

## STEP 4

# FINDING EXPERT HELP

This guide provides guidance on how to handle tasks that require specific technical expertise during the acquisition process. Before turning to a consultant, it is vital to have a clear idea of what exactly you are looking for assistance with, and to explore various other support options available to you.

**THIS SHOULD NOT BE TAKEN AS SPECIFIC ADVICE FOR YOUR PROJECT. AS WITH ALL CONTRACTUAL AGREEMENTS, IT IS ADVISED THAT COMMUNITY GROUPS TAKE LEGAL ADVICE BEFORE ENTERING INTO ANY OPTION AGREEMENT.**



THERE ARE NUMEROUS SOURCES OF SUPPORT THAT YOU CAN CONSIDER:

- **IS THERE THE TIME OR SKILL WITHIN THE GROUP OR WIDER COMMUNITY TO DO THIS PIECE OF WORK? CAN YOU CO-OPT ADDITIONAL BOARD MEMBERS WITH THE REQUIRED SKILLS?**
- **COULD A TRAINING COURSE OR OTHER SUPPORT SERVICE HELP YOU TO DO THIS TASK YOURSELVES (SUCH AS JUST ENTERPRISE, SOCIAL ENTERPRISE ACADEMY, LOCAL THIRD SECTOR INTERFACE, DTAS)?**
- **IS THERE AN OPPORTUNITY TO WORK WITH OTHER ORGANISATIONS TO BRING IN SECONDMENTS OR PROVIDE SUPPORT AND GUIDANCE?**
- **COULD YOU APPOINT A MEMBER OF STAFF TO CARRY OUT THE WORK?**
- **DO YOU NEED TO APPOINT A CONSULTANT?**

### WHY USE CONSULTANTS?

In the right circumstances there are a number of benefits to appointing a consultant, including access to specific expertise not available within the community, input from an independent expert and saving volunteers' time for other tasks. Depending on the range of work required a team of consultants may be needed, in which case you should be clear as to who the lead consultant is and how any sub-contracting will be managed.

Typical areas of work where using consultants can be particularly helpful include:

- Setting up a new organisation (legal and financial advice)
- Options appraisals
- Feasibility studies
- Business planning
- Specialist technical support (conveyancing, valuations, engineering or architecture reports)
- Intensive community consultation and engagement
- Independent evaluation/review of projects

One person on your group should be identified as having specific responsibility for co-ordinating the process. However it is important that the whole board/steering group are involved and have an opportunity to input their views to the consultant.

### DO YOU HAVE THE RESOURCES TO MANAGE A CONSULTANT?

Using a consultant is not an easy option and requires that you have the time and resources to think through and manage all the stages below of appointing and managing external help. Funding is limited and should be accessed strategically. To ensure you get good value for money you will need to be very clear on exactly what you want to get from the work, and that this is the right time and the right task to involve a consultant.

### HOW TO WRITE A GOOD BRIEF

The success of a consultancy appointment lies in the brief. Some key questions are below, and for further details see our template 'Brief for consultants'.

- Does it clearly and concisely explain what you want to achieve from this piece of work?
- Is it unambiguous and precise?
- Do you need extra help to refine your thoughts/aspirations?
- What is the potential value of the work and how have you estimated this?
- Does it set clear and realistic deliverables and timescales? This should take into account holiday periods and allow time for the group and community to provide feedback to the consultant at identified points in the process.

The criteria that you will use to score the submissions should be set out clearly before you put the work out to tender, see 'Process for selection and scoring'.



### HOW WILL YOU ADVERTISE THE OPPORTUNITY?

All commissions should be tendered to ensure value for money so you need to know how best to advertise the opportunity. This might be through a relatively straightforward process of asking a limited number of consultants (up to 8) by email or in writing to tender. For very large commissions the Public Contracts Scotland procurement website should be used. Different funders may have different tendering requirements and this will be a condition of funding so always check to ensure compliance.

Whichever route is chosen, you should be clear, consistent and fair.

### APPOINTING CONSULTANTS

Appointment can be by exchange of letters, with the consultant agreeing by signing and returning a copy of the letter. The letter will form the contract between your group and the consultant so it should contain all of the relevant and essential information. This includes, but is not restricted to, the purpose of the commission, start and end dates, interim deadlines, reference to the detail of the brief and confirmation of how and when payments are to be made. See our template 'Contract for consultants'. Any matters that became clear after the development of the brief, tender submission, or interview should also be explicitly included in the letter.

Additional useful information might also include compensation for breach of contract, that the consultant is freelance and not employed directly, termination arrangements, confidentiality and how you will deal with work that doesn't meet the required standards in terms of timescale, budget and quality.

As soon as possible after making the appointment you should meet with the consultant to agree a detailed work plan clearly outlining activities to be undertaken and communication methods with your group.

Make sure key funding deadlines, if applicable, are understood.

### MANAGING THE CONSULTANTS

Your group and the consultant will enter into a contract and both parties will be obliged under that contract to perform particular tasks. Failure on either part could lead to the contract being unenforceable. As a group, it is important that you make sure you adhere to the original parameters of the brief and comply with your obligations, such as responding quickly and efficiently to requests for information and queries.

The contract will have set out timescales for delivery of the work. The board member responsible should keep in close contact with the consultant to ensure these are met. Regular reviews will highlight potential delays and risks to a successful conclusion of the contract.

Keep or create a written account of key agreements, phone calls and meetings, and make sure the consultant receives this and is in agreement with the record. If the consultant requests particular information, ask for this to be put in writing so that you can refer back to it, pass on to others in the group and relevant advisors if appropriate, or clarify their request if necessary.

Ensure all relevant parties (yourselves, funders, consultant) are clear what will be required for invoices to be paid; this could include interim work, evidence of activity, financial information. Keep a note of this in writing.

Manage incoming invoices in accordance with the agreed procedure and ensure that the agreed work has been provided to a satisfactory standard before making payment.

#### FOR FURTHER INFORMATION PLEASE SEE

[www.hie.co.uk/ten-steps](http://www.hie.co.uk/ten-steps)

or contact us on [community.assets@hient.co.uk](mailto:community.assets@hient.co.uk)

