

Report title: Mid-Year Contract Procedure Waiver Update 2026/27

Report to:	Audit Committee
Date:	04 November 2026
Lead Cabinet Member:	Alan Tyerman
Email:	alan.tyerman@torbay.gov.uk
Lead Director:	Malcolm Coe
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Wards affected:	All

1. Summary of Report:

- 1.1. This report sets out the Contract Procedure waiver requests received during the first six months of the 2026/27 financial year.
- 1.2. In response to the Audit Committee's request when considering the initial report in May 2026, trend data has been included to provide additional context and support ongoing oversight and monitoring.

2. Recommendations and Proposed Decision:

- 2.1. That the Audit Committee review this report and, where necessary, seek further information from Commercial Services.

3. Reasons for Recommendations/Proposed Decision:

- 3.1. This report is for information purposes only.

4. Background and Context:

- 4.1. The Council's external auditors, in their Annual Report for year ending March 2025, recommended that the Council reports, at least annually, details relating to procurement

waivers to those charged with governance. An initial report of the procurement waivers for the 2024/2025 and 2025/2026 financial years went to the Audit Committee on 27 May 2026.

- 4.2. This report summarises waiver activity during the first six months of 2026/27 and compares this with activity over the preceding two financial years. It sets out the current year-to-date position by number, value, waiver type and approval status. It also considers requests for alternative procurement procedures within the context of overall procurement activity, measured through the number of Start a Procurement (SAP) forms received.
- 4.3. A recent procurement audit undertaken by Devon Assurance Partnership recommended that greater oversight is required in respect of waivers that are approved contrary to the recommendation of Commercial Services and the Section 151 Officer. Directors currently receive quarterly reports on the waivers submitted, approved, declined and cancelled within their directorate. These reports will also be subject to review and monitoring by the new Procurement Oversight Board, which is currently being established and is expected to be operational by the end of 2026

2026/27 year to date:

- 4.4. 30 waivers with a total value of £7.41 million were submitted during the first six months of the financial year. The total number of waivers received during 2026/27 is expected to exceed that recorded in 2025/26, primarily due to an increase in requests to use alternative terms and conditions. This increase may be viewed positively as it indicates greater organisational awareness of, and compliance with, governance requirements relating to supplier terms and conditions, thereby reducing the risk of the Council entering into unfavourable contractual arrangements.

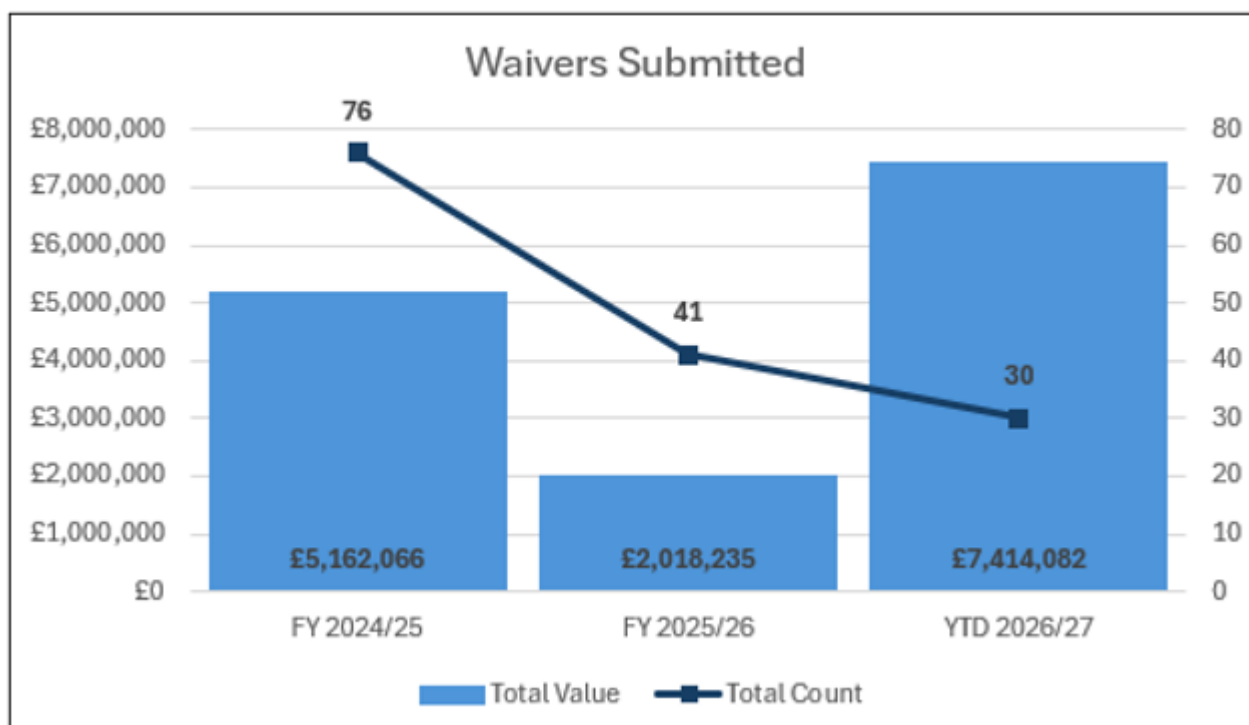
Table 1 Waiver activity by type and approval status: 2026/27 YTD

Shows the total value and number of waivers by type, including their approval status: approved, cancelled, declined, or in progress.

2026/27	Approved		Cancelled		Declined		In Progress		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Value	No.	Value	No.
Request to Amend a Waiver	-	-	-	-	-	-	£190,320	1	£190,320	1
Request to Run Alternative Procurement Procedure	£4,500,000	1	-	-	£216,000	2	-	-	£4,716,000	3
Request to Use Alternative Terms and Conditions	£1,932,476	17	-	-	-	-	£230,000	2	£2,162,476	19
Request to Use Off Contract Agency Supplier	£220,460	4	£34,434	1	-	-	£90,391	2	£345,285	7
2026/27 Grand Total	£6,652,936	22	£34,434	1	£216,000	2	£510,711	5	£7,414,081	30

Graph 1 Total number and value of waivers submitted

Displays the total value and number of waivers submitted over the past three financial years.



Current outcomes:

- 4.5. Twenty-two waivers, valued at £6.65 million, have been approved. Five, valued at £510,711, remain in progress. Two have been declined; and one has been cancelled. Of the 25 cases with a completed decision, 88% were approved.

The two declined waivers related to requests to run an alternative tender process to that recommended by Commercial Services, in both cases the advice that a full tender process should be undertaken was followed by the approving budget holders.

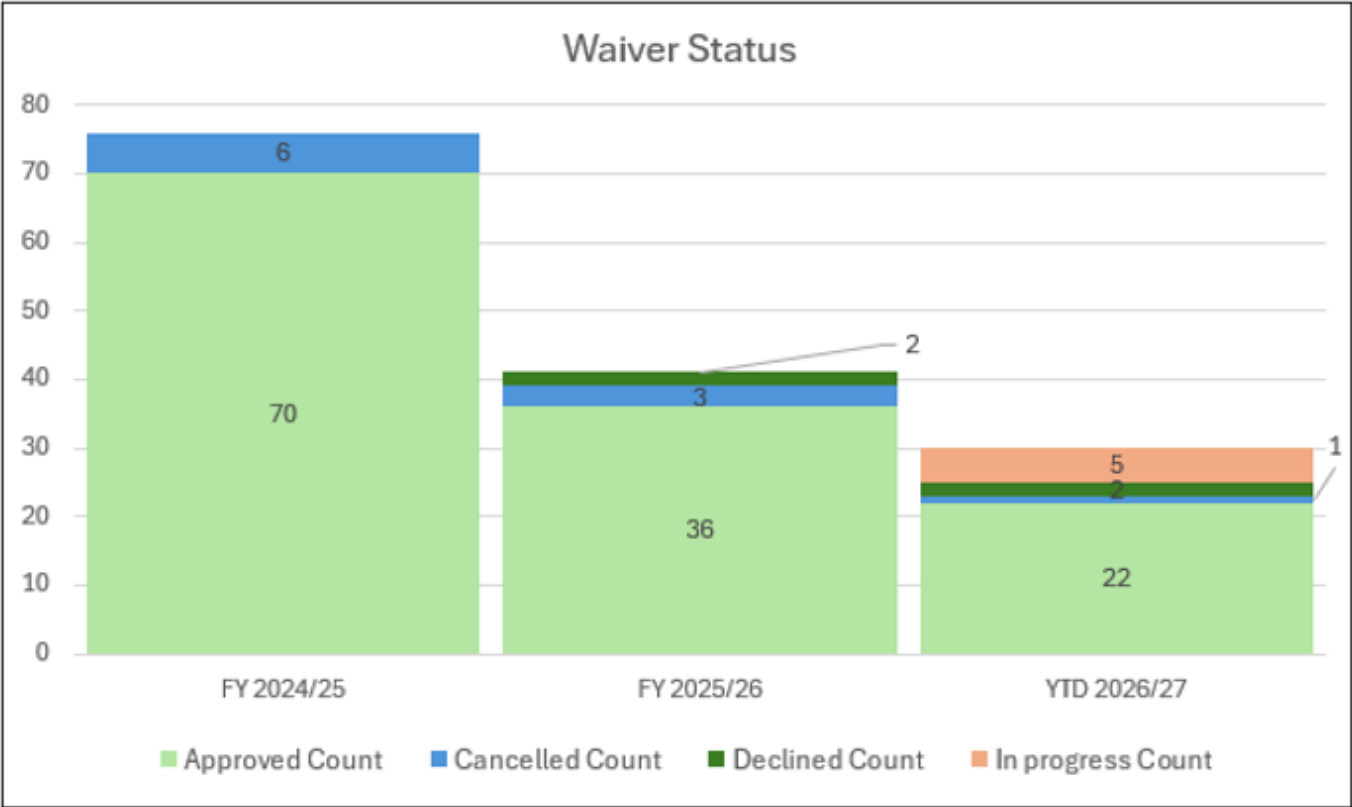
There was one instance where a waiver was approved to make a direct award of a £4.5m capital contract through a framework, against the advice of Commercial Services which was to at least undertake a quote process to ensure value for money.

Although direct awards can present a risk of supplier challenge, this risk is mitigated by the limited number of such requests and the relatively low value of contracts approved through this route.

Approval cannot be granted through the waiver process for the direct award of an above-threshold contract unless the statutory conditions for direct award under the Procurement Act 2023 are met.

Graph 3 Number of waivers by approval status

Displays total count by waiver status for the past three financial years.



Current value:

- 4.6. The year-to-date total includes one approved alternative procurement procedure waiver valued at £4.5 million. This single case represents approximately 61% of the total value of waivers submitted and should therefore be taken into account when assessing year-to-date figures.

