

To: **Executive Member for Finance & Corporate Improvement/Executive Director:
Resources
18 December 2024**

**Award of Neutral Vendor for Agency Staff Contract
Assistant Director: HR, OD & Payroll**

1 Purpose of Report

- 1.1 The Council's current neutral agency vendor contract has been provided by Matrix SCM for five years and is due to end on 31 March 2025. There is no scope for extension.
- 1.2 In accordance with the Strategic Procurement Plan, agreed by the Executive on 16 July 2024, the Council has undertaken a competition under the ESPO (Eastern Shires Purchasing Organisation) Framework. The evaluation of tenders has now been completed and this paper seeks agreement to award a new contract for a period of up to six years, commencing 1 April 2025.

2 Recommendation(s)

- 2.1 That the neutral agency contract be awarded to Tenderer A, identified in Confidential Annex A, for an initial period of three years commencing 1 April 2025, with the option to extend by a further period of three years, subject to satisfactory performance and at the discretion of the Council.

3 Reasons for Recommendation(s)

- 3.1 A new contract needs to be in place by 1 April 2025 for a Neutral Agency Vendor to ensure the provision of temporary/interim workers which are essential to meet the needs of the council's staffing requirements.
- 3.2 The recommended contract meets all the criteria set out in the tender document and from the competitive tender process, represents the best combination of quality and value to the Council over the term of the contract.

4 Alternative Options Considered

- 4.1 As set out in the procurement plan, originally the proposal was to follow a two-stage restricted procurement process due concerns over the frameworks that would be available for the duration of the procurement. However, with a framework now available this approach is being recommended rather than undertaking our own bespoke tender process as it is a more efficient route.

Consideration was given to a master vendor approach, but this was rejected due to concerns over the ability of a single master vendor to supply especially around social care roles.

5 Supporting Information

Please refer to confidential annex.

6 Consultation and Other Considerations

6.1 Legal Advice

The call off carried out in accordance with the rules from the ESPO Framework is compliant with the Public Contracts Regulations 2015. The comments of Corporate Procurement in relation to the Confidential Annex are noted.

6.2 Financial Advice

The annual cost of the contract is dependent on the overall usage of agency staff and should be met from unspent staffing budgets arising from posts being vacant and managed as a whole as part of the Departmental Devolved Staffing Budget.

6.3 Other Consultation Responses

Service users, finance and unions were consulted.

6.4 Corporate Procurement Advice

It is confirmed that the call off process was carried out in line with the Public Contracts Regulations 2015, the procedures of Lot 1 ESPO Framework 653F_23 Managed Services for Temporary Agency Resources, and the approved Strategic Procurement Plan.

It is further confirmed that following evaluation, Tenderer A is the highest scoring bidder, and it is recommended that the Award of Contract be approved to Tenderer A. Please refer to the Confidential Annex for any further advice.

6.4 Equalities Impact Assessment

An EIA and DPIA were completed as part of the procurement plan.

6.5 Strategic Risk Management Issues

Poor performance could be a risk to the council, but robust contract management including; KPIs, regular quality and performance meetings with the supplier and a comprehensive system for raising any issues with quality or service delivery, will all contribute to managing the impact of any poor performance.

Background Papers

Appendix 1 – Confidential Annex

Contact for further information

Paul Young, Assistant Director, HR, OD & Payroll
Paul.young@bracknell-forest.gov.uk

Alison Beswick, Head of HR
Alison.beswick@bracknell-forest.gov.uk