



Report of the Head of Scrutiny and Member Development

Scrutiny Board (Central & Corporate Functions)

Date: 1st February 2010

Subject: Procurement and Scrutiny

Electoral Wards Affected:

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 INTRODUCTION

- 1.1 A recent Call In meeting around the decision to award a contract for the delivery of Connexions Intensive Support Services has raised a number of concerns with Members. These concerns were recently discussed by the Scrutiny Chairs Advisory Group¹ who agreed that the matter should be referred to Scrutiny Board (Central & Corporate Functions) for further investigation.
- 1.2 By way of background, the initial concerns which triggered the said Call In centered on the robustness of the tender process which awarded the Connexions contract. These concerns included the tender scoring process, the make-up of the tender evaluation panel and the general rigour and transparency in the process.
- 1.3 During the investigation of these concerns it emerged that members of the Call In committee had in actual fact very little influence over the final decision as to who should be awarded the contract. It also emerged that despite the wishes of Members; officers were bound by the outcome of the procurement process and faced possible legal challenge should they fail to appoint the firm which came out top using the agreed contractor selection criteria.
- 1.4 The issue before the Board today is not the detail of the Call In which gave rise to these concerns but the wider issue of when and how elected Members can become involved in the procurement process.
- 1.5 Attached as Appendix 1 is a briefing note prepared by the Chief Procurement Officer which details areas where members in their different roles can influence

¹ The meeting of all seven Scrutiny Chairs

procurement. This may not however be an exhaustive list and Scrutiny Board Members may wish to ask officers whether Scrutiny Members have a role in;

- Calling In any decision to go out to tender in the first place
- have a role in influencing the tender specification and
- have a role in influencing the contract award criteria.

1.6 Members may wish to ask for clarification as to whether once a contract is awarded they are able to Call In that decision or whether in fact they have no jurisdiction on these matters. If the later is the case, Members may wish to ask whether such decisions should be declared '*Not available for Call In*' on any decision notification.

1.7 The Chief Procurement Officer will be in attendance at today's meeting.

2.0 RECOMMENDATIONS

2.1 Members of the Board are asked to discuss issues around this agenda item, seek any further information they may require and or make any appropriate recommendations.

Background Papers

Scrutiny Board (Children's Services) Agenda and minutes of 12th October 2009