

## **EPPING FOREST DISTRICT COUNCIL OVERVIEW AND SCRUTINY MINUTES**

<b>Committee:</b>	Overview and Scrutiny Committee	<b>Date:</b>	Thursday, 11 December 2008
<b>Place:</b>	Council Chamber, Civic Offices, High Street, Epping	<b>Time:</b>	7.30 - 9.32 pm
<b>Members Present:</b>	Councillors R Morgan (Chairman), G Mohindra, Mrs P Richardson, Mrs J H Whitehouse	Mrs R Brookes, M Colling, D Jacobs, B Rolfe, Mrs L Wagland and	
<b>Other Councillors:</b>	Councillors D Bateman, K Chana, Ms S Stavrou and C Whitbread	Mrs D Collins, R Law, Mrs M McEwen,	
<b>Apologies:</b>	Councillors K Angold-Stephens		
<b>Officers Present:</b>	D Macnab (Deputy Chief Executive), J Gilbert (Director of Environment and Street Scene), A Hendry (Democratic Services Officer), S G Hill (Senior Democratic Services Officer), M Jenkins (Democratic Services Assistant), N Robinson (Young Persons Officer), P Tredgett (Information Assistant), G Wallis (Community Development Officer), I Willett (Assistant to the Chief Executive) and G J Woodhall (Democratic Services Officer)		
<b>By Invitation:</b>	P Sadler (Epping Forest College), G Compton (Youth Councillor), C Gilbert (Youth Councillor), A Martin (Youth Councillor) and H Whitbread (Youth Councillor)		

---

### **48. WEBCASTING INTRODUCTION**

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

### **49. SUBSTITUTE MEMBERS**

It was reported that Councillor Mrs R Brookes was substituting for Councillor K Angold-Stephen.

### **50. MINUTES**

#### **RESOLVED:**

That the minutes of the meeting held on 6 November 2008 be taken as read and signed by the Chairman as a correct record.

### **51. DECLARATIONS OF INTEREST**

Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared a personal interest in agenda item 6 by virtue of being the father of one of the Youth Councillors.

## 52. YOUTH COUNCIL FUNDING

The Cabinet had asked that the Youth Council report to the Overview and Scrutiny Committee on their proposed funding bid for 2009/10, giving an update on developing the Youth Council Programme.

Youth Councillor Ms C Gilbert informed the meeting that this was the first ever Youth Council for the District. They had a lot that they wanted to do and make happen. In the last 11 months, the Youth Councillors had received initial training soon after their election to enable them to carry out their tasks as professionally as possible; they had agreed their mission statement and established their priorities under five broad headings. They were:

- Activities / things to do for young people;
- Safety and Social issues relating to young people;
- Transport;
- The Environment; and
- The Stereotyping of young people.

Their EFYC mission statement was:

“To voice the views of young people and see that they are put into action.”

They had established their own Webpage to get their message out into the public arena.

Since then, they had been contacted through the website by a number of young people wishing to use the Youth Council as a consultation sounding board and seek their member's support and involvement.

They had, since the summer, developed sub-groups looking into four of the five priorities areas: Activities, Transport, Environment and Safety issues.

They saw more face-to-face work in the community as a vital component of their second year success. Some councillors had worked very hard to raise the expectations of their School Council and hold them to task in promoting young people's initiatives. In the second year, they wanted to build on the good work of local schools partnerships by holding Youth Councillor drop-in surgeries at lunchtimes and after school; and to get more young people engaged in local issues and the opportunities that were out there.

To date, Epping Forest Youth Council had been successful in securing external funding to the sum of £11,132.

However, without the funding from Epping Forest District Council, to a similar sum of approximately £12,000 to support their training, meet transport and general revenue costs they would have been unable to run this year. On behalf of all their Members, Ms Gilbert thanked Epping Forest District Council for their support and formally requested that the same level of support, to the sum of £12,000 be made available for the Youth Council in the next financial year.

The other members of the youth council present, Ms H Whitbread, Ms A Martin and Ms G Compton then reviewed the work of the various sub-committees looking at the activities of young people in the district, their transport problems, their thoughts on the environment and on safety and social issues. It was noted that about 63% of young people felt that their achievements were not sufficiently recognised enough in

the local community; that young people's achievements tended to be better recognised in schools than in the wider community; and that most young people felt that both local and national media generally failed to recognise the achievements of young people (attached is a copy of their presentation for information).

