

# OFFICER DECISION RECORD

For staff restructures, please also complete an RA1 form to update the HR Portal. This is attached at Annex 2.

Decision Ref. No:  
AHWB/075/2017  
Agency worker to support  
DCST

## Box 1

**DIRECTORATE:** AHWB

**DATE:** 10th May 2017

**Contact Name:** Matt Cridge

**Tel. No.:** 737637

**Subject Matter:** Funding to appoint an agency worker for 2 months to support DCST in drawing through PBR claims evidence.

## Box 2

### **DECISION TAKEN:**

To fund an agency Business Support worker to undertake a support role with managers in Parenting and Family Support within DCST. **NOTE** the post will be recruited by and managed by Doncaster Children's Services Trust (DCST), as part of their processes in delivering Stronger Families programme outcomes. This post will test out the proposition that this is the required support needed to enable evidence to support Payment by Results (PBR) claims, to be compiled and fed to DMBC Strategy Performance Unit (SPU) for claims processing.

## Box 3

### **REASON FOR THE DECISION:**

DCST should be the main provider of claims for SF PbR, however the capacity within the organisation is such that there is a need to prototype an initiative providing business support to Managers, to draw out the relevant information and evidence in order to submit claims to DCLG for PbR

**Box 4****OPTIONS CONSIDERED & REASONS FOR RECOMMENDED OPTION:****If other options were considered, please specify and give reasons for recommended option**

Do nothing – this would result in no or low claims being drawn out and put the whole programme at risk.

Appoint to a post – This takes time and means that if this is not the correct solution it is not easily rectified. If it is the correct solution then a post will be appointed to for the longer term.

Appoint agency worker – this option allows for testing of the proposal and quick implementation and easy exit when required. The length of time means this is not overly costly and in the long term could save money.

**Box 5****LEGAL IMPLICATIONS:**

S112 of the Local Government Act 1972 allows a local authority to appoint such officers as are necessary for the proper discharge of its functions, on such reasonable terms and conditions as it thinks fit. The Council has policies to deal with recruitment which should be followed.

There are no legal restrictions on the use of Agency workers for a local authority. Doncaster MBC has a policy that regulates the use of Agency workers and care must be taken to ensure this policy as followed as when seeking authority to operate outside the policy this could create a precedent. There is a legal obligation to consider best value and therefore it is recommended that there be regular reviews of the decision to use agency staff to ensure this obligation is being met. There are regulations that govern the employment of agency staff which must be followed.

Reed were appointed as the Council's supplier of temporary staff following a procurement process which was compliant with both EU Procurement Regulations and Contract Procedure Rules.

In addition it should be noted that from April 2017 the rules relating to the application of the Intermediaries Legislation (IR35) for individuals engaged 'off-payroll' in the public sector will be changing. In summary, the payments we make to such workers will be subject to the application of the new legislation which means that contractors supplying their services through their own personal service companies (PSCs) will be considered to fall within IR35 unless it can be proven otherwise. The application of IR35 will require the Council to deduct and national insurance contributions for all payments made to these contractors after 6 April 2017.

Section 1 of the Localism Act 2011 gives the local authority the power to do anything that individuals may generally do.

The post will be funded using the Troubled Families grant and therefore the relevant

Director must ensure the financial procedure rules E15 is complied with to ensure that the council interests are protected at all times.

A suitable funding agreement should be entered into with the funding recipient.

**Name: Helen Wilson and Nicky Dobson Signature: by email Date: 1<sup>st</sup> June 2017  
Signature of Assistant Director of Legal & Democratic Services (or representative)**

**Box 6  
FINANCIAL IMPLICATIONS:**

It is proposed to fund an agency Business Support Worker within DCST for two months estimated at a cost of up to £7k. This will be funded by the Troubled Families grant and built into the DMBC Stronger Families plan. Financial procedure rule E15 regarding the issue of grants will need to be followed which includes ensuring that a suitable funding agreement between DMBC and DCST is in place.

**Name: Olivia Brown Signature: via e-mail Date: 12.05.17  
Signature of Assistant Director of Finance & Performance  
(or representative)**

**Box 7  
HUMAN RESOURCE IMPLICATIONS:**

The post will be recruited by and managed by DCST as part of their processes in delivering Stronger Families programme outcomes, therefore Doncaster Council will have no involvement with the appointment and as such there are no Human Resources Implications.

