



Telford & Wrekin
C O U N C I L

Addenbrooke House Ironmasters Way Telford TF3 4NT

A meeting of the
CSE INQUIRY MEMBER ADVISORY GROUP
will be held in
Rooms G3/4, Addenbrooke House,
Ironmasters Way, Telford, TF3 4NT
on **WEDNESDAY, 21 NOVEMBER 2018**
at **6.00pm**

Membership:

Labour:	Cllr N A M England	Cllr H Rhodes
Conservative:	Cllr S Bentley	Cllr T J Nelson
Liberal Democrat/Independent:	Cllr K T Blundell	Cllr P J Scott

Enquiries Regarding this Meeting:

Legal Advisor:	Jonathan Eatough, Monitoring Officer	01952 383200
Democratic Services:	Deborah Moseley	01952 383215
Media Enquiries:	Nigel Newman, Corporate Communications	01952 382403

AGENDA

1. **Apologies for Absence**
2. **Declarations of Interest**
3. **Minutes** Appendix A
Minutes of the meeting held on 20 June 2018
4. **Evaluation Process for the Commissioning Body** Appendix B
To report back to members the outcome of the evaluation process for the Commissioning Body
5. **Support for the Inquiry Process** Appendix C
To update members on progress to support the Inquiry process and Council readiness for the commencement of the Inquiry

CSE INQUIRY MEMBER ADVISORY GROUP

Minutes of a meeting of the CSE Inquiry Member Advisory Group held on Wednesday, 20 June 2018 at 6.00pm in meeting rooms G3/4 Addenbrooke House, Ironmasters Way, Telford

Present: Councillors S Bentley, N A M England, N C Lowery (as substitute for T J Nelson), H Rhodes, and P J Scott

Members of the Reference Panel: Carol, Yvonne, Mandie and David

In Attendance: Suzanne Dodd (Governance & Legal Services Manager and Deputy Monitoring Officer), Jonathan Eatough (Assistant Director: Governance, Procurement & Commissioning and Monitoring Officer) and Deborah Moseley (Democratic and Scrutiny Services Team Leader)

The Chair welcomed Members of the Reference Panel to the meeting and introductions were made.

CSEIMAG - 06 Apologies for Absence

Councillors K T Blundell and T J Nelson.

CSEIMAG - 07 Declarations of Interest

None.

CSEIMAG - 08 Minutes

Clarification on when the confidentiality statement would be available was requested and it was confirmed that this would now be dependent on the agreement of the Terms of Reference for the Group and how involved the Group would be in the process.

Resolved – that the minutes of the meeting held on 22 May 2018 be confirmed and signed by the Chair.

CSEIMAG - 09 Terms of Reference

Resolved – that the Terms of Reference of the Member Advisory Group be “to work to commission an independent organisation, the Commissioning Body, who will draft a Final Commission and use that to appoint an Independent Chair who will establish an Independent Inquiry”.

CSEIMAG - 10 Process for the Appointment of the Commissioning Body

The Monitoring Officer referred Members to the report and revised draft specification which had been tabled following recent informal discussions with the Reference

Panel. Members were asked to note the process for the appointment of a Commissioning Body and to consider the detail of the tabled draft specification that would inform the work of the Commissioning Body in delivering the Final Commission and identifying and appointing the Independent Chair to lead the Inquiry.

The Governance and Legal Services Manager explained the open and transparent tender process which would be undertaken in accordance with EU procurement rules. An invitation to tender (ITT) was being prepared ready for release on 2 July 2018, this would be advertised on Contract Finders (a government portal allowing suppliers to search for contracts). The ITT comprised four volumes: the ITT with instructions, specification, contract and the response document. It would also include an anticollusion certificate, confidentiality table and a conflict of interest form. A bidders day would take place in the week commencing 9 July 2018 with the aim of ensuring interested parties fully understand the requirements of the contracts and provide an opportunity for interested parties to ask questions. The closing date for the return of the tender was 3 August 2018, the evaluation process would end on 16 August 2018 and an announcement of the successful organisation bidder would be made on 24 August 2018. The contract would commence on 3 September 2018.

The Governance and Legal Services Manager went on to explain the evaluation process: the evaluation team would evaluate each tender in accord detailed evaluation criteria and scoring methodology set out in the ITT. The criteria would be weighted 70% quality and 30% price. In relation to the criteria, the panel would look for examples of previous experience of leading similar high profile and sensitive matters, ability to secure public confidence in the inquiry, experience of previous CSE matters, proposals for meaningful engagement with victims, survivors, their families and friends, as well as key stakeholders, experience of managing a process to an agreed timescale including delivering effective progress reports. The criteria also included for the tenderer to provide proposals for successfully recruiting and managing an Independent Chair. There was a very detailed methodology behind the scoring and weighting of each criteria.

Following a request for clarification, the Governance and Legal Services Manager stated that the Commissioning Body's role was to lead the Inquiry via the contract by selecting the Independent Chair; the Body would then step back whilst the Chair conducted the Inquiry. This would be made clear in the documentation and during the bidders day event.

Members asked about the approach to advertising the tender and were advised by the Governance and Legal Services Manager that a lot of active promotion would take place with organisations and people of interest. The Monitoring Officer added that the Council's networks would also be used to publicise the tender as widely as possible.

Evaluation Panel

Members asked about the constitution of the evaluation panel and were advised that the panel would consist of the Monitoring Officer, the Governance and Legal Services Manager, the Commissioning, Procurement & Brokerage Service Delivery

Manager and that it had been proposed to approach the Local Government Association (LGA) to join the panel to provide an element of independence.

The Monitoring Officer referred to recent conversations and suggested that the Group consider the proposal to appoint an LGA representative and whether some members of the Reference Panel be invited to observe the tender evaluation process to provide further transparency. All Members of the Reference Panel wanted to be present to observe the evaluation panel's assessment of the bids. It was noted that a confidentiality statement would be needed due to issues of commercial sensitivity.

