

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**Corporate Leadership Team's
REPORT TO CABINET**

16th January 2024

Report Title: **Future delivery of Communications service**

Submitted by: **Service Director, Strategy, People and Performance**

Portfolios: **One Council, People and Partnerships**

Ward(s) affected: **All**

| <u>Purpose of the Report</u> | <u>Key Decision</u> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
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| <p>To outline the current position in relation to communications provision at Newcastle Under Lyme Borough Council; to identify needs moving forward and to propose a robust solution for communications provision whilst maintaining financial stability and ensuring our officers in post are supported.</p> | |
| <p><u>Recommendation</u></p> <p>That Cabinet:-</p> <ul style="list-style-type: none"> a) Agree to contract with Staffordshire County Council to provide a full and resilient communications service to Newcastle Under Lyme Borough Council; b) Authorise the Service Director – Strategy, People and Performance, in consultation with the portfolio holder for One Council, People and Partnerships, to finalise the service specification and associated contractual arrangements to give effect to this decision. | |
| <p><u>Reasons</u></p> <p>Officers have reviewed the delivery of communications services within the Borough Council. Having utilised communications support from Staffordshire County Council through a Service Level Agreement, there is an opportunity to enhance the Council's communications function by contracting with the County Council on a longer-term basis.</p> | |

1. **Background**

- 1.1 The Communications Team at Newcastle Under Lyme Borough Council has reduced in size and capacity over several years as the role of the service has adapted to Council need. The management of the Council website, which previously was a core communications responsibility, has now been devolved to service areas; and colleagues across the organisation have been empowered to undertake more of their own communications with their audiences, for instance via social media.
- 1.2 This empowerment of the services to create their own voice whilst maintaining the overall brand of the council has been met positively from residents as engagement with specific services, for example Waste and Recycling, Newcastle Green Team and The Brampton Museum is high.
- 1.3 This shift in focus creates space for the core communications team to focus on broader strategic messages which straddle service delivery and raise the profile of the organisation as a whole.
- 1.4 In line with the drive to improve performance and ensure that all services feed into the outcomes of the Council plan and strategy, it is important that all teams are strategically focused with results directly aligned to service outcomes.
- 1.5 The current budget for the communications service, including staffing, is circa £113k

2. **Issues**

- 2.1 Staffing changes, including the departure of the Communications Manager, over the last 12 months have enabled a review of the service and released a level of savings. As an interim measure, using these savings, the team have been supported by resource through a Service Level Agreement (SLA) with Staffordshire County Council. This has provided professional support, and guidance to remaining team members but is not a long term solution and will not deliver the strategic planning requirements needed to ensure that the service outputs align to the wider Council needs. The specific requirements for a robust service are as follows:
- 2.2 There is need for development of a Communications Strategy and aligned operational communications plan, which currently there is not the internal capacity to produce or deliver. The Strategy must be aligned to the Council's Corporate Plan, include measurable outcomes and illustrate the proactive work the team will do on horizon scanning and supporting the business of cabinet and council meetings.

- 2.3 There a need for development of a social media strategy and associated training plan for service delivery in line with the service empowerment aspects outlined in section 1.2.
- 2.4 The reduced requirement for operational output and the associated reduction in team size impacts on the resilience of the service and their ability to respond with agility where needed.
- 2.5 Team members currently do not have access to the variety of work and the continued professional development a wider, more mature service could offer. Therefore there is a risk that we will struggle in future to retain or recruit officers in post.

Way Forward

- 2.6 Discussions have been held with Staffordshire County Council (SCC) to explore a longer-term service model through which the service is outsourced and managed by SCC whilst maintaining the local provision and staffing via TUPE transfer (Transfer or Undertakings Protection of Employment).
- 2.7 The model proposed is as follows:

A 3 year Communications Contract (commencing 1.4.24) to include:
 - a. Senior Comms Officer Account Manager (0.4 FTE)
 - b. Media Officer (0.5 FTE)
 - c. Communications Officer (1FTE)
 - d. Graphic Designer (0.5 FTE)
 - e. Communications strategy, annual workplan, social media strategy and support
 - f. Cost £120,000 per annum, to be reviewed annually in line with the Local Government Pay Award.