The Chairman then opened the meeting up to questions from members.

Councillor Mrs Whitehouse asked to what extent the Youth Council was able to include fellow school and college colleagues. Ms Compton said the recent Big Youth Debate had helped publicise the Youth Council and the local schools were recognising this. It was a start.

Councillor Mrs D Collins said that she enjoyed the Big Youth Debate and it was credit to all the Youth Councillors. She would now like them to progress and they should suggest ways in which they could move forward. She would like to see some more outcomes this time next year. But it was a good start.

Councillor M Colling noted the number of young people who had not been to Youth Clubs – could they investigate to find out why this was.

Councillor Mrs Wagland asked if they could wave a magic wand, what two things would they like to achieve next year. Ms Gilbert said that each sub-group had their own targets. One of the main things was transport, reducing and standardising bus fares and increasing regularity. She would like each sub-group to have at least one positive outcome, such as a drugs awareness video.

Councillor D Jacobs asked if they had spoken to other Youth Councils. Ms Gilbert said that they had met with Harlow Youth Council at the beginning of their term, which helped them to get started.

Councillor Mrs Richardson asked if the Youth Council had developed any strategies to deal with crime and young people. Ms H Whitbread replied that they were working with the Police and were trying to make a difference, but it was difficult.

The Chairman thanked the Youth Councillors for their interesting presentation, congratulated them on their first year as a council and wished them good luck for the future.

#### **RESOLVED:**

That the Committee noted the presentation by the Youth Council and endorsed the proposed Youth Council CSB growth bid for 2009/10.

### **53. THE STRATEGIC DIRECTION OF EPPING FOREST COLLEGE**

The Committee welcomed Peter Sadler the new principal of Epping Forest College (EFC). He was there to speak to the Committee on the strategic direction of the college, its vision for the future and its relationship with the community. His presentation is attached to these minutes.

Mr Sadler started by clarifying the position that EFC held in the education system. It stood in the middle between school and university, taking students between 16 and 19 years old. They provided mainly vocational and 'A' level courses.

Approximately 34% of students came from the Epping Forest area, the rest from Enfield and other London boroughs. Students generally came from within 10 miles

from around the college; their objective was to get more students from the Epping Forest district.

The college also had about 140 students aged 14 who undertook vocational training. Their primary objective was to prepare people for work or full time learning.

Currently the college was in a difficult financial position. They had just taken over a £38 million building. They had to sell one third of their land and had to take out a bank loan for £8 million. There was a national problem, with national hidden debts for colleges of around £2 billion. The college had wiped out all of its cash reserves. Its income stream was currently £8.5 million from the Learning and Skills Council for 16 to 19 year olds and about £1.5 million for adults. Among other grants they also received about £1.2 million in learning support and earn about £500,000 in fees. Their total income was about £12.8 million this year.

The College had been through a great deal in recent years and there was a history of under-performance. They had poor buildings and a poor reputation in the community. Mr Sadler took over as principal in September 2008 and the college had to undergo an OFSTED inspection in December, the outcome of which he expected not to be very good. They had done a self assessment report in which they had graded themselves as being 'unsatisfactory', with which the OFSTED inspector agreed. They would be required to improve their quality of management and the learning needs of the college.

The College currently employed about 350 people, not all of them full time. The Payroll budget was roughly £8.5 million.

The College had a new building and would have a new management team in the New Year to move the college forward. They plan to cut out all the deadwood and to progress only with their strong areas. They hoped to see some improvement by next September (2009) by improving the quality of management, meeting local needs and supporting local schools. They also wanted to improve social inclusion for people with learning difficulties in the district. The college was working hard to improve its reputation.

The Debden Community Sports Centre was past its useful life. The College were looking to sell it, have its covenants removed and then to provide new sports facilities. They would approach the Council for planning permission so that they could use the college's sports field, or part of it, to support community needs such as a proposed skate park and a new sports centre.

There were currently issues with the fencing around the site and they would be investing in new fencing to keep the place secure.

The Chairman then opened the meeting up to questions from the members present.

Councillor Rolfe asked for more information on the income from fees, especially from individuals. Mr Sadler replied that the Government no longer supported courses run for 'fun', they were focusing now on vocational qualifications and looking at free education up to level 2 qualifications. Those students that already had the qualification at that level would have to pay about £1000 for each new course.

