

Waiver Details

Ref	Subject	Value	Department	REASON FOR DECISION	CONDITIONS	Reason
FR189	Carlton Digby School - Teaching Agency Staff	£120,000.00	School	The waiver requested the continued use of a specialist agency (Teacher Active) for the provision of supply staff as required. Other options were explored but owing to the specialist need of the support it was agreed that the arrangements could continue for a 12 month period with a ceiling limit cost of £120k	It was agreed that there would need to be a longer term strategy continued use of any agency to avoid the need for an annual waiver. No further waiver request for this service will be approved	6
FR190	Chatsworth House – Supported accommodation for vulnerable adults from Framework Housing	£195,000.00	ASCPH	The waiver was for the continued use of a 23 unit supported accommodation service for vulnerable adults. This supported accommodation service providing 23 self-contained flats and an office facility at the entrance which is the base for both support staff and night time security staff. The waiver was agreed on the basis that recent tenders have shown	A plan for the procurement of the whole service should be developed and put in place.	5

				that Framework are competitive they have won tenders on quality and price. The accommodation is purpose built and resident service users wish to stay there. A VEAT (voluntary ex ante transparency) notice was issued to communicate an intention to make a direct award to the current provider. This enable other providers to identify and challenge this intention.		
FR191	Independent review of Ashwell Biomass Boiler	£175,000.00	Place	An incident occurred at a local primary school in relation to an Ashwell biomass boiler, this required an independent investigation be undertaken through the insurance company	It was agreed that this would be a one off provision any future planned work will need to comply with the fin regs	4
FR192	Supported accommodation for young people	£137,300.00	CFCS	The waiver was for continued contractual arrangements with Targeted Support to provide supported accommodation for teenage parents and young people aged 16-21. The contract formally expired on the 31.03.2015 and the waiver request was not received until 21.04.2015, it was therefore rejected.	N/A Rejected	4

FR194	Integrated Community Equipment Loans Service (ICELS) Bond	£72,000.00	ASCPH	The waiver was to request that we did not seek a bond as part of the tender for the ICELS contract. Evidence was provided on how the contract would be structured, the safeguards that are in place regarding contract on performance (especially financial performance), that assured us that the bond would not be required and the waiver was approved.	Financial issues are dealt with by a separate shared agreement or MoU between all parties or in the contract and we are only paying on delivery (as it appears to be paid for in arrears). Continued assurance that robust contract management is undertaken and documented.	6
FR195	ASSIST Programme Licence - Smoking prevention in schools	£58,000.00	ASCPH	This waiver sought permission to obtain a licence to be able to run the ASSIST programme. The running of the ASSIST programme did not require a financial regulations waiver but the licence did as the programme could not be run without the licence. This was a new model which had been trialled in other areas of the country and was the only evidence based programme at that time. On this basis the waiver was approved as it was anticipated that the market	That a review of the market and other potential providers would be undertaken to assess if a procurement process can be run to re commission this at the end of the agreement	5

				would develop in future to see more market entrants		
FR196	Garibaldi College ICT Managed Service Contract - Stone Computers	£60,000.00	School	The request was for the continued appointment of Stone computers to support the schools ICT infrastructure for 1 year whilst the school did a wholesale review of its activities. The waiver was approved in light of the length of time to undertake a tender and ensuring services near match curriculum start dates	No further extensions will be approved.	4
FR197	Contract extension for an Appropriate Adult Service	£12,000.00	ASCPH	The waiver was for a service is to provide an appropriate adult for the purposes of accompanying a vulnerable adult at a police interview regarding their involvement or suspected involvement in a criminal offence or when that person is charged with an offence. The service is on a 'pay as you go' basis and the provision of the service to vulnerable adults in the County is fully funded by County Adult Social Care and Health & Public Protection. The waiver was approved to ensure that there is no interruption in the service delivery whilst discussions conclude on funding	No further extensions will be approved.	5

				arrangements		
FR198	Provision of JCB 550-80 Lodall	£70,450.00	Place	The waiver sought authorisation to direct purchase and additional JCB Lodall. The waiver was approved as the authority in 2013 bought three new JCB Loadalls through competitive tender; these three loadalls are based at Gamston, Bilsthorpe and Stephenson Way. At Markham Moor the fleet team had a 57reg Hyundai Loader which was costing more and more every year as the salt was starting to rot/corrode nearly all the moving parts. The replacement loader would standardise the fleet making servicing and repairs a lot easier as we already carry stock.	This will be the last approval given for this type of request and future requirements should form part of asset planning and the re-procurement programme	2
FR199	Two Bloomberg licences, to access market data	£8,640.00	Resources	The waiver requested a direct award of business to Bloomberg for access to market data on shares and bonds. The current provider Morningstar gave us notice and therefore the waiver was approved due to limited time to run a full tender process for a 12 month period, however other options were explored the request to switch to Bloomberg	The agreement would only be for 12 months and therefore a procurement process would need to be undertaken for a longer term provision.	5

