

Contract Waivers for the period 1 January 2023 to 30 June 2023

Purpose

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

Recommendation

- 2.1 That the Committee note the contents of the report and the quarterly comparison of the total number of waivers being reported.

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	5	3	2
Corporate Resources	11	8	3
Peoples Services	15	14	1
Total Number of Waivers	31	25	6

As the table shows, of the 31 waivers, 25 were considered to be unavoidable.

This compares with 56 waivers that were considered by Audit and Governance Committee on 25 January 2023 for the period 1 July 2022 to 31 December 2022. Of that 56, 48 were considered to be unavoidable.

- 4.2 All avoidable 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.

4.4 Quarterly Comparison

Quarter	Jul-Sep 2022	Oct-Dec 2022	Jan-Mar 2023	Apr-Jun 2023
Avoidable	6	2	5	1
Unavoidable	19	29	21	4
Total	25	31	26	5

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.

Climate implications

- 9.1 There are no climate implications from this report.

Other significant implications

- 10.1 Not applicable to this report

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal Finance Service Director(s) Report sponsor Other(s)	Emily Feenan	17/07/2023

Background papers:	
List of appendices: Appendix 1	Avoidable waiver details

Appendix 1 – avoidable waivers

Directorate	Brief details of request	Value	Waiver End Date	Date Submitted	Ref
Communities & Place	<p>This waiver relates to an existing contract in place with Mr. Graham Lister, an Independent consultant (Mr. Lister is the sole Director of Art Building (Leicester) Ltd. trading as Artbuilding Projects Ltd.</p> <p>The original contract was for a sum of £8,500 (12 days of input from March – October 2022). At the end of August 2022 it was decided to convene an informal project partnership with the University of Derby and Derby Theatre and to retain Mr. Lister to perform the role of an Independent Chair who could help guide project partners through a process of structuring arrangements (including project Heads of Terms) and oversee monthly project meetings.</p>	£15,500.00	03/04/2024	18/01/2023	W22-098
Communities & Place	<p>Contract is for the provision of funeral services as part of our legal duty to carry out PH funerals.</p> <p>We have an existing 3+1+1 contract with AW Lymn, this contract has been in place now for 4 years. The current contract ends on 31 July 2023.</p> <p>However, we cannot extend the contract for the final year, as the contract value will be exceeded. The supplier has been the chosen contractor for many years, offer good value for money and provide an excellent service. The number of PH funerals for 22/23 has almost doubled which has impacted on the cost of delivering the service. The cost of living crisis has no doubt had an impact on this. The estimated cost of providing this statutory service for 23/24 would be £25-£30k, however we recoup all our costs where possible from the deceased estate where one exists. The waiver is to continue with the current contractor for a further year.</p>	£30,000.00	31/07/2024	10/03/2023	W22-117
Corporate Resources	<p>The waiver is to retain the services of Dave Sheppard via Macildowie Associates to provide technical expertise, support and capacity for the Insight Led enabling programme. This is appropriate in light of his experience, skills and knowledge as evidenced through his work on the</p>	£31,400.00	30/09/2023	06/01/2023	W22-100

	baseline review and proof of concept delivered during 2022.				
Corporate Resources	To extend the Employee Assistant Programme contract with current supplier to ensure consistency for our colleagues during this difficult time and expected increase in mental health issues. Employees are familiar with the service and all the contact details and are potentially having support now.	£30,000.00	31/05/2024	10/03/2023	W22-108
Corporate Resources	Previous contract for Network Scans and Monitoring expired 21/01/2023. Due to the government's PSN network being retired at some point within the next 2 years, it is not practical to go to market at this point as it is unclear what our future compliance requirements will be.	£48,400.00	31/05/2025	17/04/2023	W22-124
Peoples Services	Youth Offending Case Management System renewal (to Feb 2024). No provision for extension exists.	£15,676.95	29/02/2024	09/03/2023	W22-102