

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	4988
Author:	Michael Gallagher
Department:	Communities, Environment and Resident Services
Contact:	Michael Gallagher (Job Title: Regional Energy Project Manager, Email: michael.gallagher@nottinghamcity.gov.uk, Phone: 07864 969755)
Subject:	Department for Energy Security and Net Zero (DESNZ) Skills Training Competition 2023-24
Key Decision (decision valued at more than £1million):	Yes
Total Value:	£9.5m (Type: Revenue)
Decision Being Taken:	<p>1) To accept £9.5 million in grant funding from the Department for Energy Security and Net Zero (DESNZ) for the Skills Training Competition, and to delegate authority to the Director for Environment and Sustainability (ES) to enter into a Section 31 Agreement for the funding.2) To delegate authority to the Head of Midlands Net Zero Hub, in consultation with the Director for CRES, to utilise the grant funding to design and run a skills training competition to award grants of up to £1 million to training provider organisations to up-skill and re-skill people and businesses so that they can install energy efficiency measures and low carbon heating, to facilitate Government retrofit programmes.3) To establish the roles of 1 x Programme Manager and 1 x Principal Officer to support the delivery of the programme, and to extend the existing 1 x Business Support Officer Role. The funding for the roles is being approved by the Leader of the Council as an executive decision and the establishment of the posts is being approved by the Corporate Director as a non-executive decision under Delegation 16.4) To procure an external contractor to conduct an evaluation at the end of the programme, ensuring that data sharing agreements and General Data Protection Regulation compliance is in place.</p>

Reasons for the Decision(s) The DESNZ is committed to delivering support to enable the Government's retrofit initiatives to be both an economic stimulus and contributor to the UK's carbon net-zero ambitions. This funding will be managed by the Midlands Net Zero Hub, within the Council's ES Division, enabling training provision across the region in support of the low carbon economy. The total competition value is £9.5 million, £650,000 of which will be allocated to the Hub and the ES Division to design, deliver and monitor the competition. The Hub is well-placed to do this, and it will generate revenue for the Council and create jobs across the region. This work also aligns with the D2N2 Local Enterprise Partnership's Energy Strategy and developing Local Industrial Strategy, supporting the skills agenda that will enable green growth. Furthermore, it will support the supply chain development that is needed to meet the Council's Carbon Neutral 2028 ambitions. The DESNZ has requested the Hub's and the ES Division's support on this project, due to their successful track record in project development and support, including a very similar programme, with an ability to meet challenging deadlines. This is brought through as an LKD due to the delivery timeframes, requiring this programme to be launched and delivered this financial year, and there being a stipulation in the MoU that the agreement is to be received by them for the 10th July 2023.

Other Options Considered: To not accept the grant: this option is rejected as it would represent a loss of revenue for the Council and would be a missed opportunity to support the development and growth of a skilled workforce in a growth sector.

Background Papers:

Published Works:

Affected Wards: Citywide

Colleague / Councillor Interests: NA

Consultations: Those not consulted are not directly affected by the decision.

Crime and Disorder Implications: None

Equality: EIA not required. Reasons: EIA not required. Reasons: This decision does not represent proposals for a new or changing policy, service or function.

Social Value Considerations:	This is predominantly a competition exercise as opposed to a procurement exercise, though advice from Procurement may be needed at times, alongside support for the contracting of an external evaluator at the close of the programme.
Relates to staffing:	Yes
Decision Type:	Leader's Key Decision
Subject to Call In:	Yes
Call In Expiry date:	21/07/2023
Advice Sought:	Legal, Finance, Procurement, Human Resources
Legal Advice:	See attached Advice provided by Richard Bines (Solicitor) on 27/06/2023.
	Advice documents: LKD Legal Advice V2.docx
Finance Advice:	<p>This decision seeks the approval to accept £9.5m in grant funding from the Department for Energy Security and Net Zero (DESNZ) for the Skills Training Competition.</p> <p>This funding will be managed by the Midland Net Zero Hub, within the Council's ES Division, enabling training provision across the region in support of the low carbon economy.</p> <p>The total competition value is £9.5m, £650k (6.85%) of which will be allocated to the Hub and the ES Division to design, deliver, and monitor the competition.</p> <p>A separate cost centre will be used to assist in managing the grant and payments for which the budget/project manager will be responsible for. This will include ensuring all grant conditions are adhered to due to the council's accountable body role. This will minimise the risk of any grant clawback.</p> <p>Recruitment Grant Funded Posts x1 Programme Manager & x1 Principal Officer</p> <p>This decision seeks to approve recruitment to x2 grant funded posts on a 1 year fixed term contract basis to deliver the Net Zero Programme.</p> <p>The proposal also seeks a one year extension to the existing Business Support Officer role (Grade D), which is currently vacant. The posts will be fully funded, including pension deficit costs, from the Department for Energy security and Net Zero grant allocation.</p> <p>Sejal Mistry - Senior Commercial Business Partner (Environment & Sustainability) July 2023 Advice provided by Sejal Mistry (Senior Commercial Business Partner) on 10/07/2023.</p>

HR Advice:

The proposal seeks to establish two new 1 year Fixed Term contracts for: 1 x Programme Manager (Grade I) and 1 x Principal Officer (Grade H). The proposal also seeks a one year extension to the existing Business Support Officer role (Grade D), which is currently vacant. Funding for these posts has been secured through grant funding as described in the proposal.

Approvals for the posts creation should be secured from the Corporate Director and job descriptions evaluated and graded via the Job Evaluation process. Decisions on pay must adhere to NCC's pay policy and established grading scheme.

A fair and transparent recruitment process should be followed with due regard to the Council's internal redeployment process and recruitment procedure. Consideration to the Council's EDI agenda should be given in respect of how and where the posts are advertised and selected through a representative recruitment panel.

Successful external applicants would commence on Level 1 of the grade, rising to L2 after twelve months. A successful internal applicant, already in employment with the Council on the same Grade L2 (or above), would be matched at Level 2 of the Grade.

A support and development plan should be compiled for the new post holders once appointed in line with managing performance through the probationary policy for new starters to the Council, or 'Internal Moves' guidance for existing staff members.

Management should be aware that any future extension to the Fixed Term Contracts may have a bearing on post holders acquiring employment rights. Therefore 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 employee and provide the appropriate notice period. Staffing costs, including any contingency for exit costs should be accounted for from the staffing element of the designated grant.

Advice provided by Andrew Morley (Senior HR Consultant) on 04/07/2023.

Procurement Advice:

Of the decisions sought, only item (4) has direct Procurement implications. All contracts for goods, services, or works, associated with or in support of the scheme must be awarded in compliance with Contract Procedure Rules and the Public Contracts Regulations 2015; further advice must be sought from the Procurement Team before making appointments or awarding contracts.

As regards item (3), grants ordinarily do not require procurement, however this can depend on the nature of the services to be carried out by the recipient and the level of control set out in the agreement. Advice must be taken to ensure that the nature of the arrangements subject to this decision are genuinely grant funding rather than contracts for services, and are compliant with subsidy control rules.

Items (1) & (2) relate to management of the grant and employment respectively, and thus are outwith the scope of procurement.

Advice provided by Jonathan Whitmarsh (Lead Procurement Officer) on 26/06/2023.

Signatures:

David Mellen (Leader/ PH Strategic Regeneration & Communications)
SIGNED and Dated: 14/07/2023
Dr Ita O'Donovan (Interim Corporate Director, CERS)
SIGNED and Dated: 14/07/2023