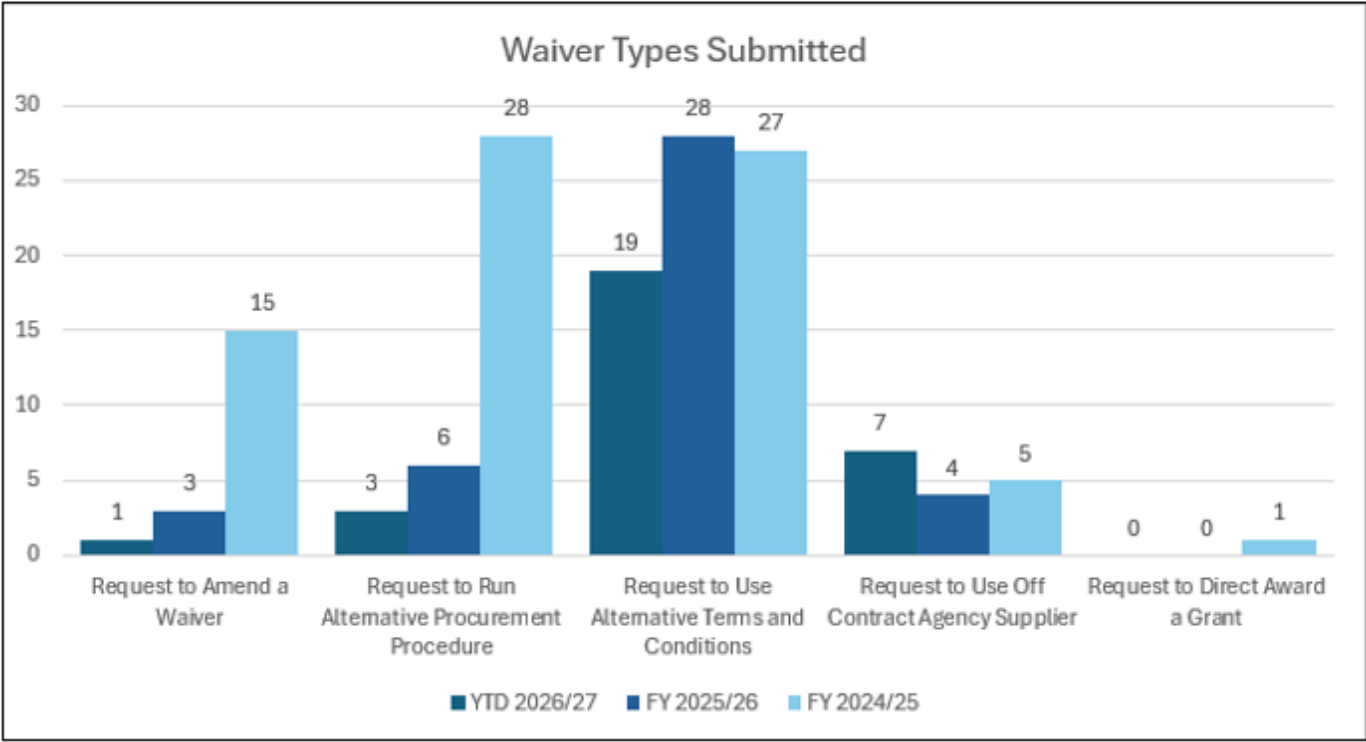
Current waiver profile:

- 4.7. Requests to use alternative terms and conditions are the most frequent waiver type, accounting for 19 of the 30 submissions, of which 17 have been approved.

Trend in waiver types:

- 4.8. Alternative terms and conditions remain the most common request. Alternative procurement procedure waivers have reduced from 28 in 2024/25, prior to the broadening of procedure options available under Contract Procedures to 6 in 2025/26 and 3 in 2026/27 year to date.

Graph 2 Number of waivers by waiver type
 Displays total count by waiver type for the last past three financial years.



Comparison with previous years:

4.9. The 30 waivers submitted in the first half of 2026/27 compare with 41 in the whole of 2025/26 and 76 in 2024/25. The year-to-date value of £7.41 million is already above both previous full-year totals of £2.02 million and £5.16 million respectively, principally because of the £4.5 million case noted above.

Table 2 Waiver activity by type and approval status: 2025/26
 Shows the total value and number of waivers by type, including their approval status: approved, cancelled, declined.

2025/26	Approved		Cancelled		Declined		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Value	No.
Request to Amend a Waiver	£222,678	2	£75,000	1	-	-	£297,678	3
Request to Run Alternative Procurement Procedure	£281,561	5	-	-	£166,500	1	£448,061	6
Request to Use Alternative Terms and Conditions	£890,072	25	£253,212	2	£33,300	1	£1,176,584	28
Request to Use Off Contract Agency Supplier	£95,912	4	-	-	-	-	£95,912	4
2025/26 Grand Total	£1,490,223	36	£328,212	3	£199,800	2	£2,018,235	41

Table 3 Waiver activity by type and approval status: 2024/25

Shows the total value and number of waivers by type, including their approval status: approved, cancelled, declined

2024/25	Approved		Cancelled		Declined		Total Submitted	
Waiver Types	Value	No.	Total Value	No.	Value	No.	Total Value	No.
Request to Amend a Waiver	£950,556	15	-	-	-	-	£950,556	15
Request to Direct Award a Grant	£338,992	1	-	-	-	-	£338,992	1
Request to Run Alternative Procurement Procedure	£2,480,970	23	£802,764	5	-	-	£3,283,734	28
Request to Use Alternative Terms and Conditions	£382,004	26	£22,395	1	-	-	£404,399	27
Request to Use Off Contract Agency Supplier	£184,385	5			-	-	£184,385	5
2024/25 Grand Total	£4,336,907	70	£825,159	6	£0	0	£5,162,066	76

Wider procurement context:

- 4.10. Alternative procurement procedure waivers represented 3 of 112 Start a Procurement (SAP) forms received in 2026/27 year to date (2.7%), compared with 6 of 209 in 2025/26 (2.9%). This demonstrates that requests for alternative procurement procedures continue to represent a very small proportion of overall procurement activity. We are unable to make comparison with 2024/2025 levels, as the SAP process was not introduced until April 2025.

Table 4 Alternative procedure waivers as a proportion of SAPs received

Compares the number of SAPs received with the number of alternative procurement procedure waivers submitted for the current year to date and previous financial year.

Financial Year	SAPs received	Alternative Procedure Waivers	Waivers as % of SAPs
2026/27 YTD	112	3	2.7%
2025/26	209	6	2.9%

5. Alternative Options Considered:

- 5.1. Not applicable.

6. Contribution to Council Priorities:

- 6.1. Each contract put in place through the waiver process should contribute to the Council's Community and Corporate Plan, strategic priorities and any major policies.

7. Consultation and Engagement:

- 7.1. The requirement to undertake consultation applies, where relevant, to contracts put in place through the waiver process.

8. Implications:

Financial Implications:

- 8.1. The main financial implication of waiving requirements to follow Contract Procedures is ensuring the Council achieves best value where a direct award of a grant or contract is approved through the waiver process. The requesting officer is required to explain what they have done to ensure the contract will deliver best value and also, where applicable, identify any social value the supplier will deliver under the contract.

Legal Implications:

- 8.2. Requests to direct award above threshold contracts may only be approved where one or more of the specific circumstances permitting a direct award under the Procurement Act 2023 are met.
- 8.3. For direct awards, where applicable to the contract, the requesting officer is required to confirm within their request that they have addressed supplier compliance with Data Protection Regulations.
- 8.4. Approval to use alternative terms and conditions may be subject to the supplier making amendments to the proposed terms.

Corporate Parenting/Children and Young People:

- 8.5. Direct or indirect impact on children and young people, including care experienced children and young people would specifically relate, as applicable, to individual contracts put in place as the result of an approved waiver.

Associated Risks, Risk Tolerance Level and Mitigations:

- 8.6. The requesting officer is required to set out any risks associated with the approval or non-approval of their request to waive the requirements of Contract Procedures.

Contributions to tackling climate change or achieving carbon neutrality:

- 8.7. The requirement to include climate change considerations applies, in accordance with Council policy, to contracts put in place through the waiver process.

Social Value Considerations:

- 8.8. The requirement to include social value considerations applies, in accordance with Council policy, to contracts put in place through the waiver process.

Procurement Implications:

- 8.9. The requesting officer is required to ensure that all relevant aspects of Contract Procedures, other than that for which the exemption is being sought, are complied with.

Other Implications:

- 8.10. There are no other implications.

9. Equalities Impact Assessment:

- 9.1. The requirement to undertake Equality Impact Assessments applies to contracts put in place through the waiver process.

10. Cumulative Council Impact:

- 10.1. None

11. Cumulative Community Impact:

- 11.1. None

12. Monitoring and Evaluation:

- 12.1. Not applicable.

Appendices:

Appendix 1 - Adult. Community and Customer Services Report:

Table 1 shows the total value and number of waivers by type for the first 6 months of 2026/27, including their approval status: approved, cancelled, declined, or in progress.

2026/27	Approved		Cancelled		Declined		In Progress		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Value	No.	Value	No.
Request to Amend a Waiver	-	-	-	-	-	-	£190,320	1	£190,320	1
Request to Run Alternative Procurement Procedure	-	-	-	-	£37,000	1	-	-	£37,000	1
Request to Use Alternative Terms and Conditions	£30,850	1	-	-	-	-	-	-	£30,850	1
Request to Use Off Contract Agency Supplier	-	-	£34,434	1	-	-	-	-	£34,434	1
2026/27 Grand Total	£30,850	1	£34,434	1	£37,000	1	£190,320	1	£292,604	4

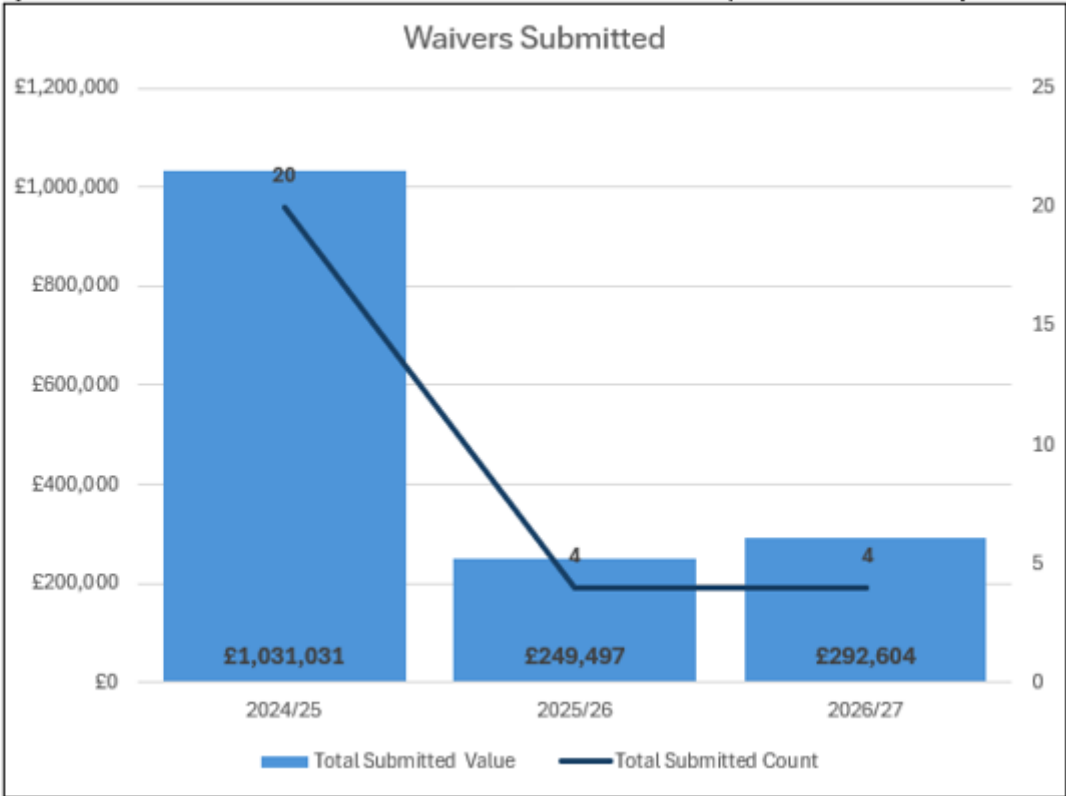
Table 2 shows the total value and number of waivers by type for FY 2025/26, including their approval status: approved, cancelled, or declined.

