

RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

PART 1 – PUBLIC DOCUMENT

Any interest to declare/ or conflict and any dispensation granted – N/A

SERVICE DIRECTORATE: Legal & Community

1. DECISION TAKEN

To enter into a contract with Oyster Partnership (value circa £72K) to appoint a Locum Lawyer to provide cover for the vacant fixed term post.

2. DECISION TAKER

Jeanette Thompson, Service Director – Legal and Community

3. DATE DECISION TAKEN:

3 March 2022

4. REASON FOR DECISION

4.1 To ensure that the Council has sufficient staffing. A recruitment exercise was carried out in an attempt to fill the post; however, this exercise was unsuccessful, and no candidates applied for the role.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 The alternative option to carry out a further recruitment exercise in order to seek relevant cover was provided, however, given the fixed term nature of the role, this was not considered to be a viable option. Note, the opportunity was advertised with neighbouring authorities and consortium partners (Public Law Partnership); however, these efforts were also unsuccessful. Therefore, the only option was to seek assistance via a recruitment agency following advice from HR.

6. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)

6.1 The Leader of the Council (relevant Executive Member for Legal Services) has been consulted on the decision before this was taken.

7. FORWARD PLAN

7.1 This decision is not a key Executive decision and has therefore not been referred to in the Forward Plan.

8. BACKGROUND/ RELEVANT CONSIDERATIONS

8.1 This is covered by the Part 2 delegated decision - exempt information paragraphs 1 and 2 of Schedule 12A to the Local government Act 1972.

9. LEGAL IMPLICATIONS

9.1 Under section 14.6.4 (a) (ii) of the Council's Constitution, Service Directors have the authority to enter into contracts to carry out works and/or for the supply of goods and services in respect of their service areas and within approved budgets.

9.2 Section 14.6.8 (a) (i) of the Constitution also specifically gives the Service Director: Legal and Community, the authority to manage, direct and control all resources allocated to the Directorate in accordance with the Council's policies and procedures.

9.3 The Openness of Local Government Bodies Regulations 2014* (No. 2095) require officers undertaking non-executive decisions to record (amongst other things) an award of a contract that materially affects the Council's position in a written delegated

decision. At North Herts this is any award of a contract or financial decision, that is or is likely to be above £50,000. This contract value is estimated to be around £72,235.

10. FINANCIAL IMPLICATIONS

10.1 Finance has confirmed that the additional budget required to fill this interim role is estimated to be £49k.

11. RISK IMPLICATIONS

11.1 The Council has a large number of complex case and would be at risk without sufficient staffing – otherwise covered by Part 2.

12. EQUALITIES IMPLICATIONS

12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not. There are no direct implications and all recruitment was undertaken in accordance with legal requirements.

13. SOCIAL VALUE IMPLICATIONS

13.1 In line with our Go Local policy, local candidates did not apply for the job and therefore we have been unable to source local candidates for the role.

14. ENVIRONMENTAL IMPLICATIONS

14.1. There are no known Environmental impacts or requirements that apply this report.

15. HUMAN RESOURCE IMPLICATIONS

15.1 There are no human resource implications directly related to this decision other than those covered in the body of the report.

16. BACKGROUND PAPERS

16.1 None.

17. APPENDICES

17.1 None.

NOTIFICATION DATE

11 March 2022

Signature of Executive Member Consulted



Date ...19.2.22 & 3.3.22

Signature of Decision Taker



**Call-in does not apply to NON-EXECUTIVE DECISIONS
THIS IS A NON-EXECUTIVE DECISION**