



## **RECORD OF DELEGATED DECISION (OFFICER)**

### **CONTRACT AWARD**

<b>1. Decision Reference No.</b>	<b>CEX282</b>
<b>2. Name/Title of Officer</b>	<b>Dawn Garton, Director of Corporate Services</b>
<b>3. Email address of Officer</b>	<a href="mailto:dgarton@melton.gov.uk">dgarton@melton.gov.uk</a>
<b>4. Title / Subject Matter:</b>	<b>Contract Award – Occupational Health</b>
<b>5. Type of Decision:</b>	<b>Public</b>
<b>6. Key Decision?</b>	<b>No</b>
<b>7. Decision Taken:</b>  <ol style="list-style-type: none"><li>1. To award the contract for Occupational Health Services to Optima Health;</li><li>2. To enter into any necessary legal documentation to effect the award.</li></ol>	
<b>8. Reasons for Decision:</b>  <p>The current contact for Occupational Health Service comes to an end on 31 March 2023.</p> <p>A joint competitive tender process has been competed with Leicestershire County Council and other district authorities. Three bids were shortlisted and interviewed in January 2023 as part of a formal evaluation process. The highest scoring bidder as part of this process was Optima. A mandatory 10 day standstill period followed the process.</p> <p>The contact for Occupational Health services support the “Great Council” priority through ensuring the right conditions are in place to support delivery of our services. The contact ensures the council fulfils its statutory responsibilities under health and safety legislation and manages employee health and well being efficiently and effectively.</p> <p>The contract will commence on 1 April 2023 for a period of two years with an option to extend for up to three years by way of one or more extensions of one year.</p> <p>The key functions of the occupational health service is to provide pre employment screening of new employees, ill health assessments, health surveillance and other medical referrals. The service will provide advice and guidance to managers and HR to support long term sickness absence cases</p>	

working towards a satisfactory and safe return to work or if this can not be achieved, referral for specialist support or ill health retirement.

The contract is managed and monitored by the Human Resources team.

## 9. Authority / Legal Power:

Legal – See below

Authority is provided under the contract procedure rules by Chapter 3 Part 7 of the MBC Constitution/Decision

## 10. Background Papers attached?

Yes

## 11. Alternative options available / rejected:

1. To continue with the current provider – not an option due to length of existing contract and requirement to retender in line with contract procedure rules
2. Not to award following the procurement process – this leaves the council vulnerable to supporting employee wellbeing and delivering on its statutory responsibilities under health and safety legislation.

## 12. Implications:

### Legal

The Council has the power to enter into contracts in order discharge its functions (Local Government Act 1972, s111 and the Local Government (contract) Act 1997, s1).

The Local Government Act 1972 requires the Council to have regulations for how it enters into contracts. In addition to complying with all relevant UK and EU legislation every contract entered into on behalf of the Council must also comply with the Council's Contract Procedure Rules and the Council's Financial Regulations

The Council's Contract Procedure Rules permits Chief Officers, subject to complying with EU requirements, to authorise participation in a framework agreement where it can be shown that the framework:

- Offers value for money,
- Offers single savings in the cost of procurement

If the above criteria is satisfied, entering a framework agreement will reduce the risk of challenge for the Authority

[Legal Approval – 2 March 2023]

<b>Finance</b>	<p>The estimated annual value of the contract is £2,875 based on the average spend over the last 4 years. There is no centralised budget for the Occupational Health provision, it is charged directly to service budgets as and when the health provision service is used. The costs are managed through the service's existing budgets and/or savings within the service.</p> <p>[Finance Approval – 15 February 2023]</p>	
<b>HR</b>	<p>The termination of the current contract will be managed to ensure and safe and secure transfer of relevant and personal sensitive employee health records.</p> <p>[HR Approval – 12 February 2023]</p>	
<b>Procurement</b>	<p>[Procurement approval - 20 February 2023]</p>	
<b>Other</b>	<p>The following checks have been carried out in relation to the contract provider:</p> <ul style="list-style-type: none"> <li>- Financial credit checks</li> <li>- Insurance certificates</li> <li>- Health and safety policies</li> </ul>	
<b>13. Signature of Decision Maker with authority to sign</b>	<p>Signature redacted  <b>Dawn Garton</b>  <b>Director for Corporate Services</b></p>	
<b>14. Consultation with:</b>	<p><b>Not applicable</b></p>	
<b>15. Date:</b>	<p><b>2 March 2023</b></p>	
<b>16. Officer Responsible for Procurement</b>	<p><b>I confirm compliance with the Contract Procedure Rules</b>  Sarah Jane O'Connor  Assistant Director for Organisational Development</p>	

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