

EAST KENT JOINT ARRANGEMENTS COMMITTEE

17 APRIL 2013

- Subject:** **Proposed provision of services to East Kent College by East Kent HR Partnership and similar Contracts in the future.**
- Director/Head of Service:** Director of EK Services and Head of East Kent HR Partnership.
- Decision Issues:** These matters are within the authority of the Committee.
- Decision type:** Non-key
- Classification:** This report is open to the public.
- Summary:** *East Kent HR Partnership have the opportunity to provide services to another public body, East Kent College, and seek the delegated power to enter into similar contracts in future.*
- To Resolve:**
- 1. To approve the provision of health and safety services to East Kent College on terms to the satisfaction of the Head of East Kent HR Partnership and in a contract form to the satisfaction of the solicitor to the Council (Dover).**
 - 2. To delegate authority to the Head of East Kent HR Partnership to extend the contract with East Kent College beyond the initial three month period if so agreed.**
 - 3. To delegate authority to the Head of East Kent HR Partnership to enter into contracts for the provision of services with public bodies as defined in legislation under the Local Authorities (Goods and Services) Act 1970 subject to prior consultation with the Director of EK services and the aggregate value of all such contracts not exceeding 15% of the net budget of East Kent Human Resources at any one time.**
- Next stage in process** To enter into the contract.

SUPPORTING INFORMATION

1. Background

East Kent College (EKC) are currently reviewing their structure with a view to realigning roles and responsibilities amongst their senior team. In December 2012 their Health and Safety Advisor left the college and as yet no replacement has been found. The college need to keep up to date with its Health and Safety calendar of events and it has been decided, whilst the EKC looks at restructuring, that this service is contracted out.

2. Terms

East Kent HR Partnership (EKHR) have been approached to provide professional Health and Safety services for an initial 3 month period. It is envisaged that 1 FTE support will be required for one day per week initially, reducing to half a day per week within the three month period. There is the potential that the support time span may be extended past 3 months.

3. Implications for existing clients

EKHR can provide support within its current staffing levels, without there being detriment to the service it already provides to its clients. There would be no requirement to employ extra resource.

4. The Future

East Kent College is a further education institution and as such by virtue of the Further Education and Higher Education Act 1992 schedule 8 paragraph 71 is a 'public body' within the scope of the Local Authorities (Goods and Services) Act 1970. By virtue of that Act a local authority can supply goods and services to another public body as defined. EKHR wish to have the ability to enter into similar contracts opportunistically as they arise. There needs to be limits applied to this activity at the outset to ensure that any supply of services is conducted prudently. Therefore it is recommended that the level of activity at any one time does not exceed an aggregate of 15% of the EKHR net budget. This can of course be reviewed in the future if the existing clients can be assured there is no detriment to the service they receive.

5. Options available with reasons for suitability

Members may either accept or reject the proposal. There is no detriment in rejecting it. However by accepting the recommendation for what is a modest provision of services a useful opportunity to trial working for others wholly outside the original founding Councils and their offshoots is gained.

6. Reasons for supporting option recommended, with risk assessment

Members should endorse the recommendations. The proposed provision of services to East Kent College is small scale within existing resources and is therefore low risk. At the same time it provides an opportunity to test working for another party wholly outside the existing base. Future work is limited to 15% of the net budget of the

service thus providing a check on any significant scale of this type of external activity without a further decision.

7. Implications

(a) Financial Implications

Any services will be provided at a properly costed rate to ensure that no burdens fall on the controlling Councils of EKHR.

(b) Legal Implications

See the report.

8. Conclusions

The proposals in this report provide an opportunity for EKHR to test extending its client base whilst not adversely affecting the existing clients. It is a worthwhile exercise, which if successful, will have significant implications for the future.

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Background papers

Exempt information by reason of paragraph 3 schedule 12 A Local Government Act 1972 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)).

Correspondance and notes of discussions with East Kent College.

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Version 1

Date 110413

Time 12.00