

Connecting Devon & Somerset

► Superfast Extension
Programme Procurement –
Phase Two

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Superfast Extension Programme Procurement – Phase Two

Management Summary

In 2013, Devon and Somerset County Councils along with four other public sector partners (North Somerset Council, Torbay Council, Plymouth Council and Bath and North East Somerset Council) set up a public partnership called Connecting Devon and Somerset (CDS), with Somerset County Council as the accountable body. The CDS Programme is the largest superfast broadband programme in England and therefore important to the delivery of Government's national target of 90% superfast broadband coverage in the UK by 2016. Broadband Delivery UK (BDUK), who are part of the Department for Culture, Media and Sport and responsible for achieving the Government's national targets, are members of the CDS Board along with the Local Enterprise Partnership (LEP).

CDS' key objective is to bring superfast broadband to the whole of Devon and Somerset. The programme is split into phases. The first phase is currently underway and is being delivered by British Telecom (BT), via a procurement exercise led by Devon County Council as the procurement lead for CDS. The contract with BT for the first phase is held by Somerset County Council on behalf of CDS. The aim of the first phase is to deliver broadband across 90% of premises in the Devon and Somerset area by the end of 2016 through the publically subsidised Phase 1 contract and commercial delivery plans.

The Superfast Extension Programme, known as the second phase of the programme aims to install super-fast broadband across the remainder of the area and to a minimum of 95% of homes and businesses. In 2015, Devon County Council published a tender for this second phase on behalf of the CDS Programme. This culminated in the award of a contract via an open tender to a company called Airband, to deliver superfast services within Dartmoor and Exmoor National Park areas. However, the larger contract for rollout of superfast broadband to the remainder of the County, through a call -off from the BDUK framework, was not let. BT was the sole bidder for this contract. The evaluation concluded in June 2015, that the tender received from BT had not represented value for money.

Summary of Findings

The following were identified as key findings. All findings should be treated as a priority due to imminence of the Phase 2+ procurement and the need to address all issues ahead of this.

- Scoring weightings: In 3 instances the weightings published in evaluation scoring documentation do not match those stated as used in contract award recommendation documentation or the ITT. (Note: The scoring documentation referred to did not impact on final scoring in this instance.)
- Movements in scoring between stages of the evaluation process: The rationale for changes in evaluated scores cannot be identified in scoring documentation in some instances (5 of 20).
- Separation of duties: One officer involved in the evaluation process (moderation) also authorised Contract Award Recommendations.
- CDS Board attendance: Board attendance is not complete and there is no documented requirement for partners to ensure a deputy is provided.
- Forward planning: The Connecting Devon and Somerset Board currently does not use formal forward planning as part of governance arrangements.

Conclusion and Audit Opinion

The procurement processes used were found to be robust in the case of both the National Parks open tender and the Superfast Extension call off. No significant areas of non-compliance were identified although some process and assurance issues are raised in the body of this report and should be addressed ahead of future procurement activity.

BDUK gateway approval processes were found to be used in both procurements and a good level of assurance can be given based on compliance with these processes.

The audit was not tasked to review actual scoring levels in procurement evaluation or the resulting decisions made and so conclusions and opinions need to be seen in this context. It is however the case that a review of processes used, which has been completed by documentation review and interviews with evaluators, moderators, and observers gives no indication of procurement outcomes being reached in a non-satisfactory manner.

Governance for the Connecting Devon and Somerset programme is clearly in place and involves a broad collaboration of Elected Members and Senior Officers from partner authorities. A great deal of decision making is delegated to officers which is compliant with governance arrangements. Recommendations are made in this report to ensure continued oversight and strengthened governance as the programme enters a new procurement phase.

Objectives & Risks

The key objective of the service and risks that could impact on the achievement of this objective were discussed and are identified below.

Objective: The objective of the audit is to determine whether the phase two procurement decisions in relation to the award of the National Parks contract to Airband and the decision not to award the larger contract to BT was reached, in compliance with Devon County Council's contract standing orders as the procurement lead, which incorporated BDUK framework and Somerset County Council's financial regulations.