2025/26	Approved		Cancelled		Declined		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Total Value	No.
Request to Amend a Waiver	£152,256	1	-	-	-	-	£152,256	1
Request to Run Alternative Procurement Procedure	-	-	-	-	-	-	£0	0
Request to Use Alternative Terms and Conditions	£95,621	2	-	-	-	-	£95,621	2
Request to Use Off Contract Agency Supplier	£1,620	1	-	-	-	-	£1,620	1
2025/26 Grand Total	£249,497	4	-	-	-	-	£249,497	4

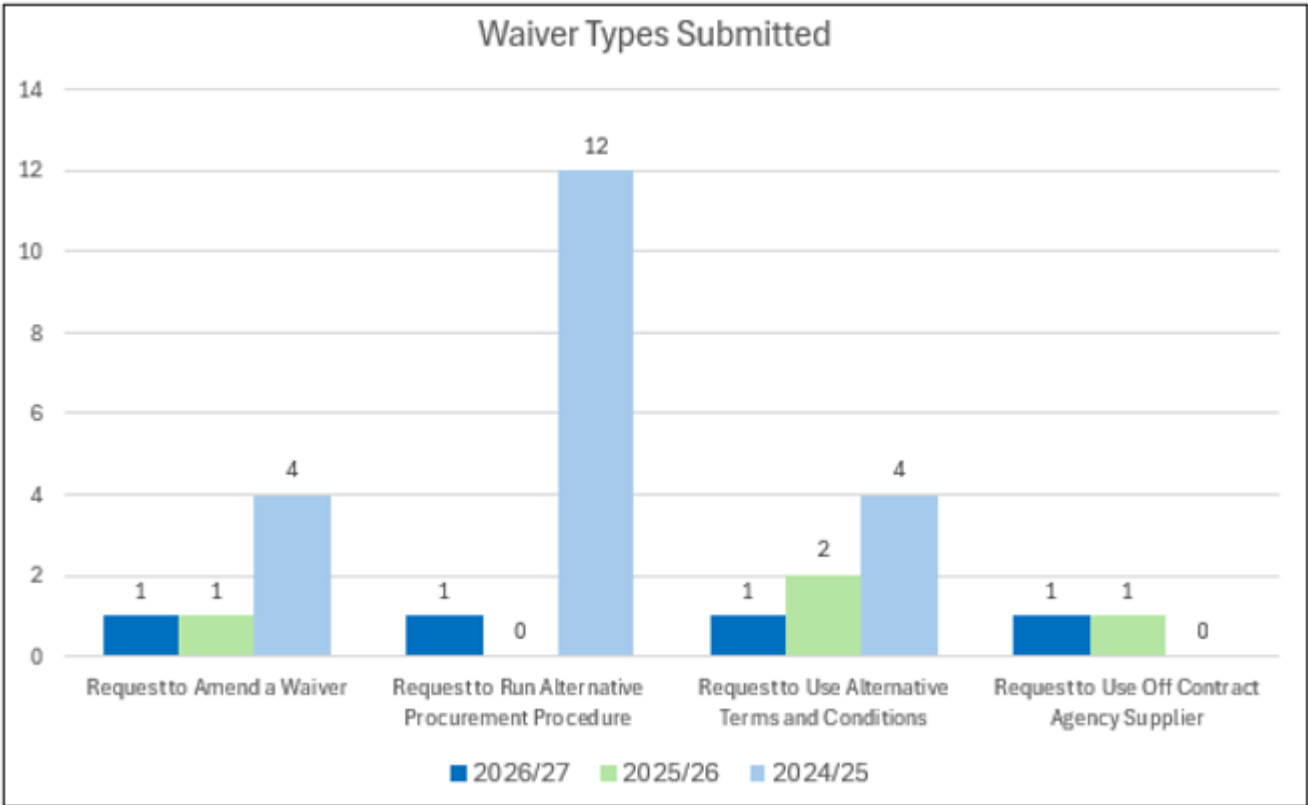
Table 3 shows the total value and number of waivers by type for FY 2024/25, including their approval status: approved, cancelled, or declined.

2024/25	Approved		Cancelled		Declined		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Total Value	No.
Request to Amend a Waiver	£88,575	4	-	-	-	-	£88,575	4
Request to Run Alternative Procurement Procedure	£828,271	11	£10,000	1	-	-	£838,271	12
Request to Use Alternative Terms and Conditions	£104,185	4	-	-	-	-	£104,185	4
Request to Use Off Contract Agency Supplier	-	-	-	-	-	-	£0	0
2024/25 Grand Total	£1,021,031	19	£10,000	1	£0	0	£1,031,031	20

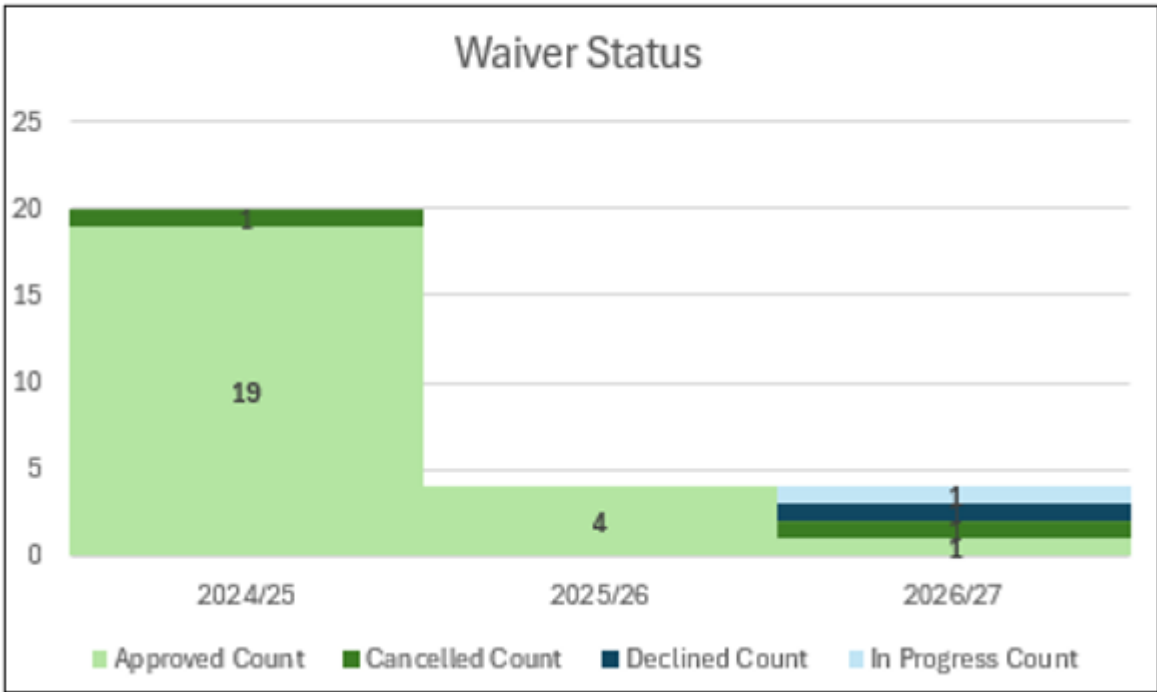
Graph 1 displays the total value and number of waivers submitted over the past three financial years.



Graph 2 displays total count by waiver type for the past three financial years.



Graph 3 displays total count by waiver status for the last three financial years.



Appendix 2 - Children's Services Reports:

Table 1 shows the total value and number of waivers by type for the first 6 months of 2026/27, including their approval status: approved, cancelled, declined, or in progress.

2026/27	Approved		Cancelled		Declined		In Progress		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Value	No.	Value	No.
Request to Amend a Waiver	-	-	-	-	-	-	-	-	£0	0
Request to Run Alternative Procurement Procedure	-	-	-	-	-	-	-	-	£0	0
Request to Use Alternative Terms and Conditions	£30,250	2	-	-	-	-	-	-	£30,250	2
Request to Use Off Contract Agency Supplier	-	-	-	-	-	-	-	-	-	0
2026/27 Grand Total	£30,250	2	£0	0	£0	0	£0	0	£30,250	2

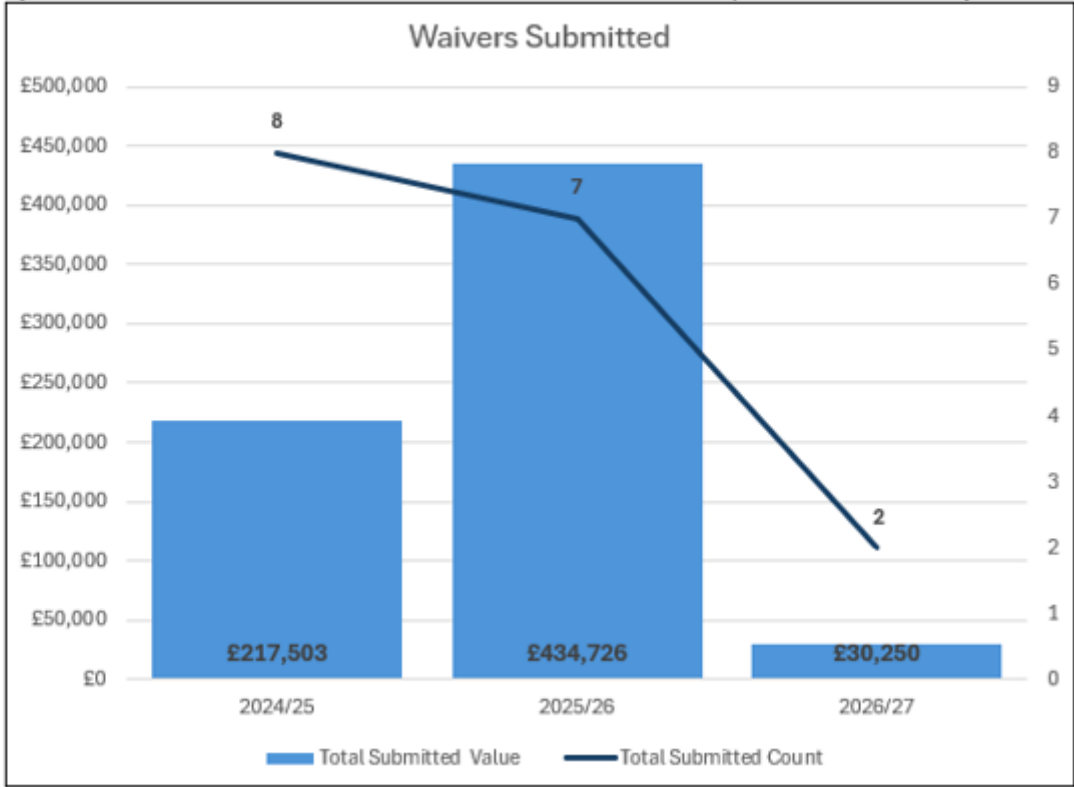
Table 2 shows the total value and number of waivers by type for FY 2025/26, including their approval status: approved, cancelled, or declined.