				was agreed.		
FR200	School hosted website - Coda Education	£30,000.00	Resources	<p>The Authority were migrating the network provision from Capita's 1C1N solution to Virgin's emCloud solution with a proposed switchover date of 1st October 2015. In order for this to happen a number of services had been identified which need to be ceased or migrated to an alternative provision. The waiver was approved on the basis that two separate G-cloud companies were contacted and engaged with to undertake this work, but after lengthy discussion they both decided against undertaking the work due to the timeframes required. Other companies have been approached but they have not shown any interest. eLearning Team Limited were subsequently approached as a known existing supplier and they have provided a quote and confirmed they are both happy to undertake the works and that they can meet the required timeframes.</p>	<p>If there are any future requirements these would need to be considered as part of a tender process and no further waiver will be approved</p>	6

FR201	Nottingham Post Job Fairs	£8,000.00	Resources	This waiver was a retrospective request the need arose in February 2015, but the waiver was not received until June coupled with this is that the work has already commenced. Therefore the Waiver was unauthorised.	N/A Rejected	5
FR202	Hospital Discharge - Carers Trust	£950,000.00	ASCPH	The waiver requested the continued appointment of Carers Trust to deliver a hospital discharge service in to a care at home service. This will ultimately form part of the home based services contract in future years. The waiver was approved in order that the service was not destabilised however a VEAT (voluntary ex ante transparency) notice was issued to communicate an intention to make a direct award to the current provider. This enable other providers to identify and challenge this intention.	No further waivers will be approved	5

FR203	Speech & Language Therapy Provision (SALT)	£17,500.00	CFCS	The waiver requested a 12 month extension of the SALT programme which is provided by the National Health Service (NHS) via Nottinghamshire County Health Partnerships' (CHP) Sold Services Arm. This provision was being reviewed as part of a wide-ranging Health commissioning exercise instigated via the Integrated Community Children and Young People's Healthcare (ICYPH) Programme. On this basis the waiver was agreed	No further waivers will be approved	5
FR204	Nottinghamshire Business Rates Pool	£13,000.00	Resources	The waiver requested an extension to the existing arrangements for the Nottinghamshire Business Rates Pool as discussions were taking place around the possible formation of a Combined Authority, therefore further analysis of the impact on the Pool of Nottingham City Council joining the Pool was required. On this basis the waiver was approved as it would not make economic sense to go to the market to engage a consultant in this work given the expertise that was built during the previous	No further waivers will be approved	5

				exercise in 2012 through LG Futures.		
FR205	Moriyama	£3,500.00	Resources	The waiver requested the continued engagement of Moriyama as part of the digital first program for training and installation works. The waiver was agreed on the basis that the company have been working with us with us to install Umbraco which has now been released to the Digital team to begin the construction of the new site. Continuation of a further years support will allow us to have consistency in further development work	This cannot be an ongoing (year on year) agreement without a further procurement process taking place.	1
FR206	Proxy Voting to the pension fund	£40,000.00	Resources	The waiver requested an extension to our current arrangements as a new National contract was being put in place the waiver was agreed to allow sufficient time for the new national framework agreement to be put in place and for us to undertake a compliant procurement exercise under this.	Under no circumstances will any further extension be approved to 31 December 2016	2

FR207	The Organic Pantry	£100,000.00	Place	The waiver requested the emergency award of a contract to the Organic Pantry regard food supplies to schools our incumbent provider gave us notice on the provision of milk and potatoes. The wavier was approved as a short term emergency provision whilst a new contract was let	No further waivers would be approved	4
FR208	Barnardo's - Child Sexual Exploitation Specialist Service	£99,000.00	CFCS	The waiver sought to extend the current arrangement with Barnardo's whilst a tender process was undertaken, on this basis the waiver was agreed.	Full tender process must be run, no extensions will be permitted	5