Scope

The Scope of the audit work to be carried out was determined by DCC and is abridged below:

- 1) Identify and list the relevant procurement and contracting policies and procedures, recognising that there are multiple organisations involved and a national framework for broadband implementation
- 2) Analyse the procurement activities undertaken by the Council, who undertook the procurement exercise on behalf of CDS, in relation to the phase two procurement decisions and assess the extent to which the procurement process complied with relevant policies and procedures.
- 3) In particular, carry out a detailed review of the Council's moderation process for evaluating the Airband and BT tender submissions and to ensure that the processes were compliant with the procurement policies.
- 4) Review the strategic decision, management oversight and decision making undertaken by the CDS Board in relation to the phase 2 procurement decisions.
- 5) Identify any compliance weaknesses and comment on any lessons that may be learned where appropriate.

Out of Scope

- 1) The review will not constitute a re-performance of the procurement exercise or a re-assessment of the Airband and BT tender submissions.
- 2) Not to review any other tender submissions received from any other parties except for the Airband and BT tender submissions.
- 3) Review of the Airband and BT tender submissions to be limited to the stakeholder meetings identified as part of the procurement process and not a detailed assessment of the actual responses.
- 4) Not to review the mechanics of the physical rollout of superfast broadband.
- 5) Not to review the procurement process for phase 1 of the CDS programme.
- 6) Not to make decisions on behalf of Devon County Council or CDS and not to provide an opinion as to whether the decision itself was the best outcome for CDS

Findings

The following paragraphs detail all findings that warrant the attention of management.

1. Review of CDS Phase 2 Procurement

In the course of this document the two procurements are referred to as follows:

National Parks – The contract awarded to Airband

Superfast Extension – The contract not awarded.

1.1 Relevant procurement and contracting policies and procedures

The following are considered relevant to the scope of this audit:

- Devon County Council - Procedures for Tenders and Contracts
- Devon County Council - Contracts Procedure Rules
- Somerset County Council - Financial Regulations including Contract Standing orders.
- Broadband Delivery UK - National Framework for Broadband Implementation (including related documents)
- EU Public Contract Directive 2014
- UK Public Procurement Regulations (Note: Due to procurement dates the UK Public Procurement Regulations 2015 do not apply to the procurements reviewed in this report and the 2006 (as amended) regulations are therefore considered.)

1.2 Superfast Extension - Initial decision to use open tender

Superfast Extension was originally planned as an open tender process. This route was then not followed and a single supplier was selected from the BDUK call-off framework. The smaller National Parks element of the procurement proceeded to be carried out as an open tender.

It is reported that results from open market review and a supplier engagement event held on the 13th November 2014 led CDS to consider the potential benefits of an open procurement process to be outweighed by the risks associated with this course. This was particularly the case due to delayed and/or limited responses to the open market review.

December CDS Board Paper recommends the following:

(That) The Board approves the option to run two procurements, one from the framework and one as an open procurement to support delivery of superfast broadband in our two national parks

	Procurement Options		
	Framework Only	Framework & Parallel Procurement	Open
Deliverability	Low risk	Moderate risk	
Value for money	Moderate risk	Moderate risk	
Reputation	Moderate risk	Low risk	

Assurance on agreement to the above recommendation can be given due to subsequent documents reviewed in the audit and in particular BDUK gateway approvals. No specific evidence of Board approval (minutes for example) has however been able to be obtained in this audit.

1.3 Superfast Extension - Use of BDUK Framework Agreement

Extension of tender submission dates

Following a formal request from BT the closing date for submission was extended from the 22nd April to the 18th May. This was approved at Officer level. The appropriateness of Officer level decision making is discussed later in the report (Section 1.10).

Compliance to timeframes in procurement activity

As no contract was awarded under the framework agreement a proxy date (30th June 2015) for contract award has been used. No issues of non-compliance with BDUK required dates was identified and summary testing is included below:

BDUK requirements		
Requirement	Time line	CDS actual date
ITT issue	14 weeks before contract award	13/02/2015
Clarifications & Presentations etc.	2-4 weeks before contract award	22/05/2015

BDUK Gateway Checkpoints

Section 3.10 of DCC Procedures for Tenders and Contracts states that:

Call off contracts under a Framework Agreement will be governed by the terms of the Framework Agreement.