2025/26	Approved		Cancelled		Declined		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Total Value	No.
Request to Amend a Waiver	-	-	-	-	-	-	£0	0
Request to Run Alternative Procurement Procedure	-	-	-	-	-	-	£0	0
Request to Use Alternative Terms and Conditions	£389,486	6	-	-	-	-	£389,486	6
Request to Use Off Contract Agency Supplier	£45,240	1	-	-	-	-	£45,240	1
2025/26 Grand Total	£434,726	7	£0	0	£0	0	£434,726	7

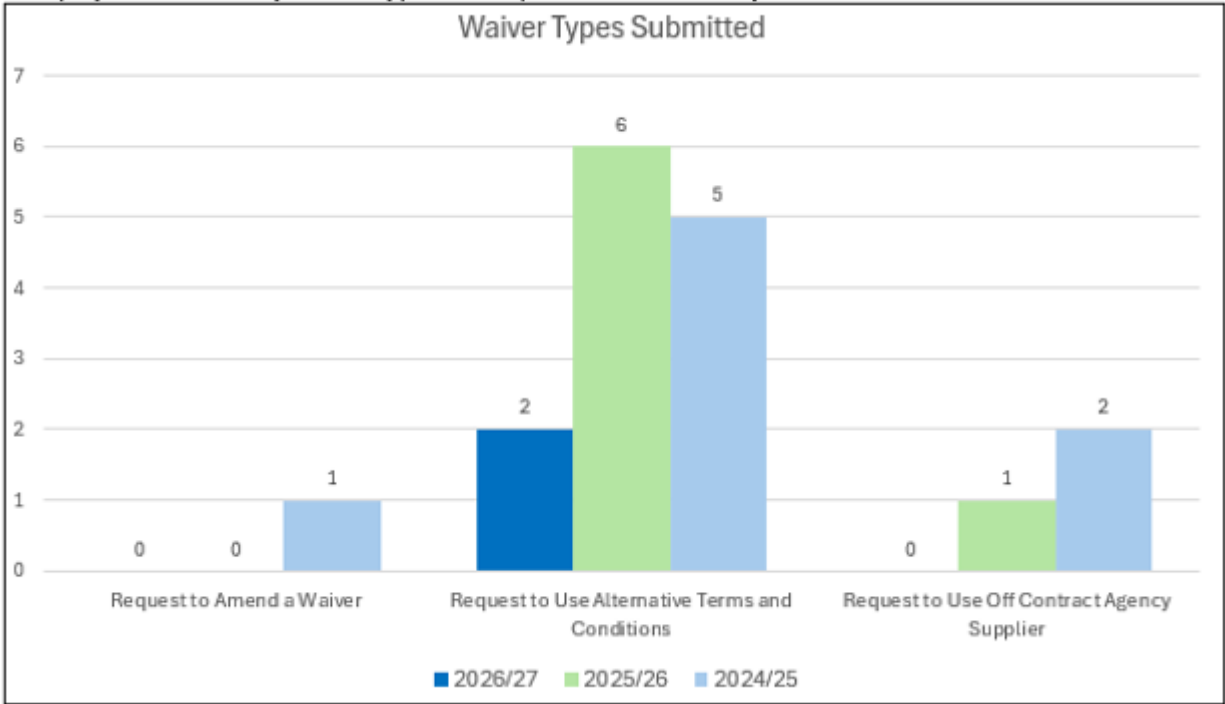
Table 3 shows the total value and number of waivers by type for FY 2024/25, including their approval status: approved, cancelled, or declined.

2024/25	Approved		Cancelled		Declined		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Value	No.
Request to Amend a Waiver	£83,928	1	-	-	-	-	£83,928	1
Request to Run Alternative Procurement Procedure	-	-	-	-	-	-	£0	0
Request to Use Alternative Terms and Conditions	£29,805	4	£22,395	1	-	-	£52,200	5
Request to Use Off Contract Agency Supplier	£81,375	2	-	-	-	-	£81,375	2
2024/25 Grand Total	£195,108	7	£22,395	1	£0	0	£217,503	8

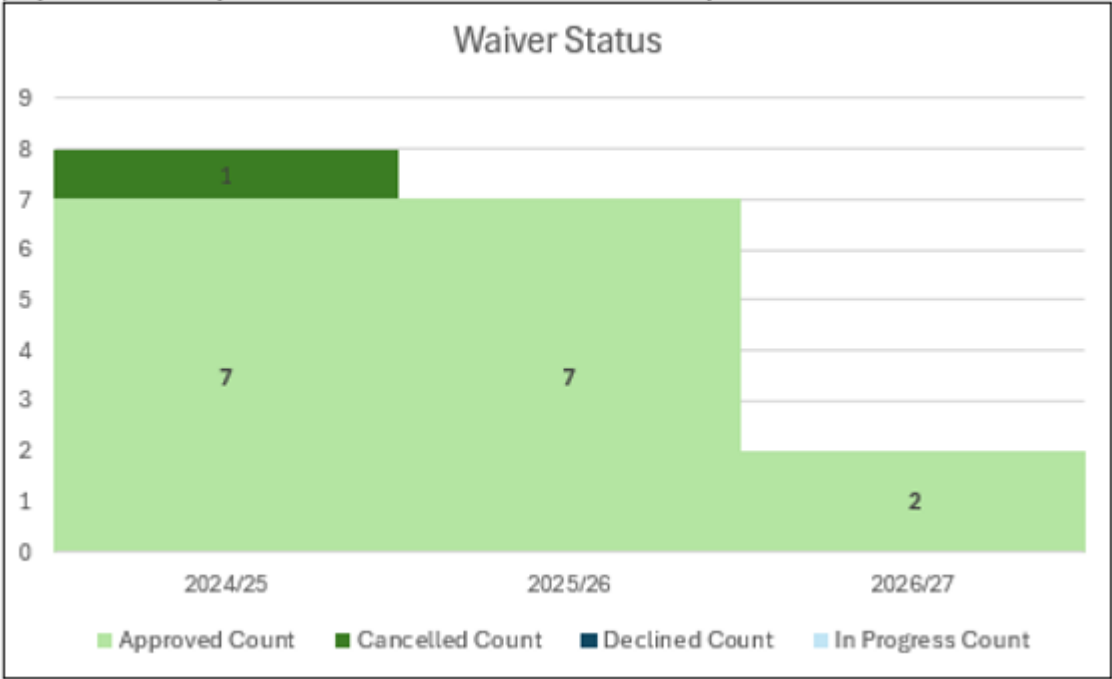
Graph 1 displays the total value and number of waivers submitted over the past three financial years.



Graph 2 displays total count by waiver type for the past three financial years.



Graph 3 displays total count by waiver status for the last three financial years.



Appendix 3 - Corporate Services Reports:

Table 1 shows the total value and number of waivers by type for the first 6 months of 2026/27, including their approval status: approved, cancelled, declined, or in progress.

2026/27	Approved		Cancelled		Declined		In Progress		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Value	No.	Value	No.
Request to Amend a Waiver	-	-	-	-	-	-	-	-	£0	0
Request to Run Alternative Procurement Procedure	-	-	-	-	-	-	-	-	£0	0
Request to Use Alternative Terms and Conditions	£240,501	3	-	-	-	-	-	-	£240,501	3
Request to Use Off Contract Agency Supplier	-	-	-	-	-	-	£55,690	1	£55,690	1
2026/27 Grand Total	£240,501	3	£0	0	£0	0	£55,690	1	£296,191	4

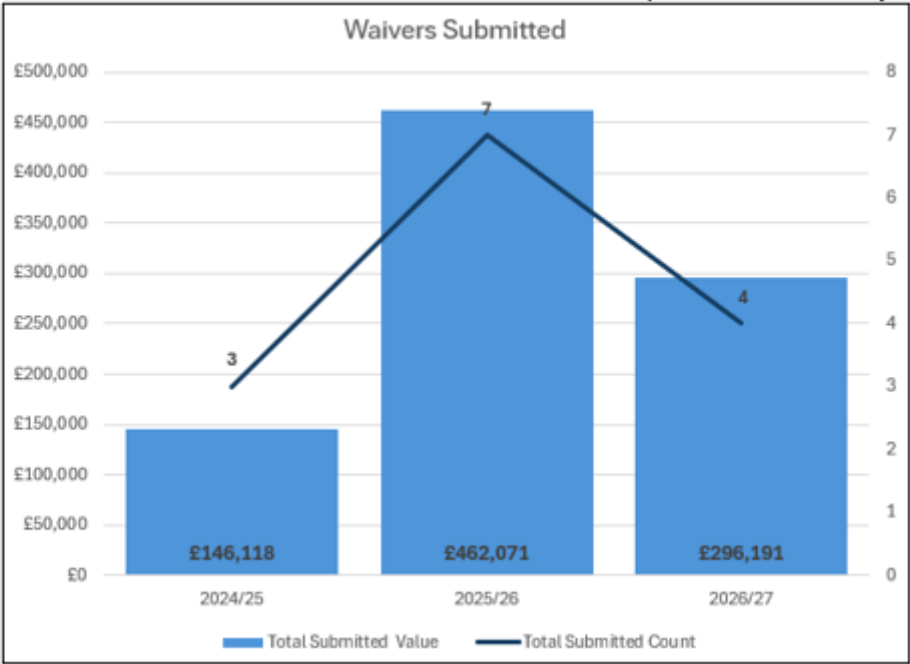
Table 2 shows the total value and number of waivers by type for FY 2025/26, including their approval status: approved, cancelled, or declined.

2025/26	Approved		Cancelled		Declined		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Value	No.
Request to Amend a Waiver	-	-	£0	-	-	-	£0	0
Request to Run Alternative Procurement Procedure	-	-	-	-	-	-	£0	0
Request to Use Alternative Terms and Conditions	£168,307	4	£253,212	2	-	-	£421,519	6
Request to Use Off Contract Agency Supplier	£40,552	1	-	-	-	-	£40,552	1
2025/26 Grand Total	£208,859	5	£253,212	2	£0	-	£462,071	7

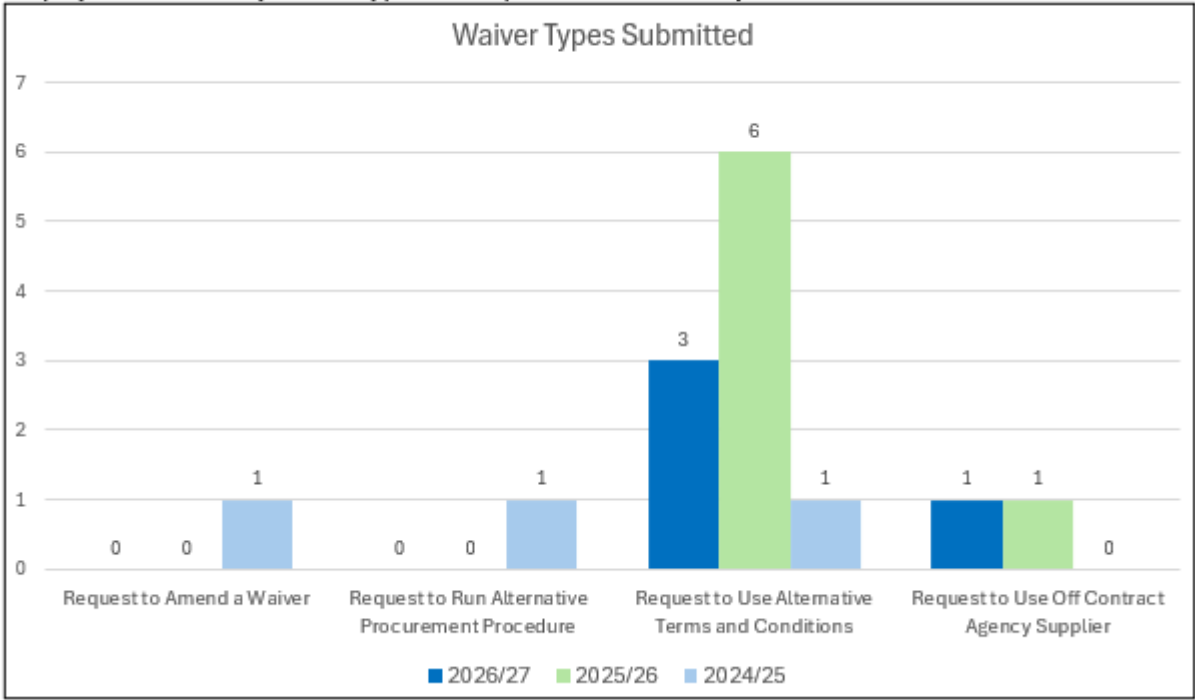
Table 3 shows the total value and number of waivers by type for FY 2024/25, including their approval status: approved, cancelled, or declined.