Councillor Mrs Richardson was under the impression that "new builds" were VAT exempt so she queried why the college had to pay VAT on their new building. Mr Sadler said he was not an expert on such matters but apparently they had seven years to pay the money.

Councillor Mrs Wagland noted that two of the popular vocational courses were to do with construction and cars, both industries were in trouble now the recession had arrived. Mr Sadler said that he was not worried as most of the students were between the ages of 16 and 19. The industries would be recovering by the time they had qualified. He would be more worried if they had a lot of adults training.

Councillor Mrs R Brookes was concerned that a lot of the students chose to travel to Harlow and West Hatch. What would happen after the OFSTED inspection? Mr Sadler replied that the challenge was with the 15 -16 year olds and at 'A' level standard. They would aim to do the best possible job with 'A' level students. They currently did about 28 'A' level courses; they were looking to reduce these to the best ones, using the new building as a catalyst for change.

Councillor Mrs Brookes said that they had a good nursery close a few years ago; did the college plan to open a new one? Mr Sadler said that they did not, but could access learner support funds for child care for students. There was the potential for having community facilities in the new building; if local organisations wanted to open a crèche they would support it.

Councillor Mrs Brookes continued that residents were keen that the new plans kept the path in the playing fields, and she hoped that the college would honour the principle of providing a skateboard park. Mr Sadler said he would honour the college's pledges. They wanted to retain the green spaces and the path, but they would need a small amount of development to go on it. People would want a children's play area and a community facility.

Councillor Bateman asked about technical apprentices, what were the need for these? Mr Sadler said that these were called 'work place training' for students to gain formal qualifications from the college. They were mainly in hairdressing and health and social care. The college would also take on six apprentices on estate management and administration.

Councillor Mrs Collins commented that the council needed to work with the college, with their new facilities. There was need for more or different 'A' level courses and to attract more local students. Mr Sadler replied it was true to say that more local students had started this year.

Mr Sadler went on to say that the college had held a safety week recently when they had the Police and Road Safety officers at the college. The Police took random drug tests from the students and in the toilets. They were astounded at the low level of positive tests.

Councillor Mrs Richardson commented that the courses on child care would tie in nicely with an on site crèche. Mr Sadler said that they ran child care courses and had people attending outside facilities as part of their training. They would consider having their own facilities although an on site nursery would throw up many risks for the college.

The Chairman thanked Mr Sadler for his informative presentation and wished him the best of luck with the current OFSTED inspection and for the future.

**54. USE OF CONSULTANTS - REPORT OF CONSTITUTION & MEMBER SERVICES SSP**

The Chairman of the Constitution and Member Services Standing Scrutiny Panel, Councillor Mrs McEwen introduced the report on the review of Contract Standing Order C13, provision of appointment of consultants. An officer working party had reviewed arrangements for recruitment of consultants. This review was carried out because of concerns expressed about the process for recruiting consultants being used in various directorates of the Council. These concerns focus on the following aspects:

- (a) that consultants are being engaged for extended periods often to cover establishment posts;
- (b) that there is not always evidence of adequate market testing in order to demonstrate value for money in these appointments;
- (c) that consultants are often engaged and retained at high cost which may adversely affect the number of staff hours available to the Council.

The officer review had concluded that the term “consultant” has not been clearly defined. Therefore, if Contract Standing Orders were to apply to the procurement of such persons, they would need to define what a consultant is. The review also highlighted the fact that there were occasions when the term “consultant” was often used in the context of temporary members of staff which must be dealt with in a completely different manner.

Councillor Mohindra asked how the 20% limit above the maximum scale point was derived. He was told that if a director had a hard to fill vacancy he could fill it with temporary staff, which would normally be paid the same as a permanent member of staff. He could now go up to 20% above the maximum of that grade, but would have to have the budget available to cover it.

**RESOLVED:**

That a report be submitted to Council recommending that the revised Standing Order, C13 (attached) be adopted.

**55. SAFER CLEANER GREENER STRATEGY DOCUMENT**

This strategy document was withdrawn. It was noted that it would be submitted to a future meeting.

**56. REPORT OF THE CUSTOMER TRANSFORMATION TASK AND FINISH PANEL**

The Chairman of the Customer Transformation Task and Finish Panel, Councillor Rolfe introduced the final report of this Panel. The Panel had looked at the Council's reception and other customer contact areas, the Council's internal communications and the telephone operators, the Council's website and the Council's magazine 'The Forester'.