Some Members expressed reservation regarding the appointment of the LGA and queried what other options existed to add an experienced consultant to the Panel. The Monitoring Officer offered clarity on the remit of affiliate membership to the LGA and suggested that details of the LGA's proposed nominee could be circulated to the Member Advisory Group for agreement and if there were any significant reservations to the nominee these could then be raised. Members supported this approach to secure an independent expert in the field.

Draft Specification

With regard to the draft specification, the Reference Panel had asked for a number of amendments which were shown as "tracked changes" on the tabled draft. It was particularly noted that the Survivors wanted to remove reference to the Council's Democratic Services Team taking minutes for the Commissioning Body but there was no objection to the Team booking rooms and organising meetings. The Monitoring Officer expressed his confidence in the Democratic Services Team to undertake a full clerking role and noted that meetings could be live streamed or recorded as a backup record and that the accuracy of minutes would also be checked at a subsequent meeting in the usual way. Consideration was given to have two minute takers but this was not considered appropriate due to duplication. The Reference Panel maintained their assertion that the Democratic Services Team were not independent of this process, that the minute taker should not be a paid employee of the Council, and the Commissioning Body should take their own minutes. The Member Advisory Group, therefore, agreed to the removal of reference in the draft specification to the Democratic Services Team taking minutes for the Commissioning Body and that the minute taking provisions would be included as a separate paragraph in the contractual provisions for the Commissioning Body's remit.

Members referred to paragraph 4.6 of the report which stated that the Members were invited to agree that the Specification be finalised by the Monitoring Officer in consultation with the Chair and suggested that the Specification document should be presented to a future meeting of the Members Advisory Group for final oversight. The Monitoring Officer advised that such authority was part of normal process and the delegation did not give authority to change the spirit of the document but was made to correct typos or to give clarity. Members therefore considered and agreed that the final Specification document, including the change relating to minute taking for the Commissioning Body, should be circulated by email to the Member Advisory Group and Reference Panel for comment. Whilst it was noted that this could cause

some delay to the process, Members of the Reference Panel stated that delay was preferable in the circumstances as it was important to get the Inquiry correct.

Resolved that

- (a) The Advisory Group agree the draft specification as amended and agree that the monitoring officer will finalise the specification in consultation with all members of the Advisory Group and that the Group will note the commencement of the tender process once finalised.**
- (b) The LGA be approached to nominate an appropriately independent and qualified/experienced person to sit on the panel that evaluates bids to provide independent challenge and assurance of good process**
- (c) The details of any person proposed by the LGA be circulated to the Member Advisory Group and agreement to their appointment not be unreasonably withheld by Members of the Member Advisory Group.**

The meeting ended at 6.40pm.

Chairman:

Date:

TELFORD & WREKIN COUNCIL

ADVISORY BODY - 21 NOVEMBER 2018

THE APPOINTMENT OF THE COMMISSIONING BODY

REPORT OF THE DEPUTY MONITORING OFFICER

SUMMARY REPORT

1. SUMMARY OF MAIN PROPOSALS

- 1.1 For the Advisory Body to confirm the appointment of the Commissioning Body.
- 1.2 For the Advisory Body to note the evaluation process undertaken for the appointment of the Commissioning Body.
- 1.3 For the Advisory Body to note the next steps in the process.

2. RECOMMENDATIONS

- 2.1 It is recommended that the successful bidder be awarded the Commissioning Body contract, subject to the regulatory 10 day standstill period (which will commence on the 22nd November 2018)

3. SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	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>
TARGET COMPLETION /DELIVERY DATE	<i>On-going</i>	
FINANCIAL/ VALUE FOR MONEY IMPACT	YES	<i>The Council has agreed an initial allocation of £0.35M to meet the costs of the inquiry, including the costs of commissioning the independent Person to lead it. The tendered submission includes an hourly rate and initial</i>

		<i>estimates are that the overall cost of the work anticipated for this stage of the process will be within the funding envelope of £0.35m. The successful bidder has committed to provide monthly invoices and details of the work undertaken including the costs of that work.</i>
LEGAL ISSUES	YES	<p><i>Outside the ambit of the Inquiries Act 2005, the Council has the power to commission an inquiry into activities in their area.</i></p> <p><i>The procurement was undertaken under Schedule 3 of the Public Contract Regulations 2015 - the Light Touch Regime (LTR). The LTR essentially requires procurers to:</i></p> <ul style="list-style-type: none"> ▪ <i>Post in the OJEU a contract notice - or a Prior Information Notice - making known their intention to award a contract for any Schedule 3 service above the LTR threshold – thereby, by definition, inviting expressions of interest.</i> ▪ <i>Thereafter, by definition, hold some sort of (competitive) award process following this.</i> ▪ <i>Ensure that their award procedures are at least sufficient to ensure compliance with the principles of equal treatment and transparency.</i> ▪ <i>Run the process in conformity with the information in the call for competition (but may depart from it in certain circumstances which would not result in breach equal treatment and transparency).</i> ▪ <i>Allow reasonable and proportionate time and time-limits for the whole process.</i> ▪ <i>Publish a contract award notice</i>
OTHER IMPACTS, RISKS & OPPORTUNITIES	YES	<i>As detailed in the report</i>
IMPACT ON SPECIFIC WARDS	YES	<i>Borough wide impact</i>

ADDITIONAL INFORMATION

4. INFORMATION

Background

- 4.1. On the 2nd July 2018 the Council issued an Invitation to tender for a Commissioning Body to be responsible for the planning and organisation of an independent inquiry into child sexual exploitation in Telford & Wrekin.
- 4.2. The Tender was published on the Official Journal of the European Union (OJEU) on the 2nd July 2018. This meant that the tenderer was available to all of European to download and submit a response.
- 4.3. This report presents the evaluation process for selecting the Commissioning Body by way of a competitive procurement process.