FR209	Extension of Lan Tender - Capita	£150,000.00	Resources	<p>The wavier requested an extension of the Lan contract with Capita. The Authority currently has a contract in place with Capita for the provision of LAN hardware and software and maintenance and support of that hardware and software. This contract was due to expire on the 30th September 2015 and has an extension clause. The Contract was originally procured through a further competition using a Government Procurement Services framework agreement</p> <p>The Authority issued a further competition notice on the 11th August 2015 inviting suppliers on the Crown Commercial Services (CCS) network services framework agreement to bid for this contract. Potential bidders informed us they are unable to bid due to the fact that they would need to get their subcontractors to sign new T's & C's that match the CCS ones.</p> <p>For this reason the authority has cancelled the tender and</p>	That a tender will be run and no further extension will be requested or approved	4
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				informed bidders we will be going back out in 6 months.		
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FR210	Adults short term reporting contractors - Eyeacademy	£41,000.00	Resources	The waiver sought to award a direct contract to Eyeacademy as there was an urgent need to provide a large number of management reports for ASCH. Taking other high priority work into account the Council had insufficient internal resources to deliver the reports in the required timescale. Consequently short-term contract resource has been sought via Reeds. The waiver was approved on the basis that the Reed contract provision has been explored unsuccessfully and the requirement is urgent	The appointment cannot exceed £41k as detailed in the document, any further requirement must be referred back to Reed, or a compliant procurement process be undertaken	5
FR211	Occupational Therapy Assessments from Access Independent	£75,000.00	ASCPH	The waiver requested the appointment of a specialist to support the back log of assessments the waiver was approved on the understanding that we move forward with the implementation of a formal contract arrangement for the service going forward.	No further waivers will be approved	5
FR212	TCR Extension NHS Health Check IT Solution 2016/17	£60,000.00	ASCPH	The waiver was to request a 12 month extension of a contract provision given that a procurement process that had run could not be awarded as no bids were received so a re plan needs to take place	Any further waiver requests will be rejected	4

FR213	ASC Transformation Programme - Consultant	£10,000.00	ASCPH	The waiver requested the appointment of a specialist consultant to support a review of the 19 ASC savings proposals. The waiver was approved on the basis that Professor John Bolton has a good knowledge of NCC and ASCH and has been involved in critiquing past savings proposals and as an external speaker to leadership events. This enables the work to be completed within the required timescales without lead in times.	No further waivers would be approved	5
FR214	Council Chamber Sound System	£49,000.00	Resources	The waiver required the emergency appointment of a sound company to replace the current council chamber sound system. This was agreed on the basis of this being an emergency need.	No further waivers would be approved	6

FR215	Engagement of Local partnerships to undertake 2 Gateway Reviews	£30,000.00	Place	<p>The waiver requested the authorisation to engage Local partnerships to undertake 2 Gateway Reviews</p> <p>1) Highways and Fleet Management Joint Venture Project 2) Property Design and Delivery</p> <p>The preferred method of review is the Office of Government Commerce (OGC) Gateway Review™ Process and Local Partnerships is the only provider of assurance services accredited by Government to deliver full OGC Gateway Reviews to Local Government and other local public body on this basis the wavier was approved</p>	No further waivers would be approved	5
FR216	Gradweb-recruitment to the Nottinghamshire Public Sector Financial Management Scheme	£20,000.00	Resources	<p>The waiver requested the continued use of Grabwed in order for the recruitment of CIPFA graduates to continue for 2015/16, the waiver was agreed as the company has the systems in place to deliver the candidates and the organisation work closely with CIPFA.</p>	There will be no further waiver approved from 2016 onwards, should there be a proposal to continue to utilise a recruitment agreement to seek graduates then a market exploration exercise should be undertaken.	1

FR217	R&M & Roofing Tender - bond	£2,900,000.00	Place	The waiver requested the exclusion of a bond for this service contract. Yes. Given the advice on the terms of the contract, the contract was procuring a two year framework for the repair and replacement of roofing to the Authority's portfolio of building stock. The waiver was agreed as the call off under the framework that would be put in place was of low value	No further waivers would be approved	6
FR218	Upgrade of existing SPECS1 Safety camera	£270,176.00	ASCPH	Nottinghamshire County Council currently maintains 10 average speed camera sites across the County. Three of these sites which have now been installed since 2003 are the old style Vysionics SPECS1 cameras. The remaining sites are a mixture of the more modern Vysionics SPECS3 equipment and the most up to date Vysionics SPECS3 Vector. The waiver requested a direct award to Vysionics for the upgrade and maintenance of some of these cameras. The waiver however was rejected as It is in breach of EU competition law. With the current threshold of £172,154 (Goods and services) being in	N/A Rejected	3

				place, any project that exceeds this limit legally has to be competed in the market place.		
FR219	Social Workers Assessments - from	£128,000.00	ASCPH	The waiver requested the appointment of a specialist to support the back log of assessments the waiver was approved on the understanding that we move forward with the implementation of a formal contract arrangement for the service going forward.	No further waivers will be approved	5
FR221	One off purchase for 2x 42" Indoor freestanding travel kiosk	£22,000.00	Place	Sherwood Forest Hospitals Foundation Trust work with Nottinghamshire County Council to provide bus departure information in the entrance foyer of Mansfield Kings Mill and Newark Hospitals. This information will be displayed as real time departures from the surrounding bus stops by a large screen kiosk. The waiver is approved on the basis of low value and shared joint responsibility, and limited market	Any future requirements are to be discussed with procurement in advance to establish a route to market	5

