

## AUDIT & GOVERNANCE COMMITTEE

5<sup>th</sup> February 2025

### Report of the Interim Executive Director Finance

### FINANCIAL WAIVERS TO 31<sup>st</sup> DECEMBER 2024

#### EXEMPT INFORMATION

None

#### PURPOSE

For the Audit & Governance Committee to note the waivers to the Council's procurement processes as set out in Financial Guidance for the period 1<sup>st</sup> October 30<sup>th</sup> to 31<sup>st</sup> December 2024, for the reasons as set out, and to advise if any further information is required.

#### RECOMMENDATION

**That the Committee note the waivers approved to the procurement processes as set out in the Council's Financial Guidance.**

#### EXECUTIVE SUMMARY

As part of the core functions under terms of reference, this Committee is empowered to maintain an overview of the Council's Financial Guidance. One of the improvement recommendations included within Grant Thornton's Auditor's Annual Report for 2022/23, was that the Council should report on the number and value of waivers to Audit & Governance Committee on a quarterly basis. This is the third such report this financial year, covering the period from 1<sup>st</sup> October to 31<sup>st</sup> December 2024.

The contracts procedure rules state that best value and value for money must be sought in all procurement activities. Financial Guidance requires that quotations/estimates must be obtained for spend of up to £5,000, these may be verbal for values to £1,999, but any spend between £2,000 and £4,999 must have a minimum of 3 written quotations/estimates.

Any spend of £5,000 and above should be conducted using either the Quick Quote or tender process, and be tendered electronically using the Council's e-tendering system In-Tend. This is a secure portal which suppliers can use to view and respond to any advertised tenders and contracts, which also links to the Government's Contracts Finder and Find a Tender services as required by Public Contracts Regulations for tenders above a certain threshold. The In-Tend system is used for the initial advertisement, expressions of interest, invitation to tender/quote, submission of tenders/quotes by prospective suppliers, opening of tenders/quotations and contract award.

The requirements of Public Contract Regulations **must** be followed in all cases where the anticipated value of a contract is close to or exceeds the thresholds set out in legislation. The current thresholds (incl VAT) are as follows:-

| <b>Thresholds</b>     | <b>Supplies &amp; Services</b> | <b>Works/Concessions</b> |
|-----------------------|--------------------------------|--------------------------|
| <b>Contract Value</b> | <b>£214,904</b>                | <b>£5,372,609</b>        |

For contracts below these values, there may be occasions where it is not considered to be appropriate or best value for money to follow the Council's procurement processes, for example, where there is only one supplier for a particular service, or where a company is already on site. As set out in Financial Guidance, in these circumstances the Executive Director Finance has authority to waive compliance and limits where necessary.

The waivers approved during the third quarter of this financial year are set out in Appendix 1.

### **RESOURCE IMPLICATIONS**

None as a direct result of this report.

### **LEGAL/RISK IMPLICATIONS**

None as a direct result of this report.

### **EQUALITIES IMPLICATIONS**

None as a direct result of this report

### **ENVIRONMENT AND SUSTAINABILITY IMPLICATIONS (INCLUDING CLIMATE CHANGE)**

None as a direct result of this report

### **BACKGROUND INFORMATION**

None

### **REPORT AUTHOR**

If Members require further information, please contact Jo Goodfellow, Interim Executive Director Finance on ext 241.

### **LIST OF BACKGROUND PAPERS**

None

### **APPENDICES**

Appendix 1 Financial Waivers Approved 1<sup>st</sup> October – 31<sup>st</sup> December 2024.

## APPENDIX 1

FINANCIAL WAIVERS 1<sup>ST</sup> OCTOBER – 30<sup>TH</sup> DECEMBER 2024

| Ref     | Date       | Service Area                | Amount    | Company/Contract                       | Reason  |
|---------|------------|-----------------------------|-----------|--|---|
| 2024/15 | 18/10/2024 | Housing Repairs             | £39,477   | National Fire Safety Service           | To carry out Fire Risk assessments across the Council housing asset base which includes the 6 high-rise high-risk blocks, under the legal duty under Fire Safety Order 2005 and Building Safety Act 2022, and following self referral to Social Housing Regulator, there is a pressing need to complete these checks. Two quotations were obtained, however, only NFSS quoted for all aspects of the work and indicated that they could complete the works in the timescale required, and provided added value with regard to fire strategy and training. |
| 2024/16 | 21/10/2024 | Building Repair Fund        | £36,120   | Ellandi/Black Cat Building Consultancy | Structural building survey to be carried out prior to surrender of lease as advised by Ellandi. Contract with Ellandi in place for advice and support during handover and following transfer of lease and critical that this work is undertaken in very tight timescales to inform Cabinet decision.  |
| 2024/17 | 07/11/2024 | HRA Funds in reserve HM0887 | £9,508.00 | MEL Research                           | Tenants' survey work 'Getting to Know You Better' to be awarded to MEL, at a cost of £9.5k, on the basis that they have already been through a competitive process to conduct the Tenants Satisfaction Measures survey, and value for money is obtained by this extension of the work as they already have the full suite of tenant contact details including a data sharing agreement with the Council.  |

| Ref     | Date       | Service Area                          | Amount    | Company/Contract  | Reason  |
|---------|------------|---------------------------------------|-----------|-------------------|---|
| 2024/18 | 15/11/2024 | Homelessness Prevention Grant funding | £8,532.00 | Heart of Tamworth | Award of £8,532 from Homelessness Prevention Grant for winter relief project provided by Heart of Tamworth. HoT operate from Sacred Heart Community Centre and St John's Church, have provided the service for the past few years and provide focused and tailored support – the partnership provides added value and delivers other collaborative benefits eg access to a wider partnership across Tamworth that provides holistic benefits to all those experiencing homelessness, such as befriending services and tailored access to partners for referral and move-on. |
| 2024/19 | 11/12/2024 | Transformation Reserve                | £14,940   | 40C               | Consultancy support. 40C are experienced in delivering the work required, with a tried and tested approach at a number of Councils. TBC were offered a discount and the price of £14,940 (excl travel) based on 21 days consultancy support would indicate good value for money, based on typical consultancy day rates in the region of £800 - £1k, particularly as this includes 10 days at Director Level. They have availability to meet our timescales. The Client Director will be providing us with direct support.  |