


**RECORD OF EXERCISE OF DELEGATED AUTHORITY BY OFFICER PURSUANT TO  
REGULATION 13 OF THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS)  
(MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012 &  
THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014**

<u>SUBJECT OF DECISION</u>	
To sign the User Agreement to permit the Council to access to utilise Efficiency East Midlands Ltd (EEM) public sector framework agreements.	
<u>DECISION REFERENCE</u>	<u>SOURCE OF AUTHORITY AND REFERENCE</u> (i.e. Committee/ Constitution/Minute No. etc.)
DO/43/2024 (MW)	Part 3D1 : OFFICER DELEGATIONS - Part A - General Delegations  b) Take any action on matters relating to the day to day administration of services within their unit. c) Take any action to maintain the operation and effectiveness of services within their unit. d) Take any action incidental to, or to give effect to, decisions taken by elected Members within their sphere of responsibility.
<u>DATE OF DECISION</u>	<u>DECISION MAKER</u> (Name and Job Title)
21 <sup>st</sup> October 2024	  Matthew Wallbank Assistant Director – Governance & Democracy
<u>RECORD OF THE DECISION</u>	
a) The issue  Providing access (via a User Agreement) to the Efficiency East Midlands Ltd (EEM) public sector framework agreements, for Nuneaton and Bedworth Borough Council to consider and utilise (should it choose to do so) to undertake procurements for the provision of goods, services and works.	
b) The Decision  Sign a User Agreement to enable to the Council to consider and utilise (should it choose to do so) the public sector framework agreements as a route to market for the provision of goods, services and works.	

## REASON FOR THE DECISION

It provides a procurement route to market to procure, if deemed best value, to undertake procurements for the provision of goods, services and works to allow the Council to undertake its day-to-day operations.

Signing the User Agreement allows the Council to utilise the Framework Agreement available which supports the principles of value for money, the Procurement and Accounts Payable Strategy and will ensure the Council achieves best value through the procurement process. The Council will only use this as a route to market if it deems it best value to do so. Alternatively, the Council would utilise an alternative framework agreement or undertake its own competitive tender process.

EEM is a not-for-profit procurement consortium offering cost and efficiency savings for the public sector across England and Wales. EEM's priority is to support all members in their common goal – to provide efficiently delivered and high quality products and services to the communities they serve. EEM is a framework which typically has a lower rebate due to their not for profit setup (EEM takes a small commission directly from suppliers; a maximum of 1.5% for service frameworks and 1% for materials) and over the last few years, EEM has generated a surplus which is provided back to members for social value purposes. As a not-for-profit organisation they ensure their surplus is reinvested into communities through their Community Donation scheme which distributes thousands of pounds to our members each year. Since 2014 over £2 million has been donated through this scheme. Since the Council has used the framework agreement, the Council has received a donation payment which has then been donated to the Mayors Charity. This is a unique feature of EEM and one that highlights their strategic aim which is to support communities and obtain value for money for public sector bodies.

For the avoidance of any doubt, the above information regarding the rebates and community donation scheme is available on their website so is not considered commercially sensitive information.

## ALTERNATIVE OPTIONS CONSIDERED AND REJECTED IN MAKING THE DECISION

### Not signing the User Agreement

If the Council does not sign the User Agreement, it will not have the option to access or consider the public sector framework agreements EEM procured on a national basis for and on behalf of public sector bodies. Whilst there are framework agreements available (as well as the option to undertake our own Tender), having access to a wide variety of public sector procurement routes allows the Council to select an effective and best value procurement strategy for a given requirement.

It is worth stressing, the Council is not obligated to utilise any Framework Agreement in EEM's portfolio upon signing the User Agreement, but it provides the option for the Council to do so. The Council is not required to pay to sign the User Agreement as EEM recoup their costs via the call-off contracts entered into between the Council and the successful supplier/contractor.

## WARD RELEVANCE

Not applicable.

FINANCIAL AND BUDGET IMPLICATIONS

Not applicable but any call-off contract awarded with a supplier because of this decision (having access to the portfolio of framework agreements), will be payable by the budget used for the contract awarded (which would be a separate decision).

CONSULTATION UNDERTAKEN WITH MEMBERS/OFFICERS

Portfolio Holder - Finance and Corporate  
Strategic Director – Corporate Resources  
Procurement Service Manager  
Procurement Team

ANY CONFLICT OF INTEREST DECLARED BY ANY MEMBER CONSULTED

None raised.

IN RESPECT OF ANY DECLARED CONFLICT BY A CABINET MEMBER, ANY DISPENSATION GIVEN BY THE HEAD OF PAID SERVICE (Note if the decision is a non-executive decision, no dispensation can be given).

Not applicable.

EQUALITIES IMPLICATIONS (including any Equality Impact Assessment)

None identified.

HUMAN RESOURCES IMPLICATIONS

Not applicable.

FINANCIAL IMPLICATIONS

There is no cost to sign up to the User Agreement, nor any ongoing obligation.

Should a procurement process be undertaken via one of the Framework Agreements under the EEM portfolio, this will constitute a call-off contract which would be funded by the applicable departmental account code/budget.

HEALTH EQUALITIES IMPLICATIONS

Not applicable.

SECTION 17 CRIME & DISORDER IMPLICATIONS

Not applicable.

RISK MANAGEMENT IMPLICATIONS

By signing the User Agreement, the Council will have this procurement option available as a procurement route which minimises risk of challenge and reduces the administrative burden on officers.

SME (SMALL/MEDIUM ENTERPRISES) & LOCAL ECONOMY IMPLICATIONS

Not applicable. This would be dependent on the procurement process that's followed (if this route to market offers best value).

Furthermore, EEM is a not for profit organisation and as a midlands based framework provider, generally their frameworks are split into regions. Typically, they divide their frameworks into East Midlands, West Midlands and National. This is beneficial for the Council when considering its procurement route to market as generally, suppliers on the midlands based lots are relatively local which is beneficial for this Council as it is based in the midlands. This can indirectly provide additional benefits for the supply chain and support the Council in its Think Local First Initiative.

ENVIRONMENTAL IMPLICATIONS

Not applicable in relation to this Decision (to sign an Access Agreement).

LEGAL IMPLICATIONS

As set out in the User Agreement – commercial sensitive information.

ANY OTHER COMMENTS

Any call-off contract awarded would be subject to a separate Decision.

**PLEASE RETURN TO THE MONITORING OFFICER AS SOON AS A DECISION IS MADE OR AS REASONABLY PRACTICABLE THEREAFTER**