2024/25	Approved		Cancelled		Declined		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Total Value	No.
Request to Amend a Waiver	£48,000	1	-	-	-	-	£48,000	1
Request to Direct Award a Grant	-	-	-	-	-	-	£0	0
Request to Run Alternative Procurement Procedure	-	-	£84,764	1	-	-	£84,764	1
Request to Use Alternative Terms and Conditions	£13,354	1	-	-	-	-	£13,354	1
Request to Use Off Contract Agency Supplier	-	-	-	-	-	-	£0	0
2024/25 Grand Total	£61,354	2	£84,764	1	£0	-	£146,118	3

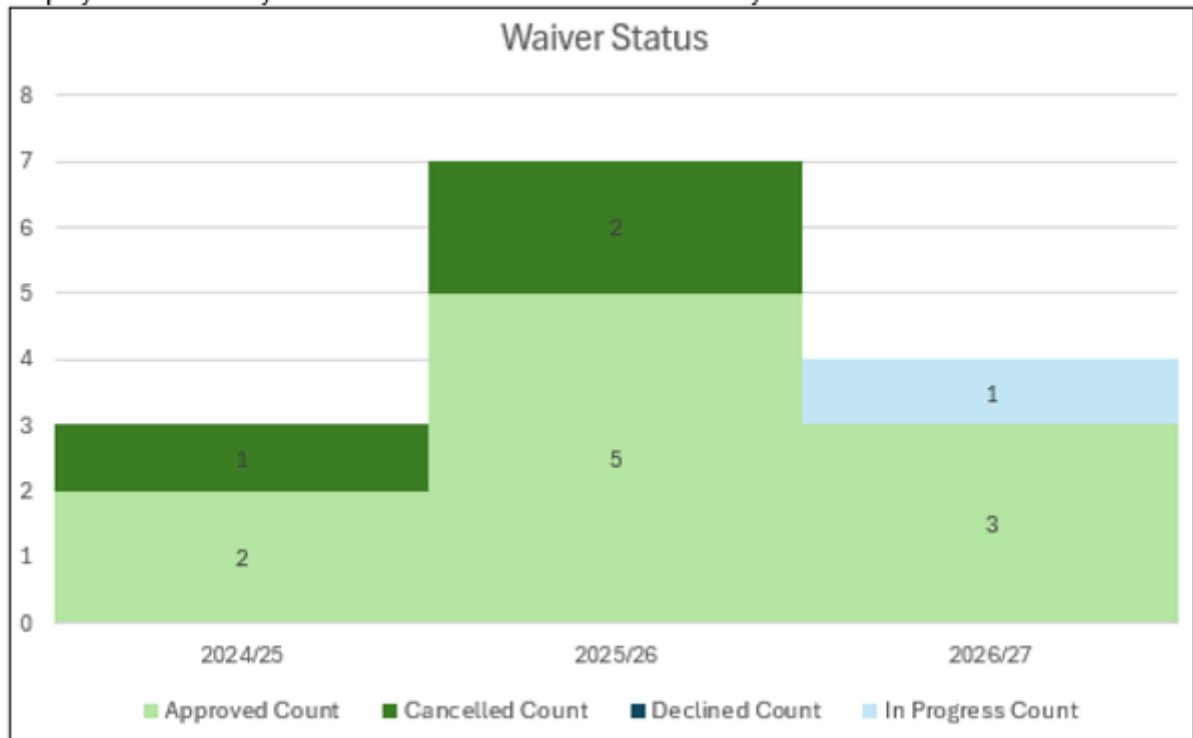
Graph 1 displays the total value and number of waivers submitted over the past three financial years.



Graph 2 displays total count by waiver type for the past three financial years.



Graph 3 displays total count by waiver status for the last three financial years.



Appendix 4 - Finance Reports

Table 1 shows the total value and number of waivers by type for the first 6 months of 2026/27, including their approval status: approved, cancelled, declined, or in progress.

2026/27	Approved		Cancelled		Declined		In Progress		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Value	No.	Value	No.
Request to Amend a Waiver	-	-	-	-	-	-	-	-	£0	0
Request to Run Alternative Procurement Procedure	-	-	-	-	-	-	-	-	£0	0
Request to Use Alternative Terms and Conditions	£243,960	3	-	-	-	-	£80,000	1	£323,960	4
Request to Use Off Contract Agency Supplier	£220,460	4	-	-	-	-	£34,701	1	£255,161	5
2026/27 Grand Total	£464,420	7	£0	0	£0	0	£114,701	2	£579,121	9

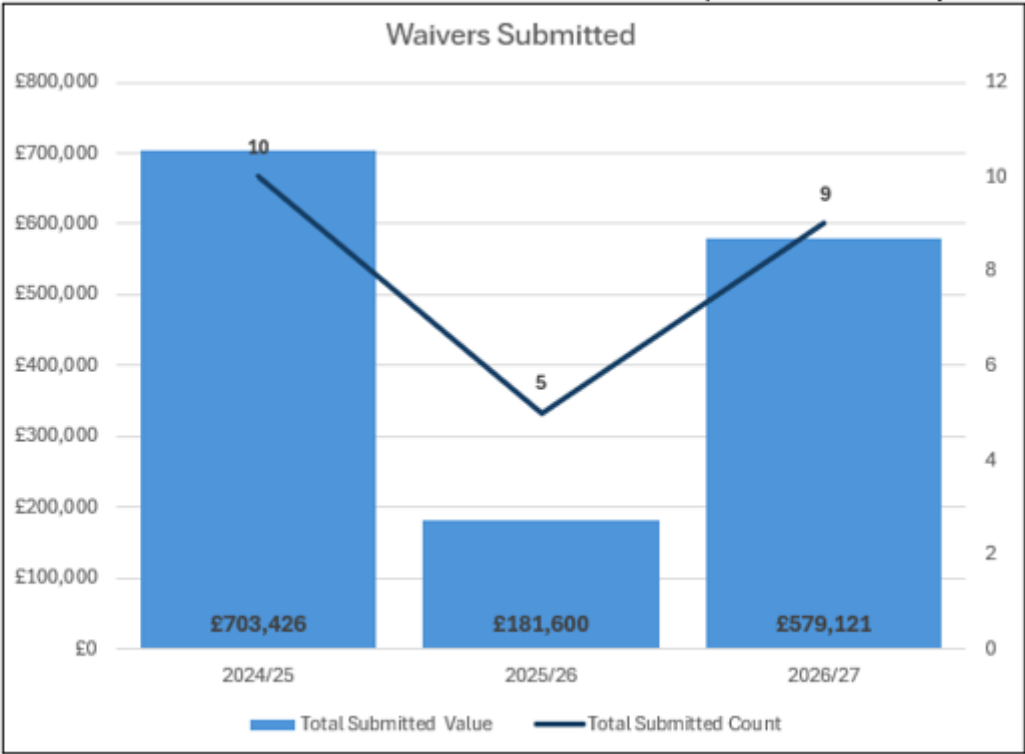
Table 2 shows the total value and number of waivers by type for FY 2025/26, including their approval status: approved, cancelled, or declined.

2025/26	Approved		Cancelled		Declined		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Value	No.
Request to Amend a Waiver	£70,422	1	£75,000	1	-	-	£145,422	2
Request to Run Alternative Procurement Procedure	-	-	-	-	-	-	£0	0
Request to Use Alternative Terms and Conditions	£36,178	3	-	-	-	-	£36,178	3
Request to Use Off Contract Agency Supplier	-	-	-	-	-	-	£0	0
2025/26 Grand Total	£106,600	4	£75,000	1	£0	0	£181,600	5

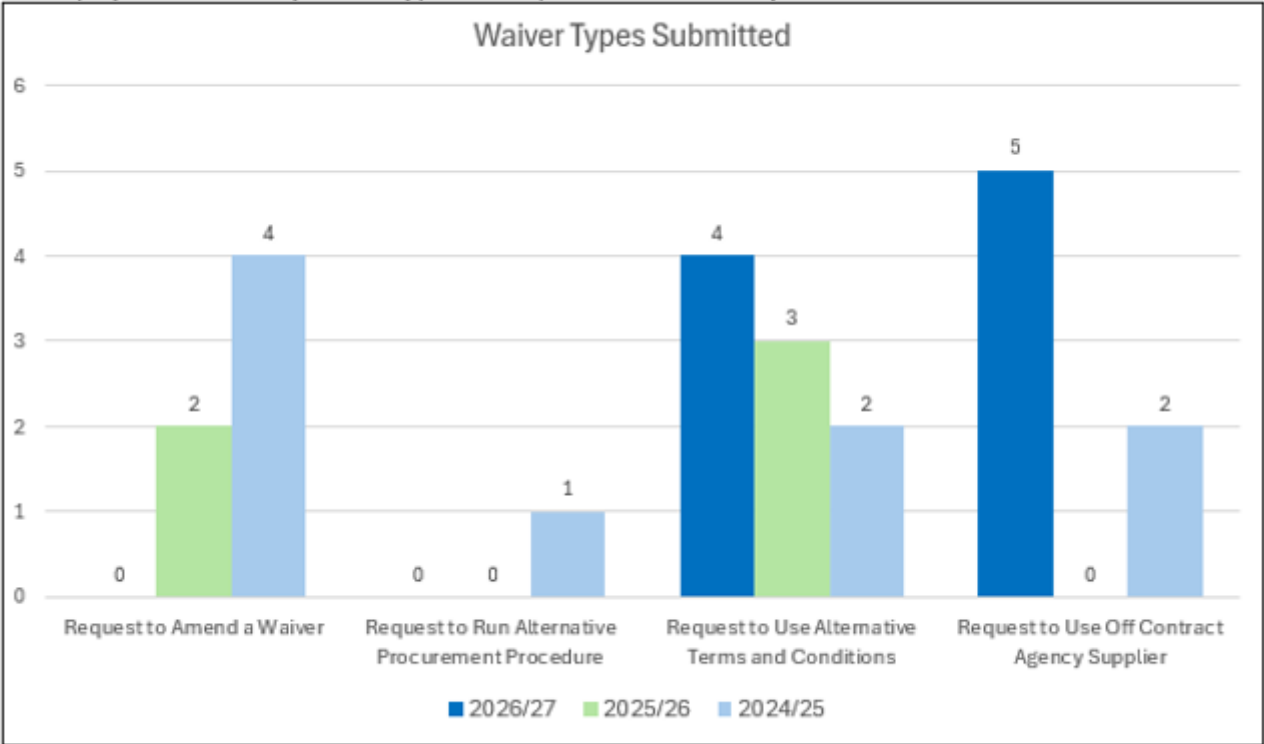
Table 3 shows the total value and number of waivers by type for FY 2024/25, including their approval status: approved, cancelled, or declined.

2024/25	Approved		Cancelled		Declined		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Value	No.
Request to Amend a Waiver	£244,645	4	-	-	-	-	£244,645	4
Request to Direct Award a Grant	£338,992	1	-	-	-	-	£338,992	1
Request to Run Alternative Procurement Procedure	£24,438	1	-	-	-	-	£24,438	1
Request to Use Alternative Terms and Conditions	£57,341	2	-	-	-	-	£57,341	2
Request to Use Off Contract Agency Supplier	£38,010	2	-	-	-	-	£38,010	2
2024/25 Grand Total	£703,426	10	£0	0	£0	0	£703,426	10

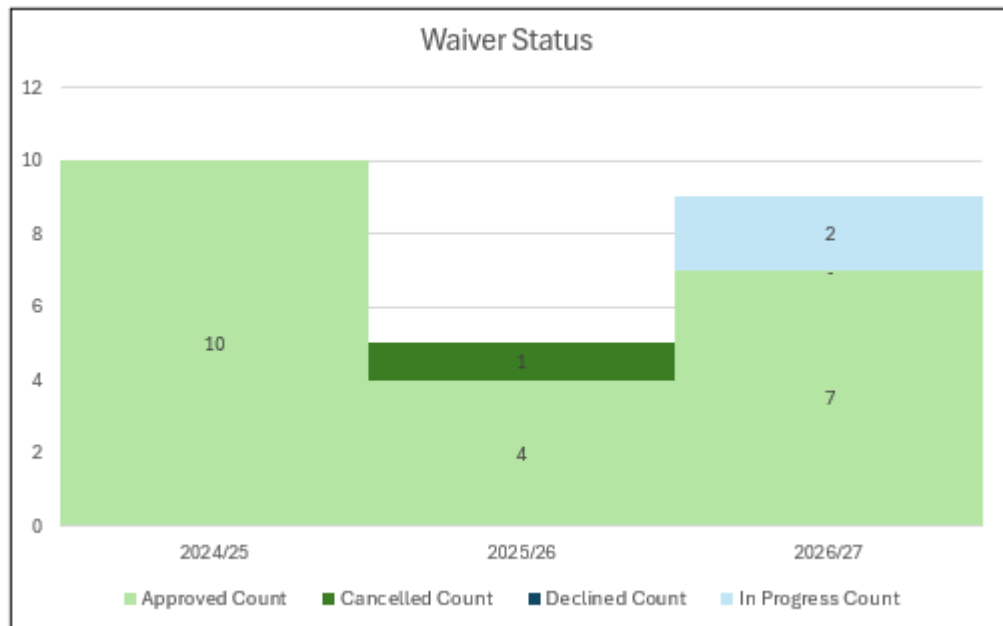
Graph 1 displays the total value and number of waivers submitted over the past three financial years.



