

	<p style="text-align: center;">ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER 18 April 2017</p>
<p style="text-align: right;">Title</p>	<p>Library Service Suppliers Contracts</p>
<p style="text-align: right;">Report of</p>	<p>Commissioning Director, Children and Young People</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix 1 - Table of Suppliers</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Catherine Lusted Catherine.lusted@barnet.gov.uk 020 8359 5124</p>

Summary

The Library Service uses a national framework to purchase the majority of stock. To supplement this, individual contracts are held with a range of other suppliers for materials that are not available on this framework. Market engagement has been undertaken to confirm the position with regard to supply. This has concluded that a number of suppliers are sole providers of materials through licence and as such, under paragraph 9.1 of the Council's Contract Procedure Rules (CPRs), require a single tender action which has been approved by the Commercial and Customer Service Director. The table in Appendix 1 sets out the amount of spend and the rationale for the use of each supplier via a single tender action.

Decisions

Authorisation to enter into contracts with suppliers of stock and material for the provision of Library Services from April 2017 for 3 years with the option to extend for a further year.

1. WHY THIS REPORT IS NEEDED

- 1.1 The Library Service uses a national framework to purchase the majority of stock. To supplement this, individual contracts are held with a range of other suppliers for materials that are not available on this framework.
- 1.2 There are a range of suppliers which are single source and this report seeks authorisation for these

2. REASONS FOR DECISIONS

- 2.1 To achieve the wide range of stock and materials required by residents, Barnet Libraries needs to use a range of suppliers.
- 2.2 Many of these suppliers are single source as defined through market engagement to confirm the position of supply.

3. ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Undertaking a procurement exercise for the project was explored and rejected because after supplier market review it was confirmed that the requirements to provide these materials would be best met through use of the contracts detailed in Appendix 1.

4. POST DECISION IMPLEMENTATION

Once the decision has been approved contracts will be issued with commencement dates of April 2017.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

By awarding this contract, Barnet Libraries will be able to support Corporate priorities in the following ways:

- 5.1.1 To support growth; by offering support to job hunters through books and online job hunting websites
- 5.1.2 To manage demand; by supporting residents to find information for themselves, helping them to resolve their own issues
- 5.1.3 To create more resilient communities; through increased self-sufficiency such as providing access to self-help stock.

5.1.4 To enable children and young people to receive a great start in life; by offering a range of stock to encourage and enable reading development.

5.1.5 The award of these contracts will also support the Health and Wellbeing Strategy by providing access to information and self-help stock and online resources.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

These contracts will require ongoing payments (details in Appendix 1: Table of Suppliers) which will come from the Library Service Media Fund (budget code 10344). Stock and materials for Barnet Libraries is on the 2017/18 Procurement Forward Plan.

5.3 Legal and Constitutional References

5.3.1 Paragraph 9.1 of the CPRs set out limited circumstances where the Council can proceed with a single tender action.

Having considered alternative means of procuring the evaluation (as per 3 above), it has been determined that the Council must procure the services direct from these suppliers (as single source tender or reasonable means of supply) pursuant to paragraph 9.1 bullet point 2 of the CPRs.

5.3.2 Namely, that the services can be supplied only by a particular supplier for the reason that competition is absent for technical reasons, for the protection of exclusive rights, including intellectual property rights or where no reasonable alternative or substitute exists, as supported in 2.2 above.

5.3.3 Accordingly, it is reasonable to conclude that given all the circumstances, there are no reasonable alternative providers.

5.3.4 Furthermore, in accordance with paragraph 9.2 of the CPRs, the single tender action has been approved by the Commercial and Customer Services Director. The award of contract will be recorded by means of Summary DPR and will be published online.

5.3.5 The scheme of delegation for Children and Young People provides authority to the Director of Family Services to authorise this decision.

5.3.6 According to the Family Services Scheme of Delegation, as found published on the council's website, the Commissioning Director (Children and Young People) has authority to sign off single source tender actions.

5.4 Risk Management

5.4.1 Should the Council not authorise this evaluation, there is a high risk that the range and diversity of stock and materials available in Barnet Libraries would be reduced. This would affect customers in the following ways:

5.4.1.1 Residents will have no access to online reference, periodical and information resources

5.4.1.2 The Library service would be unable to provide accurate catalogue records which would increase the need for customer interaction with staff at a time when library staff will not be on site for during all opening hours.

5.4.1.3 There will be no access to interlibrary loan (borrowing stock from outside the borough) to meet demand

5.4.1.4 Access to materials to support national reading initiatives would have to stop (for example, the Summer Reading Challenge)

5.4.1.5 Job seekers would be unable to use our online resources to support their job hunting.

5.4.1.6 This is highly likely to lead to complaints from residents and dissatisfaction with the service

5.4.2 There may be a risk that during the contract period (three years plus one), new suppliers begin trading and Libraries will be contracted to remain with the supplier who was single source when the contracts were agreed.

5.5 Equalities and Diversity

5.5.1 The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies **to have due regard** to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- advance equality of opportunity between people from different groups
- foster good relations between people from different groups

The broad purpose of this duty is to integrate considerations of equality into day business and keep them under review in decision making, the design of policies and the delivery of services

5.5.2 An Equalities Impact Assessment has revealed the following risks should these contracts not be awarded:

- 5.5.2.1 Those with visual impairments would be unable to borrow a range of new audiobooks or large print stock
- 5.5.2.2 Those with Dyslexia or other reading disabilities would be unable to borrow stock which would enable them to enjoy reading (such as graphic novels)
- 5.5.2.3 Access to community language stock and periodicals would be reduced for those with English as an additional language

5.5 Consultation and Engagement

No consultation undertaken.

6 BACKGROUND PAPERS

- 6.1 Summary DPR 9 February 2016 Authorisation to enter into a contract with single source suppliers for Library Services.
- 6.2 Annual Procurement Forward Plan 2017-18, Policy and Resources Committee 1 December 2016 Agenda item 10

<http://barnet.moderngov.co.uk/documents/s36301/Annual%20Procurement%20Forward%20Plan.pdf>

7. DECISION TAKER'S STATEMENT

- 7.1 *I have the required powers to make the decision documented in this report. I am responsible for the report's content and am satisfied that all relevant advice has been sought in the preparation of this report and that it is compliant with the decision making framework of the organisation which includes Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations.*

8. OFFICER'S DECISION

I authorise the following action

To enter into contracts with suppliers of stock and material for the provision of Library Services from April 2017 for 3 years with the option to extend for a further year.

Signed	Chris Munday, Commissioning Director (Children and Young People) <hr/>
Date	26.04.17 <hr/>