

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	2226
Author:	Elaine Fox
Department:	Children and Families
Contact:	Elaine Fox (Job Title: Children and Families Development Assistant, Email: elaine.fox@nottinghamcity.gov.uk, Phone: 01158764540)
Subject:	Approval for additional, independent capacity to undertake focussed work within the Education Directorate
Total Value:	up to £13,200 (Type: Revenue)
Decision Being Taken:	To approve the use of a consultant from Ian Hartwright Consulting Ltd. to undertake a focussed piece of work on behalf of the Children and Adults department. To approve the spend and the engagement of a consultant from the above named company. Provide exemption from Financial Regulations 3.29 to dispense with the requirements of the Contract Procedure Rule 5.1.1.
Reasons for the Decision(s)	Following an Ofsted inspection in December 2014 a decision was taken to close the Denewood Pupil Referral Unit on health and safety grounds. The Interim Executive Board at Denewood now needs to commission an independent investigating officer to review the events leading up to the closure and complete a report for senior leaders. The report will help to inform plans for the future of Alternative Provision in Nottingham City. The request for funding includes provision for spend of up to £400 for potential expenses the consultant may incur in the course of the investigation.
Other Options Considered:	Use resource from within Nottingham City Council - this option has been rejected as it does not provide the investigation with the required level of independence. Use resource from Denewood's existing Governing Body - this option has been rejected as it also does not provide the investigation with the required level of independence. Not to undertake the investigation - this is not an option as the reasons for the closure of the Pupil Referral Unit need to be thoroughly explored. Without gaining an insight into what happened at the Unit any learning would be lost, which could otherwise be used in the planning of improved Alternative Provision in Nottingham City.

Background Papers:	None.
Published Works:	None.
Affected Wards:	Citywide
Colleague / Councillor Interests:	None.
Dispensation from Financial Regulations:	Yes
Use of Consultants	Number of Days:16 Rate per Day:800 Total value:13200 Start date:02/02/2015 End date:15/05/2015
Reason for using a consultant:	An external, independent consultant is best placed to complete this work on behalf of Nottingham City Council. The investigation requires specialist knowledge and experience of leadership within a school setting, in addition to this limited internal capacity does not allow us to deliver this investigation in-house.
Other options considered:	Resource from existing structures - does not provide the investigation with required level of independence. Resource from Denewood's existing Governing Body- also does not provide investigation with required level of independence. Not to investigate - the reasons for closure of Denewood need to be thoroughly explored. Without gaining insight into what happened at the Unit learning would be lost, which could otherwise be used in planning improved Alternative Provision.
Name of consultant:	Ian Hartwright
Reason for selection?	The consultant has the appropriate knowledge and experience and is skilled in conducting investigations of this nature. The cost above includes the provision for a limited amount of expenses to enable the consultant to undertake a thorough investigation.
Has the consultant previously completed work for the City Council?	No.
Specific activities to be undertaken by the consultant are:	The consultant will scrutinise school and Local Authority (LA) documentation, will conduct interviews with school and LA staff as well as with school governors. In addition the consultant will devise a narrative history of school actions in relation to the allegations and write a summary report of key findings for the hearing.
Period of engagement:	16 days

By what process was the consultant selected?

The consultant was selected based on their knowledge and experience of dealing with investigations of this nature.
The investigation needs to be completed swiftly and so engaging a consultant as quickly as possible is vital to ensure all necessary information is in place.

Consultations:

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

None.

Equality:

EIA not required. Reasons: This decision does not constitute a new or emerging policy, service or function.

Decision Type:

Portfolio Holder

Subject to Call In:

No
The call-in procedure does not apply to the proposed decision because the delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. The Chair of the Overview and Scrutiny Committee (or Vice-Chair) in his/her absence has been consulted and agreed both that the decision proposed is reasonable in all circumstances and that it should be treated as a matter of urgency.

Person Consulted: Cllr Brian Parbutt

Consultation Date: 26/08/2015

Due to the closure of Denewood Pupil Referral Unit other educational facilities had to be found for some of the city's very vulnerable children, who were unable to attend mainstream school. It was therefore imperative that an investigation into what happened at Denewood was conducted swiftly to ensure lessons could be learned and appropriate provision put in place for students who accessed Denewood.

Advice Sought:

Legal, Finance, Human Resources

Legal Advice:

There are no significant legal implications arising from the content of this report. Advice provided by Sarah Molyneux (Legal Services Manager) on 01/06/2015.

Finance Advice:

As the Denewood Interim Executive Board is the commissioner of the independent investigating officer, Denewood Learning Centre will pay the consultancy costs in the first instance. However, as such costs were not anticipated at the time of setting the Denewood Learning Centre funding level for 2015/16, their funding will be increased by a compensating amount. The £0.013m required will be funded from the Statutory Schools Reserve (SSR). Further funding required from the SSR to support Denewood Learning Centre and the broader alternative provision costs in 2015/16 will be the subject of a separate Delegated Decision/Executive Board Paper following a report which is being tabled at the September 24th 2015 Schools Forum. Advice provided by Kathryn Mair Stevenson (Finance Analyst) on 07/08/2015.

HR Advice:

It is noted that this decision has no direct workforce implications.

Lynn Robinson
HR Business Partner
27 May 20145 Advice provided by Lynn Robinson (HR Business Partner) on 27/05/2015.

Signatures:

Jon Collins (Leader of the Council)
SIGNED and Dated: 03/11/2015
Sam Webster (Portfolio Holder for Schools)
SIGNED and Dated: 15/10/2015
Alison Michalska (Corporate Director for Children and Adults)
SIGNED and Dated: 08/10/2015
Theresa Channell (Head of Corporate and Strategic Finance) - Dispensation from Financial Regulations
SIGNED and Dated: 05/10/2015
Chief Financial Officer's Comments: