

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	4256
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Department:	People
Contact:	Julia Bramble (Job Title: Service Manager, Early Help, Email: julia.bramble@nottinghamcity.gov.uk, Phone: 07949194883)
Subject:	Behavioural and Emotional Health Team - additional temporary posts - CCG funded contract
Total Value:	£86,190 (Type: Revenue)
Decision Being Taken:	<p>(1) To recruit 0.5 x Data Analyst, 2x Family Support Workers and 1 x Business support officer on fixed term contracts until 31 March 2022 within the Behavioural and Emotional Health Team (Non-Executive Officer Decision).</p> <p>(2) To use the underspend from previous Delegated Decision 3905 to fund the posts listed above (Portfolio Holder decision).</p>
Reasons for the Decision(s)	<p>An original Delegated Decision was signed for recruitment within the Behavioural and Emotional Health Team in April 2020, based on a directly awarded contract from the CCG for 2 years (DD number 3905). In year 1 of the contract, some posts remained vacant - so creating an underspend of £86,190. The CCG has agreed that this can be accrued into Year 2 of the contract to increase staffing levels on a fixed term basis to reduce wait times, but any underspend at the end of the contract at 31 March 2022 will be claimed back.</p> <p>There is no financial impact on the Council - as this is completely funded by the CCG.</p>
Other Options Considered:	<p>If the additional temporary posts are not agreed, the unspent budget would be claimed back by the CCG and may impact on a reduced future budget if the contract is extended.</p> <p>This is a direct award from the CCG to deliver a neurodevelopmental service for children presenting with behaviours indicative of ADHD or ASD - there are no other services in Nottingham City that offer this service.</p>
Background Papers:	None

Published Works:	Delegated Decision number 3905
Affected Wards:	Citywide
Colleague / Councillor Interests:	None
Any Information Exempt from publication:	Yes
Exempt Information:	
Description of what is exempt:	Legal advice
	An appendix (or appendices) to this decision is exempt from publication under the following paragraph(s) of Schedule 12A of the Local Government Act 1972
5 - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.	The public interest in maintaining the exemption outweighs the public interest in disclosing the information because the information contained in the legal advice sets out the legal risks inherent in the course of action proposed here, which the Portfolio Holder is arguably entitled to consider without Nottingham City Council's position being affected simply by the consideration of those risks.
Documents exempt from publication:	DDM advice - 28.05.2021.pdf
Consultations:	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	None
Equality:	EIA not required. Reasons: Original EIA is still relevant to this request.

Relates to staffing: Yes

Decision Type: Portfolio Holder

Subject to Call In: Yes

Call In Expiry date: 01/07/2021

Advice Sought: Legal, Finance, Human Resources

Legal Advice: This advice is exempt from publication and is contained within an exempt appendix Advice provided by Aman Patel (Solicitor) on 28/05/2021.

Finance Advice:

The decision links to DDM 3905 - Behavioural Emotional Mental Health Service

Due to slippage in recruiting to posts in year 1, the CCG approved utilising the underspend to appoint a further 3.5fte on a fixed term basis to 31 March 2022. The service notes the additional capacity link to service performance requirements and reduce waiting times. The cost of this decision is £0.074m assuming appointments from August 2021, including recruitment expenses and can be met from the underspend in 2020/21.

The original finance comments noted potential financial risks associated with pension implications (TUPE) and recommended seeking advice from the Pensions Team to quantify levels or risk. Some provision for redundancy is included in the most recent forecast; however, it is important to determine any further liabilities arising from the above, or other exit expenses before committing to additional spend and / or refunding the CCG. Advice provided by Christine Green (Strategic Finance Business Partner) on 23/06/2021.

HR Advice:

This decision relates to the acceptance of funding from the CCG previously approved under decision 3905 and will enable NCC to make full use of this funding.

Management will need to ensure that the new posts proposed in this decision are correctly job evaluated and created prior to recruitment activity taking place.

Management should ensure that recruitment to posts is conducted through the appropriate processes, including redeployment consideration. Selected post-holders should commence on a starting salary of Level One within the respective grade, unless the appointed colleague is already in employment at NCC and on Level Two of the same grade, in which case the employee will be matched over at the rate of pay they currently receive. There will need to be a support and development process for any new appointments in line with managing performance through the probationary policy.

Although the posts will be CCG funded, management of them will remain with NCC and NCC will retain all employment liabilities including any exit payments that may be necessary at the end of the funding period. As the posts are temporary for 1 year an appropriate exit strategy must be in place in order to terminate the contracts in line with NCC guidance in the event that the posts cannot be made permanent at the end of the fixed term period. Management will need to ensure appropriate timelines are in place to notify the affected employees and give appropriate notice. Advice provided by Matthew Hackney (Resourcing Consultant) on 25/05/2021.

Signatures

Cheryl Barnard (Portfolio Holder- Children and Young People)
SIGNED and Dated: 24/06/2021
Catherine Underwood (Corporate Director for People)
SIGNED and Dated: 24/06/2021