

Birmingham City Council

Report to Cabinet

Date: 14th May 2024



Subject: NON-KEY DECISION PLANNED PROCUREMENT ACTIVITIES (JUNE 2024 – AUGUST 2024)

Report of: INTERM COMMERCIAL AND PROCUREMENT DIRECTOR

Relevant Cabinet Member: Councillor John Cotton, Leader

Relevant O &S Chair(s): Councillor Jack Deakin, Chair of Finance and Resources OSC

Report author: Maria Huggon – Interim Commercial and Procurement Director
Email Address: maria.huggon@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, add Forward Plan Reference:		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		

1 Executive Summary

- 1.1 This report provides details of the planned procurement activity for the period June 2024 – August 2024 which are not key decisions and all contract award decisions made under Chief Officer's delegation during the previous quarter.

Planned procurement activities reported previously are not repeated in this report.

- 1.2 The report enables Cabinet to identify whether any reports for procurement activities should be brought to this meeting for specific executive decision, otherwise they will be dealt with under Chief Officer delegations up to the value of £500,000, unless TUPE applies to current Council staff.

2 Recommendations

- 2.1 To approve the planned procurement activities and approve Chief Officer delegations, set out in the Constitution for the subsequent decisions around procurement strategy for the following:

- RoleMapper Phase 2

3 Background

- 3.1 The report approved by Council Business Management Committee on 16 February 2016 set out the case for introducing this process.
- 3.2 At the 12th July 2022 meeting of Council changes to procurement governance were agreed which gives Chief Officers the delegated authority to approve procurement contracts up to the value of £500,000 for non-key decisions over the life of the contract. Where it is likely that the award of a contract will result in staff employed by the Council transferring to the successful contract under TUPE, the contract award decision has to be made by Cabinet.
- 3.3 In line with the Procurement and Contract Governance Rules that form part of the Council's Constitution, this report acts as the process to consult with and take soundings from Cabinet Members and the Resources Overview & Scrutiny Committee.
- 3.4 This report sets out the planned procurement activity over the next few months where the contract value is between the procurement threshold £179,086.67 (excluding VAT) and £500,000 (excluding VAT) for non-key decisions. This will give members visibility of all procurement activity within these thresholds and the opportunity to identify whether any procurement reports should be brought to Cabinet for approval even though they are below the £10m delegation threshold.
- 3.5 It should be noted that the procurement threshold has changed from £177,897.50 to £179,086.67 (excluding VAT) and applies from 1st January 2024 for a period of 2 years.
- 3.6 Individual procurements may be referred to Cabinet for an executive decision at the request of Cabinet, a Cabinet Member or the Chair of Resources Overview & Scrutiny Committee where there are sensitivities or requirements that necessitate a decision being made by Cabinet.
- 3.7 Procurements below £500,000 contract value that are not listed on this or subsequent monthly reports can only be delegated to Chief Officers if specific approval is sought from Cabinet. Procurements above £10m contract value will

still require an individual report to Cabinet in order for the award decision to be delegated to Chief Officers if appropriate.

4 Options considered and Recommended Proposal

4.1 The options considered are:

- To note the planned procurement activities for all the projects listed in Appendix 1 and the Chief Officer delegations as set out in the Constitution, for the subsequent decisions around procurement strategy and contract awards.– this is the recommended option.

5 Consultation / Engagement

5.1 This report to Cabinet is copied to Cabinet Members, Cabinet Support Officers and to Resources Overview & Scrutiny Committee and therefore is the process for consulting with relevant cabinet and scrutiny members. At the point of submitting this report Cabinet Members/ Resources Overview & Scrutiny Committee Chair have not indicated that any of the planned procurement activity needs to be brought back to Cabinet for executive decision.

5.2 Approval has been sought from the relevant Spend Control Board prior to inclusion on the PPAR.

6 Risk Management

6.1 Members should note that in respect of any procurement projects which are sought to be referred back to Cabinet for further considerations these may impact on timescales around the delivery of those projects.

6.2 Details of Risk Management, Community Cohesion and Equality Act requirements will be set out in the individual reports.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 Details of how the contracts support relevant Council policies, plans or strategies, will be set out in the individual reports.

7.2 Legal Implications

7.2.1 Members are reminded that as a Local Authority the Council has specific duties under public sector procurement, specifically the Public Contract Regulations 2015.

7.2.2 Specific details of any implications related to public sector procurement Regulations are set out- in the individual reports appended to this report.

7.3 Financial Implications

7.3.1 Specific details of how decisions will be carried out within existing finances and resources will be set out in the individual reports.

7.3.2 Any cashable savings generated as a result of the procurement exercises are detailed in Appendix 2 to the delivery of procurement related savings and be removed from Directorate where identified in addition to the existing service area savings target as set out in the Medium-Term Financial Plan (MTFP) in line with the principles to treatment of identified savings against third party contracts as agreed by CLT on 24th January 2022.

7.4 Procurement Implications (if required)

7.4.1 As noted under the Legal Implications the Council has a duty to ensure that public sector procurement activity is in line with public sector legislation, specifically the Public Contracts Regulations 2015.

7.4.2 For each of the individual projects the specific procurement implications associated to the legislation are set out and detailed in the appendices.