Evidence of successfully completing BDUK gateway conditions as set out below was obtained in the course of this audit and takes the form of letters from the Project Director, BDUK, Rural Projects Team:

Assurance Checkpoint B1 (Ready to commence supplier engagement). Letter dated 21/1/15.

Assurance Checkpoint B2 (Ready to procure). Letter dated 18/2/15.

Assurance can be given regarding compliance to BDUK conditions on the basis of the above. Checkpoint C would not have been completed in the case of this contract as the decision was taken not to proceed.

Decision not to award contract

Section 4.1 of DCC Contracts Procedure Rules states:

For all contracts entered into, the Heads of Service must be able to demonstrate the selection of the most appropriate contractor to complete the works, provide a service or supply a product on time, to the required quality, at the best price and within the approved financial estimate.

Evaluation scoring and ongoing lack of satisfactory resolution to clarification questions led to a recommendation not to proceed with the procurement which can be seen as compliant with DCC Contracts Procedure Rules.

1.4 National Parks - Market Engagement

A bidder information event was held on the 13th March 2014. Delegate lists obtained during the audit indicate that this was well attended.

- 33 Invitations to Tender were issued to prospective suppliers via DCC's procurement portal (Pro-Contract on the 27th February 2015.)
- 7 providers notified DCC of their intention not to proceed.
- 24 providers did not respond to the Invitation to Tender.
- 2 Submissions were received.

The numbers of submissions received is considered low given the level of interest at the bidder information event and the subsequent number of Invitations to Tender issued.

It is noted that CDS plans to engage with providers on an individual basis in the Phase Two+ procurement process in order to address queries and provide information. As acknowledged by CDS there remains a risk that low numbers of bidders in Phase Two+ could result in failure to secure best value due to weak competitive tension during the procurement process.

No recommendation is included in this report as it has been identified that the above risk is being managed on an ongoing basis.

1.5 National Parks Contract - Compliance to BDUK conditions

Evidence of 'passing' BDUK gateway conditions as set out below was obtained in the course of this audit and takes the form of a letter dated 5th March 2015 from the Project Director, BDUK, Rural Projects Team:

- A1: Non-Framework (Ready to publish OJEU notice)
- B1: Non-Framework (Ready to procure)
- B2: Non-Framework (Ready to close dialogue).

Evidence of compliance to C: Non-Framework (ready to contract) has also been obtained and takes the form of a letter dated 29th June 2015 from the Project Director, BDUK, Rural Projects Team

Assurance can be given regarding to compliance to BDUK conditions on the basis of the above.

Compliance to timeframes in procurement activity

Timeframes between dates of issue of ITT (27/02/15) and dates of revisions to ITT (11/3/15) were reviewed against closing dates and found to be compliant with EU Public Contract Directives.

Extension of tender submission dates

Following a formal request from Airwave Ltd. (NOTE: this supplier is not to be confused with Airband) the closing date for submission was extended from the 7th May to the 15th May. This was approved at Officer level. The appropriateness of Officer level decision making is discussed later in the report (Section 1.10).

1.6 Membership of Evaluation Panels

Superfast Extension and National Parks

Evaluation panels were used in three specialist areas: Finance, Commercial, and Technical. Panels were made up of Officers from three partner authorities (SCC, DCC, and BANES,) as well as external legal and technical advisors and an Officer from (Taunton Deane TDBC & West Somerset Council (WSC). Officers from Dartmoor and Exmoor National Parks Authorities were also included in the National Parks procurement as observers.

Each panel was made up of three individuals (with the exception of the National Parks - Commercial evaluation which only used two). All panels included a mix of representatives although in the case of the Finance panel, two members of staff from one organisation (SCC) were on the same panel. This is understandable as SCC as the accountable body would wish to have a presence in finance evaluation, however CDS should maintain balanced panel membership in the future to avoid risks of dominance (either perceived or actual) by any one partner.

The process for selection of evaluation panels

No specific guidance regarding the selection of evaluation panels exists in the policies and directives detailed in section 1.1. of this report although general principles can be seen to apply. Panel membership was agreed at Officer level and was not formally approved by the CDS Board. The appropriateness of Officer level decision making is discussed later in the report (Section 1.10).

