



Haringey Council

Procurement Committee

on 11 June 2009

Report Title: **Provision of Consultancy Services for BSF – Programme Accountant**

Forward Plan reference number (if applicable): **Not applicable**

Report of: **The Director of the Children & Young People's Service**

Wards(s) affected: **All**

Report for: **Non-Key Decision**

1. Purpose

This report seeks approval to extend the contract of the programme accountant, BSF and Capital Programme.

2. Introduction by Cabinet Member

2.1 I am aware that this is an unusual request but believe it to be in the best interests of the BSF programme and therefore of provision for children in the borough. I understand that the legal advice supports agreeing the recommendation.

3. Recommendations

3.1 That Committee Members agree to extend the contract for consultancy services for the BSF and capital programme accountant for the period from 1 May 2008 to 30 June 2009 to the consultant named in Appendix 1.

Report Authorised by:

Peter Lewis
Director, the Children and Young People's Service

Contact Officer: Ian Bailey, Deputy Director, Business Support and Development

4. Director of Finance Comments

4.1 The Chief Financial Officer has been consulted on the preparation of this report and is satisfied that the full costs associated with the appointment outlined in this report can be met from within the fee element of the BSF budget.

5. Head of Legal Services Comments

5.1 This report is requesting that Procurement Committee extend the contract of the programme accountant for BSF and Capital Programme.

5.2 The Procurement Committee has power under CSO 13.02 to extend the contract, provided that to do so is consistent with the provisions of the Council's Financial Regulations.

Paragraphs 5.3 to 5.6 onwards are contained in the exempt information.

5.7 Subject to the comments contained in the exempt information, the Head of Legal Services confirms that the recommendations contained in this report may be accepted.

6. Head of Procurement Comments

6.1

7. Local Government (Access to Information) Act 1985

This report contains exempt and non-exempt information. Exempt information is contained in the Appendix and is not for publication. The exempt information is under the following category (identified in the amended Schedule 12A of the Local Government Act 1972 (3) information relating to the financial or business affairs of any particular person (including the authority holding that information).

Financial Implications

The total cost at the conclusion of this contract in March 2009 is exempt information and is set out in Appendix 1.

8. Legal Implications

See Legal comments in Paragraph 5

9. Equalities Implications

The funding for BSF is directed to the benefit of pupils drawn from the most deprived areas of the borough.

10. Health and Safety Implications

The contract terms will include requirements to comply with all relevant legislation

11. Background

The Programme Accountant was appointed on 5th June 2007. Several previous efforts to find and appoint a suitable candidate, either temporary or permanent had been

unsuccessful. The appointment took place at a critical time in the development of the BSF programme, when high level dedicated financial resources were needed to set the project on to a sound footing and to set up financial systems and practices because of the rapid move towards implementation of over a dozen simultaneous capital projects. The candidate was interviewed by the Acting Director of Finance and the BSF Programme Director. The appointment is regarded as having been very successful.

Clearly, the number of candidates available to manage such complex work is at any time extremely limited and options were limited further by the urgency of this appointment. Having found a suitable candidate, it would not have been in the best interests of the Council to commence tender procedures normally applicable to a post of this value.

On 18 December 2007, the Cabinet Member for Children and Young People agreed a waiver to allow the current postholder to remain in place until 30th April 2008. Programme financial management is perhaps the major BSF programme risk borne by the council. Errors in this area could shift the risk of liability for many millions of pounds from DCSF to the Council. The current postholder has invaluable skills and continuity of experience from the early days of the BSF set-up and the council should have the option of keeping his services over the periods of highest BSF spending. He is also uniquely placed to support the extension of BSF good practice in financial strategy and management to the primary capital programme. A permanent successor has been recruited to take over once the bulk of the BSF programme is complete. She is initially working mainly on the primary and related capital programmes.

The Public Contract Regulations 2006 require that contracts of over a stipulated value (currently £139,893) be advertised in Europe. Our intention was originally to conduct such a compliant procurement exercise and to retain the services of the existing Programme Director while this process is conducted. A report to this effect was in preparation in mid-November but its completion was interrupted by other events. However, it has now become possible to procure the services of the Programme Accountant through existing framework agreements, as set out in Appendix 1. This arrangement can commence from 1 July 2009.

We thus propose that the committee retrospectively agrees to extend the current contract with the Programme Accountant is extended until the end of June 2009.

The Cabinet Procurement Committee has power under CSO 13.02 to agree the extension of the contract, providing that to do so is consistent with Financial Regulations.

12. Use of Appendices / Tables / Photographs

12.1 Appendix 1 – Part B – Exempt Information