7.5 Human Resources Implications (if required)

7.5.1 None.

7.6 Public Sector Equality Duty

7.6.1 Details of Risk Management, Community Cohesion and Equality Act requirements will be set out in the individual reports which should also give consideration to application of Equality Impact Assessments in line with Council Policy

8 Background Documents

8.1 List of Appendices accompanying this Report (if any):

- 1. Appendix 1 - Planned Procurement Activity (June 2024 – August 2024)
- 2. Appendix 2 – Background Briefing Paper

APPENDIX 1 – PLANNED PROCUREMENT ACTIVITIES (June 2024 – August 2024)

No.	Type of Report	Title of Procurement	Ref	Brief Description	Contract Duration	Directorate	Portfolio	Finance Officer	Contact Name	Planned CO Decision Date
1	Strategy / Award	RoleMapper Phase 2	TBC	<p>In collaboration with managers, post holders and leaders, RoleMapper provides the digital capability to fast-track the review processes necessary for updating existing job information to inform the Job Evaluation exercise, while ensuring that this information is debiased, accurate, up to date and reflects the understanding of all key stakeholders.</p> <p>This will ensure that each job is evaluated in a consistent, defensible/compliant way to inform a new pay structure where no employee is paid less than another for doing a job of equal value, and therefore will play a key role in mitigating the risk of equal pay liabilities continuing beyond April 2025.</p> <p>RoleMapper:</p> <ul style="list-style-type: none"> •Is a bespoke intelligent job writing platform enabling BCC to embed and scale the creation of inclusive Job Descriptions and Person Specifications (JDPSs). •Will allow for greater process efficiency ensuring that approvals are managed, and the information inputs into the job evaluation process are consistent and clear. •Simplifies and segments responsibility statements so they are concise and easy to read but with sufficient detail to make them clear. •Designs job requirements inclusively ensuring the essential criteria is limited to what is critical to job performance. •Ensures consistency of approach and application of common language. •Utilises Artificial Intelligence (AI) and Machine Learning. 	1 year with the option to extend for a further 1 year	Digital and Technology Services	Leader	Ravinder Dhaliwal	Robert Johnson / Richard Fitzjohn / Viorica Swift	28/05/2024

APPENDIX 2

BRIEFING NOTE ON PLANNED PROCUREMENT ACTIVITIES
CABINET – 14th MAY 2024

Title of Contract	RoleMapper Phase 2
Contact Officers	<p>Director / Assistant Director: Katy Fox, Director of People Services</p> <p>Client Officers: Robert Johnson, Project Manager, JE, P&G (Directorate Engagement) and Richard Ftizjohn, Equal Pay Programme Lead</p> <p>Procurement Officer : Viorica Swift, Senior IT Category Manager</p>
Relevant Portfolio	Councillor John Cotton - Leader
Briefly describe the service required.	<p>In collaboration with managers, post holders and leaders, RoleMapper provides the digital capability to fast-track the review processes necessary for updating existing job information to inform the Job Evaluation exercise, while ensuring that this information is debiased, accurate, up to date and reflects the understanding of all key stakeholders. This will ensure that each job is evaluated in a consistent, defensible/compliant way to inform a new pay structure where no employee is paid less than another for doing a job of equal value, and therefore will play a key role in mitigating the risk of equal pay liabilities continuing beyond April 2025.</p> <p>RoleMapper:</p> <ul style="list-style-type: none"> • Is a bespoke intelligent job writing platform enabling BCC to embed and scale the creation of inclusive Job Descriptions and Person Specifications (JDPSs). • Will allow for greater process efficiency ensuring that approvals are managed, and the information inputs into the job evaluation process are consistent and clear. • Simplifies and segments responsibility statements so they are concise and easy to read but with sufficient detail to make them clear. • Designs job requirements inclusively ensuring the essential criteria is limited to what is critical to job performance. • Ensures consistency of approach and application of common language. • Utilises Artificial Intelligence (AI) and Machine Learning.
What is the proposed procurement route?	The route to market will be via a compliant National or Regional Framework Agreement.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	<p>There is currently a contract with RoleMapper which includes a licence to use the platform for one year along with a provision for support. This licence expires on 31st May 2024.</p> <p>The RoleMapper Platform is a bespoke imbedded solution and to change to a new solution would impact BCC's critical timescales for mitigating the risk of equal pay liabilities and the potential for these liabilities to increase beyond 1st April 2025.</p>
Will any savings be generated?	No but a delay in extending the contract with RoleMapper will put the programme at risk of not achieving the April 2025 deadline.
Has the In-House Preferred Test been carried out?	Yes – DTS completed a detailed 'Discovery' process in April 2023 where the option of developing an in-house was explored, with the conclusion that the Council could not replicate the AI capability within the timeframe required.
How will this service assist with the Council's commitments to Route to Zero?	N/A

<p>How do these activities assist the Council with Everybody's Battle; Everybody's Business?</p>	<p>EBEB Objective 5.14</p> <ul style="list-style-type: none"> • People Services is actively working on delivering a large proportion of objective five of BCC's equalities strategy: Everyone's Battle Everyone's Business (EBEB). • Objective five focuses on: encouraging and building a skilled and diverse workforce, to build a culture of equity and inclusion in everything we do. • Objective 5.14 is about ensuring all JD/PS are updated to ensure they are inclusive and support a culture of equity.
<p>Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?</p>	<p>There is not a statutory duty to provide this service, however, BCC does have a statutory obligation to establish equal terms and conditions of employment so that male and female workers receive equal pay for equal work or work of equal value.</p>
<p>Approval via Spend Control Board.</p>	<p>Approval was obtained via Section 151 Officer on 6th March 2024.</p>
<p>What budget is the funding from for this service?</p>	<p>Equal Pay programme funding agreed by Cabinet in July 2023 to cover all costs associated with the Equal Pay (formally known as Pay Equity) programme to ensure objectives met and programme delivered by April 2025.</p>
<p>Estimated value of project (note: value estimated at time of submission of PPAR, this may change at time of advancing any related procurement activity)</p>	<p>The contract value is at a fixed price of £469,200.</p>
<p>Proposed start date and duration of the new contract</p>	<p>The proposed start date is 1st June 2024 for a period of 2 years with the option of a 1-year extension (maximum 3 years).</p>