Conflicts of interest

EU Public Contracts Directive and UK Procurement Regulations both contain requirements for contracting authorities to put in place safeguards against conflicts of interest. In neither instance are measures to be taken prescribed. Section 6.3 of the DCC Contracts Procedure Rules and Section 1.2. of the DCC Procedures for Tenders and Contracts also makes reference to conflicts of interest, in the latter instance referring to DCC Codes of conduct.

DCC used confidentiality and declaration agreements for all officers involved in the procurement. These have been confirmed as completed during this audit.

1.7 Scoring Weightings

Scoring weightings were established and approved by CDS Programme Officers. Weightings used were not approved at CDS Board level. The appropriateness of Officer level decision making is discussed later in the report (Section 1.10).

National Parks

As detailed in section 1.5 of this report relevant BDUK gateway approvals were passed and can be evidenced as such. Assurance can therefore be given on scoring weightings used in the procurement.

Superfast Extension

All scoring weighting used were found to be in accordance with BDUK prescribed bandings as set out in the Broadband Delivery Framework. In three instances the weightings used in evaluation scoring documentation do not match those stated as used in contract award recommendation documentation or the ITT. This is non-compliant with section 6.1 of the DCC Contract Procedure Rules which states that:

Tenders and formal quotations selected for evaluation must be evaluated in accordance with criteria and weightings notified to the tenderers as part of the Invitation to Tender.

	BDUK scoring bands		CDS Weightings			
	Lower %	Upper %	Scoring	ITT	Award Doc	Scoring Matrix
Level 3 - Affordability & leverage						
1.1.1. Financial model and wholesale user pricing	20%	35%	30%	25%	25%	25%
1.1.2. Commercial Sustainability	20%	35%	30%	25%	25%	25%
1.1.4. Leverage	20%	35%	10%	20%	20%	20%

In the case of the above, discrepancies in weightings are minor administrative errors and relate only to the tender set up and evaluation tool used to record scores. As such the minor errors had no impact on scoring overall. There is however a risk that discrepancies could result in ineffective or inaccurate decision making and lead to challenge to future procurement decisions.

1.7a It is recommended that a quality assurance stage is created in the Phase 2+ procurement to ensure that there is consistency between scoring weightings across all procurement documentation.

1.8 Review of movements in evaluation scores- National Parks

Financial Evaluation Panel

Scores were increased in the below areas following clarification questions and bidder presentations:

1.1.1. Financial Model and wholesale/user pricing. Score was increased from 14 to 16. Commentary in the tender setup and evaluation tool adds to the disadvantages of the proposition which may be seen as contrary to the increased score.

2.1.3. Community Proposition. Score was increase from 16 to 18. No commentary is included in the tender setup and evaluation tool relating to the increase in scoring.

Changes in scoring were discussed during interview with the non-SCC finance panel member who stated that scores were amended upward following consultation with technical evaluation members and after bidder presentations. In both instances the scores were able to be adjusted upwards following increased levels of clarity and assurance being obtained.

It should be noted that in all ten of the scoring areas the Finance Evaluation had returned pass scores in stage 1 and so changes in scoring had no material impact on decisions.

Commercial Evaluation Panel

Scores were increased in the below areas following clarification questions and bidder presentations:

1.1.2. Commercial Sustainability. Score was increased from 6 to 10.

2.1.1. Solution design. Score was increased from 4 to 12.

2.3.1. Implementation Plan. Score was increased from 10 to 14.

In all instances above commentary is included in the tender setup and evaluation tool relating to the increase in scores. Scoring for 1.1.2. and 2.1.1 is significant as it moved the technical element of evaluation above the threshold for passing. (Note this only applies to the technical evaluation panel as overall scores were above the threshold at the end of Stage 1 in all assessed areas.)

Technical Evaluation Panel

Scores were increased in the areas below following clarification questions and bidder presentations:

- 1.1.2. Commercial Sustainability.
- 1.1.3. Affordability.
- 1.1.4. Leverage.

In the above instances the DCC Senior Procurement and Contract Officer reported that the technical panel felt unable to present scores in stage 1 but were able to do so after clarifications from other panels and from bidder presentations. This was confirmed during interview with the external technical evaluation panel member.