Evaluation process

- 4.4. The closing date for tender submission was the 31st October 2018, and the evaluation took place on the 9th November 2018.
- 4.5. The evaluation was undertaken by the Evaluation Panel which consists of:
 - Jonathan Eatough – Assistant Director: Governance, Procurement & Commissioning
 - Suzanne Dodd – Governance & Legal : Service Delivery Manager
 - Sarah Bass – Commissioning, procurement & Brokerage Service Delivery Manager
 - Henry Birmingham – Council’s external Solicitor – Partner at Wightmans Solicitors
 - Maggie Atkinson – Independent Consultant – Maggie Atkinson Consulting Ltd
 - Robert Montgomery – Data Protection and Information Governance Team Leader – assisted on the two method statements which concerned Data Protection and Information Management
- 4.6. In the interest of transparency, openness and fairness, the evaluation process was observed by 2 representatives of the Survivors Committee and one Survivor. The representatives were given copies of the tender submission and were allowed to note questions (which the Panel later answered). They did not play any part in the marking and moderation process.
- 4.7. None of the members on the evaluation panel or the observers had a commercial or personal interest in the contract or the suppliers and have declared this accordingly.
- 4.8. Maggie Atkinson (Independent Consultant) report is appended to the report (see Appendix 1). The report sets out the evaluation process in detail and

confirms that the evaluation process was transparent, clear, impartial and appropriate.

Quality Evaluation

4.9 Quality represents 70% of the total marks (see Appendix 2 for Award Criteria). Tenderers were required to provide a method statement setting on how they will meet each criteria. The table below sets out a summary of the successful bidders response:

Method (questions)	Statement	Successful Bidder's Response – Key strengths
Experience of leading sensitive and high profile matters with high levels of public interest in a credible/reputable manner. Strong stakeholder engagement - proposals for meaningful and appropriate engagement at all stages of the Inquiry with survivors/victims and their representatives / families and friends. Also stakeholders including public services and the voluntary sector groups. 30%	<p>The Successful Bidder has a dedicated inquiries investigation team (an award winning team). They have been involved in many high profile inquiries and investigations including:</p> <ul style="list-style-type: none"> - The Independent Jersey Care Inquiry - The Mid Staffordshire NHS Foundation Trust Public Inquiry - Children's Commissioner for Wales - Trojan Horse Investigation - Bloody Sunday Inquiry - Shipman Inquiry - Rosemary Nelson Inquiry - Child abuse within the context of professional discipline cases <p>As well as acting for on behalf of inquiries themselves, they have appeared for Core Participants in many high profile inquiries including but not limited to, Grenfell Tower Inquiry and the Leveson Inquiry. Their response provided a high standard of evidence demonstrating the ability to:</p> <ul style="list-style-type: none"> - Interview witnesses without any bias - Liaising with families and survivors in sensitive situations - Have regular and effective communication with all stakeholders - Effectively leading inquiries in a very politically sensitive manner e.g. the Jersey Inquiry - Deal with the key issues in relation to CSE - Effectively managing sensitive information. <p>SCORE – 4 out of 5</p>	
Good understanding of child sexual exploitation and communities. 20%	The Successful Bidder response provided very strong evidence in relation to their experience of dealing with CSE inquiries, including detail case studies of the North Wales Child Abuse Inquiry, the	

	<p>Independent Jersey Care Inquiry, Child abuse within the context of the professional discipline and many more examples. These case studies demonstrated that the Successful Bidder has a vast amount of experience of CSE and an in-depth understanding of the key issues in CSE</p> <p>SCORE – 4 out of 5</p>
<p>Experience in managing and delivering within an agreed timescale, including delivering effective progress reports. 10%</p>	<p>The Successful Bidder response demonstrated that they have a wealth of experience running similar inquiries and investigations to prescribed and ambitious timescales. They gave detailed case studies to illustrate this including the Trojan Horse Investigation which was completed in a very tight timescale of two months, within the team had to review over tens of thousands pages of evidence, interview in excess of 70 witnesses etc.</p> <p>The Successful Bidder has members of the team who are Prince 2 qualified so are able to assist with the project management of large inquiries. They also provided value add services such as free secretarial support, secure office accommodation in Birmingham (note they believe there should also be a local office).</p> <p>SCORE – 4 out of 5</p>
<p>Experience in recruiting to high profile positions and effectively managing relationships. 10%</p>	<p>The Successful Bidder provided 4 glowing statements from Chairs of high profile inquiries that they have worked on, which praised the work the Successful Bidder's team. This provided evidence of being able to effectively manage relationships with Chairs. The Successful Bidder provided one very good example (case study) of recruiting a chair in a high profile inquiry.</p> <p>SCORE – 3 out of 5</p>
<p>Experience in considering detailed reports and commenting on effectiveness of report against terms of reference. 10%</p>	<p>The Successful Bidder provided many strong examples of large high profile inquiries where they have been involved in the preparation and/or drafting of the report for publication.</p> <p>SCORE – 4 out of 5</p>
<p>Data Protection Legislation compliance. 5%</p>	<p>The Successful Bidder's response demonstrated they are:</p> <ul style="list-style-type: none"> - Registered under the Data Protection Act 2018 - They hold key accreditation such as ISO2001:2013 and Cyber Essentials and Cyber Essentially Plus - Understand data protection issues in the context of a large inquiry - Included a detailed and robust Data Protection Policy within their submission. <p>SCORE – 4 out of 5</p>
<p>Health and Safety / Witness protection. 5%</p>	<p>The Successful Bidder's response demonstrated that the health and safety of the Commissioning Body, Chair, witnesses, survivors/victims and all who participate in the work of the inquiry is</p>