Graph 2 displays total count by waiver type for the past three financial years.



Graph 3 displays total count by waiver status for the last three financial years.



Appendix 5 - Place Delivery Reports

Table 1 shows the total value and number of waivers by type for the first 6 months of 2026/27, including their approval status: approved, cancelled, declined, or in progress.

2026/27	Approved		Cancelled		Declined		In Progress		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Value	No.	Value	No.
Request to Amend a Waiver	-	-	-	-	-	-	-	-	£0	0
Request to Run Alternative Procurement Procedure	£4,500,000	1	-	-	-	-	-	-	£4,500,000	1
Request to Use Alternative Terms and Conditions	£1,750	1	-	-	-	-	-	-	£1,750	1
Request to Use Off Contract Agency Supplier	-	-	-	-	-	-	-	-	£0	0
2026/27 Grand Total	£4,501,750	2	£0	0	£0	0	£0	0	£4,501,750	2

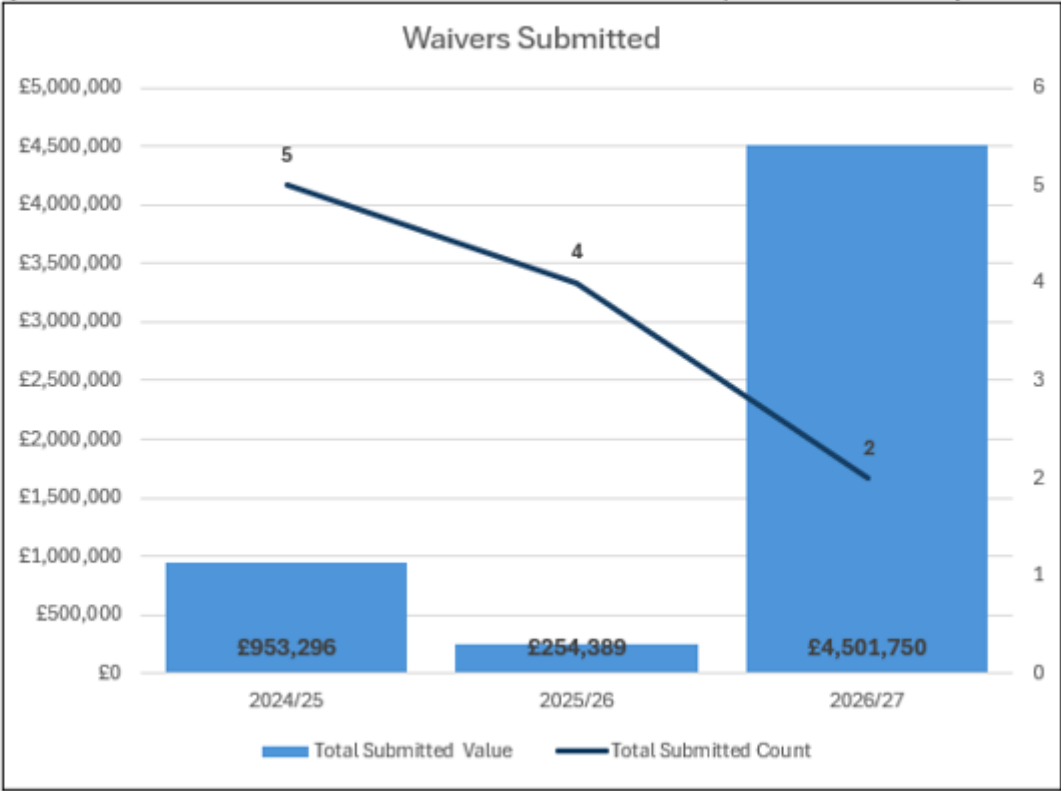
Table 2 shows the total value and number of waivers by type for FY 2025/26, including their approval status: approved, cancelled, or declined.

2025/26	Approved		Cancelled		Declined		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Value	No.
Request to Amend a Waiver	-	-	-	-	-	-	£0	0
Request to Run Alternative Procurement Procedure	£75,000	1	-	-	£166,500	1	£241,500	2
Request to Use Alternative Terms and Conditions	£12,889	2	-	-	-	-	£12,889	2
Request to Use Off Contract Agency Supplier	-	-	-	-	-	-	£0	0
2025/26 Grand Total	£87,889	3	£0	-	£166,500	1	£254,389	4

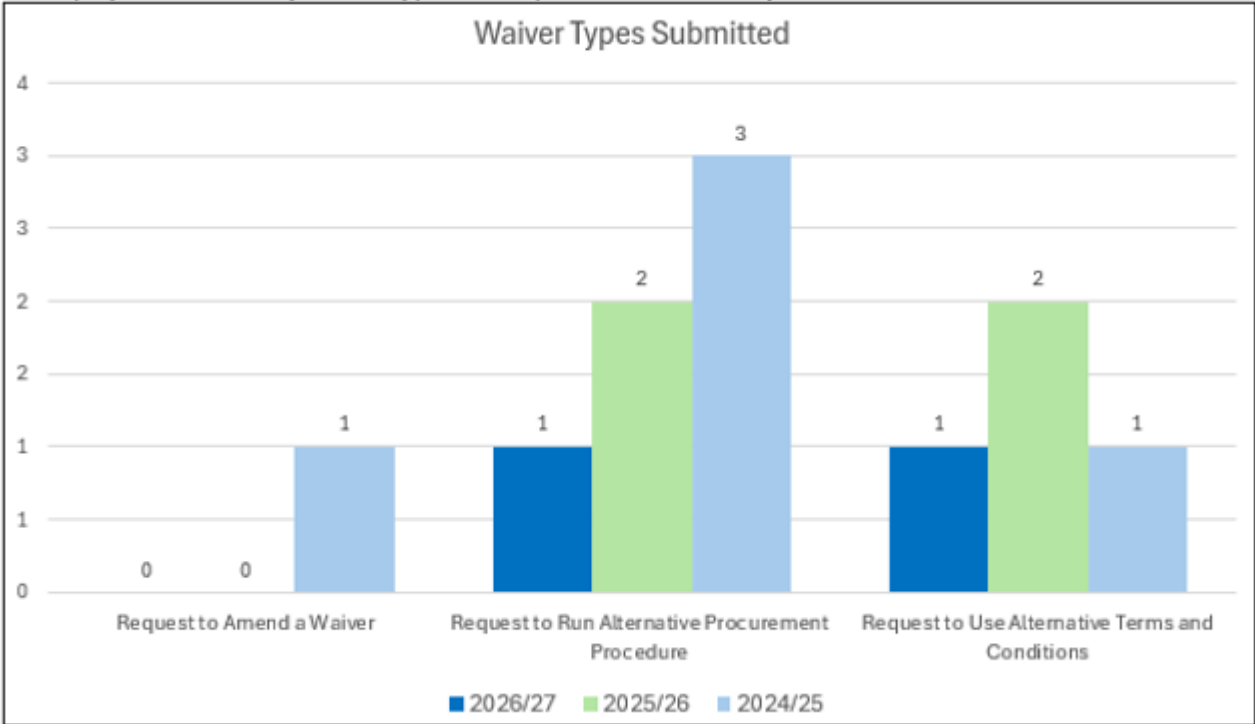
Table 3 shows the total value and number of waivers by type for FY 2024/25, including their approval status: approved, cancelled, or declined.

2024/25	Approved		Cancelled		Declined		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Value	No.
Request to Amend a Waiver	£260,996	1	-	-	-	-	£260,996	1
Request to Run Alternative Procurement Procedure	£85,000	1	£603,000	2	-	-	£688,000	3
Request to Use Alternative Terms and Conditions	£4,300	1	-	-	-	-	£4,300	1
Request to Use Off Contract Agency Supplier	-	-	-	-	-	-	£0	0
2024/25 Grand Total	£350,296	3	£603,000	2	£0	-	£953,296	5

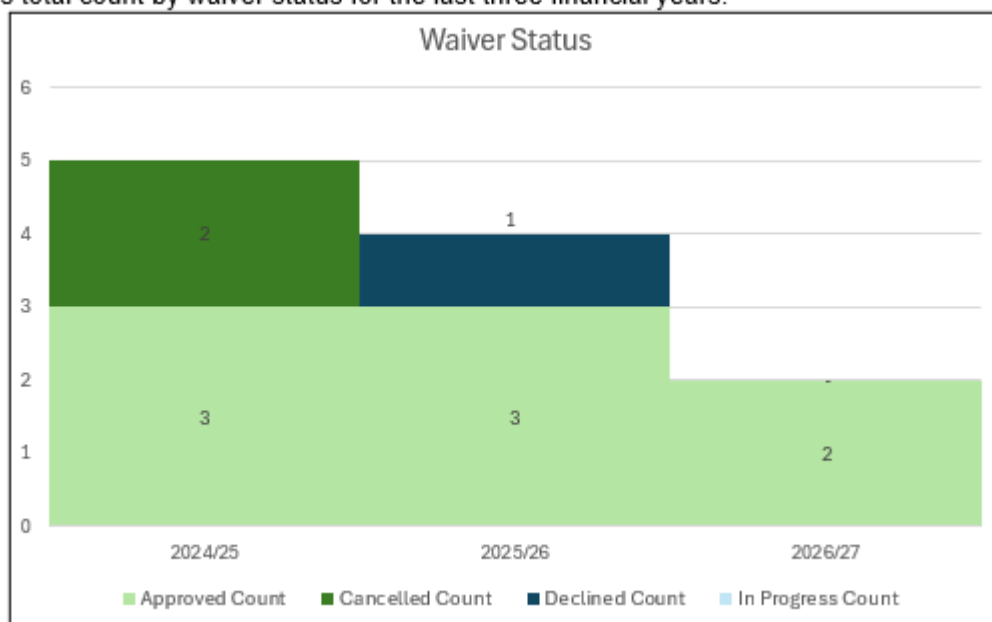
Graph 1 displays the total value and number of waivers submitted over the past three financial years.



Graph 2 displays total count by waiver type for the past three financial years.



Graph 3 displays total count by waiver status for the last three financial years.



Appendix 6 - Pride in Place Reports

Table 1 shows the total value and number of waivers by type for the first 6 months of 2026/27, including their approval status: approved, cancelled, declined, or in progress.

