spend across the period of the contract was agreed in the context of the workforce plan.

The workforce plan has changed and approval is therefore sought to release the overall value of the contract now, enabling the MPS to operationally utilise the remaining value for the full 3 and 4 year term.

Recommendation:

The DMPC is asked to approve:

- Approve the release of the full worth of remaining contract value relating to contract SS3/16/68 - The Engagement of Temporary Agency Workers to the MPS with immediate effect. The available value on the contract will then amount to its full term value including the early funding release for two previously optional additions of years 3 & 4 until the expiry of the contract in October 2019. Thus providing the MPS with greater flexibility to utilise the value against corporate workforce plans.
- In parallel approve a foreseen 12-month extension to the Reed contract commencing in October 2018 and running to October 2019. This extension is required to enable timings to be aligned with the GLA Procurement Team strategy.

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

Sybil Under

Date

05/04/18

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

Decision required – supporting report

1. Introduction and background

- 1.1. The temporary agency workers contract was originally agreed on a 2+1+1 basis, with an initial 2 years forming the basis of the contract followed by an option to extend by 12 months and then a further 12 months. The total value of the contract was fixed but split evenly over a 4-year contract period commencing October each year - The yearly value was limited in this way to reflect the then workforce plan.
- 1.2. The workforce plan has changed with more demand for agency workers to support short term unforeseen operational demand. Approval is therefore sought to release of the full worth of remaining contract value.

2. Issues for consideration

- 2.1. The contract was also agreed for the initial two years on the basis that the GLA collaborative procurement programme would provide an alternative contract that would meet MPS needs. The current GLA contract does not meet the service requirements for MPS but agreement has been reached to capture these requirements when the contract is renewed. This is the intended direction of travel but the renewal process has been delayed and therefore approval is requested to extend the current Reed contract to October 2019 to allow the renewal process to be completed.

3. Financial Comments

- 3.1. Expenditure on interim resources would continue to be met from existing revenue or capital budgets. No additional funding is being requested.

4. Legal Comments

- 4.1. This report relates to the Temporary Agency Worker contract awarded to Reed, and requests members approve the decision to exercise the option to extend the contract by 12 months and to increase expenditure within the allocated budget.
- 4.2. Neither the extension or increased costs is considered problematic, as the overall contract value will not change. Any other modifications not provided within the terms of the contract in terms of price or extension of time beyond the life of the contract would be regarded as a 'material change' under the Public Contract Regulations 2006, and require the MPS/MOPAC to tender the requirement as if it were a new award of contract.

5. Equality Comments

- 5.1. As this is a request to increase the value of an existing contract this work does not change any aspects relating to equality or diversity.

6. Background/supporting papers

- 6.1. Report

Public access to information

Information in this form is subject to the Freedom of Information Act 2000 (FOIA) and other legislation. Part 1 of this form will be made available on the MOPAC website within 1 working day of approval. Any facts/advice/recommendations that should not be made automatically available on request should not be included in Part 1 but instead on the separate Part 2 form. Deferment is only applicable where release before that date would compromise the implementation of the decision being approved.

Part 1 Deferral:

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

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 rational for non-publication.

Is there a **part 2** form – Yes

ORIGINATING OFFICER DECLARATION:

Head of Unit: The Head of Strategic Finance and Resource Management has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓
Legal Advice: DLS have been consulted on this proposal.	✓
Financial Advice: The Chief Financial Officer has been consulted on this proposal.	✓
Equalities Advice: There are no Equality and Diversity issues arising from this proposal.	✓

OFFICER APPROVAL

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.

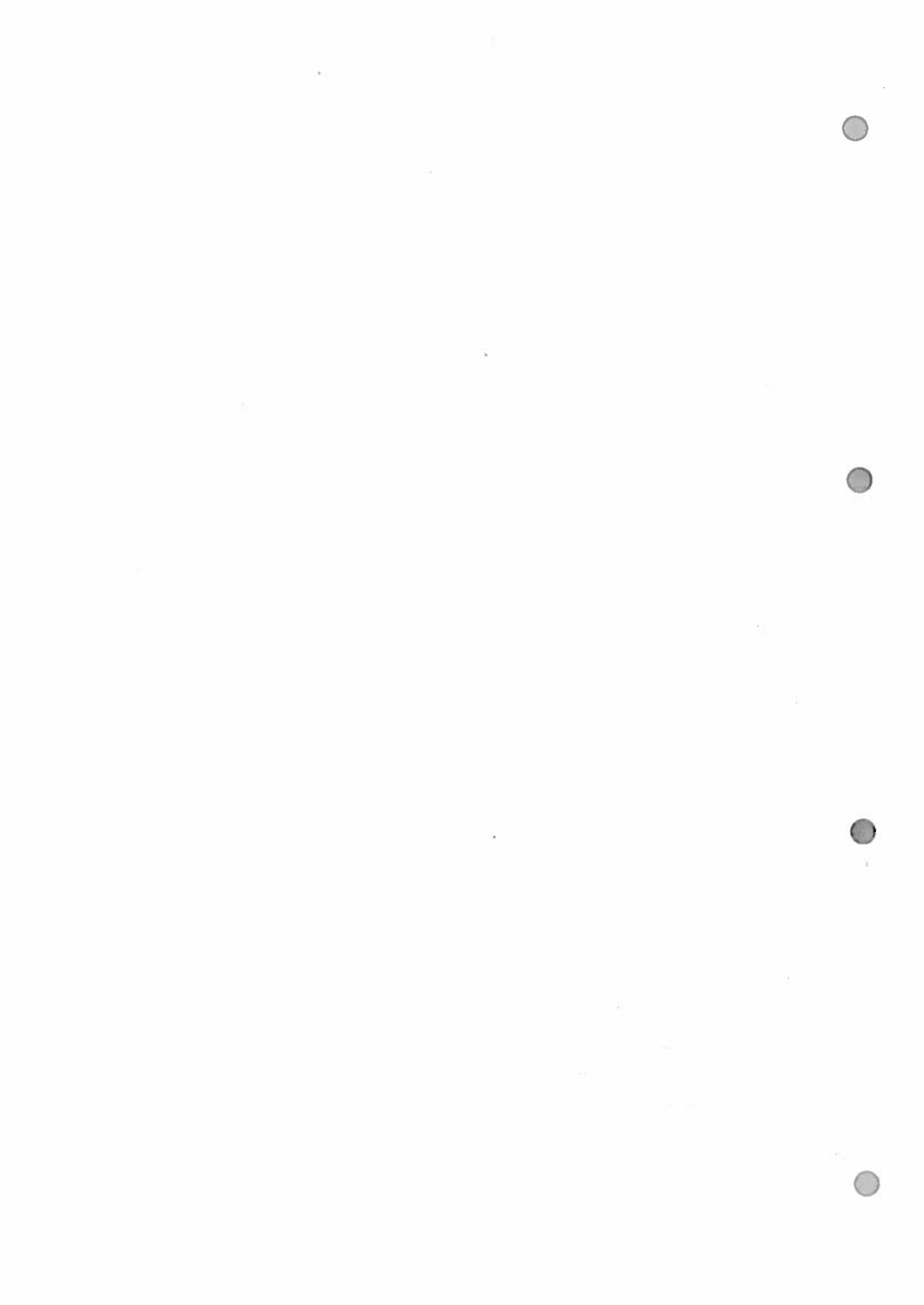
CEO with delegated authority

Signature



Date

5/4/2018





MOPAC

MAYOR OF LONDON
OFFICE FOR POLICING AND CRIME

**Engagement of Temporary Agency Workers to the MPS
MOPAC Investment Advisory Board 22 March 2018
Report by Robin Wilkinson on behalf of the Deputy Commissioner**

Part 1 – This section of the report will be published by MOPAC. It is classified as OFFICIAL – PUBLIC

EXECUTIVE SUMMARY

- The Metropolitan Police Service (MPS) has a contract with Reed to supply temporary agency workers via the national MSTAR2 framework that harnesses the collective buying power of UK public bodies and reduces the time to purchase managed temporary agency resourcing services.
- The contract was agreed for an initial 2-year period with the option of two additional 12-month extension periods. The profile of spend across the period of the contract was agreed in the context of the workforce plan and was capped by the Deputy Mayor.
- The workforce plan has changed and approval is therefore sought to release the overall value of the contract now, enabling the MPS to operationally utilise the remaining value for the full 3 and 4 year term.
- The contract was also agreed for the initial two years on the basis that the GLA collaborative procurement programme would provide an alternative contract that would meet MPS needs. The current GLA contract does not meet the service requirements for MPS but agreement has been reached to capture these requirements when the contract is renewed. This is the intended direction of travel but the renewal process has been delayed and therefore approval is requested to extend the current Reed contract to October 2019 to allow the renewal process to be completed.
- Use of the contract will continue to be determined by the controls the MPS has in place for authorising the use of temporary workers through the Vacancy Management Approval Process (VMAF): the governance through the workforce planning meetings and financial approval processes as a result of devolved police staff budgets.

Recommendations

The Deputy Mayor for Policing and Crime, via the Investment Advisory Board (IAB), is asked to:

1. **Approve the release of the full worth of remaining contract value relating to contract SS3/16/68 - The Engagement of Temporary Agency Workers to the MPS with immediate effect. The available value on the contract will then amount to its full term value including the early funding release for two previously optional additions of years 3 & 4 until the expiry of the contract in October 2019. Thus providing the MPS with greater flexibility to utilise the value against corporate workforce plans. Expenditure will be met current revenue budgets or from approved capital project budgets as required.**

2. In parallel approve a foreseen 12-month extension to the Reed contract commencing in October 2018 and running to October 2019. This extension is required to enable timings to be aligned with the Collaborative Procurement Team strategy being developed.