They had concluded that the reception areas should be reorganised along with the telephone centre and that a Customer Relationship Management system should be developed to improve the Council's services and help meet the requirements of National Indicator 14. They also recommended that an additional two website

support officers be recruited at an estimated cost of £48,860 and that the Forester be reviewed.

**RESOLVED:**

That the following recommendations of the Customer Transformation Task and Finish Final Report be endorsed and submitted to the Cabinet for adoption:

**THE COUNCIL WEBSITE:**

- i) That given the increasing importance of the Website with respect to communication, information and electronic interactions, consideration is given to increasing the level of dedicated resource to the maintenance and development of the Council's Website.
- ii) That a CSB Growth bid is submitted to fund an additional two, Range 5 (subject to job evaluation) Website Support Officers as part of the Budget Process 2009/10, at an estimated cost of £48,860.

**PROVISION OF RECEPTION SERVICES AT THE CIVIC OFFICES:**

- i) That a re-organisation should take place at the Civic Offices to enable customers to access the majority of Council Services at a single reception/customer services area of the ground floor.
- ii) That further detailed feasibility work is undertaken to establish the costs of the new single customer services/reception area to include innovative use of information technology, for which provision should be made from the existing allocation of funds within the capital programme.

**TELEPHONE ENQUIRIES**

- i) That the Council develops and deploys a Customer Relationship Management System to provide accurate and timely information to enquires.
- ii) That any such Customer Relationship Management System be capable of providing accurate management and monitoring information, not only to meet the requirements of NI14, but also to drive customer satisfaction levels higher.

**PUBLIC INFORMATION – THE FORESTER**

- i) That the results of the Forester consultation are considered by Overview and Scrutiny Committee prior to any fundamental design changes or content.

**NATIONAL PERFORMANCE INDICATOR 14 – AVOIDABLE CONTACT**

- i) That in line with our recommendations in respect to Telephone enquiries,

that a Customer Relationship Management System is developed capable of efficiently collecting data to improve services and meet the requirements of NI14 – Available Contact.

### **ONE STOP SHOPS/CONTACT CENTRES**

- i) That the Council pursue the establishment of a Corporate Customer Services, front office model such as “Contact Harlow” where the maximum number of enquiries and transactions completed at the first point of contact.
- ii) That the Corporate Customer services facility is achieved by the utilisation of existing staffing resources being brought together to become “generalists” as per the ‘Contact Harlow’ model.

### **57. JOINT PCT SCRUTINY IN WEST ESSEX**

The report on the proposed Joint PCT Scrutiny in West Essex was introduced by the Senior Democratic Services Officer. It was noted that at County level the Health Overview and Scrutiny Committee had the statutory duty for health scrutiny. However, recently Harlow members had expressed an interest in undertaking a piece of health scrutiny jointly with Uttlesford and Epping Forest on a service level basis. Officers and members from the three authorities had recently met to discuss how such a review might take place. The issues for such a joint group were:

- (i) how to ensure that the participation of the PCT in a worthwhile review could be secured and be mutually beneficial;
- (ii) making sure that any review did not duplicate either work undertaken by or on behalf of HOSC;
- (iii) that the structure did not eventually fall foul of any changes envisaged by the government on joint scrutiny committees following recent consultation scheduled for April 2009; and
- (iv) that there was capacity to complete the review within a reasonable timeframe.

An identical report had been presented to Harlow Overview and Scrutiny Committee recently where they expressed some concerns about avoiding duplication of work with the County Health Overview and Scrutiny Committee. They had also asked for more information on what topics may emerge. Officers had arranged a meeting with County about health scrutiny in January 2009 following which the county’s views on how such local health scrutiny could operate would be apparent. At present, all this committee could do was to suggest some areas that the joint scrutiny can look at and agree in principle to the joint scrutiny.

The committee thought that the following subjects would be worth looking at:

- Care in the Community;
- Mental Health;
- Hip Fractures (was this area worse than other parts of the county in dealing with these);
- Epilepsy and other such conditions, they appear to have no targets, hence less money.



In principle the committee expressed the view that they were happy to participate in a joint health scrutiny exercise.

**RESOLVED:**

- (1) That the Committee were content, in principle, to consider a joint health review with Harlow and Uttlesford Councils; and
- (2) That the following subjects be raised as suitable to be reviewed by the proposed joint health committee:
  - Care in the Community;
  - Mental Health;
  - Hip Fractures (was this area worse than other parts of the county in dealing with these);
  - Epilepsy and other such conditions, they appear to have no targets, hence less money.