2026/27	Approved		Cancelled		Declined		In Progress		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Value	No.	Value	No.
Request to Amend a Waiver	-	-	-	-	-	-	-	-	£0	0
Request to Run Alternative Procurement Procedure	-	-	-	-	£179,000	1	-	-	£179,000	1
Request to Use Alternative Terms and Conditions	£1,027,366	3	-	-	-	-	-	-	£1,027,366	3
Request to Use Off Contract Agency Supplier	-	-	-	-	-	-	-	-	£0	0
2026/27 Grand Total	£1,027,366	3			£179,000	1	-	-	£1,206,366	4

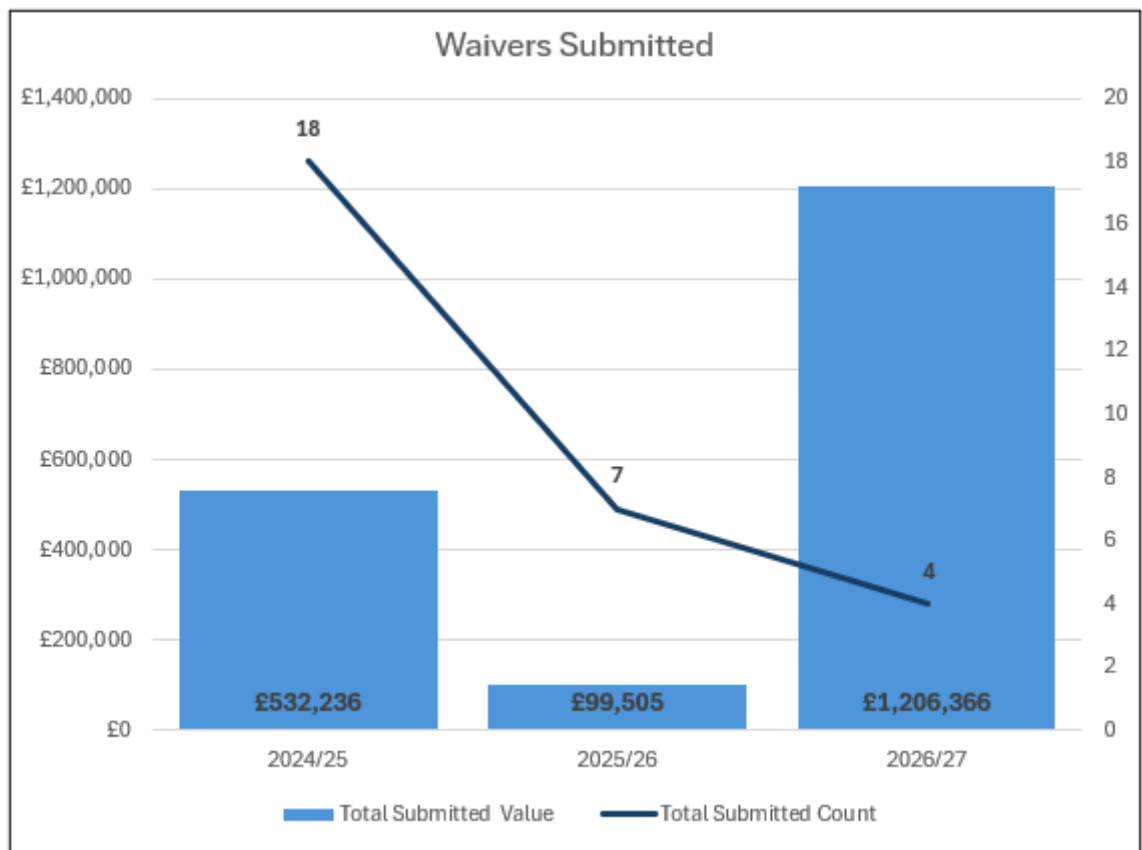
Table 2 shows the total value and number of waivers by type for FY 2025/26, including their approval status: approved, cancelled, or declined.

2025/26	Approved		Cancelled		Declined		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Value	No.
Request to Amend a Waiver	-	-	-	-	-	-	£0	0
Request to Run Alternative Procurement Procedure	-	-	-	-	-	-	£0	0
Request to Use Alternative Terms and Conditions	£66,205	6	-	-	£33,300	1	£99,505	7
Request to Use Off Contract Agency Supplier	-	-	-	-	-	-	£0	0
2025/26 Grand Total	£66,205	6	£0	-	£33,300	1	£99,505	7

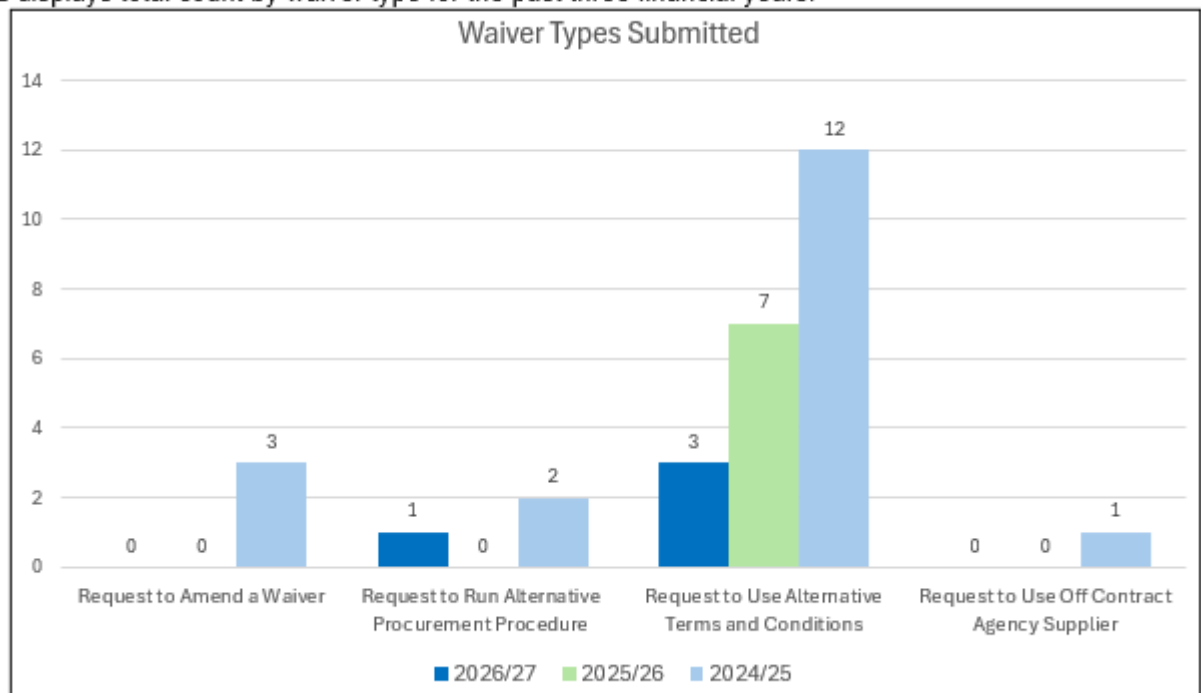
Table 3 shows the total value and number of waivers by type for FY 2024/25, including their approval status: approved, cancelled, or declined.

2024/25	Approved		Cancelled		Declined		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Value	No.
Request to Amend a Waiver	£224,412	3	-	-	-	-	£224,412	3
Request to Run Alternative Procurement Procedure	£92,610	2	-	-	-	-	£92,610	2
Request to Use Alternative Terms and Conditions	£150,214	12	-	-	-	-	£150,214	12
Request to Use Off Contract Agency Supplier	£65,000	1	-	-	-	-	£65,000	1
2024/25 Grand Total	£532,236	18	£0	0	£0	-	£532,236	18

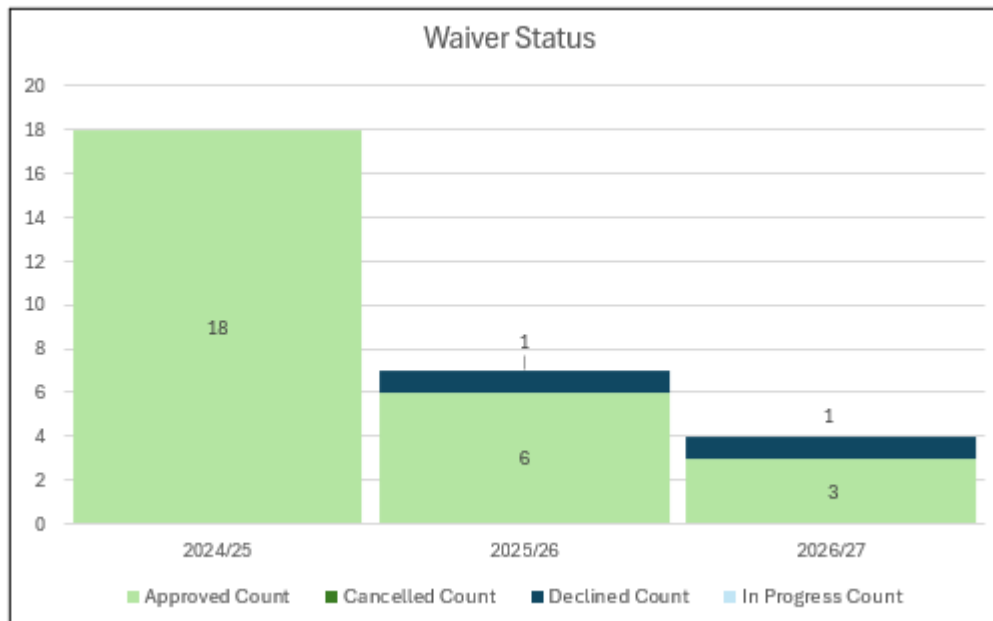
Graph 1 displays the total value and number of waivers submitted over the past three financial years.



Graph 2 displays total count by waiver type for the past three financial years.



Graph 3 displays total count by waiver status for the past three financial years.



Appendix 7 - Public Health

Table 1 shows the total value and number of waivers by type for the first 6 months of 2026/27, including their approval status: approved, cancelled, declined, or in progress.

2026/27	Approved		Cancelled		Declined		In Progress		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Value	No.	Value	No.
Request to Amend a Waiver	-	-	-	-	-	-	-	-	£0	0
Request to Run Alternative Procurement Procedure	-	-	-	-	-	-	-	-	£0	0
Request to Use Alternative Terms and Conditions	£53,375	2	-	-	-	-	-	-	£53,375	2
Request to Use Off Contract Agency Supplier	-	-	-	-	-	-	-	-	£0	0
2026/27 Grand Total	£53,375	2	£0	0	£0	0	£0	0	£53,375	2

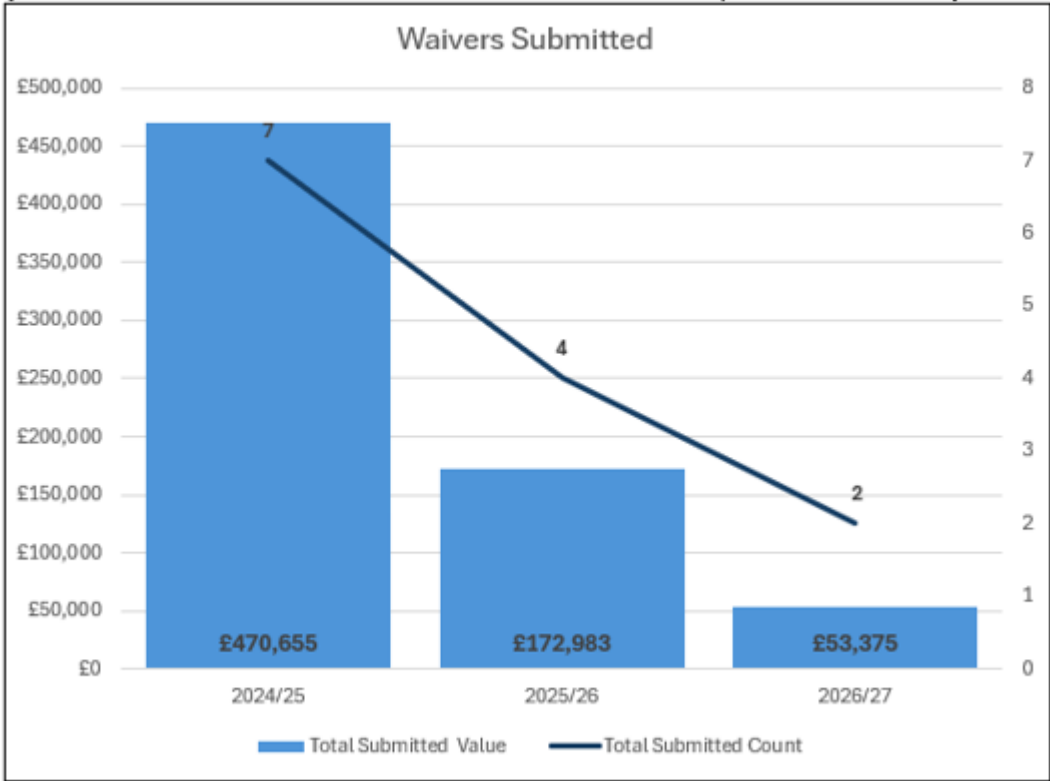
Table 2 shows the total value and number of waivers by type for FY 2025/26, including their approval status: approved, cancelled, or declined.

