

**SUMMARY REPORT**

**1. SUMMARY OF MAIN PROPOSALS**

1.1 For existing members of the Advisory Body to welcome survivor representatives on to the Advisory Body.

1.2 For the Advisory Body to note the process for the appointment of the Commissioning Body.

1.3 For the Advisory Body to consider the detail of the draft Specification that will inform the work of the Commissioning Body in delivering the Final Commission and identifying and appointing the Independent Chair to lead the Inquiry.

1.4 For the Advisory Body to note the next steps in the process.

**2. RECOMMENDATIONS**

2.1 The Advisory Body to comment upon the draft Specification as included in Appendix 3 to the report and agree that the Monitoring Officer will finalise the Specification in consultation with the Chair.

2.2 Members agree that the LGA should be approached to nominate an appropriately qualified/ experienced person to sit on the panel that evaluates bids to provide independent challenge and assurance of good process.

**3. SUMMARY IMPACT ASSESSMENT**

<b>COMMUNITY IMPACT</b>	Do these proposals contribute to specific Co-operative Council Priority Plan objective(s)?	
	YES	<i>Putting our Children and Young People first Protecting and supporting our vulnerable adults and children Ensuring that neighbourhoods are clean, safe and well-maintained</i>
	Will the proposals impact on specific groups of people?	
	YES	<i>Eliminating child sexual exploitation is important for the entire community but particularly supports our children and survivors who have been impacted by this crime</i>
<b>TARGET COMPLETION /DELIVERY DATE</b>	On-going	

<b>FINANCIAL/ VALUE FOR MONEY IMPACT</b>	YES	<i>The Council has agreed an initial allocation of £0.350M to meet the costs of the inquiry, including the costs of commissioning the Independent Person to lead it.</i>
<b>LEGAL ISSUES</b>	YES	<i>Outside the ambit of the Inquiries Act 2005, the Council has the power to commission an inquiry into activities in their area.</i>  <i>The procurement will fall under the list of services in Schedule 3 of the Public Contract Regulations 2015 for the Light Touch Regime, however the value of the contract will be below the OJEU threshold for the Light Touch Regime which means that the only the overriding principles of transparency and fairness must be adhered to. The Contract is likely to be more than £25,000 therefore it has to be advertised on Contract Finders (which is an online government portal which allows suppliers to search for contracts. The aim of Contract Finder is to provide small and medium sized enterprises as well as voluntary, community and social enterprises with easier access to public contract opportunities and improve transparency)</i>
<b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b>	YES	<i>As detailed in the report</i>
<b>IMPACT ON SPECIFIC WARDS</b>	YES	<i>Borough wide impact</i>

## **ADDITIONAL INFORMATION**

### **4. INFORMATION**

#### **Background**

- 4.1. Initial proposals, as agreed by Cabinet on the 19 April 2018, talked of commissioning an independent organisation, the Commissioning Body, to be responsible for the planning and organisation of an independent inquiry into child sexual exploitation in Telford & Wrekin. The objective of the “double independent” process proposed was to provide public assurance that, otherwise than providing evidence to the Inquiry, the Council would remain at arms-length to the inquiry process. A copy of an amended flow diagram outlining the process is attached at Appendix 1 for information.
- 4.2. This report presents the procurement process for selecting the Commissioning Body by way of a competitive procurement process. This is the first stage of moving the Independent Inquiry out of control of the Council.

#### **Procurement**

- 4.3. The Council will commission this work by producing a specification to attach to an invitation to tender, giving bidders 28 days to submit bids that will then be assessed against pre-published assessment criteria.
- 4.4. Initial assessment criteria were identified and detailed in Appendix 2 of the Cabinet Report to Cabinet on the 19 April 2018. These are re-produced in Appendix 2 of this report along with an analysis of how the procurement process will deliver against these

criteria.

- 4.5. The specification document detailing what is expected from the Commissioning Body is a crucial document. Appendix 3 is a draft Specification document for members to consider. A finalised version of this document will form the detailed specification that goes out with the Invitation to Tender. Alongside this will be published evaluation criteria, detailing how the evaluation criteria will be weighed in a transparent manner. It is proposed that bidders will be invited in for a Bidders Day pre tender to meet the bidders, detail the proposed role and learn more about them.
- 4.6. Members views are sought on the Specification document – members are invited agree that the Specification will be finalised by the Monitoring Officer in consultation with the Chair.

## 5. Options Appraisal

- 5.1. **IMPORTANT NOTE** – the procurement process has not been discussed in any detail with any body or group. The Monitoring Officer has not wanted to affect the independence of the process by embarking on pre-market engagement. However, there is a risk that the specification or the timetable might not be acceptable/ achievable for any potential tenderer(s). The next step is for the Monitoring Officer to make the tender publicly available and invite/ accept qualifying bids from organisations/ individuals into the evaluation process. Bids received through this process will be evaluated against pre-published evaluation criteria by a group of officers in the Council with relevant expertise led by the Monitoring Officer.
- 5.2. Members are invited to consider whether or not the Local Government Association or another independent party should be invited to form part of the Evaluation Panel – they have indicated that they might be able to do this if members consider that this is appropriate.
- 5.3. If only one bid is received but it is evaluated to be of sufficient quality to provide the required service it will be recommended to the Advisory Body for approval.
- 5.4. Relevant considerations are summarised in the following table. Members will note that whatever the approach the process might be criticised. However, the advantage of a double independent process is the re-assurance that it provides about the overall process being sufficiently distant from the final inquiry to give confidence in the integrity of the process.

	<b>Procurement process</b>
<b>Speed</b>	A formal tender for this type of work would take at least 5 – 6 weeks to complete, (4 weeks to complete the tender and at least 1 – 2 weeks to assess tenders and award contract).
<b>Transparency</b>	Transparency is assured <b>NOTE</b> - final tender documents would <b>not</b> be made public except the bid from the successful tenderer
<b>Perceived conflict</b>	Professional organisations (for example Association of Directors of Children’s Services) might be perceived as not being able to be independent
	National charities provide relevant support services. Some might perceive a conflict of interest
<b>Price</b>	A procurement process can give public re-assurance that best value is being obtained

5.5. Next steps, officers will organise a meeting of the Advisory Group to take place during August when the bids have been received and assessed in order to recommend the preferred bidder to take up the role as the Commissioning Body for endorsement by the Advisory Body.

6. **PREVIOUS MINUTES**

6.1. As referred to in this report.

**Report prepared by Jonathan Eatough, Governance, Assistant Director: Governance, Procurement & Commissioning (01952 383 200)([jonathan.eatough@telford.gov.uk](mailto:jonathan.eatough@telford.gov.uk) )**