Time sensitivity

3. Approval is required from the Deputy Mayor by 05/04/2018 (in line with the IAB decision timeline), to authorise the increase in contract value, and to approve the extension to contract duration by 12 months to October 2019.

Non-confidential facts and advice to the Deputy Mayor for Policing and Crime

Introduction and background

4. The temporary agency workers contract was originally agreed on a 2+1+1 basis, with an initial 2 years forming the basis of the contract followed by an option to extend by 12 months and then a further 12 months. The total value of the contract was fixed but split evenly over a 4-year contract period commencing October each year - The yearly value was limited in this way to reflect the then workforce plan.
5. The workforce plan has changed with more demand for agency workers to support short term unforeseen operational demand. Approval is therefore sought to release of the full worth of remaining contract value.
6. Approval to extend the contract duration by 12 months to October 2019 is also requested to enable alignment with the GLA collaborative procurement process to renew their contract and incorporate the MPS service requirements
7. In the event that the additional value is not released, the MPS would be unable to raise any further spend commitments for agency workers supplied by Reed. Reed would be unable to secure or extend existing or future requests from MPS internal managers for agency workers; regardless of their proven business case. This would create significant operational risk in many priority areas.
8. Additionally, if the remaining value is not released and the extension is not approved, the organisation would be required to re-tender in order to secure a new contract. The option of using alternative agencies as an interim solution is permissible but is not recommended: doing so would create significant additional costs. The necessity to re-tender would also build in additional delay and is likely to create risk both operationally and to the ongoing change agenda. This approach would also contradict the strategy to collaborate and consolidate our requirements within the GLA family which is the primary objective for this category area.
9. Expenditure on interim resources would continue to be met from existing revenue or capital budgets. No additional funding is being requested. The issue is purely whether spend occurs through payroll, or through this contract.

Issues for consideration

10. Detail on issues for consideration are detailed within part 2.

Contributes to the MOPAC Police & Crime Plan 2017-2021

11. There are many ways that the use of temporary agency workers impacts positively across the MPS, where their roles support operational policing and assist the organisation to deliver services to the people of London. The investigation of Grenfell, Counter Terrorism activities, CASO investigations all directly impact on the public and the assistance of temporary agency workers in these directly feeds into public confidence. Equally the corporate change agenda will introduce ways of working that directly support the public e.g. improved access to services and more modern and efficient reporting methods.

Financial, Commercial and Procurement Comments

12. Detail on cost and funding release amounts are detailed in part 2.

Legal Comments

13. This report relates to the Temporary Agency Worker contract awarded to Reed, and requests members approve the decision to exercise the option to extend the contract by 12 months and to increase expenditure within the allocated budget.

14. Neither the extension or increased costs is considered problematic, as the overall contract value will not change. Any other modifications not provided within the terms of the contract in terms of price or extension of time beyond the life of the contract would be regarded as a 'material change' under the Public Contract Regulations 2006, and require the MPS/MOPAC to tender the requirement as if it were a new award of contract.

15. On the basis of the report and discussions with the client, DLS are content with the recommendations to proceed.

Equality Comments

16. As this is a request to increase the value of an existing contract this work does not change any aspects relating to equality or diversity.

Privacy Comments

17. No specific information is deemed private within the report.

Real Estate Implications

18. No impact anticipated to the Estate in relation to this paper.

Environmental Implications

19. No impact anticipated for environmental concerns in relation to this paper.

Background/supporting papers

20. No supporting papers.

Safety and Health Risk Management Implications

21. The MPS will only accept agency staff that are competent for the role.
22. Agency staff should have appropriate safety related competencies and skills required for the role.
23. Agency staff will be assessed for their competency during their tenure with the MPS.
24. Safe related behaviour shortfalls with agency staff will be investigated, shortfalls addressed accordingly, and feedback to the agency.

Part 2 – This section refers to the details of the Part 2 business case which is NOT SUITABLE for MOPAC Publication.

The Government Security Classification marking for Part 2 is:
OFFICIAL-SENSITIVE [COMMERCIAL]

Part 2 of Engagement of Temporary Agency Workers to the MPS is exempt from publication for the following reasons:

- Part 2 is exempt from publication under Article 2(2)(a) of the Elected Local Policing Bodies (Specified Information) Order 2011. The relevant section under the FOIA that would exempt this information from disclosure is Commercial Interest Section 43.

The date at which part 2 will cease to be confidential is October 2020.