	<p>of vital importance. Their response looked at each in turn, and set out their proposal in respect of the health and safety of the various groups.</p> <p>SCORE – 4 out of 5</p>
<p>Information and Management Systems. 5%</p>	<p>The Successful Bidder provided a detailed and strong response to this question demonstrating that the nature of the information they will receive during the inquiry will be of the highest sensitivity, and that clear processes will be required for the management of the documentation, and to ensure that confidential data and the anonymity of witnesses (where appropriate) is maintained.</p> <p>The response clearly set out their proposals to have clear protocols in place to ensure the protection of all witnesses and survivors/victims e.g. which clearly set out how evidence will be collated etc.</p> <p>The Successful Bidders also wish to develop an inquiry specific information management system and not use the council's IT systems.</p> <p>SCORE – 4 out of 5</p>

5. COST EVALUATION

- 5.1 The cost evaluation represents 30% of the total marks (see Appendix 2 for Award Criteria). Tenderers were required to provide indicative prices in relation to the role as Commissioning Body. The prices were then marked using the formula below:

Submitted figures/lowest bid figure received x section weighted

- 5.2 The Successful Bidder's indicative price was competitive and affordable. Due to the nature of this contract, the Successful Bidder recognised the difficulty of giving an accurate assessment of costs, and therefore committed to provide a set hourly rate. They also committed to providing detailed monthly invoice containing a full breakdown of costs and work undertaken, and for the invoices to be published on the Council's website.

6. NEXT STEPS

- 6.1 Next steps, officers will meet with the Successful Bidder to finalise the contract and to agree final details such as accommodation, IT systems, hand of relevant information, reporting etc. The Council will then 'step away' to let the Successful Bidder progress the inquiry.

7. PREVIOUS MINUTES

- 7.1 As referred to in this report.

Report prepared by Suzanne Dodd, Service Delivery Manager: Governance & Legal (01952 380014) (suzanne.dodd@telford.gov.uk)

Appendix 1 – Report from External Expert – Maggie Atkinson

Appendix 2 – Award Criteria

Appendix 3 - Scoring Matrix

Appendix 4– Cost Evaluation

Appendix 1 – Report from External Expert – Maggie Atkinson



Maggie Atkinson Consulting Ltd

Appendix: from External Expert
in the awarding of a contract for
the

Commissioning Body for a non-
statutory Inquiry into Child Sexual
Exploitation (CSE)

Contract awarding body:
Telford and Wrekin Council

This appendix presented by
Maggie Atkinson Consulting Ltd
(the Consultant)

Commentary on the contract
award discussion and decision
making,

Friday 09 November 2018

Contract-closing commentary on the process for the award of a contract to an independent Commissioner who as part the borough's responses to historical CSE issues.

Through presenting this appendix to a report to Elected Members of Telford and Wrekin Council, I am pleased to confirm the probity of the contract awarding process undertaken on Friday 09 November 2018, and to thank the awarding body for permitting me as an external independent expert to contribute to the work described in the report concerned.

For Maggie Atkinson Consulting Limited, ('the consultant,') the role of external independent contributor to the award making decision was filled by me. I am Maggie Atkinson, founder and CEO of the company that bears my name. The key contacts for this work in Telford and Wrekin were Jonathan Eatough and Suzanne Dodd, between them holding procurement and legal expertise and the delegated authority to run the processes concerned, which had themselves been agreed by Elected Members.

By building in "Double Independence" to the creation of a Commissioning Body to work with all stakeholders to appoint a Chair and set the Terms of Reference for a non-statutory but high-stakes Inquiry into Child Sexual Exploitation (CSE) it is my view that there is great merit in taking this adopted approach, against which bidder(s) could bid for the work. Whilst the Council will fund that work and as a result will be ultimately accountable as the Primary Contractor, in creating this clear and transparent arms-length means of holding all parties to account and working with survivors and victims is following a model of good practice.

Context: What the client contracted the consultant to deliver

Telford and Wrekin Council and its stakeholders and partners are working painstakingly together to continue to address the issues raised by disclosure, investigation, and some ongoing legal cases concerning both historical, and any present or continuing, Child Sexual Exploitation and Abuse in the borough. The Council commissioned the Consultant to provide support to the appointment of an independent and external Commissioning Body, choosing to create this mechanism so as to enable all partners and stakeholders to be confident of such an Inquiry's impartiality. This work will therefore contribute to the progress and improvements to the borough's work in this vital and sensitive field. The consultant's support was provided over 3 days. It included desk-based analysis of documentation and the necessary related preparation, and one full day in the borough as tender(s) were assessed and a decision was made regarding awarding the work to a Commissioning Body.

The client asked that I advise it on the basis of my personal and professional, technical and subject experience in the children and young people's services sector. As former Children's Commissioner for England I was recommended by the Local Government Association because during my term of office my team and I undertook a ground-breaking statutory Inquiry on Child Sexual Exploitation in Gangs and by Groups in communities (CSEGG.) As I left office my successor picked up subsequent work on the issues we had encountered relating to Child Sexual Abuse in the Family Environment (CSAFE) on which she has subsequently published reports.

My work on this assignment now ends as that contract has now been awarded. I can close this assignment by confirming, and those present at the one-day Awarding Meeting will certify if asked, that I have delivered clear and impartial advice to the awarding process. I can further confirm that I have never before visited or worked with the Council or its partners.

Details of the Consultant's Brief:

To advise on the contract which was duly and formally awarded subject to post-award meeting clarification discussions with the successful bidder, on Friday 09/11/2018

1. Preparatory time, desk-based at the consultant's home office base and overnight on the 8th to 9th November 2018. This stage entailed reading, annotating and reflecting on the bid(s) received from potential Commissioning Body organisations, and comparing submissions against the specifications and requirements presented by the Council to allow such bidding.