FR222	Maintenance of Existing SPECS1 Safety Camera Systems	£1,251,790.00	Place	Waiver received to continue with the maintenance arrangements with Vysionics for the maintenance on speed camera's the waiver was rejected on the basis of the value exceeding the procurement regulations and the commitment to expenditure cannot be made at this time.	Rejected	3
FR223	Supply Ground Penetrating Radar Unit	£16,500.00	Place	The waiver was for the direct purchase of a new ground penetration radar unit the current unit had become increasingly unreliable and needed replacing. It is also an old unit and suffers from poor detection rates compared to modern equipment. Ground radar units are specialist pieces of kit, and after testing several units from different manufacturer, we have identified only one that is suitable for our needs. On this basis the waiver was approved	No further waivers would be approved	5

FR226	Clayfields House Secure Unit	£43,951.00	Place	The waiver requested that Clayfields House Secure Unit – Existing Security Systems currently being maintained by Stanley Security Solutions Ltd could be extended in 2 New Build Phases, for the existing systems to work in the new builds, enabling works are necessary compatible to all the current equipment. This forms part of a capital project where external funding for the enabling works has already been secured. The waiver was approved to ensure consistency on the security system.	Any new schemes will be required to go through a compliant procurement process	3
FR228	SystemsLink bureau - Utility Management Bureau Service	£29,000.00	Place	The waiver was requesting the authorization to go ahead with a pilot of the system provide an energy management and targeting software and support service. On the basis that this is a pilot the waiver is approved.	No further waivers would be approved	5
FR229	Procedures manual for Children's Services	£23,800.00	CFCS	The waiver requested the approval of a commitment to continue with working with TriX for the children's services procedures manual, this is a restricted market and a previous procurement process did award a contract to TriX on the basis	Any longer term plans to extend or enhance the service provision in the future must give due consideration to the requirements of procurement	5

				that it would make no economic sense to re procure an extension is agreed	legislation.	
FR230	Consultancy contract for legal support for alternative service delivery models	£39,600.00	Resources	Legal Services has appointed Bevan Brittan to act as the lead legal advisor for these projects through the Council's EMLawshare framework. As services have developed their proposals along the way, the level of legal advice support and guidance required has been greater than originally anticipated as 'retained client roles' have refined their business cases and developed their commercial service requirements with reliance on the legal guidance and support along the journey of these projects. Therefore the waiver requests to continue with the services and this approved	A short-term 6 month contract. In the meantime alternative methods of providing a longer term solution should be pursued.	5

FR231	Braille Equipment	£16,500.00	CFCS	There are an increasing number of Educationally Blind young children and pupils in the Local Authority. In order to offer access to the curriculum and the printed word, these pupils and students require specialist technology this waiver requested the purchase of 2 x Braille Note machines (£16,500) for children that have come into Notts, The waiver request was late and left no time for a procurement process to be undertaken. We had no alternative but to approve the request.	There are other suppliers in the market and these do need to be explored should there be any further requirements. This waiver was approved on this occasion but no more will be considered without conducting a compliant procurement process.	5
FR232	Prison Contract 16-17	£61,000.00	ASCPH	There is a statutory requirement to provide prison social care services. At present this is being delivered by our local health partners as part of their health care provision in the prisons. It is unclear at this time what the market for this type of service looks like and further work is needed around the detail of the current service provision. A commissioning and procurement working group is established which is looking at the long term service provision. The waiver was approved to continue the	That the project that has commenced with the procurement department on a compliant long term solution continues and that no further requests to continue with this service are presented in a waiver form.	5

				services with our health partners in the interim		
FR234	Safeguarding eLearning	£28,000.00	CFCS	The safeguarding board is funded by contributions from partner agencies and has a statutory duty to ensure that appropriate safeguarding training is available to staff it does this through a range of face to face training and e-learning opportunities. The waiver requested that a 12 month contract be directly awarded to the Virtual College to continue with the supply of this training. Given the short notice and insufficient time to run a compliant procurement process the direct award was agreed	This is only approved for 1 year to allow for a review to be undertaken, work is to be undertaken with the Category Manager to explore a longer term solution in line with financial regulations	5