

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/038/2018 to extend and transfer Programme Manager agency role from LOCYP to AHWB PMO

Box 1

DIRECTORATE: AHWB

DATE: 24/05/18

Contact Name: Simon Walker

Tel. No.:

Subject Matter: To extend Consultant assignment from 1st June 2018 until 31st December 2018

Box 2

DECISION TAKEN:

Previous ODR (1819005) relating to this particular Consultant was to extend and transfer the role from LOCYP to AHWB Your Life Doncaster Programme Team, this ODR extended the worker to 31st May and confirmed this was to begin the transition to the next phase of the DIPS programme and aid the one Directorate plan

The worker has now begun to pick up the work from the AHWB side and this ODR is to confirm the extension of this role within the AHWB Directorate from 1st June 18 to end of December 18.

This assignment will be an additional resource to the Programme Office structure over and above the current establishment.

Box 3

REASON FOR THE DECISION:

The request in this ODR is to extend the 1 FTE Consultant / Programme Manager for the period stated above. This is to ensure all work is completed and that knowledge is not lost as Adults pick up the one Directorate work and take it forward.

Box 4**OPTIONS CONSIDERED & REASONS FOR RECOMMENDED OPTION:**

If other options were considered, please specify and give reasons for recommended option

To not extend the role

1) There is a real risk of lost subject matter expertise, with a significantly negative impact on the Adult's Transformation Programme and the One Directorate Approach to implementing the Doncaster Integrated People Solution (DIPs)

To include these roles amongst existing work remits –

1) The option to include this work on top of existing day to day roles has been considered, however the work required equates to a full time role and therefore requires dedicated resources.

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. Salary grade should be determined by job evaluation.

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 is 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 should be in place a contract setting out the terms of the engagement prior to the commencement of the new arrangement. 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 has changed. 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.

The Council has policies to deal with recruitment which should be followed.

Name: Helen Wilson Signature:

By email

Date: 25/05/2018

Signature of Assistant Director of Legal & Democratic Services (or representative)

Box 6**FINANCIAL IMPLICATIONS:**

The estimated cost of this decision is circa £116,000, based on a weekly cost of £2,984 per week for approx. 39 weeks for the rest of the year. This will vary depending on the actual number of days worked.

This cost will be funded in the first instance from the AHWb Transformation Programme funding, although it is intended to offset any appropriate costs

It should be noted that this is an additional call on the Transformation Programme funding that was not originally planned, and places extra pressure on this budget.

Whilst still within budget it does call on the contingency originally built into the programme and the budget overall will need to be carefully managed. To this end alternative funding sources will also be explored to reduce the call on the Programme if possible – these include offsetting resources against the Place Plan and Intermediate Care projects that this post and posts within the Transformation Programme are currently supporting.

Name: Paul Williams **Signature:** Via email

Date: 25/05/18

**Signature of Assistant Director of Finance & Performance
(or representative)**

Box 7**HUMAN RESOURCE IMPLICATIONS:**

This ODR relates to a specific consultancy worker who is already set up on the Reed system, a new order will be required with a new set of deliverables so the HR Manager for Adults Health & Well-being can sign this off.

A new IR35 assessment will also be required, HMRC's IR35 rules moves the responsibility for statutory deductions from the worker's personal service company (PSC) to the organisation paying the worker / PSC. This is to ensure appropriate deductions of tax and NI are made. The Council are responsible for determining if a role falls inside / outside IR35. The hiring manager must complete the IR35 tool in advance of placing an order through Reed's ordering system (XMS).

Name: Kelly Wilks **Signature:** By Email **Date:** 24th May 2018

Signature of Assistant Director of Human Resources and Communications (or representative)

Box 11

RISK IMPLICATIONS:

To be completed by the report author

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

If the decision to extend the proposed roles/functions is not agreed there is potential that:

DIPs implementation would be negatively impacted for both LOCYP and Adults

Adults Service Improvement and Transformation work would be negatively impacted – via the above DIPs impact

Box 12

EQUALITY IMPLICATIONS:

To be completed by the report author

None

Name: Signature: Simon Walker Date:26/04/18
Report author)

Box 13

CONSULTATION

Officers

(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:

N/A

Box 14

INFORMATION NOT FOR PUBLICATION:

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

Name: Signature: Gillian Parker Date: 29/05/2018
Signature of FOI Lead Officer for service area where ODR originates

Box 15

[redaction]

Signed: _____ Date: 29/05/2018
Director of People Damian Allen

Signed: _____ Date: _____
Additional Signature of Chief Financial Officer or nominated representative for Capital decisions.

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