



**Audit and Accounts Committee
30 July 2019**

ITEM 12

Report sponsor: Strategic Director Corporate Resources
Report author: Head of Procurement and Contracting

Contract Waivers for the period 1 March 2019 to 30 June 2019

Purpose

- 1.1 To bring to the attention of the Audit and Accounts Committee approved waivers in line with Contract Procedure Rules.

Recommendation

- 2.1 That the Committee note the contents of the report and the reduction in the total number of waivers being reported since the last report.

Reason

- 3.1 The information is for reporting purposes only; no decision is required by the committee.

Supporting information

- 4.1 There are a total of 31 waivers within this report covering the above period and broken down by directorate below:-

Directorate	Number of Waivers	Classification	
		Unavoidable	Avoidable
Communities & Place	1	1	0
People Services	22	21	1
Corporate Resources	8	4	4
Total Number of Waivers	31	26	5

As the table shows, of the 31 waivers, 26 were considered to be unavoidable.

This compares with 78 waivers that were considered by Audit and Accounts Committee on 27 March 2019 for the period 1 September 2018 to 1 March 2019. Of that 78, only 2 were considered to be unavoidable.

- 4.2 All waivers over £10,000 are reported at appendix 1. Each waiver is signed off by the relevant Director stating they agree with the recommendation.

4.3 A waiver is required if the relevant process outlined in the Council's Contract Procedure Rules for awarding a contract cannot be followed.

Public/stakeholder engagement

5.1 Not applicable to this Report

Other options

6.1 Not applicable to this Report

Financial and value for money issues

7.1 There are no financial implications from this report.

Legal implications

8.1 There are no legal implications from this report.

Other significant implications

9.1 Not applicable

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal	Emily Feenan	16 July 2019
Finance		
Service Director(s)		
Report sponsor	Don McLure	17 July 2019
Other(s)		

Background papers:

List of appendices: Appendix 1 – Waiver Details

	Type of waiver	Directorate	Department/ Division seeking the waiver	Brief Description of the Contract	Value	Period Covered	Additional comments and/or reasons the waiver is needed	Date of Approval	Waiver ref
1	Avoidable	Peoples Services	Learning and Skills	Extension of support and maintenance for the MIS system with Compass Computer Consultants Limited.	£23,000	01/04/2019 to 31/05/2020	This is a second waiver. Insufficient time was allowed for IT services to plan the works	21/03/2019	W18- 107
2	Avoidable	Corporate Resources	Corporate Core	Provision of project communication services for key regeneration projects	£10,000	01/04/2019 to 28/06/2019	The Corporate Core Achieving Change process will determine the structure of internal resource support.	15/03/2019	W18- 111
3	Avoidable	Corporate Resources	Legal Services	Strategic Director Support to review the Street Lighting PFI contract.	£50,000	04/04/2019 to 30/09/2019	To engage a specific individual with the expertise required not	11/04/2019	W19- 001

	Type of waiver	Directorate	Department/ Division seeking the waiver	Brief Description of the Contract	Value	Period Covered	Additional comments and/or reasons the waiver is needed	Date of Approval	Waiver ref
							available through our current framework.		
4	Avoidable	Corporate Resources	IT Services	Extension of an existing contract for our website optimisation tool.	£15,000	09/01/2020 to 08/01/2023	To allow our current resource to deliver the Digital by Default Programme	21/05/2019	W19-010
5	Avoidable	Corporate Resources	Occupational Health	Purchase of influenza vaccination for 'free to all staff' campaign.	£25,000	01/06/2019 to 01/06/2020	Direct award to Sanofi Pasteur sees a 50% saving in comparison to existing framework prices.	09/05/2019	W19-024
6	Unavoidable	Communities & Place	Highways Maintenance	To supply Natra Tex asphalt for works undertaken at Darley Park	£66,000	15/06/2019 to 15/10/2019	The site is a designated World Heritage Site and this product	04/06/2019	W19-023

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							meets heritage planning approval requirements		
7	Unavoidable	Peoples Services	Adult Social Care	To supply mentoring services for families	£20,000	01/04/2019 to 31/03/2020	Original framework provider has restructured their services resulting in a company name change and a change to their legal entity.	28/03/2019	W18- 112
8	Unavoidable	Peoples Services	Ordinary Lives	Specialist Nursing Learning Disability Dementia placement.	£36,534	06/03/2019 to 05/03/2020	Current placement can no longer meet the individuals needs. The contracted Specialist Nursing Placements	03/04/2019	W18- 113

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							have no bed vacancies.		
9	Unavoidable	Peoples Services	Education and Skills	SEN placement to allow for assessments to be carried out and a EHCP being put in place	£12,000	29/04/2019 to 31/12/2019	This is an out of authority placement	15/04/2019	W19-002
10	Unavoidable	Peoples Services	Adult Social Care	An increase in levels of home care provision	£31,784	09/04/2019 to 09/4/2020	Previous waiver to use off framework provider	24/04/2019	W19-005
11	Unavoidable	Peoples Services	Education and Skills	Full time education for excluded pupils	£43,766	01/01/2019 to 31/07/2020	Lack of capacity at Kingsmead School.	11/04/2019	W19-006
12	Unavoidable	Peoples Services	Adult Social Care	Provision of Home Care Services	£14,342	17/04/2019 to 17/04/2020	Previously health funded but switched to local authority following a review	24/04/2019	W19-008
13	Unavoidable	Peoples Services	Adult Social Care	Out of Authority placement for	£11,654	25/04/2019 to	A referral has been made	24/04/2019	W19-011

