

AUDIT SCRUTINY COMMITTEE

CHAIRMAN: Councillor Chris Clarence

DATE: 19 July 2018

REPORT OF: Audit Manager

SUBJECT: FINANCIAL INSTRUCTIONS and
CONTRACT PROCEDURE RULES – WAIVERS

PART I

RECOMMENDATION

That the report is noted.

1. PURPOSE

- 1.1 To inform Members of the number of times the Financial Instructions and Contract Procedure Rules have been waived and the reasons for this.

2. BACKGROUND

- 2.1 The Financial Instructions and Contract Procedure Rules provide the framework for managing the Council's financial affairs. They apply to every member and officer of the Council and anyone acting on its behalf.
- 2.2 Sometimes there are instances where the rules cannot be followed and requests are made to waive them. One of the following criteria must be met:

1	LIFE OR DEATH There is significant chance that the life or health of officers, members, or the public will be put at real risk.
2	INCREASED COST / LOSS OF INCOME The Council will incur significant avoidable costs or lose significant income.
3	LIMITED MARKETS The Council would be wasting its time tendering as supply of the product or service is demonstrably restricted to one or few businesses.
4	URGENT ACTION REQUIRED The Council would be criticised for failing to act promptly.

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3. WAIVERS

3.1 The following waivers have been processed since the June 2018 monitoring report:

Proposing Officer	Proposal / Reason	Approval
Tracy Pike Technician	<p>Marine Parade, Shaldon Works to replace faulty access covers serving Horse Lane Pumping Station. Limited market: only two quotations received. Requirement for three therefore waived. Successful bidder already undertakes the maintenance contract for the site.</p> <p>Value: £12,576.47</p>	Tony Watson Interim Head of Commercial Services
Sue Heath Audit Manager	<p>Data Protection Services Extension of services from DPAS (originally appointed following competitive tender) to be Data Protection Officer until October 2018 and advisory role March 2019. Limited market: continuity required for the furtherance of the current contractor's work. Quotation requirement waived to enable direct appointment.</p> <p>Value: £12,000</p>	Neil Aggett Monitoring Officer / Business Manager
Paul Nicholls Food, Health and Safety Manager	<p>Shellfish Sampling Use of the National Laboratory Service (on behalf of the Environment Agency) which is an authorised official control laboratory undertaking shellfish sampling on behalf of the Council. Limited market: no alternative provider of the service. Quotation requirement waived to enable direct appointment.</p> <p>Value: £7,500 over a number of years. (The value of the sampling averages £3,000 per year and above £7,500 over a number of years)</p>	Tony Watson Interim Head of Commercial Services
Tracey Hooper Revenue and Benefits Manager	<p>Housing Benefit Subsidy Appointment of a reporting accountant for the housing benefit subsidy assurance process for 1/4/18 – 31/3/19. Limited market: direct appointment of Grant Thornton needed to achieve efficiencies from the overlap with main accounts audit and existing TDC systems knowledge. Quotation requirement waived.</p> <p>Value: £9,400</p>	Amanda Pujol Interim Head of Service Delivery and Improvement

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4. RECOMMENDATION

That the report be noted.

Sue Heath
Audit Manager

Wards affected	-
Contact for any more information	<i>Sue Heath – Audit Manager – 01626 215258</i>
Background Papers (For Part I reports only)	<i>Financial Instructions Waivers File – Internal Audit</i>
Key Decision	-
In Forward Plan	-
In O & S Work Programme	-