

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	2347
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 capacity to undertake essential work within Children's Social Care Directorate
Total Value:	£36,000 (Type: Revenue)
Decision Being Taken:	1) To approve the engagement of a consultant from Matthew Thomas Associates to undertake essential work within Children's Social Care, at a cost of £25,000. 2) To approve the engagement of a consultant from Amanda J Lamb Associates to undertake a specific piece of work in relation to an independent review as part of ongoing Police investigations, at a cost of £11,000. 3) To approve dispensation from Contract Procedure Rule 5.1.1 in accordance with Financial Regulation 3.29 (for operational reasons) to award two contracts for a combined value of £36,000 for the engagement of these consultants to undertake work requiring specialist understanding of Children's Social Care and the historical context of Children's Social Care in Nottingham City.
Reasons for the Decision(s)	The work undertaken by the first consultant will be twofold. The consultant will provide support in relation to civil litigation, including liaising with relevant partners and colleagues to ensure Nottingham City Council is represented appropriately. The consultant will also work jointly with Nottingham City Council and Nottinghamshire County Council to establish a chronology in relation to internal investigations and management reviews to assist Nottinghamshire Police with their enquiries. The second consultant will collate more detailed information specifically relating to an independent review which will inform ongoing Police investigations. There is insufficient capacity and expertise for this additional work to be undertaken within existing structures and it is important to have individuals undertaking this work who are independent from both Nottingham City and Nottinghamshire County Councils as we lead into an independent review. This proposal was discussed at Leadership Group and was agreed at the joint City/County meeting in early December 2014.

Other Options Considered: **Not to undertake this work - the work the consultants are undertaking includes support with Police investigations and legal proceedings, so it would not be possible for the work not to be done. This option was rejected.**
To undertake the work within existing structures - due to the time taken for this extra work, which is in addition to the day to day work of the Children's Social Care Directorate within Children and Adults, it would not be possible to absorb this work within the existing structure. There is deemed to be insufficient capacity and resource as well as a lack of independence in undertaking this work internally. This option was rejected.
To engage only one consultant to undertake all of this work - due to the amount of work required, and the information being looked at, it was agreed a second consultant should be taken on to look at specific parts of the work. The consultants could together ensure scrutiny to the work undertaken before the end of the second consultant's engagement.

Background Papers: **None.**

Published Works: **None.**

Affected Wards: **Citywide**

Colleague / Councillor Interests: **None.**

Dispensation from Financial Regulations: **Yes**

Use of Consultants
Number of Days:72
Rate per Day:500
Total value:36000
Start date:01/01/2015
End date:31/12/2015

Reason for using a consultant:
To appropriately support the investigation by Nottinghamshire Police and requests relating to civil proceedings providing certain information was required, and it was necessary to engage consultants to undertake this additional work. There is insufficient capacity in-house to do this. The period being investigated included the time during which the responsibility for Children's Social Care changed between Nottingham City Council and Nottinghamshire County Council, so the consultants will work across both local authorities to ensure the investigation is joined up.
The Council is supporting the request for an independent inquiry which will follow the conclusion of the Police investigation and it is important for the person undertaking work to support this to be independent of both Nottingham City Council and Nottinghamshire County Council's current leadership structures.