- 2.1.1. Solution design. Score was increased from 12 to 18. Commentary is included in the tender setup and evaluation tool relating to the increase in scores.
- 2.1.3. Community Proposition. Score was increased from 13 to 16. No commentary is included in the tender setup and evaluation tool relating to the increase in scores.
- 2.3.1. Implementation Plan. Score was increased from 15 to 17. Commentary is included in the tender setup and evaluation tool relating to the increase in scores.

It should be noted that in the three instances above technical evaluation had returned pass scores in stage 1 and so changes in scoring had no material impact on decisions.

Review of movements in evaluation scores - Superfast Extension

Financial Evaluation Panel

Scores were decreased in the below areas following clarification questions and bidder presentations:

- 1.1.1. Financial Model and wholesale/user pricing. Score was decreased from 10 to 4.
- 1.1.2. Commercial Sustainability. Score was decreased from 15 to 13.
- 1.1.3. Affordability. Score was decreased from 8 to 7.
- 1.2.1. Contract and Commercial fit. Score was decreased from 7 to 6.

In all instances above commentary is included in the tender setup and evaluation tool relating to the decrease in scores.

Commercial Evaluation Panel

Scores were increased in the below areas following clarification questions and bidder presentations:

- 1.1.1. Financial Model and wholesale/user pricing. Score was increased from 9 to 12.
- 2.1.1. Solution design. Score was increased from 4 to 12.
- 2.3.1. Implementation Plan. Score was increased from 2 to 6.

In all instances above commentary is included in the tender setup and evaluation tool relating to the increase in scores.

Technical Evaluation Panel

Scores were increased in the below areas following clarification questions and bidder presentations:

1.1.2. Commercial Sustainability. Score was increased from 5 to 11.

Scores were decreased in the below areas following clarification questions and bidder presentations:

1.2.1. Contract and Commercial fit. Score was decreased from 10 to 8.

In neither of the instances above is commentary included in the tender setup and evaluation tool relating to the increase / decrease in scores.

Overall findings relating to movements in evaluation scores

National Parks

Across the three panels (Financial, Commercial, and Technical) scores were increased in 11 instances between stage 1 and stage 2 of the evaluation process.

- In two instances (of eleven) where scores were increased commentary could not be identified in scoring documentation relating to the increased score.
- In one instance (of eleven) commentary provided in scoring documentation is contradictory to the increased score.

Superfast Extension

Across the three panels scores were increased / decreased in nine instances between stage 1 and stage 3 of the evaluation process.

- In one instance (of four) where scores were increased, commentary could not be identified in scoring documentation relating to the increased score.
- In one instance (of five) where scores were decreased, commentary could not be identified in scoring documentation relating to the decreased score.

There is a risk that where the rationale for adjustments in scoring are not clear, CDS may be poorly placed to rebut challenges to procurement decisions made.

1.8a It is recommended that a quality assurance stage is created in Phase 2+ procurement evaluations to ensure that a documented rationale for changes in scoring is in place in all instances.

1.9 Moderation

Moderation of evaluation scores only took place for the National Parks contract. In the case of the Superfast Extension contract the bid was not deemed to have reached a sufficient level to require moderation of scores.

Moderation panel membership consisted of two DCC Officers and one SCC Officer. Moderation panel members considered scores overall and from individual evaluation panels. After discussion with other panel members the following changes were made:

1.1.1. Financial Model and wholesale / user pricing: Overall evaluated score was increased from 13.33 to 14.

2.3.1. Implementation Plan: Overall evaluated score was increased from 15.33 to 15.67.

In neither of the above instances did moderation of scoring have a material impact on outcomes as overall evaluated scores and scores from individual evaluation panels had returned 'pass' scores at both stage 1 and stage 2.

It should be noted that one approval signatory to the Contract Award Recommendation paper for the procurement was also a member of the moderation panel in the evaluation process. Whilst this is not precluded in any policies reviewed in this audit a lack of separation of duties can present a risk of erroneous or inappropriate decision making.

In the case of the Phase 2 procurement the above risk was largely mitigated by dual signatories to approve the award recommendation.