**58. WORK PROGRAMME MONITORING**

**(a) Work Programme**

**Overview and Scrutiny Committee**

The following changes were noted:

- Item 6 (Scrutiny of Epping Forest Local Strategic Partnership) had been moved to March 2009, as there were a lot of items already down for January 2009.
- Item 12 (Health and Inequalities), a report updating the Committee would be presented in March 2009.
- Item 13 (Scrutiny of Essex Police – Community Policing Initiative), would be moved to a later date.
- The Deputy Chief Executive asked that members submit questions before hand for any future presentations to be given, so that the speaker could research and prepare the answers in advance.
- The Youth Council to be asked if they wished to supply questions for Councillor Hume, when he visits the Committee in January 2009.

**Safer Cleaner Greener Standing Panel**

The Committee received an update on the Panel's recent meeting from its Chairman, Councillor Matt Colling.

The Chairman of the standing panel asked that their terms of reference be amended to include "Highway accidents within the District to include specifically, data on accidents resulting in death or serious injuries."

The Committee agreed that this could be added to the Panel's Terms of Reference.

Noted that:

- The draft Safer, Cleaner, Greener Strategy Document be amended and then brought back to the Overview and Scrutiny Committee.
- The Panel had asked that a special meeting be organised in the new year to consider the Epping Forest Transport Survey. It was agreed that the date of the special meeting be put into the Members Bulletin along with a copy of the questionnaire and the consultation document.
- They had received an update on the latest Dobbs Weir traffic situation.
- They had considered the Waste Service Development Plan.
- And had been informed of the new powers available to the Council on Anti Social Behaviour, from 1 December 2008. These powers made it possible for the Police and Council, in partnership, to seek the closure of any premises (including owner occupied and tenanted houses) where they were the cause of major and on-going antisocial behaviour. It was clear that the powers were likely only to be used in extremis, but they did provide another tool in the toolkit for dealing with the most difficult of circumstances.

**RESOLVED:**

That the Safer, Cleaner, Greener Standing Panel's Terms of Reference be amended to include: "Highway accidents within the District to include specifically data on accidents resulting in death or serious injuries."

**Constitution and Member Services Standing Panel**

It was noted that:

- The Panel would consider the government consultation for time-off for employees who wished to take up Civic Duties. Because of timing difficulties the response would go directly to the government and not come to the O&S Committee.
- They would respond to the government on reducing the age of voting from 18 to 16 by the end of January. An item would be put into the member's bulletin and the Youth Council asked for their comments.
- The review of O&S and members training was due in January and any comments/response from members would be welcomed.

**Finance and Performance Management Scrutiny Panel**

The Chairman of the Panel, Councillor D Jacobs reported that the Panel at its last meeting, held on 11 November 2008, had considered:

- Quarterly Financial Monitoring;
- Essex Local Area Agreement;
- The Capital Programme 2008/09 to 2012/13;
- Fees and Charges 2009/10; and
- Key Performance Indicators 2008/09 – Quarter 2 Performance Monitoring.

**Planning Services Standing Panel**

Councillor Mrs Wagland, Chairman of the Panel informed the Committee that an improvement plan had gone to their last meeting to be commented upon and an amended version would come back to their next meeting.

**(b) Reserve Programme**

The Committee considered Councillor's Coopers request for member scrutiny concerning Planning Operational matters.

**RESOLVED:**

That the request be referred to and considered by, the Planning Services Standing Panel at their next meeting.

**59. CABINET REVIEW**

It was noted that there was nothing to report to the next Cabinet.

**CHAIRMAN**

This page is intentionally left blank

## **Activities**

- **65%** of young people felt that there was not enough to do, near where they live.
- **Transport difficulties** are the main barrier in stopping young people from doing the sort of activities they would like.
- Only **4%** of young people surveyed said they regularly visited a youth club

# Transport

- **32%** of young people classed bus services as 'essential' in their day-to-day life.
- **21%** of young people classed train / rail services as 'essential' in their day-to-day life.
- **41%** of young people felt that improving the frequency of public transport services was a main priority with **21%** citing a reduction in cost.

# **Environment**

- **17%** of young people cited environmental issues as a '*very important*' concern.
- **56%** of young people claimed to regularly recycle rubbish.
- **37%** of young people felt there was not enough information and resources available to people to improve recycling.

# Safety and Social Issues

- **30%** of young people had been a victim of crime
- **48%** of young people have been a witness of crime
- **34%** of young people said that gang culture / knife and weapon crime was their greatest fear
- **More street policing and CCTV** were seen as the best ways of reducing crime.



# **Views of young people**

- **63%** of young people felt that their achievements are not sufficiently recognised enough in the local community.
- Young peoples' achievements tend to be better recognised in schools than in the wider community.
- Most young people felt that both local and national media generally fail to recognise the achievements of young people.

This page is intentionally left blank



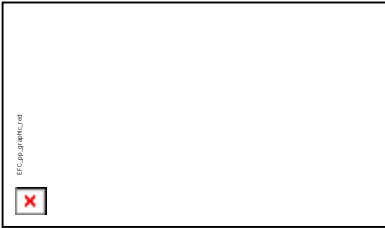
# **Epping Forest College EFDC Scrutiny Briefing**

**Peter Sadler  
Principal**

**Date: 11<sup>th</sup> December 2008**

*EFC means business!*



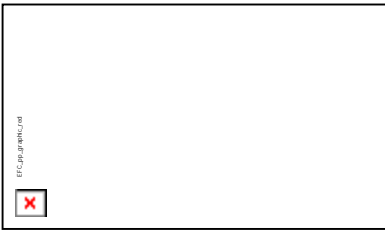


# Where do our students come from?



	16 year-olds as a Percentage of Area population	16 year olds as a percentage of EFC student cohort
Enfield	22%	31%
London	65%	35%
Epping Forest	12%	34%