**Name: Kelly Gunn Signature: \_\_By Email\_\_\_\_\_ Date: \_\_19<sup>th</sup> June  
2017\_\_\_\_\_**  
**Signature of Assistant Director of Human Resources and Communications (or  
representative)**

**Box 8****PROCUREMENT IMPLICATIONS:**

The proposal is for the Council to contribute to the funding of an agency business support worker post within DCST, enabling the testing out of the proposition that this is the required support needed to enable evidence to support Payment by Results (PBR) claims to be compiled and fed to DMBC SPU for claims processing. The post is to be funded for two months. The Council is to contribute towards the funding of this post.

A formal legally binding agreement is required to be put in place between the Council and DCST to cover the funding and service arrangements

**Name: Shaun Ferron    Signature: \_\_\_\_\_ S A Ferron \_\_\_\_\_    Date: \_\_\_\_19.05.17\_\_\_\_**  
**Signature of Assistant Director of Finance & Performance**  
**(or representative)**

**Box 9****ICT IMPLICATIONS:**

The Recruiting Officer must ensure timely notification to ICT Service Desk/Portal to ensure the relevant user logons are created and any system access is in place. They must also ensure the any agency works comply with the required ICT, Data Protection and Security eLearning and necessary agreements are completed prior to any agency worker starting temporary employment.

At the end of the temporary period, the Responsible Officer must ensure any system access is terminated through notifying ICT in accordance with Acceptable Use and Data Protection policies.

**Name: Dan Parry        Signature: D. Parry    Date: 15.05.12**  
**Signature of Assistant Director of Customer Services and ICT**  
**(or representative)**

**Box 10****ASSET IMPLICATIONS:**

There are no implications arising from the recommendations of this report that impact on the use of DMBC assets.

**Name: Gillian Fairbrother (Assets Manager, Project Co-ordinator)**  
**Signature: By email                      Date: 12<sup>th</sup> May, 2017**

**Signature of Assistant Director of Trading Services and Assets**  
**(or representative)**

**Box 11****RISK IMPLICATIONS:****To be completed by the report author**

Without supporting DCST to draw out the claims we need for the Programme we put the whole programme at risk This proposal sets out to test the assertion that managers need business support assistance to do this!

**(Explain the impact of not taking this decision and in the case of capital schemes, any risks associated with the delivery of the project)**

**Box 12****EQUALITY IMPLICATIONS:****To be completed by the report author**

This post will support the whole for the programme claim requirements and so does not impact negatively on any particular group, in fact if successful will support increased income and so positively affect all those eligible for the programme and Doncaster as a whole.

**Name: Matt Cridge** Signature:  **Date: 10/05/2017**  
(Report author)

**Box 13****CONSULTATION****Officers**

Discussion with the DCST senior managers and Chair of the SF Steering group.  
Discussed with data lead officer in SPU who confirms this should help with drawing out data for claims.

Discussed with AD Communities.

**(In addition to Finance, Legal and Human Resource implications and Procurement implications where necessary, please list below any other teams consulted on this decision, together with their comments)**

**Members**

**Under the Scheme of delegation, officers are responsible for day to day operational matters as well as implementing decisions that have been taken by Council, Cabinet, Committee or individual Cabinet members. Further consultation with Members is not ordinarily required. However, where an ODR relates to a matter which has significant policy, service or operational implications or is known to be politically sensitive, the officer shall first consult with the appropriate Cabinet Member before exercising the delegated powers. In**

appropriate cases, officers will also need to consult with the Chair of Council, Committee Chairs or the Chair of an Overview and Scrutiny Panel as required. Officers shall also ensure that local Members are kept informed of matters affecting their Wards.

Please list any comments from Members below:

Shared with Portfolio holder Communities.

**Box 14**

**INFORMATION NOT FOR PUBLICATION:**

In accordance with the Freedom of Information Act 2000, it is in the interests for this decision to be published in full, redacting only the signatures.

Name: Gillian Parker Signature: by email Date: 10/08/2017  
Signature of FOI Lead Officer for service area where ODR originates

**Box 15**

Signed:  Date: 31.8.17  
Director of People, Damian Allen

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Additional Signature of Chief Financial Officer or nominated representative for Capital decisions (if required)

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Signature of Mayor or relevant Cabinet Member consulted on the above decision (if required).

- This decision can be implemented immediately unless it relates to a Capital Scheme that requires the approval of Cabinet. All Cabinet decisions are subject to call in.
- A record of this decision should be kept by the relevant Director's PA for accountability and published on the Council's website.
- A copy of this decision should be sent to the originating Directorate's FOI Lead Officer to consider 'information not for publication' prior to being published on the Council's website.
- A PDF copy of the signed decision record should be e-mailed to the LA Democratic Services mailbox