

Record of Officer's Decision

The Openness of Local Government Bodies Regulations 2014 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Date of Decision:	22 August 2025
Decision Maker (Officer):	Katie Wilkins – Assistant Director – People
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	Part 3, Schedule 3 – Responsibility for Executive Functions delegated to Officers paragraph 4.3 (1) – the Corporate Director/Assistant Director – People has delegated authority to discharge executive functions within their respective service areas (Part 3.38). All delegations are subject to consultation where considered appropriate in the circumstances (paragraph 4.3 (4(ii) – Part 3.39). The Assistant Director – People has delegated operational matters relating to the workforce.
Identify which Portfolio Holder(s)/Committee Chairman consulted?	N/A
Ward Member(s) consulted?	N/A
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	To enter into a formal agreement with East Suffolk and North Essex NHS Foundation Trust for the provision of ad hoc Occupational Health services, specifically to support complex and secondary ill-health assessments.
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	In accordance with section 4.2.2 of the Authority's Procurement Procedure Rules (Procurement Threshold: £2,500 to £10,000 (Excl. VAT)), a review and evaluation of two specialist Occupational Health providers was undertaken.

	Evidence of this process has been retained by the department. Following this evaluation, East Suffolk and North Essex NHS Foundation Trust has been recommended for engagement on the basis of their independence, specialist clinical expertise in complex ill-health assessments, and overall value for money. The recommendation supports the Authority's statutory obligations to safeguard employee wellbeing and ensure access to appropriate medical advice in line with employment and pension regulations.
Highlight any associated risks/finance/legal/equality considerations:	In accordance with the statutory obligations set out under the Local Government Pension Scheme Regulations 2013 and the Essex Pension Fund's governance requirements, Tendring District Council is required to obtain a certified opinion from an Independent Registered Medical Practitioner (IRMP) when considering applications for ill-health retirement. The IRMP must be approved by the administering authority and is responsible for providing a medical assessment to determine whether the employee meets the criteria for ill-health retirement and, if so, which tier of benefit is applicable. This process ensures that decisions are made in a fair, consistent, and legally compliant manner, based on expert medical advice. The authority has a legal duty under the Health and Safety at Work etc. Act 1974 to ensure, so far as is reasonably practicable, the health, safety, and welfare of their employees. This includes: Engaging Occupational Health Services to assess, advise, and support employees with health-related issues affecting their work. Preventing Work-Related Ill Health by identifying and mitigating risks through health surveillance and risk assessments. Supporting Employee Wellbeing by promoting a healthy working environment and providing access to early intervention and rehabilitation services. Complying with Equality Legislation, including the Equality Act 2010, by making reasonable adjustments for employees with disabilities or health conditions.

	These obligations are reinforced by internal policies and best practice frameworks that promote a proactive, supportive approach to workforce wellbeing. The Authority's interim Contracts Lawyer has undertaken a review of the Service Level Agreement provided by Occupational Health East Suffolk and North Essex NHS Foundation Trust. The purpose of this review was to assess the legal and contractual appropriateness of the Authority entering into the agreement. Following this review, it has been confirmed that the terms are acceptable and align with the Authority's statutory obligations and procurement requirements, thereby enabling formal engagement with the provider.	
NEW : Details of Local Government Reorganisation and/or Devolution considerations	There are no specific considerations relating to LGR or devolution.	
Details of any Alternative Options Considered and rejected (together with reasons):	As part of the procurement process, an alternative external Occupational Health provider was identified and evaluated against key criteria, including independence, clinical expertise, responsiveness, and cost. While both providers were capable of delivering the required service, East Suffolk and North Essex NHS Foundation Trust was selected due to their enhanced capacity to manage complex and secondary ill-health assessments, their NHS governance framework, and best value considerations.	
Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision) If relevant, a note of the dispensation granted by the Monitoring Officer:	N/A	
Reason Decision, or supporting Report, is not published:	☒	Not applicable – Decision [and report] to be published
	If Report is not to be published – tick one of the following boxes:	
	☐	The report supporting the Decision contains confidential information

<i>Tick one or more of the specific exemptions,</i> <u>and</u> <i>Give more information in the final box with regards to why the exemption applies and outweighs the public interest test (which is in favour of disclosure).</i>		The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:
		• Relates to an individual
		• Likely to reveal the identity of an individual
		• Relating to financial or business affairs of a person or organisation
		• Relates to a claim for legal professional privilege in legal proceedings
		• Reveals that the Council proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or to make an order or direction under any enactment
		• Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime
<u>And</u> is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information Reasons: N/A		

Officers

Signed: Katie Wilkins

Title: Assistant Director - People

Dated: 22.08.25