

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:

3187

Author:

Anne Clarke

Department:

Strategy and Resources

Contact:

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Subject:

3 x Qualified Network Engineers for a period of up to 9 months

Total Value:

Exempt (Type: Revenue)

Decision Being Taken:

1) To dispense with the requirements of the Contract Procedure Rule 5.1.2 (Operational Issues) and to go out to Recruitment Agencies for 2 x qualified Network engineers to work with permanent members of staff to complete a number of critical network projects for a period of 6 months with an option to extend for a further 3 months period at an estimated cost outlined in the exempt appendix.

2) To dispense with the requirements of Contract Procedure Rule 5.1.2 (Operational Issues) in accordance with Financial Regulations 3.29 and enter into contract with ChetNet for a 6 months period for 1 x qualified network engineer with an option to extend for a further 3 months at an estimated cost outlined in the exempt appendix.

**Reasons for the Decision(s)**

The following projects are required to be completed over a period of 9 months:

**Public Wifi (GovWifi) deployment to City Council sites**  
**Nexus Data Centre switches refresh**  
**Network-wide Access switches refresh**  
**Nottingham City Council CUCM (Cisco Unified Communications Manager) upgrade and housekeeping thereafter.**  
**Rollout of Cisco Energy Saving.**

5 members of the team have recently resigned following a Departmental Service Restructure and we require engineers who can continue these pieces of work whilst we employ and train new members of staff.

Decision 1 -We wish to seek two further engineers through recruitment agencies .This will give us the opportunity to interview the applicants to ensure that they have the required skills and to agree flexibility in the working hours to meet the business requirements

Decision 2 -We presently employ one engineer to work on the above projects , this contract ( which was awarded by competitive tender ) is due to finish on 31st May 2018 and we wish to award a further contract for 6 months with an option to continue for a further 3 months.

**Other Options Considered:**

**Option 1, to do nothing. This option was rejected as these are essential systems:-**  
**CUCM allows Citizens to access frontline services. The current system is now unstable and needs an upgrade to ensure Citizens can continue to reliably access City Council Services.**

**The Nexus Data Centre switches are the core of the network and need a capacity uplift to cope with the increasing data services demands from projects such as Fit-for-the-future.**

**The GovWifi project will generate cost savings of £30k per annum in the provision of Public Wifi access, while providing a wider digital inclusion footprint for citizens to support the strategy of a Digital Nottingham for citizens and the Government's Digital by Default strategy.**

**Rolling out the Cisco Energy wise saving system allows the Council to go green and save on the electricity bill.**

**Option 2, to go out for tender through a CCS framework. This option was rejected, because this is more expensive than the hourly rates we get with Agencies. Additionally, with this option, the Council has limited control over the running of the contract when it comes to the working hours and the payment of overtime, which can end up costing the Council more for project or support work completed out of hours.**

**Background Papers:**

N/A

**Published Works:**

N/A

<b>Affected Wards:</b>	Citywide
<b>Colleague / Councillor Interests:</b>	N/A
<b>Any Information Exempt from publication:</b>	Yes
<b>Dispensation from Financial Regulations:</b>	Yes
<b>Exempt Information:</b>	
<b>Description of what is exempt:</b>	Financial information
	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
<b>3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).</b>	The public interest in maintaining the exemption outweighs the public interest in disclosing the information because it could prejudice future contract negotiations.
<b>Documents exempt from publication:</b>	EXEMPT - DDM Finance Advice - Network Engineers.docx, Exempt Financial information.docx
<b>Consultations:</b>	Those not consulted are not directly affected by the decision.
<b>Crime and Disorder Implications:</b>	There are no crime and disorder implementations
<b>Equality:</b>	EIA not required. Reasons: Purchase of network engineering skills not directly used by colleagues and citizens