2. Face to face presence at, and full and detailed contributions to, the bidder-assessment day on Friday 09/11/2018, giving both verbal and formal written advice and reflections to those awarding the contract from the standpoint of an entirely independent and objective expert with no previous connection to Telford and Wrekin.

The consultant's responsibilities did not, and in future will not, extend to any responsibility for the work to be undertaken by the Council or its partners in the delivery of services. Nor will the consultant be held responsible for the success or otherwise of the Client's or the appointed Commissioning Body's work. This is not a "payment by eventual results" assignment. It is limited to the functions outlined under numbered items 1 and 2 above.

The consultant's input to the panel's awarding of a contract, including the creation and submission of this Appendix, all travel and other commitments, has entailed a maximum of 3 days in total.

The contract-awarding day: 09 November 2018, at Addenbrooke House

Present at the day, and fulfilling the roles described below, were the following people:

- 3 senior staff from the Council's procurement and legal teams, who played a full part in the awarding discussions and moderation process, ensuring that each Method Statement the bidder had responded to was duly scored after moderation by the panel; that a formal decision to award the contract was made and duly recorded, and that post-award subjects for discussion with the successful bidder were listed for completion during the necessary contract-finalising stage.
- One administrator from the same teams, who took detailed notes of all contributions to the discussion of the single bid received for the contract, filled in the scoring grids on the panel's behalf, and at the end of the process informed the panel of the scoring given across the panel, including the weightings given in each case.
- Weightman's LLP's legal adviser to the process, who advised throughout the discussion of the bid and the moderation process.
- 3 representatives of Telford and Wrekin's survivors' and victims' organisations and the community of residents they represent. These representatives were asked to read the Methods Statements and the single bid received, and to note any questions. They observed but did not play any part in the awarding and moderation process throughout the day. After the panel had formally agreed on its awarding decision and had reviewed the scoring and weighting of the bid, the representatives were then asked for their feedback and questions. These closely matched the issues raised by the panel during the day's discussions. The representatives were formally assured that their commentary would inform post-contract finalising discussions
- Me: Maggie Atkinson, external independent adviser to the process. I played a full part in the discussions and moderation. My scoring was part of the process in discussion of each Method Statement response by the single bidder for this award. I was fully part of the discussions both with the Council's staff, and the survivors' and victims' representatives who contributed to the closing discussion after a decision had been made, but who were present throughout the day as observers of the awarding process.

Formal assurance of the probity, transparency and suitability of the process, and the eventual award of the contract concerned

I hereby formally confirm the following:

1. The documentation provided was thorough, detailed and appropriate for the contract being awarded.

2. Though 3 bidders attended the Bidders' Day on 28/09/2018, only one bid was in the event received. The panel was clear throughout that had this bid not met the tender document's specifications, the choice not to award the contract remained open as a clear and valid option.
3. The panel, and the victims' and survivors' representatives, all completed conflict of interest and connection declarations and the Council has these on file.
4. The papers detailing the commissioning process, and all those provided for discussion, deliberation and decision making were all handled, by all concerned, in duly confidential and formal fashion, including the fact that all papers, and all hand written or other notes made by all parties, were taken back into the possession of Legal Services senior staff at the end of the meeting on 09/11/2018.
5. All discussions and deliberations took place in one space, in the full hearing of all concerned, apart from some time spent in quiet deliberation on the matters at hand by the three representatives of victims and survivors. They did not at any point leave the main meeting room to undertake these discussions, all of which were centred on the papers to hand for the awarding process.
6. Each Method Statement was considered by the following process, which commenced at 09:30 and given there was only a single bid was completed by 14:00 on the award making day.
 - a. Panel members and group representatives were asked to read the papers over again, one Method Statement at a time, individually and in silence. Panel members were asked in their reading to consider, against the scoring matrix already provided and exemplified as part of the pack of papers, what their scoring for that section alone would be. Groups' representatives were asked to note any comments or questions, which were kept for the end of the meeting. They were not part of the panel's discussion or awarding decision.
 - b. Discussion by the panel only followed this re-reading and annotation session, on each occasion focusing only on the Method Statement the panel had just re-read. Scores were given member by member in open discussion round the table. A panel-moderating discussion followed, to arrive at a single agreed grade per Method Statement.
 - c. Where consideration of a Method Statement required expert advice – for example on the bidder's text on the security and handling of information, GDPR and data protection, a suitably qualified and experienced Officer was present for the discussion of that Method Statement only, and provided professional and technical advice as part of the moderation process, not as a means of influencing grading.
 - d. Full and frank discussions informed the agreed final gradings given to each Method Statement. It was clear from the outset that the single bid submitted was adequate or better in each section, and that an award could and should be made as a result of the day's discussions.
 - e. After all the Method Statements had been considered and graded, a closing discussion took place that agreed to award the contract to the single bidder concerned. The panel made detailed notes of the need for post-award discussions with the successful bidder in the concluding discussions required to conclude and sign and exchange the contract concerned. None of the matters raised were sufficient to create doubts about awarding the contract as agreed. Rather they were matters of detail in some areas. This is normal in the award of a contract of this magnitude and importance.
 - f. The meeting was concluded, after the contract award had been agreed and the scoring documents and other materials had been closed, by an appropriate discussion with the

survivors' and victims' group representatives, who added their questions to the awarding panel's considerations. There was a close match between what the panel had recorded as necessary post-award for discussion with the successful bidder, ahead of the contract being signed and exchanged.

The matters raised that will need to be discussed and clarified with the successful bidder

The panel, and the victims' and survivors' representatives, will wish to see clarification rather than alteration of the following matters, all of which relate to enhancing clarity rather than being reasons not to award the contract.