Other options considered:	<p>Not to undertake this work - the work the consultant is undertaking includes support with Police investigations and legal proceedings, so it would not be possible for the work not to be done. This option was rejected.</p> <p>To undertake the work within existing structures - due to the time taken for this additional work, which is in addition to the day to day work of the Children's Social Care Directorate within Children and Adults, it would not be possible to absorb this work within the existing structure. This option was rejected.</p>
Name of consultant:	Sue Gregory and Amanda Lamb
Reason for selection?	<p>Ms Gregory has the expertise and experience to undertake this work successfully. As a former employee of Nottingham City Council, in the role of Director of Children's Social Care, she understands the Social Care arrangements previously in place in Nottingham City which is invaluable when undertaking this investigation. Sue is also familiar with NCC systems. This experience allows Sue to commence with the work required without the need for an induction into current and past practice, saving both Councils money and time.</p> <p>Amanda Lamb has a proven track record of undertaking this kind of work in other local authorities and ensuring results, which is critical for this piece of work.</p>
Has the consultant previously completed work for the City Council?	<p>Ms Gregory was previously employed as Director of Children's Social Care at Nottingham City Council.</p> <p>Ms Lamb undertook six days' work with the Fostering and Adoption Team between December 2013 and February 2014, and 18 days' work between October 2014 and the end of March 2015 to begin work on the Police investigation. The latter engagement was agreed separately via DDM 1667.</p>
Specific activities to be undertaken by the consultant are:	<p>The work undertaken by the consultants will be twofold.</p> <p>The consultant will provide support in relation to civil litigation, including liaising with relevant partners and colleagues to ensure Nottingham City Council is represented appropriately.</p> <p>The consultant will also work jointly with Nottingham City Council and Nottinghamshire County Council to establish a chronology in relation to residential care to assist Nottinghamshire Police with their enquiries.</p> <p>There is insufficient capacity for this additional work to be undertaken within existing structures and it is important to have someone undertaking this work who is independent from both local authorities as we lead into an independent review.</p>
Period of engagement:	Sue Gregory - 50 days (£25,000), Amanda Lamb - 22 days (£11,000)
By what process was the consultant selected?	<p>The consultants were selected due to their extensive knowledge and experience in this sector.</p> <p>As a former employee of Nottingham City Council, Ms Gregory understands the Social Care arrangements and systems, therefore reducing induction time.</p> <p>Ms Lamb has previously undertaken short-term projects with Nottingham City Council so also has experience and familiarity with processes.</p>
Consultations:	<p>Date: 01/12/2014</p> <p>Other: Meeting between Nottingham City and Nottinghamshire County Councils.</p>

It was agreed to engage the first consultant to undertake specific work for both local authorities.

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

None.

Equality:

EIA not required. Reasons: EIA not required as this is not a new or changing policy, service or function.

Social Value Considerations:

N/A

Relates to staffing:

Yes

Decision Type:

Portfolio Holder

Subject to Call In:

Yes

Call In Expiry date:

02/03/2016

Advice Sought:

Legal, Finance, Procurement, Human Resources

Legal Advice:

This report represents a combined approval for the engagement of 2 consultants to undertake important work in the investigation of historical children's social care in the City.

It is understood from the report author, that there is insufficient capacity within the existing structures to carry out this work. The consultants are understood to have specialist expertise and independence in the subject area which is considered essential in the context of the work required. They have been selected on their known experience and for a fixed period of time to address the situational requirements following a police investigation in this area.

For the above reasons, the recommendation for dispensation from the Contract Procedure Rule 5.1.1 in accordance with Financial Regulations 3.29 (for operational reasons) is supported.

It is noted that the consultants subject to this approval are already engaged. Advice provided by Dionne Claire Screamon (Solicitor) on 08/10/2015.

Finance Advice:

It is proposed to employ consultants to undertake essential work as part of ongoing police investigations. It is estimated that this will require 72 days' work, at a cost of £500 per day, which totals £36,000. Approval has been given to fund this from the Corporate Contingency.

This proposal seeks dispensation from Contract Procedure rules (5.1.1) in accordance with Financial Regulation 3.29, and is appropriate in these circumstances.

Steve Lynk - Finance Analyst
 0115 8763726
 steve.lynk@nottinghamcity.gov.uk

20th August 2015.

Advice provided by Stephen Lynk (Finance Analyst) on 20/08/2015.

Procurement Advice:

An approval to dispense with Contract Procedure Rule 5.1.1 in accordance with Financial Regulation 3.29 for operational reasons to allow for a direct award of a contract for £35,790.

The Procurement Team supports the proposal.

Advice provided by Paul Ritchie (Procurement Category Manager) on 14/08/2015.

HR Advice:

It is noted that as this proposal relates to activity to be undertaken through the use of Consultants, there is no direct employment issues to be taken into account.

Lynn Robinsson
 HR Business Partner

17 August 2015 Advice provided by Lynn Robinson (HR Business Partner) on 17/08/2015.

Signatures:

Jon Collins (Leader of the Council)
SIGNED and Dated: 24/02/2016
David Mellen (PH Early Intervention and Early Years)
SIGNED and Dated: 18/01/2016
Alison Michalska (Corporate Director for Children and Adults)
SIGNED and Dated: 14/01/2016
Theresa Channell (Head of Corporate and Strategic Finance) - Dispensation from Financial Regulations
SIGNED and Dated: 06/01/2016
Chief Finance Officer's Comments: Corporate Contingency reference CCR0005