1.9a It is recommended that there is a clear separation of duties in Phase 2+ procurements between Officers involved in evaluation processes and Officers approving contract award recommendations.

1.10 CDS Collaboration Agreement

The Collaboration Agreement in effect during the phase two procurements is dated (by signatories) at May 2012. A further collaboration agreement came into effect in June 2015 regarding the National Parks delivery. As the Superfast Extension procurement did not reach the contract and delivery stage no such revised agreement exists.

Authorisation of the Collaboration Agreement by Partners

Assurance has been provided by SCC Legal that the 2012 agreement was appropriately authorised by partners and due to the fact that no termination clauses were used, the agreement would have remained in effect during the course of the procurement activity.

Levels of delegation

Schedule C of the collaboration agreement sets out the functions of the Programme Director. Point 7 in this schedule sets out that the Programme Director will:

- *Ensure the programme complies with contracting, procurement, and financial regulations.*

Decision making on membership of evaluation panels (for example) can therefore be seen as delegated to the Programme Director. (see sections 1.3, 1.5, and 1.6 of this report)

Stated Board Membership in ITTs

The National Parks ITT states that CDS Board Membership includes Torbay Council. The Superfast Extension ITT states that CDS Board Membership includes Plymouth City Council and Torbay Council.

Neither of the above are listed as Board members in section 8 of the 2012 Collaboration agreement, although Torbay are given as party to the document. It is the case that the Councils mentioned did not contribute capital to the CDS programme meaning that this inconsistency between documentation is minor and no formal recommendation is made.

1.11 CDS Board Forward Planning

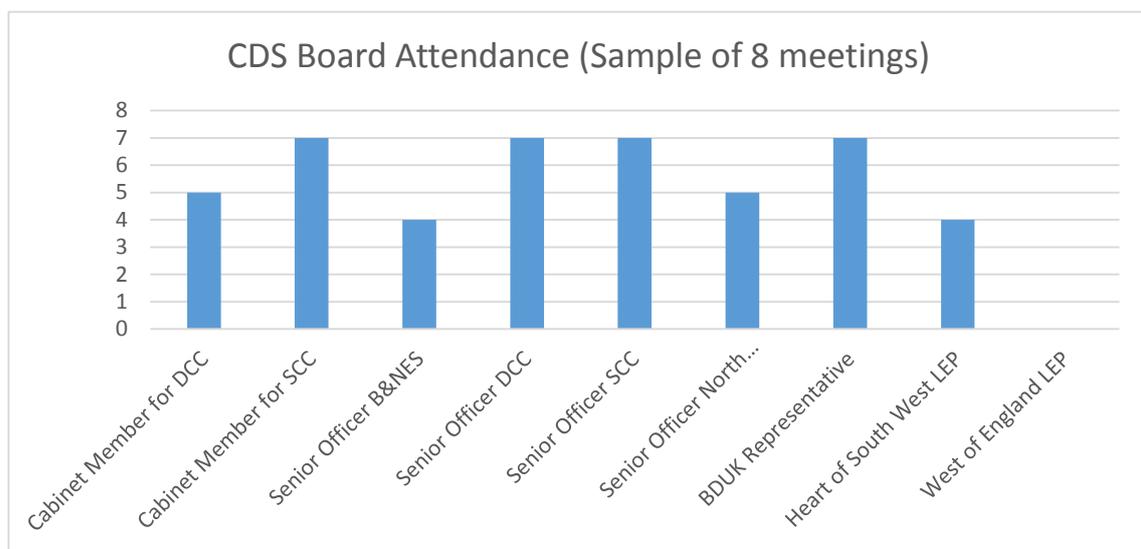
The Connecting Devon and Somerset Board does not currently use formal 'forward planning'.

There is a risk that without this type of planning the Board will not be well positioned to provide appropriate oversight, challenge, and decision making at key points in future procurement and delivery monitoring. Further to this the CDS Board may not be effective in meeting its functions as stated in the CDS Collaboration agreement.

1.11a It is recommended that CDS Board ensures that a formal forward plan is put in place ahead of the Phase 2+ procurement.