1. Confirmation that though the awarded body has some legal representative roles with the IICSA statutory Inquiry chaired by Alexis Jay, there will be clear separation between what Telford and Wrekin is now commissioning and any and all business of that national inquiry. It was acknowledged that the Truth Project has already engaged with Telford and Wrekin as part of this discussion.
2. Clarity on the details and exemplification regarding how information and data will be handled, stored, retained, returned or disposed of. It was acknowledged that there will be a good deal of sensitive hard copy as well as electronic material involved. The survivors' and victims' representatives in particular sought reassurance. They received it – the bid was already strong but the panel acknowledged that post-award discussions would seek detail and that once commenced the work should seek to engage at a very early stage with those groups. The representatives also raised the possibilities of being able to keep any Inquiry evidence gathering locations clear of, and all witnesses safe from, intimidation, repercussions, social media and other trailing, or attempts to prevent or close down discussions during the Inquiry.
3. There will be a need to explore how far the Commissioning Body's remit will now extend, given parts of the bid, the panel accepted this being prompted by discussions that took place on site during the Bidders' Day, moves into how the Inquiry might run, as opposed to simply setting the Terms of Reference and appointing a Chair.
4. There will be a need to ensure that the appointed organisation is clear that the Chair should be drawn from as wide a field of expertise as possible, though the panel was also clear that as an independent body, the Commissioning Body will do as it sees fit in that regard. The possibility of a lawyers-only field of candidates was registered as a matter to be discussed, given there are other fields of expertise from which a Chair might be drawn. This will be discussed in full acceptance that the now-awarded body will make the final decision and appointment.

This appendix is presented by the consultant as the closing act in the assignment given, in assurance that the processes involved have been transparent, clear, impartial and appropriate.

Maggie Atkinson

Independent Consultant and external contributor to the panel's discussions and decision making

Saturday 10 November 2018

Appendix 2 – Award Criteria

1.1 The Tenders will be assessed against the following Tier 1 Criteria:

Tier 1 Criteria

Criteria Description	Weighting
(A) Quality of Service	70%
(B) Economic (cost)	30%
Total	100%

Appendix 3 - Scoring Matrix

4.8 Evaluation Criteria and Weightings (Quality)

Score	Rating	Description
0	Unacceptable/Unsuitable	The Tenderer's proposals are absent or incomplete or the Tenderer has provided proposals that are not relevant.
1	Very Weak	<ul style="list-style-type: none">• Quality: Tenderer's response is wholly insufficient or unsatisfactory lacking evidence of skill/experience sought; lack of understanding of requirement or evidence of ability to deliver; high risk that relevant skills or requirement will not be available.
2	Weak	<ul style="list-style-type: none">• Quality: The Tenderer's proposals include some evidence of skill/experience sought; however they lack some understanding of requirement shown or there is limited evidence of ability to deliver; medium risk that relevant skills or requirement will not be available. The Council has some major concerns
3	Acceptable	<ul style="list-style-type: none">• Quality: The Tenderer's response demonstrates a satisfactory understanding of the requirement and evidence of ability to meet it and proposals are acceptable with no major concerns.
4	Good	<ul style="list-style-type: none">• Quality: Tenderer's response demonstrates a good understanding of the requirement with full and robust responses and evidence of ability to meet the requirements. The response gives the Council confidence and will bring added value or benefit to the Council.

Score	Rating	Description
5	Excellent	<ul style="list-style-type: none"> <li data-bbox="786 159 1390 483">• Quality: Tenderer's response meets the Council's requirements, showing deep understanding of the requirements. The proposals are outstanding and will bring significant added value/benefit to the Council. The response shows innovation and the Council has full confidence in the responses.

The Council reserved the right to exclude any Tenderer who scores 0 (Unacceptable/Unsuitable) or 1 (Very Weak) for any of the criteria or sub-criteria. The Council is of the view that any Tenderer scoring 0 or 1 is unable to meet the Council's requirements for the Contract as a whole and therefore will be rejected.

Appendix 4 - COST EVALUATION

Tier 1 Criteria Description	Tier 1 Weigh ting	Tier 2 Criteria	Tier 2 Weigh ting	Tier 3 Criteria	Tier 3 Weigh ting
Commissioning Body Price	30%	Hourly rates (one blended hourly rate to be provided for all staff)	30%	N/A	N/A
		Indicative Price	70%	<p>Stage 1 - The Commissioning Body, independent of the Council, will design the parameters for the Independent Inquiry. This will include setting the draft terms of reference of the inquiry. The Survivors' Committee shall provide the Commissioning Body with its own proposals for what should be included in the terms of reference. The Commissioning Body shall use this proposal as a starting point, and shall undertake further consultation on the terms of reference with other interested parties, stakeholders and survivors, survivors' representatives and survivors' family members and friends.</p> <p>The Commissioning Body will produce "the Final Commission" which will form the basis of the engagement of an Independent Chair. The Survivors Committee shall receive a copy of the Final Commission. The Final Commission will be reported to Cabinet and the Survivors' Committee.</p> <p>Stage 2(a) - Once appointed the Independent Chair will work to finalise the Terms of Reference,</p>	Stage 1: 50%

				<p>which will be finalised by the Commissioning Body, and lead the inquiry and produce a Draft Report and a Final Report.</p> <p>Stage 2(a) – Monitoring the progress and performance of the Inquiry.</p> <p>Stage 2(b) – The Commissioning Body will receive a Draft Report and review it against the Terms of Reference Subject to it meeting all elements of the Terms of Reference, receive, in due course, a Final Report. Reporting this to Cabinet, Council and the Survivors Committee along with endorsement/ additional recommendations. At the same time Cabinet will report their formal response (and Action Plan) on behalf of the Cabinet for approval by Full Council.</p>	<p>Stage 2(a): 15%</p> <p>Stage 2(b): 20%</p> <p>Stage 3: 15%</p>
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Costs Scoring

