



Report sponsor: Director of Legal, Procurement
and Democratic Services
Report author: Head of Procurement and
Contracting

Contract Waivers for the period 1 July 2022 to 31 December 2022

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 56 waivers within this report covering the above period and broken down by directorate below:-

Directorate	Number of Waivers	Classification	
		Unavoidable	Avoidable
Communities & Place	10	9	1
Corporate Resources	5	4	1
Peoples Services	41	35	6
Total Number of Waivers	56	48	8

As the table shows, of the 56 waivers, 48 were considered to be unavoidable.

This compares with 86 waivers that were considered by Audit and Governance Committee on 27 July 2022 for the period 1 January 2022 to 30 June 2022. Of that 86, 78 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 Of the unavoidable waivers, none were unavoidable due to Covid-19.

4.5 Quarterly Comparison

Quarter	Jan-Mar 2022	Apr-Jun 2022	Jul-Sep 2022	Oct-Dec 2022
Avoidable	2	6	6	2
Unavoidable	47	31	19	29
Total	49	37	25	31

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	13/01/2023

Background papers: List of appendices: Appendix 1	Avoidable waiver details
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Appendix 1 – avoidable waivers

Directorate	Brief details of request	Value	Waiver End Date	Date Submitted	Ref
Communities & Place	Derby City Council is seeking to appoint Service Providers of Specialist training courses and needs specific training resources in private sector housing via a procurement framework for which gained cabinet approval. The purpose of this framework is to identify a number of Service Providers who are able to carry out provide a range of training courses and material which will contribution in achieving and improving housing conditions within the PRS enabling DASH to streamline their DASH procurement processes. Decent and Safe Homes (DASH) is a service which aims to improve housing conditions in the private rented sector (PRS) & drive efficiencies by working in partnership with the Council, other Local Authorities, landlords, tenants and housing providers across England. DASH is contracted to deliver training opportunities within the region and is reliant on the income generated these courses to provide a balanced budget. The need for these training courses is especially urgent due to the recent publication of the White paper on improving the PRS, the national review of the HHSRS & the introduction of the Decent Homes Standard. It is therefore unacceptable to wait for the procurement framework to be completed and a short term alternative solution is required.	£33,700	31/03/2023	28/07/2022	W22-044
Corporate Resources	The appointment of a FRA Reviewer Property Projects and Technical Services have lost several key individuals from the team, this position has become vacant due to the resignation of the incumbent. This position is key to providing fire safety compliance for the authority.	£72,000	31/03/2023	01/08/2022	W22-045
Peoples Services	Family Time Service (Supervised Contact) is provided to children and young people who are Looked After; where proceedings have concluded and the child or young person remains in the care of the Council. The service is key to meeting statutory obligations as stated in The Childrens' Act 1989, in delivering court ordered supervised contact (both pre and post court proceedings) to looked after children and young people.	£135,000	31/03/2023	06/09/2022	W22-053

	The purpose of the Supervised Contact Service is to fulfil our statutory requirements to a high standard and improve outcomes for vulnerable groups				
Peoples Services	The request is for permission to extend the current contract for the Derby City Mental Health Recovery and Peer Support Service for up to five months in case it is needed whilst we review and recommission the Service.	£99,092	31/08/2023	26/08/2022	W22-060
Peoples Services	Think For The Future are a behaviour and resilience mentoring service who already work in Derby schools. They have good relationships with school leaders. In Year Fair Access would like to commission their services to work with specific children and young people who are moving schools across the city, to help support and guide their transition.	£17,000	31/08/2023	27/09/2022	W22-062
Peoples Services	Lunar Mind Ltd are a therapeutic service that work individually with children and young people. They have good relationships with school leaders. In Year Fair Access would like to commission their services to work with specific children and young people who are struggling to regulate their emotions in school and who demonstrate behaviours that lead to suspensions and exclusion.	£13,520	31/03/2023	29/09/2022	W22-064
Peoples Services	Rolling respite has been provided at Nightingale House We currently do not have the facility to process these services within our current contract arrangements or systems therefore direct payment is required via invoice.	£20,868	27/09/2021	07/10/2022	W22-065
Peoples Services	Demenita Support Service Cabinet waiver from Contract and Financial Procedure matters 12/10/2022.	£350,000	31/03/2025	17/10/2022	W22-072