<b>Social Value Considerations:</b>	N/A
<b>Any implications affecting IT:</b>	Yes
<b>Decision Type:</b>	Portfolio Holder
<b>Subject to Call In:</b>	Yes
<b>Call In Expiry date:</b>	25/06/2018
<b>Advice Sought:</b>	Legal, Finance, Procurement, Human Resources, IT
<b>Legal Advice:</b>	Given the sums involved for both decisions, dispensation under financial regulation 3.29 is required from CPR 5.1.2 for the reasons stated in the main body of the author's report. Advice provided by Sarah O'Bradaigh (senior solicitor) on 08/06/2018.
<b>Finance Advice:</b>	<p>This decision seeks approval to recruit 2 x network engineers from a recruitment agency for a period up to 9 months (6 months + 3 months).</p> <p>This decision also seeks approval to extend the contract of a current contractor for a period of up to 9 months (6 months + 3 months) from 1st June 2018 and this proposed contract extension was included in the original contract.</p> <p>***Finance advice can be found in the exempt attachment***</p> <p>In order to ensure value for money, efforts should be made to source suitably experienced staff from the agencies at the lowest possible rate, negotiating finder/exit fees where possible. Further attempts should be made to reduce costs where contracts are renegotiated or extended.</p> <p>This decision seeks dispensation from Contract Procedure Rules 5.1.2 in accordance with Financial Regulation 3.29 (Operational Issues) and this request is deemed appropriate for the reasons outlined by the report author.</p> <p>Advice provided by Hayley Mason (Strategic Finance Business Partner) on 29/05/2018.</p>

**IT Advice:**

The IT Service supports the proposals within this delegated decision.  
 A significant proportion of skilled engineers has recently left the Council IT Service's Voice & Data Networks Team. Positions in this Team are difficult to recruit to. In order to provide capacity to enable 'business as usual' operations and the delivery of critical projects it is necessary to immediately acquire capacity within the Team. The use of contractors is a means of quickly providing the required capacity with the required technical skills and knowledge.

Advice provided by Paul J. Burrows (IT Change, Projects & Strategy Manager) on 24/05/2018.

**Procurement Advice:**

This report seeks approval, using clause 3.29 of the financial procedure rules on grounds of operational issues for a value below key decision level, to dispense with the requirement under clause 5.1.2 under the contract procedure rules to seek tender responses. The values of the two separate decisions are below EU threshold. If dispensation is granted, then the requirements of the contract procedure rules will be satisfied and there will be no procurement concerns. Advice provided by Lauren Wheatcroft (Procurement Officer) on 08/06/2018.

**HR Advice:**

This decision seeks to recruit 2 qualified network engineers to undertake critical project work and work alongside the network team within the IT service up to 9 months. The decision also seeks to extend a current contractor working in the IT service, also for up to 9 months. HR supports the proposals within this delegated decision.

Funding has been identified by the service for these posts within existing IT budgets.

Due to the limited time available for recruitment, the critical nature of the work and the requirement to undertake the work within the next 6-9 months, the service wishes to hire 2 agency staff for the posts, and extend the existing contractor to deliver the requirements of the projects.

The NCC policy and procedures on the recruitment of Agency staff should be followed and adhered to, including considering the neutral vendor system (dependent on suitability of skills given this is a niche skills set), and the national Agency Worker Regulations. The hiring manager should liaise with the Departmental HR team for further support to engage an agency worker in the interests of value for money and negotiating the best possible rate.

The networks team is facing significant resourcing challenges with a number of resignations received recently as a direct outcome of the uncertainty of the IT restructure process. These roles are technical in nature and they are a difficult skills set to source. The decision, if approved will support the service to bring in valued expertise at a fast pace to deliver the network infrastructure projects, minimizing the critical risk to the IT service, and the Council. Advice provided by Rachael Morris (HR Business Partner) on 29/05/2018.

**Signatures**

Toby Neal (Portfolio Holder for Community Protection)
SIGNED and Dated: 18/06/2018
Candida Brudenell (Corporate Director for Strategy and Resources)
SIGNED and Dated: 14/06/2018
Laura Pattman (Strategic Director of Finance) - Dispensation from Financial Regulations
SIGNED and Dated: 14/06/2018
Chief Finance Officer's Comments: