

TONBRIDGE & MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

25 January 2024

Report of the Interim Chief Executive

Part 1- Public

Delegated

1 SCOPING REPORT – REVIEW OF THE COUNCIL’S USE OF CONSULTANTS

To scope out the terms for the Overview and Scrutiny Review of the appointment of consultants across the Council.

1.1 Background

1.1.1 The Chair of Overview and Scrutiny Committee has requested a review by this Committee into the Council’s use of consultants. This report sets out the possible scope of the review and options the Committee may want to investigate for the next stage of the review.

1.1.2 The primary questions raised regarding the use of consultants are as follows:

- Why is there a need to employ consultants, is there existing internal expertise that could be utilised?
- Is there a substantial cost to the Council in employing consultants?
- What checks and balances are in place to monitor the consultants?

1.2 Scope

1.2.1 Firstly, the Committee will need to define exactly what is meant by the term “consultants”. The Committee may wish to focus on consultancy work which is providing knowledge, techniques and assets to improve performance that is outside of the Council’s “business as usual”. This would include the use of external third parties, providing expertise that is typically not available internally. Focusing on this aspect, would rule out the use of contractors who fill vacancies and are used for the day-to-day operational resources to maintain departmental function.

1.2.2 The Committee may want to consider the way consultants are engaged. For example, what is the procurement process? Who decides to engage consultants? At what point are Members involved in the process?

- 1.2.3 The Committee may want to consider value for money issues, such as how rates are decided, the rationale for how long companies/individuals are engaged, the cost and frequency of the engagements. Is there a consistent approach in the use of consultants across the Council?
- 1.2.4 In order to consider these issues, it is suggested that a summary of the Council's use of consultants over the past 4 years is presented at the next stage of this review. This could include who the consultants are, what the consultants provided, the cost of the appointment and the final outcome of the appointment.
- 1.2.5 The Committee may want to consider the findings to help understand if there are opportunities to do things differently. For example, is there an opportunity to utilise staff expertise, is more training required to ensure the necessary expertise? Are there any possible measures in place to identify staff potential as a route to reducing reliance on consultants? Conversely, are there risks of not appointing consultants for specific projects?

1.3 Legal Implications

- 1.3.1 To be considered as part of the final Review.

1.4 Financial and Value for Money Considerations

- 1.4.1 Consultancy spend will be considered as part of the final Review. Any possible options to save money can be considered by Members at the final review stage.

1.5 Risk Assessment

- 1.5.1 N/A

1.6 Equality Impact Assessment

- 1.6.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.7 Policy Considerations

- 1.7.1 Business Continuity/Resilience
- 1.7.2 Procurement

1.8 Recommendations

- 1.8.1 That the Committee **ENDORSE** the scope of the review, to focus on consultants providing third party expertise not available in the Council and not persons employed to provide day to day operational resource.
- 1.8.2 The Committee **AGREE** to the next steps of the review, looking at the engagement process and the value for money issues.

1.8.3 The Committee **REQUEST** information to consider in the form of a summary of the Council's use of consultants over the previous 4 years.

Background papers:

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Nil

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