Hourly rate, Stage 1, Stage 2a, Stage 2b, Stage 3 will be assessed in the utilising the following model:

Submitted figure received / lowest bid figure received x section weighting

TELFORD & WREKIN COUNCIL

ADVISORY COMMITTEE – 21 NOVEMBER 2019

CSE INVESTIGATION

REPORT OF JONATHAN EATOUGH – MONITORING OFFICER

PART A) – SUMMARY REPORT

1. SUMMARY OF MAIN PROPOSALS

To update members on progress to establish an Independent Inquiry into Child Sexual Exploitation in Telford. The report summarises the work to support the Inquiry since the Advisory Group last met in June 2018, both in respect of commissioning support services for survivors, establishing the Inquiry and collating and securing information and records that the Inquiry might access. The report also details the influence and involvement of survivors in progress to date.

2. RECOMMENDATIONS

For members to receive updates on;

Progress towards the establishment of an inquiry into Child Sexual Exploitation in Telford;

On-going preparations to ensure that, when it commences, the inquiry progresses efficiently and effectively;

The influence and involvement of Survivors in the process; and

How survivors are being supported currently and how they will be supported during the inquiry.

3. SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Co-Operative Council priority objective(s)?	
	Yes	<i>Putting our Children and Young People first Protecting and supporting our vulnerable adults and children Ensuring the 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>
TARGET COMPLETION/DELIVERY DATE	Ongoing	
FINANCIAL/VALUE FOR MONEY IMPACT	Yes	<i>An initial allocation of £0.35M has been set aside to meet the costs of the inquiry, including costs of commissioning an Independent Person to lead it. In addition to the £0.05m already committed to support survivors a further £0.1m per year, for the next 2 years, has been set aside to fund future support. There is more detail in the report.</i>
LEGAL ISSUES	Yes	<i>Outside the ambit of the Inquiries Act 2005, the Council has the power to commission an inquiry into activities in their area. In progressing to this point the Council has complied with procurement law, data protection and information governance law</i>
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	<i>As detailed in the report.</i>
IMPACT ON SPECIFIC WARDS	Yes	<i>Borough wide impact.</i>

PART B) – ADDITIONAL INFORMATION

4. INFORMATION

Background

On 29 March 2018 a report to Cabinet gave a detailed history of the multi-agency work that has taken place in Telford in the last 12 years to protect children and young people from child sexual exploitation. This information was considered as background papers by full Council on 10 April 2018 when the Council resolved to commission and implement a non-statutory inquiry into all aspects of historic and current instances of child sexual exploitation within the Borough.

Members were seeking assurance on the following issues:

1. An inquiry into what had happened in the past would be established, it would be independent and the Council would co-operate with that Inquiry;
2. Survivors would be at the heart of the inquiry process; and
3. There would be comprehensive support for Survivors in Telford

Progress to Inquiry

The Inquiry - the Final Commission and the appointment of the Independent Chair

Members have this evening already considered a report about the process to appoint a Commissioning Body and have considered the recommendation for the appointment of the Commissioning Body.

Officers will meet the Commissioning Body to agree a timetable and reporting milestones so that progress can be monitored and reported back to members. It is important to note that, from this point, control over the timetable passes to the Commissioning Body.

Co-operating with the Inquiry - Evidence

The Council has made it clear from the outset that it does not seek to influence the terms of reference of the Inquiry, either in terms of extent or period. The Council will make its records made available for review during the course of the Inquiry. The Council has undertaken a lot of work in identifying and cataloguing records, both paper and electronic to make sure that those records are identified, catalogued and secure before the Inquiry starts.

Paper files are in locked cabinets in a locked room on Council premises to keep them secure and electronic records have had all existing access rights removed. It is important to note that some records do need to be accessed for current cases, access to either paper or electronic records can only happen with the approval of both the Assistant Director for Children's Safeguarding and Early Help **and** the Organisational Delivery and Development Manager.

Where files have been destroyed in accordance with approved document retention policies that may have existed at the time those are also recorded for audit purposes. Note that since the opening statement of Justice Goddard, the then chair of the Independent Inquiry into Child Sexual Abuse on 9 July 2015 no records relating to the care of children have been destroyed.

This work will undoubtedly support the Inquiry to avoid delay.

Co-operating with the Inquiry - Communications

The Council has, at www.telford.gov.uk/childsexualexploitation provided a lot more detail about child sexual exploitation, including facts about child sexual exploitation, where to go for advice and support and how to report it, alongside latest news on child sexual exploitation and the Inquiry. There have also been a number of press releases to keep people aware of progress.

The Lead Cabinet Member, Cllr Lee Carter, and the Chair of the Advisory Group, Cllr Peter Scott, have been briefed and all members of the Advisory Group have received regular updates from officers. Cllr Carter has also personally briefed the Telford MP. Both MPs have been sent updates at key milestones in the process.

Survivors at the heart of the process

Since the last meeting of the Advisory Group on 21 June 2018 the Council has continued to work with survivors in respect of developing support for them.

The Council has worked closely with the Survivors on the tender documentation for the Commissioning Body to ensure that they were in full agreement with those documents when they were published.

After the last meeting of the Advisory Group there was concern from survivors, their representatives and some members of this committee about how the documentation had been approved to move forward to the next stage in the process.

Officers/the Council recognised that this could have been done better and, since the last meeting they have worked to address some of those concerns. Initially the Council organised drop in sessions that were widely advertised, inviting anyone wanting more information about the process to come and ask questions about the process and the documentation.