	Type of waiver	Directorate	Department/ Division seeking the waiver	Brief Description of the Contract	Value	Period Covered	Additional comments and/or reasons the waiver is needed	Date of Approval	Waiver ref
				supported living		21/08/2019	to transfer to the other authority under 'Ordinary Residence' guidance		
14	Unavoidable	Peoples Services	Adult Social Care	Out of Authority placement for residential care	£26,575	05/04/2019 to 04/04/2020	Placement is near to family who are providing top up payments.	07/05/2019	W19-012
15	Unavoidable	Peoples Services	Learning and Skills	IT support for all systems and IT equipment.	£56,320	01/05/2019 to 30/04/2020	To allow transition to the DCC network	20/05/2019	W19-013
16	Unavoidable	Peoples Services	Learning and Skills	Maintenance and support for the main adult learning website	£41,000	04/04/2019 to 31/03/2021	To allow transition to the DCC network and upgrade of the website	20/05/2019	W19-014
17	Unavoidable	Peoples Services	Childrens Integrated Services	Supported Living placement.	£38,000	21/12/2018 to 31/07/2022	Best meets the individuals outcomes as	21/09/2018	W19-017

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							agreed in their Education, Health and Care Plan		
18	Unavoidable	Peoples Services	Adult Social Care	Provision of Home Care Services	£19,084	11/05/2019 to 10/05/2020	NO framework providers have capacity to provide critical support required	12/06/2019	W19- 018
19	Unavoidable	Peoples Services	Adult Social Care	Supported Living placement.	£40,539	13/06/2019 to 12/06/2020	Current provider had failed so urgent replacement was required.	12/06/2019	W19- 038
20	Unavoidable	Peoples Services	Adult Social Care	Supported Living placement.	£10,410	07/06/2019 to 06/06/2020	An urgent placement with alternatives not considered	11/06/2019	W19- 039

	Type of waiver	Directorate	Department/ Division seeking the waiver	Brief Description of the Contract	Value	Period Covered	Additional comments and/or reasons the waiver is needed	Date of Approval	Waiver ref
							an appropriate option at this time.		
21	Unavoidable	Peoples Services	Adult Social Care	Domiciliary Care Placement	£32,866	13/06/2019 to 12/06/2020	Existing provider unable to meet increased needs of the customer	12/06/2019	W19-040
22	Unavoidable	Peoples Services	Adult Social Care	Domiciliary Care Placement	£26,684	20/02/2019 to 19/02/2020	Lack of capacity within the domiciliary care contract	10/06/2019	W19-042
23	Unavoidable	Peoples Services	Adult Social Care	Supported Living placement.	£51,460	31/05/2019 to 10/12/2019	Replacement provision as previous placement broke down	10/06/2019	W19-043
24	Unavoidable	Peoples Services	Public Health	New initiative to engage young people in conversations about mental	£25,000	01/08/2019 to 30/04/2020	Provider already engaged by other Authorities so	11/06/2019	W19-044

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				health and wellbeing			will ensure compatibility of a wider successful service.		
25	Unavoidable	Peoples Services	Adult Social Care	Domiciliary Support Package	£28,684	30/05/2019 to 01/04/2020	Lack of capacity of providers within the support services framework	30/05/2019	W19- 045
26	Unavoidable	Peoples Services	Adult Social Care	Domiciliary Care Placement	£10,722	26/06/2019 to 24/06/2020	Previous provider gave notice so urgent replacement required	24/06/2019	W19- 048
27	Unavoidable	Peoples Services	Adult Social Care	To maintain a care package with a provider outside of our contract	£14,310	06/05/2019 to 05/05/2020	Placement previously funded through CHC but has changed to joint funding following a	28/06/2019	W19- 049

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							review.		
28	Unavoidable	Corporate Resources	Human Resources	Employee Assistance Programme	£65,000	05/04/2019 to 05/04/2020	Urgent appointment as a new contract was frustrated before it could commence due the provider refusing to comply with the required conditions of contract.	09/04/2019	W19-007
29	Unavoidable	Corporate Resources	Property Services	Extension of the waiver for the contract for a project manager	£38,480	24/06/2019 to 24/12/2019	Recruitment processes have returned no appropriate replacements	20/06/2019	W19-026
30	Unavoidable	Corporate Resources	Property Services	The appointment of a Project Manager	£67,730	24/06/2019 to 24/12/2019	Recruitment processes have	20/06/2019	W19-027

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							returned no appropriate replacements		
31	Unavoidable	Corporate Resources	Property Services	Replacement flooring following a flood at Oakwood Infants School	£35,004	25/06/2019 to 09/09/2019	Urgent order due to long delivery lead times	25/06/2019	W19- 047