

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

<b>Reference Number:</b>	<b>4543</b>
<b>Author:</b>	<b>Paul Slater</b>
<b>Department:</b>	<b>Finance and Resources</b>
<b>Contact:</b>	<b>Clive Heaphy</b> <b>(Job Title: Interim Corporate Director for Finance &amp; Resources, Email: <a href="mailto:clive.heaphy@nottinghamcity.gov.uk">clive.heaphy@nottinghamcity.gov.uk</a>, Phone: 07980 748057)</b>
<b>Subject:</b>	<b>To procure an agency contractor to continue to act as NCC Companies Finance and Governance Lead #38</b>
<b>Total Value:</b>	<b>184,000 (Type: Revenue)</b>
<b>Decision Being Taken:</b>	<b>To approve a new contract with Penna, for a consultant to provide external financial expertise in response to Nottingham City Council's portfolio of companies, with particular focus on improving financial management and governance.</b>
<b>Reasons for the Decision(s)</b>	<b>As part of responding to the Report in the Public Interest and the Non-Statutory Review undertaken by the former Ministry of Housing, Communities and Local Government, a review is currently being undertaken in regards to the Council's governance and operation of its interests in its companies portfolio.</b> <b>An appointment was made in January 2021 via an agency and work is progressing against various projects and work streams. However, additional services are required as a number of those projects are not due to conclude yet. That contract has come to an end and we have now secured a route to engage the consultant via a framework for future requirements.</b>
<b>Other Options Considered:</b>	<b>The option to resource this work internally was rejected because the work will require specialist commercial skills that are not available within the Council. The work will require dedicated, focused capacity to ensure the recommendations of the report are achieved.</b>
<b>Background Papers:</b>	<b>None</b>
<b>Published Works:</b>	<b>None</b>

**Affected Wards:** Citywide

**Colleague / Councillor Interests:**

**Use of Consultants**

<b>Number of Days:</b> 185
<b>Rate per Day:</b> 991
<b>Total value:</b> 184000
<b>Start date:</b> 01/04/2022
<b>End date:</b> 30/12/2022

**Reason for using a consultant:** Short term, specialist resources required to address company governance objectives and make a positive, swift impact.

**Other options considered:** Recruitment to an employed resource considered, but not felt to be realistic given relatively short timescales and the specialist skills needed.

**Name of consultant:** Ian Edward

**Reason for selection?** A number of agencies were approached and a selection process undertaken to determine best fit for the specific requirements of this role.

**Has the consultant previously completed work for the City Council?** Yes, currently engaged

**Specific activities to be undertaken by the consultant are:** To lead on the improvement programme associated with company governance and financial management.

**Period of engagement:** up to a further 9 months

**By what process was the consultant selected?** Formal Interview process in 2021 and then from a framework

**Consultations:**

<b>Date:</b> 24/01/2022
<b>Chief Finance Officer:</b> Clive Heaphy
Consultation and initial supported confirmed in early discussions.

Those not consulted are not directly affected by the decision.

**Crime and Disorder Implications:** Not applicable

**Equality:** EIA not required. Reasons: Does not involve a change or creation of policy

<b>Social Value Considerations:</b>	Not applicable
<b>Relates to staffing:</b>	Yes
<b>Decision Type:</b>	Portfolio Holder
<b>Subject to Call In:</b>	Yes
<b>Call In Expiry date:</b>	10/03/2022
<b>Advice Sought:</b>	Legal, Finance, Procurement, Human Resources
<b>Legal Advice:</b>	<p><b>This report seeks authority to award a contract for a consultant to provide support as the Council's Companies Finance and Governance Lead in furtherance of the Council's response to the PIR and Non-Statutory Review.</b></p> <p><b>The earlier contract for these services is coming to an end but continued support is necessary to assist the Council in reviewing it's Companies and Governance arrangements.</b></p> <p><b>Due to the complexity of support that is required and the work undertaken to date, it would not be appropriate now to engage a new consultant for these services. It is understood that a framework has been identified from which to engage the consultant from. This will ensure a compliant procurement approach is followed and is deemed to offer value for money to the Council.</b></p> <p><b>Advice provided by Dionne Claire Screamon (Solicitor) on 11/02/2022.</b></p>
<b>Finance Advice:</b>	<p><b>This decision seeks to:</b></p> <ol style="list-style-type: none"> <li><b>1. Approve the continuation of the external specialist advice in relation to the Local Authorities company governance structure until 30 December 2022;</b></li> <li><b>2. Approve the spend of up to £184,000 associated with this and</b></li> <li><b>3. Approve the use of the Transformation and Improvement reserve to fund this role.</b></li> </ol> <p><b>The cost of this appointment includes agency fees and will not exceed the value of this decision.</b></p> <p><b>Any extension to the length of contract or value will require a further decision and will comply with procurement regulations.</b></p> <p><b>In conjunction with the HR comments, the expertise to deliver on the complex issues identified as part of the initial Recovery &amp; Improvement plan are not available within the organisation. The ability for the organisation to be future proof in relation to this topic will be a key deliverable over the period of time set out in the decision.</b></p> <p><b>Advice provided by Ceri Walters as Finance Co-ordinator (Head of Commercial Finance) on 18/02/2022.</b></p>

**HR Advice:**

<p><b>This request is support. The post-holder underwent an appropriate recruitment process and there are no performance concerns. He is critical to Nottingham's Improvement journey around commercial governance and therefore requires an expert skills set that is not available through internal means.</b></p> <p><b>Marie Read</b>  <b>Senior HR consultant Advice provided by Marie Read (HR Consultant (Departmental)) on 08/02/2022.</b></p>
--

**Procurement Advice:**

<p><b>The proposal involves using a framework. The framework has specific call-off terms for awarding contracts. Provided the framework process is followed, the award of contract would be compliant with procurement law and therefore there would be no significant Procurement concerns Advice provided by Paul Ritchie (Procurement Manager) on 03/02/2022.</b></p>
--

**Signatures:**

<b>David Mellen (Leader/ PH Strategic Regeneration Communications)</b>
<b>SIGNED and Dated: 28/02/2022</b>
<b>Sam Webster (PH Finance and Resources)</b>
<b>SIGNED and Dated: 02/03/2022</b>
<b>Clive Heaphy as Chief Finance Officer (Chief Finance Officer)</b>
<b>SIGNED and Dated: 21/02/2022</b>