

REPORT TO: Executive Board

DATE: 27 June 2013

REPORTING OFFICER: Strategic Director, Children and Enterprise

SUBJECT Waiver of Procurement Standing Orders in respect of Investigation Services

PORTFOLIO: Children, Young People and Families

WARDS: Borough Wide

1.0 PURPOSE OF REPORT

- 1.1 To report on the use of emergency powers 1.8.2 to commission Stobarts Business Services to undertake an independent investigation on behalf of the Council and to seek retrospective approval to the waiver of standing order 4.1.

2.0 RECOMMENDATION: That

- 1) approval is granted to waiver Procurement Standing Orders 4.1 – Competition Requirements via the Chest through use of 1.8.2 Emergency Procedures; and**
- 2) this waiver will be for one commission until the completion of the second investigation undertaken by Stobarts Business Services at The Bridge and The Gateway Pupil Referral Units.**

3.0 BACKGROUND

- 3.1 An independent investigation was required at The Bridge and The Gateway Pupil Referral Units in 2012. Stobarts Business Services agreed to undertake the investigation as a pilot on behalf of the Authority. As a result of the findings from the first investigation a second investigation was needed and due to the sensitive nature of the investigation, the urgency and the number of Council employees involved HR advised that Stobarts be commissioned to undertake this work.
- 3.2 Advice was given that a request be made for a waiver of Procurement Standing Orders under 4.1 Competition Requirements, for contract not exceeding £20,000 in value, via the Chest by using 1.8.2 Emergency

Procedures. The period of the waiver shall be effective for the course of the investigation on The Bridge and The Gateway. This work will be funded from budget code 8188 (14-19 budget).

- 3.3 Value for money, transparency, propriety and accountability have been achieved as Stobarts Business Services were asked to undertake this investigation as they had already undertaken a pilot at the request of HR. The second investigation needed to be commenced urgently and there was a risk and costs to the continuation of the investigation if a different provider was needed to be commissioned. All actions have been undertaken in consultation with the Head of Procurement.

4.0 FUNDING

- 4.1 The investigation is being funded from budget code 8188 (14-19 budget). The daily costs for the investigator is £350 and £150 for the note taker.

5.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

5.1 Children and Young People in Halton

To minimise disruption to the children and young people attending The Bridge and Gateway Pupil Referral Units.

5.2 Employment, Learning and Skills in Halton

N/A

5.3 A Healthy Halton

N/A

5.4 A Safer Halton

N/A

5.5 Halton's Urban Renewal

N/A

6.0 RISK ANALYSIS

- 6.1 Stobarts Business Services were commissioned to undertake the second investigation to ensure the continuity and urgency of the process and reduce the risk and costs of commissioning a different provider.

7.0 EQUALITY AND DIVERSITY ISSUES

7.1 An independent investigation was commissioned from Stobarts Business Services to ensure that a fair and transparent investigation was undertaken.

8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Requisition for Investigation	2 nd Floor Rutland House Runcorn	Ann McIntyre Operational Director Children's Organisation and Provision