1.12 CDS Board attendance

Attendance at eight Board meetings was reviewed against the membership defined in Clause 8 of the CDS Collaboration Agreement and is recorded below:



NOTE: West of England LEP have been confirmed as not being members of the CDS Board but are detailed in the agreement as such.

The CDS Collaboration Agreement does not make reference to any requirement for partners to send a deputy where attendance from the normal representative is not possible. There is a risk that the views of all partners will not be taken into account where attendance is not complete.

1.12a It is recommended that the CDS Board reminds all partners of the importance of attendance and ensures that there is a process for the provision of a deputy where attendance from any partner is not possible.

The Agreed Action Plan provides a formal record of points arising from this audit and, where appropriate, the action management has agreed to take and the timescale in which the action will be completed.

Superfast Extension Programme Procurement – Phase Two

Confidential

Action Plan

Finding	Recommendation	Management Response	Responsible Officer	Implementation Date
<p>The objective of the audit is to determine whether the phase two procurement decisions in relation to the award of the National Parks contract to Airband and the decision not to award the larger contract to BT was reached, in compliance with Devon County Council's contract standing orders as the procurement lead, which incorporated BDUK framework and Somerset County Council's financial regulations.</p>				
<p>1.7a Scoring weightings: In 3 instances the weightings used in evaluation scoring documentation do not match those stated as used in contract award recommendation documentation or the ITT. (Note: The scoring documentation referred to did not impact on final scoring in this instance)</p>	<p>It is recommended that a quality assurance stage is created in the Phase 2+ procurement to ensure that there is consistency between scoring weightings across all procurement documentation.</p> <p style="text-align: right;"><i>SWAP Ref: 32181</i></p>	<p>Whilst non material to the outcome, a quality assurance stage of all ITT documents will be undertaken by Devon Procurement Services in advance of publication.</p>	<p>Iain Perkins</p>	<p>8th June 2016</p>
<p>1.8a Movements in scoring between stages of the evaluation process: The rationale for changes in evaluated scores cannot be identified in scoring documentation in some instances (5 of 20).</p>	<p>It is recommended that a quality assurance stage is created in Phase 2+ procurement evaluations to ensure that a documented rationale for changes in scoring is in place in all instances.</p> <p style="text-align: right;"><i>SWAP Ref: 32182</i></p>	<p>A quality assurance check will be completed when all evaluation scores are concluded ensuring a rationale is provided for all changes to scores throughout the process.</p> <p>This point will also be emphasised in the briefings and training provided to evaluators at the start of the process.</p>	<p>Iain Perkins</p>	<p>October 2016</p> <p>June 2016.</p>

<p>1.9a Separation of duties: One officer involved in the evaluation process (moderation) also authorised Contract Award Recommendations.</p>	<p>It is recommended that there is a clear separation of duties in Phase 2+ procurements between Officers involved in evaluation processes and Officers approving contract award recommendations.</p> <p style="text-align: right;"><i>SWAP Ref: 32190</i></p>	<p>The Programme Director will remain responsible for the phase two + procurement process. However as one of two signatories on the contract award recommendation paper, the Programme Director will not participate in either the evaluation or moderation process to ensure this perceived conflict is removed.</p>	<p>Iain Perkins</p>	<p>June 2016</p>
<p>1.11a Forward planning: The Connecting Devon and Somerset Board currently does not use formal forward planning as part of its governance arrangements.</p>	<p>It is recommended that CDS Board ensures that a formal forward plan is put in place ahead of the Phase 2+ procurement.</p> <p style="text-align: right;"><i>SWAP Ref: 32101</i></p>	<p>This recommendation is being carried out.</p>	<p>Keri Denton</p>	<p>May 2016</p>
<p>1.12a CDS Board attendance: Board attendance is not complete and there is no documented requirement for partners to ensure a deputy is provided.</p>	<p>It is recommended that the CDS Board reminds all partners of the importance of attendance and ensures that there is a process for the provision of a deputy where attendance from any partner is not possible.</p> <p style="text-align: right;"><i>SWAP Ref: 32330</i></p>	<p>This recommendation will be considered by the CDS Board at its meeting June meeting and an agreed way forward determined.</p>	<p>Keri Denton</p>	<p>June 2016.</p>

