

Central Register of Exemptions

The Audit Plan 2013/14 – “Procurement and Contract Management Baseline Assessment” Recommended: “We recommend that consideration should be given to maintaining a central record of waivers and exemptions that have been approved.”

The Council's Contract Procedure Rules state:

Exemptions:

- Acquisition or disposal of Land:

These Rules do not apply to the acquisition or disposal of Land except where a lease or licence is granted as a part of a principal contract for other Works, Supplies or Services.

- Unforeseeable emergency:

Where exemption from these Rules is unavoidable due to an unforeseeable emergency involving immediate risk to persons or property or likely to give rise to major or serious disruption to the Council's services, a Head of Service and the Managing Director may jointly approve an exemption. They must inform the relevant Portfolio Holder and make a report to the next Cabinet meeting on the action taken. Urgency caused by undue delay will not be a valid reason for an exemption.

- Exceptional Circumstances:

An exceptional exemption may be considered by the Managing Director in limited and unusual circumstances. This may, for example, apply where a key supplier has gone into Administration or Receivership. It applies where the event will involve significant risk to a key contract and is likely to give rise to a significant disruption to a Council service. In such an event a Head of Service and the Managing Director may jointly approve an exceptional exemption. This may, for example, be a single tender action or the use of a substitute contractor from the original tender responses to complete a contract or part of a contract. They must inform the relevant Portfolio Holder and make a report to the next Cabinet meeting on the action taken.

- Limited market:

A partial exemption may apply where a supply or service is only obtainable from a single or a very limited number of contractors. In such a case, evidence of the limited market must be provided, such as by public advertisement or detailed market research. A Head of Service and the Managing Director may jointly approve a partial exemption. They must inform the relevant Portfolio Holder and make a report to the next Cabinet meeting on the action taken.

- Prior approval:

Other than as specified above no exemption from these Rules shall be made unless prior approval has been granted at a Cabinet meeting.

Record of Exemptions – Heads of Service must ensure that full details of approved waivers and exemptions are recorded in a central register held by the Corporate Procurement Manager on behalf of the MD.

A record form must be completed and signed for each approved Exemption.

v1.0 Nov 2013

Approved Exemption Record Form

	Details
Exemption category <ul style="list-style-type: none"> • Unforeseeable emergency • <u>Exceptional Circumstances</u> • Limited market • Prior approval 	<ul style="list-style-type: none"> • <u>Limited Market</u>
Details / Circumstances / Explanation of why an exemption was required:	<p>The Academy software used by the Revs and Bens department is owned by Capita Software Services, who limit the licences to provide support services.</p> <p>As such there is only a limited market of vendors to provide support services for the software, with the vendors being limited to Capita Support Services and Civica.</p> <p>Before approaching both, all of the vendors shown on the government framework, (all 4 of them), were approached and asked if they provided support for Academy under the framework, all but Capita Software Services, the software owner declined. Instead offering their own packages.</p> <p>In order to get competitive costs for support of the Academy package, both Capita Software Services and Civica were invited to put forward costs for a support offering, of these Civica was the cheapest and offering the best value.</p>
Approved by (Name and date): <ul style="list-style-type: none"> • MD • HoS 	
Portfolio Holder informed (Name and Date):	Councillor Mark Watkin – 13/9/16
Date reported to Cabinet:	10 October 2016
Contract Title:	Academy Support - Civica
Vendor / Contractor:	Civica
Date Contract let:	
Term of Contract:	
End date:	
Total Value of Contract:	£74,950
WBC Contract Manager (Name and contact details):	Kevin Mcleod, 01923-727457
Comments / Other Information:	

Date entered onto Exemptions Register:	
Signed by Head of Service:	

Copies to:

Contract File
Head of Service
Corporate Procurement Manager
Central Register of Exemptions

Approved



13-9-16