3. Recommendation

3.1 That Cabinet:-

- Agree to contract with Staffordshire County Council to provide a full and resilient communications service to Newcastle Under Lyme Borough Council;
- Authorise the Service Director – Strategy, People and Performance, in consultation with the portfolio holder for One Council, People and

Partnerships, to finalise the service specification and associated contractual arrangements to give effect to this decision.

4. Reasons

- 4.1 In order to provide an effective, efficient, agile and strategic communications service, changes are required to the existing model. By outsourcing to Staffordshire County Council, the service and operational delivery will benefit from the wider experience of a broader team. Services will also benefit from wider support and training in social media skills and strategy and grow in confidence around promoting their distinct outputs.
- 4.2 The cost outlined above is represents a £7k increase on the current budget. However the proposed model provides increased resilience and agility, as well as training and support for team members.
- 4.3 This proposed cost is sufficient to cover salaries of the staff currently in house; alongside additional salaries of part time Senior Account Manager and Media Officer. When taken into account the additional out of hours provision and strategic service review as outlined; the additional costs are not significant and it can be reasonably assumed that a market search would not uncover a more cost effective solution.
- 4.4 The staff likely to TUPE would see no detriment to their employment terms and conditions and would be able to remain working from their current base.
- 4.5 Informal discussion has been held with the relevant Trade Union representative and the staff members directly affected; and the above proposal has been outlined to them. No objections have been received.

5. Options Considered

- 5.1 Alternative option considered was to fill the vacancy of Communications Manager and continue managing the service internally.
- 5.2 The vacancy currently held, is that of an operational manager and therefore it is unlikely that we could realise the strategic objectives needed if we were to move forward with this option. Alternative options would be to recruit to a part time higher graded communications business manager; however this does not provide the resilience of the model outlined in section 3.2, nor the benefit of access to the wider team and associated expertise.

6. Legal and Statutory Implications

- 6.1 In certain circumstances contracts between public bodies are excluded from the PCR 2015 meaning they do not need to be advertised or awarded using EU procurement procedures. It can be reasonably believed that this proposal fulfils the requirements outlined below.

6.2 Under PCR 2015 a contracting authority (such as a council) can award a contract to another body (such as a local authority company) outside of the EU rules if all of the following conditions are met:

- the contracting authority exercises control over that body which is similar to the control it exercises over its own departments.
- more than 80% of the activities of the controlled body are carried out performing tasks entrusted to it by the controlling contracting authority.
- there is no direct private capital participation in the controlled body (with certain limited exceptions).

'Similar' control means 'decisive influence over both strategic objectives and significant decisions' of the controlled body.

6.3 The above considered, no procurement process is required for this agreement to be lawful.

6.4 Consultation regarding TUPE with existing in-house staff would be required, and the legal process followed.

7. Equality Impact Assessment

7.1 Equality Impact Assessment has been undertaken on the proposal and no adverse effects have been identified Staff will suffer no detriment from the changes due to TUPE protections.

8. Financial and Resource Implications

8.1 A small increase to budget of £7k per annum would be incurred due to this model being adopted.

9. Major Risks & Mitigation

9.1 There remains a minor risk to challenge from any parties who may have wished to bid for the service, had we tendered externally. However this risk is mitigated through our conclusions outlined in section 6.

10. UN Sustainable Development Goals (UNSDG)

10.1 The proposal, by achieving contributes towards the following UNSDGs

11. Key Decision Information

11.1 This proposal is considered a Key Decision due to cost threshold.

12. Earlier Cabinet/Committee Resolutions

12.1 n/a

13. List of Appendices

13.1 n/a

14. Background Papers

14.1 n/a