*EFC means business!*

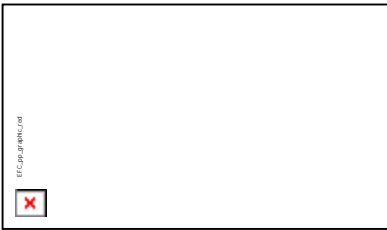


## Where do our students come from?

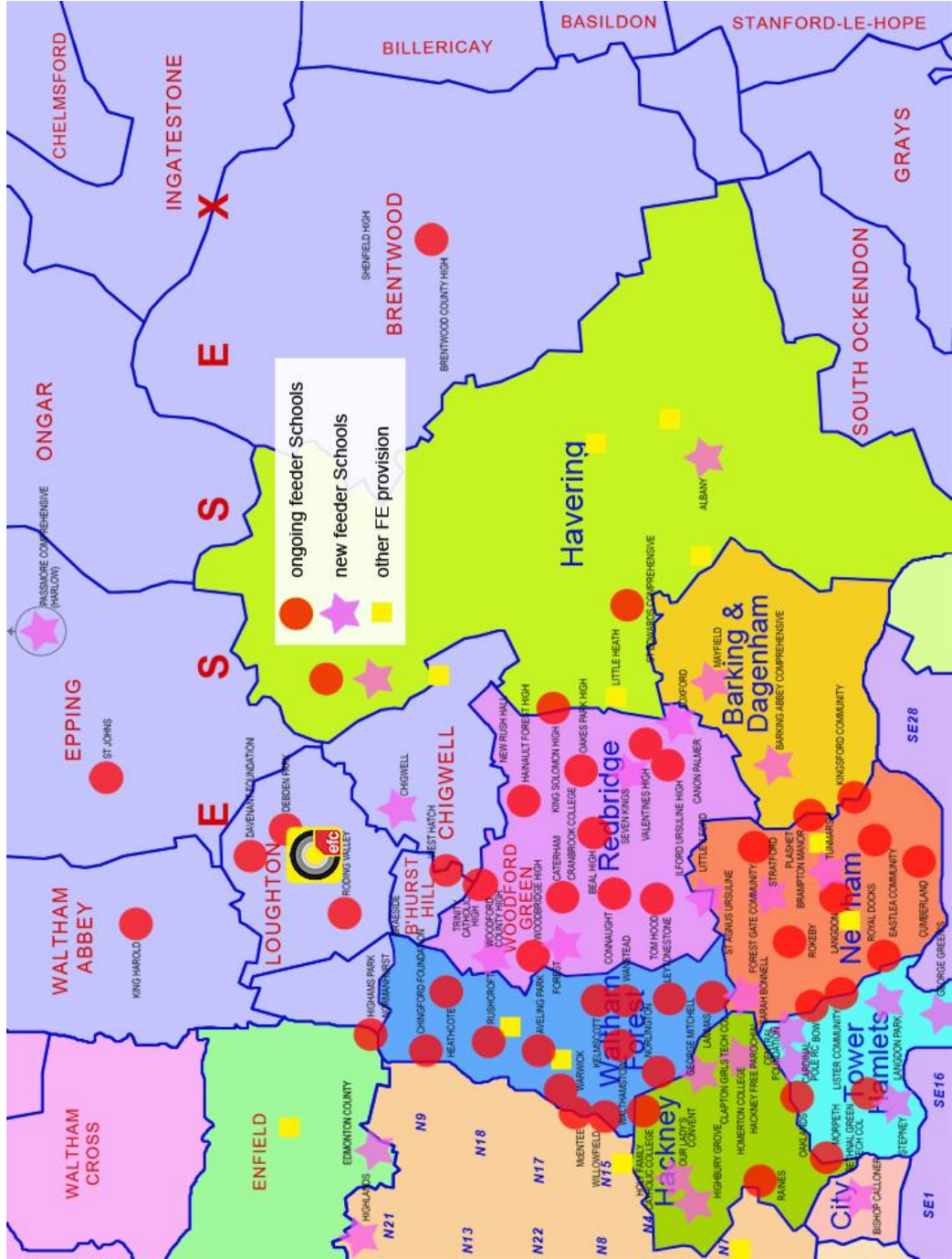


	Year 11 Roll	Enrolled at EFC 2007/8	Enrolled at EFC 2008/9	% of Year 11 roll at EFC
Roding Valley	266	77	82	29
Debden Park	180	38	74	21
Davenant	163	5	19	12
King Harold	150	12	20	13
St Johns	168	13	20	12

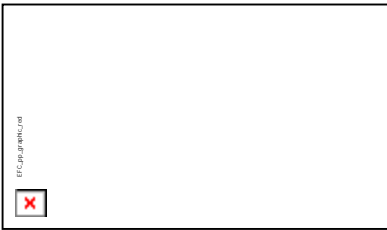
*EFC means business!*



# Map showing full time student recruitment 2007-08



*EFC means business!*



# What do we do?



**A/S Levels 16-19**

**A2 Levels 16-19**

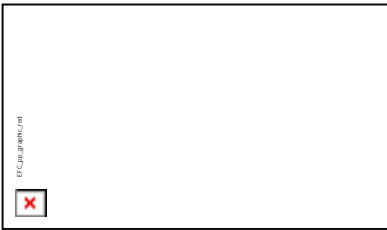
**A/S Levels 19+**

**A2 Levels 19+**

**Vocational courses 16-19**

**Vocational courses 19+**

**Train to Gain**



What will we do?



**14-19 Diplomas**

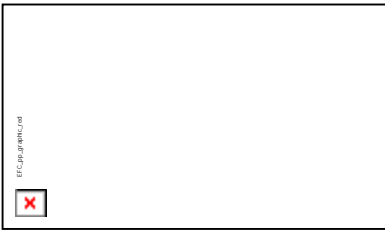
**HE – Foundation Degrees**

**Work Based Learning –  
Apprenticeships**

**Bespoke programmes for business**

*EFC means business!*

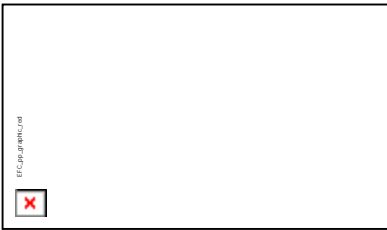




## Vital Statistics



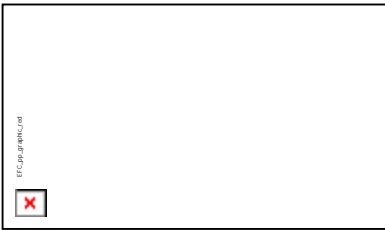
*EFC means business!*



# Income Streams



*EFC means business!*



## Recent History

**Autumn 2007 - Illness of former Principal**

**History of underperformance**

**Poor Buildings**

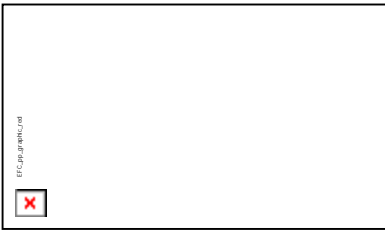
**January 2008: Interim Principal appointed**