Subsequently the Council agreed to a request from the Survivors Committee (renamed from the Reference Panel by survivors) for funding for them to receive independent legal advice. The purpose of this independent legal advice was to enable them to understand fully the tender documentation and better to influence the final tender documents. Since their appointment the Council's legal team and legal advisers have met with the Survivors

Committee legal representatives to agree this documentation. As a result of these conversations key changes to the documentation were made in respect of the role of the Survivors Committee in developing terms of reference and the process for finalising those terms of reference, particularly in relation to the role of the Independent Chair. The only material changes to the documentation agreed by members of the Advisory Group were those requested by the Survivors Committee.

Two representatives of the Survivors Committee attended the Bidders Open Day on 28 September 2018 and observed the presentations and discussions during the day and the Survivors Committee were also represented when the evaluation process was undertaken on the 9 November 2018.

The Cabinet Member Lead and officers are in regular communication with representatives of the Survivors Committee to make sure that any issues are identified and dealt with quickly. This is working effectively.

Supporting Survivors

A key element of the planning for the Inquiry was to review the existing support for survivors and, if appropriate, introduce extra support as quickly as possible. At the same time the Council would plan for on-going support during the period of the Inquiry when, foreseeably, the requirement for support services would be increased.

It is planned that, once the Inquiry has been completed, any recommendations would inform future support, again the intention is that this is designed and developed in collaboration with survivors.

The Council has been working to engage survivors and professionals in both local statutory services and the voluntary sector to develop the right support solutions for adult survivors of CSE.

The first stage of this work, extra support capacity led to the funding of the Holly Project: A project set up by survivors for survivors providing a drop in service and a safe place for individuals and their families to get support and advice from people who understand the trauma and lasting impact of child sexual exploitation. This project operates under the leadership and guidance of the YMCA Wellington. Short term Council funding was secured to start up this service and provided the opportunity for the Holly Project to develop its offer and to start working in July this year.

The Council has since committed additional short term funding to increase the level of psychological support available to people accessing the Holly Project.

This funding is committed to the end of March 2019. Longer term commissioned services will commence at the beginning of March 2019 to ensure that, whatever the outcome of the tender the service is continuous.

Since its inception the Holly Project has been developing good relationships with key partners including the Council's out of hours Emergency Duty Team, social care including the CATE team, the Police, sexual health services and the mental health Crisis Resolution Home Treatment Team. These valuable discussions have supported the development of strong working relationships which will undoubtedly improve the outcomes for people accessing the Holly Project and adults impacted by child sexual exploitation.

The second stage was to engage survivors, professionals and the voluntary sector to collaborate to develop longer term support services which the Council has committed funding for 2019 - 2021.

Telford and Wrekin Mental Health Forum is a group of voluntary and statutory sector providers who regularly meet to share new ideas, best practice and to raise local issues and concerns related to mental health (including emotional trauma). Members include organisations such as: Telford Mind, Citizens Advice, Axis, private counsellors, Midlands Partnership Foundation Trust, Branches, Recharge, Thrive and Impact (there are over 60 individual members of this group). The Forum has been regularly briefed on the Inquiry and work to support survivors. Members have acted as a conduit to the wider community by ensuring anyone they were supporting was aware of both the Inquiry into CSE and the commissioning work described – advising them of how they could be involved in either or both. This resulted in feedback which has informed the development of the specification for these longer term services.

Further local market research has been carried out in the form of a questionnaire and numerous 1-2-1 discussions with providers. Questions focused on: initial thoughts and reactions to the principles of the specification, any concerns they have, whether there were changes they would make and if they were aware of any examples of good practice in this area. Many providers advised that they were either responding on behalf of someone they had supported, or using their experience of supporting people (who have been victims of CSE) in a professional capacity in order to provide a response. Their feedback either directly changed the specification or resulted in further conversations with survivors in order to clarify certain details.

Concerns were also raised during this engagement process that the timescales didn't offer enough time for the market to prepare and to potentially recruit and train the level of staff needed. The procurement timescales were extended to address these concerns.

The Council continues to work closely with the Holly Project and this has ensured that the early experiences of the Project informed the development of the specification for longer term services and that, through the Holly workers, more survivors have been engaged in the process.

The opinions of 2 Clinical Psychologists (one of whom specialises in trauma) have also been sought in the development of the specification. Their contributions have ensured we protect from vicarious trauma. Both have been supportive of the approach taken and the support designed.

The council is seeking to commission a support service which offers 3 key functions:

- information, advice and guidance (to enable access and support engagement to wider community services)
- peer support (peer mentors will offer support via: group work and one to one support, help removing barriers to engagement, informally advocate and support before, during and after meetings)
- a listening service (a solution based approach to support individuals)

One of the strong messages from survivors and professionals was that it was a challenge to build trust and support people, often with very low self-esteem. As a result, the Council will be commissioning a framework of approved providers who can offer survivors activities which promote good emotional health and wellbeing. It is envisaged that a range of services will be on offer (this could include for example a focused activity around grief, an opportunity to learn new skills to help survivors to find work, or simple relaxation techniques which improve wellbeing). Survivors have shared powerful examples of how the flexibility to engage with people in different ways and in different places, is often key to building a new relationship from which the person can access support. The preferred provider for the main service will be asked to be part of the evaluation process to “approve” the list of providers and their activities. This will be open all year meaning providers can bid at any time to join the framework.

The closing date for bids was 12 November. A panel consisting of a survivors' representative, commissioner, procurement officer, safeguarding lead and mental health team lead will evaluate the bids along with contributions from colleagues in finance and health and safety. Provider discussions will take place on the 26 November with the preferred provider being notified on the 5 December. The new service will commence on 1 March 2019.

5. **PREVIOUS MINUTES**
CSE Members Advisory Group – 22 May 2018
CSE Members Advisory Group – 20 June 2018

6. **BACKGROUND PAPERS**

Report prepared by Jonathan Eatough, Monitoring Officer, Telephone: 01952 382000