

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	4376
Author:	Beth Brown
Department:	Finance and Resources
Contact:	Beth Brown (Job Title: Head of Legal and Governance, Email: beth.brown@nottinghamcity.gov.uk, Phone: 62196)
Subject:	Creation of 3.3 FTE 18 month fixed term Information Officer posts for Information Compliance
Total Value:	£161,214 (Type: Revenue)
Decision Being Taken:	<ol style="list-style-type: none">1. To approve the creation of 3.3 FTE eighteen month fixed term contracts for the Information Compliance Team (Non-Executive Officer decision)2. To approve the spend associated with the temporary appointments (Portfolio Holder decision)
Reasons for the Decision(s)	See attached briefing document.
Briefing notes documents:	DDM business casuals 030821 (2).docx

Other Options Considered:

<p class="MsoNormal" style="margin-top:3.0pt;margin-right:0cm;margin-bottom:3.0pt; margin-left:0cm">The options considered were as follows;

Absorb the workload within the existing team; this is not possible due to the volume and specialist nature of the work

Absorb the workload elsewhere in the Council; this is not viable as there are no other teams within the Council who can provide the capacity or specialist knowledge

Utilise locums or outsource; this is a very expensive option and experienced redactors are difficult to find

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Background Papers:

Published Works:

Affected Wards:

Citywide

Colleague / Councillor Interests:

Consultations:

Date: 20/05/2021

Chief Finance Officer:Clive Heaphy

Clive agreed that fixed term contracts were the appropriate way to deal with this resourcing issue

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

There are no crime and disorder implications arising from this decision.

Equality:

EIA not required. Reasons: No EIA required as this is not a new service or function.

Relates to staffing:

Yes

Decision Type:

Portfolio Holder

Subject to Call In:

Yes

Call In Expiry date:

24/09/2021

Advice Sought:

Legal, Finance, Human Resources

Legal Advice:

The proposals in this report raise no legal issues and are supported.

The report proposes the creation of 3.3 fixed term contracts that are currently being delivered under casual contracts. The team is managing a significant number of requests whilst dealing with a backlog in matters and creating the fixed term posts seek to provide security and commitment to the work to bring the backlog to an acceptable level. Failure to do so risks the council's non-compliance and potential threat of enforcement action by the ICO and so imminent action is required.

The approval to create the posts is a non-executive decision to take in accordance with the scheme of delegation (Delegation 16). Advice provided by Dionne Claire Screatton (Solicitor) on 26/08/2021.

Finance Advice:

This decision seeks to create 3.30 FTE Information Officer posts at an E grade for 18 months. The total cost of the decision based on the 2021/22 pay scale will be £136,392:

If recruitment is successful and the posts are filled from September onwards the total additional cost within 2021/22 will be £53,041 with £83,350 in 2022/23 financial year.

There is currently no funding identified for these costs, however in accordance with Data Protection Legislation the Data Protection Officer should be provided with sufficient resources to ensure compliance under the legislation. With the risk of a potential data breach and financial impact after enforcement from the ICO, this is deemed necessary capacity. Mitigation needs to be sought initially within Legal & Governance, and if needed the wider Finance & Resources directorate to cover these costs.

Advice provided by Philip Gretton (Finance Analyst) on 01/09/2021.

HR Advice:

Creation of the roles should be based on a defined and graded Job Description, utilising the Council's GLPC grading structure. Consideration should be given to potential exit costs associated with creation of temporary posts, however contracts of c.18 months should see a relatively negligible cost incurred. In addition, colleagues who have contracts ending should be referred to the Council's central 'Redeployment' process (in line with the relevant procedure in place at that time) to ensure we fulfil our legal obligations around attempting to identify suitable alternative employment. Finally consideration should be given to the process used to recruit to the roles, if this proposal is supported, including consideration of those already undertaking the work with relevant training. Advice provided by Paul Slater (HR Business Lead) on 03/09/2021.

Signatures

Sam Webster (PH Finance and Resources)
SIGNED and Dated: 17/09/2021
Clive Heaphy (Interim Corporate Director for Finance & Resources)
SIGNED and Dated: 07/09/2021