**August 2008: New Principal designate**

**September 2008: New Principal formally takes on role**

**December 2008: Ofsted Inspection**



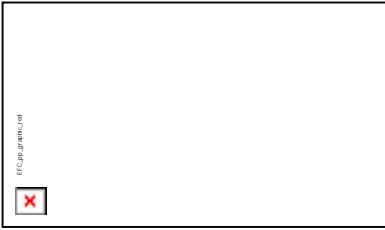


# A New Beginning!



**Draw a line in the sand**  
**Fantastic new building**  
**Assess local needs**  
**Align staff and resources to offer**

*EFC means business!*



# Our Objectives



**Improve Quality**

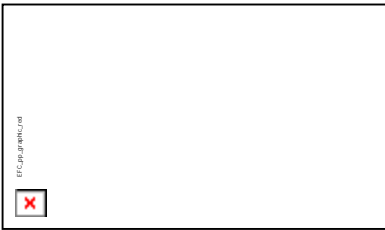
**Meet local needs**

**Support schools**

**Work with local businesses**

**Improve social inclusion**

*EFC means business!*



## Issues

**Reputation management - Ofsted**

**Former DCA Sports Centre - covenants**

**College Sports Field  
– planning permission**

**Fencing – planning permission**

**Industrial relations**



*EFC means business!*

### REVISED CONTRACT STANDING ORDER C13 (APPOINTMENT OF CONSULTANTS)

- (1) It shall be a condition of the appointment of any architect, engineer, quantity surveyor or other consultant (not being an officer of the Council) who is to be responsible to the Council for the supervision of a contract on its behalf, that in relation to that contract there shall be compliance with the requirements of these Standing Orders relating to contracts as though the Consultant was a Chief Officer. The Council's standard forms of appointment for consultants shall apply in all cases unless the Chief of Legal, Administration and Estates Officer directs otherwise. These are set out on the Council's intranet.
- (2) The engagement of consultants shall be in accordance with Standing Orders C3 (Contracts not Exceeding £25,000), C4 (Contracts Exceeding £25,000 but not Exceeding £50,000), C5 (Contracts Exceeding £50,000), C6 (Restricted Tendering), C7 (Ad Hoc List - Contracts over £2 million), C8 (Open Tendering), C9 (Negotiated Tendering - Contracts over £50,000) or C11 (Serial Contracts), dependant on the estimated amount of the fees and disbursements to be paid to them.
- (3) **The procurement of consultants as defined in paragraph (5) below shall be exempt from the requirements of paragraph (2) above if appointments are sought and made through the Essex Procurement Hub or the Capita system. In the event that the Procurement Hub and the Capita system cannot secure a suitable appointment, paragraph (2) above will apply.**
- (4) The appointment of any consultant to the Council in respect of duties performed or services rendered on projects with an estimated or potential scheme value in excess of £250,000 shall be under seal. The appropriate Chief Officer may however, require that any contract in respect of a scheme of less than £250,000 in value or amount shall be under seal if it is considered that this would be in the Council's best interests.
- (5) **For the purposes of this Contract Standing Order, "consultant" is defined as an appointment of a non-established person (ie not employed by the Council or included on the Council's payroll or covering an establishment post) which is procured directly, through a company or similar commercial undertaking or through an agency (and engaged to perform a specific task over a predetermined period).**
- (6) **Any appointment which does not meet the definition of consultant shall be deemed to be an appointment of a temporary member of staff, being a person included on the Council's staffing establishment and payroll, whether procured directly, through a company, or similar commercial undertaking or through an agency. Such a temporary appointment shall be deemed to be for the purpose of covering establishment posts within the Council. Such appointments shall be made by the relevant chief officer under delegated authority subject to the following conditions:**
  - (a) **appointments being funded from the existing salary budget for the service or Directorate concerned;**

- (b) appointments being made at a salary within the appropriate salary scale for the post being covered;
  - (c) delegated authority being exercisable by the relevant chief officer within a salary level up to 20% above the highest scale point in the salary scale concerned;
  - (d) such temporary appointments being made for no more than six months.
- (7) The engagement of Counsel (or similar legal adviser) is exempted from the requirement to place orders through the Essex Procurement Hub or the Capita system but the Director of Corporate Support Services is required to demonstrate value for money has been obtained provided that the nature of the legal advice concerned makes competitive arrangements realistic.