2025/26	Approved		Cancelled		Declined		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Value	No.
Request to Amend a Waiver	-	-	-	-	-	-	£0	0
Request to Run Alternative Procurement Procedure	£161,596	3	-	-	-	-	£161,596	3
Request to Use Alternative Terms and Conditions	£11,387	1	-	-	-	-	£11,387	1
Request to Use Off Contract Agency Supplier	-	-	-	-	-	-	£0	0
2025/26 Grand Total	£172,983	4	£0	-	£0	0	£172,983	4

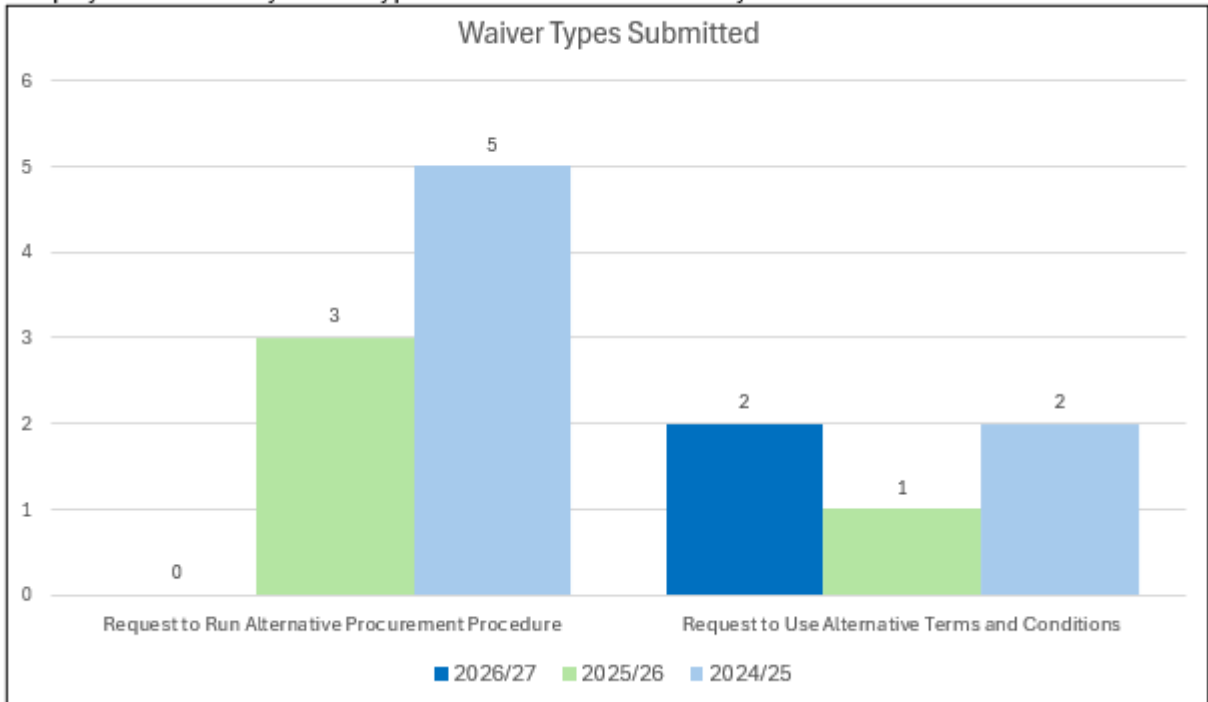
Table 3 shows the total value and number of waivers by type for FY 2024/25, including their approval status: approved, cancelled, or declined.

2024/25	Approved		Cancelled		Declined		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Value	No.
Request to Amend a Waiver	-	-	-	-	-	-	£0	0
Request to Run Alternative Procurement Procedure	£342,850	4	£105,000	1	-	-	£447,850	5
Request to Use Alternative Terms and Conditions	£22,805	2	-	-	-	-	£22,805	2
Request to Use Off Contract Agency Supplier	-	-	-	-	-	-	£0	0
2024/25 Grand Total	£365,655	6	£105,000	1	£0.00	0	£470,655	7

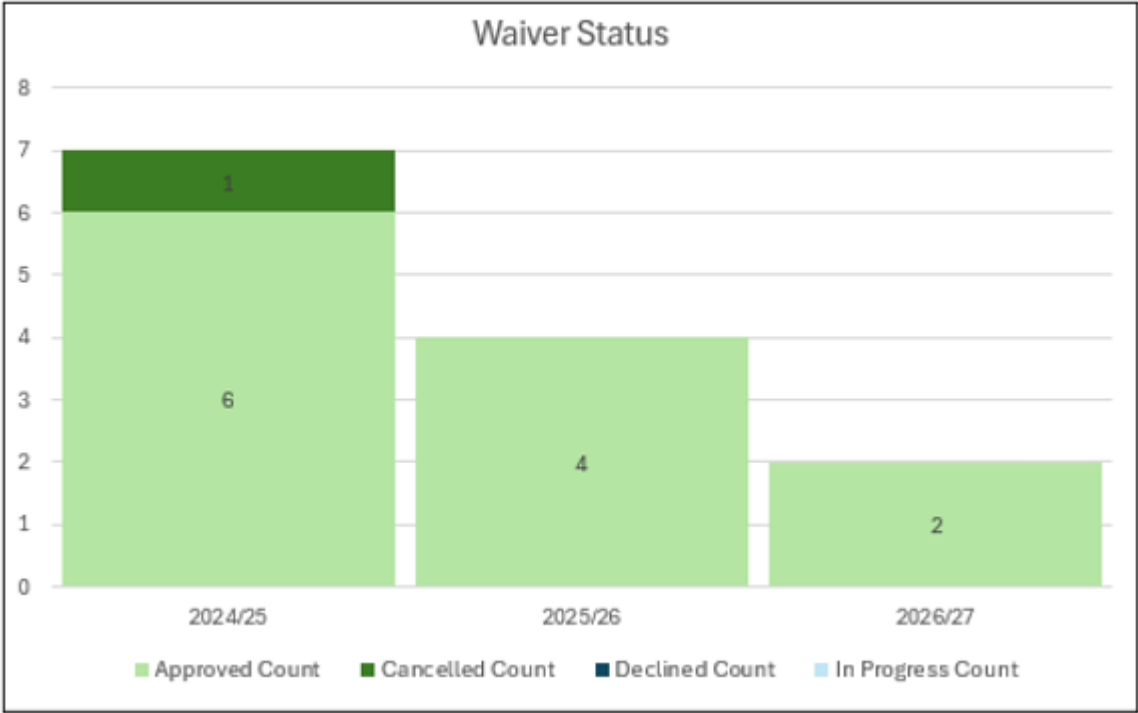
Graph 1 displays the total value and number of waivers submitted over the past three financial years.



Graph 2 displays total count by waiver type for the last three financial years.



Graph 3 displays total count by waiver status for the last three financial years.



Appendix 8 - SWISCo Reports

Table 1 shows the total value and number of waivers by type for the first 6 months of 2026/27, including their approval status: approved, cancelled, declined, or in progress.

2026/27	Approved		Cancelled		Declined		In Progress		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Value	No.	Value	No.
Request to Amend a Waiver	-	-	-	-	-	-	-	-	£0	0
Request to Run Alternative Procurement Procedure	-	-	-	-	-	-	-	-	£0	0
Request to Use Alternative Terms and Conditions	£304,424	2	-	-	-	-	£150,000	1	£454,424	3
Request to Use Off Contract Agency Supplier	-	-	-	-	-	-	-	-	£0	0
2026/27 Grand Total	£304,424	2	£0	0	£0	0	£150,000	1	£454,424	3

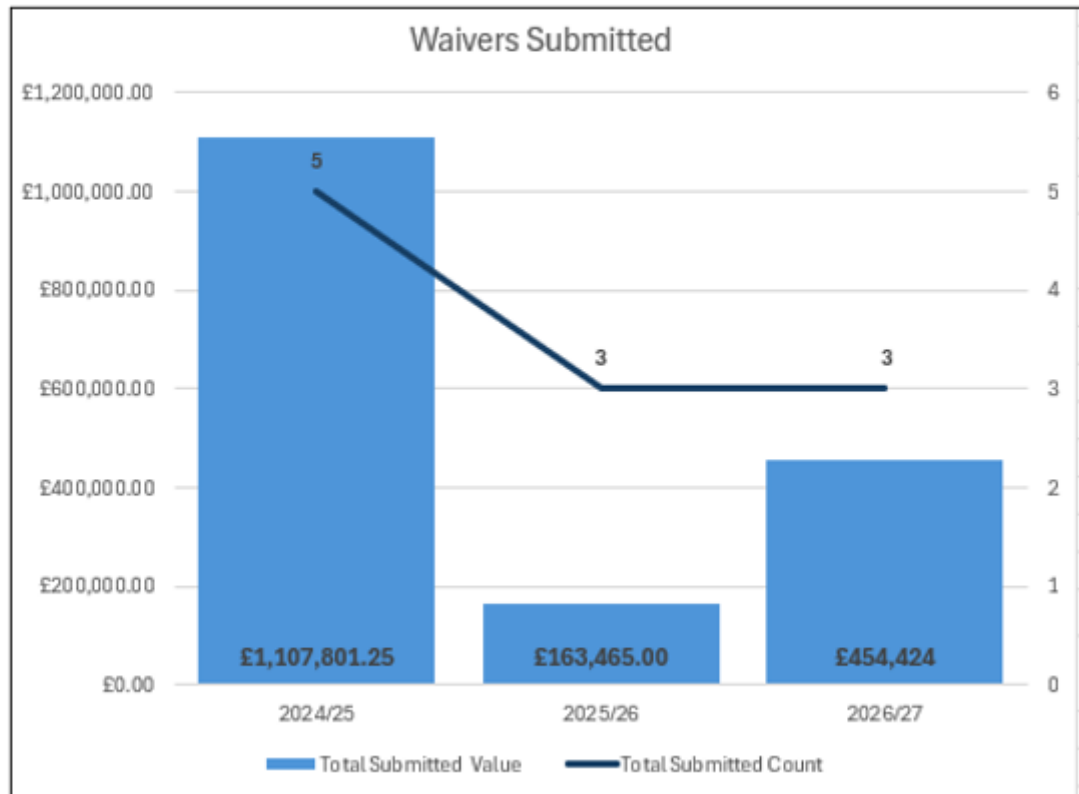
Table 2 shows the total value and number of waivers by type for FY 2025/26, including their approval status: approved, cancelled, or declined.

2025/26	Approved		Cancelled		Declined		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Value	No.
Request to Amend a Waiver	-	-	-	-	-	-	£0	0
Request to Run Alternative Procurement Procedure	£44,965	1	-	-	-	-	£44,965	1
Request to Use Alternative Terms and Conditions	£110,000	1	-	-	-	-	£110,000	1
Request to Use Off Contract Agency Supplier	£8,500	1	-	-	-	-	£8,500	1
2025/26 Grand Total	£163,465	3	£0	-	£0	-	£163,465	3

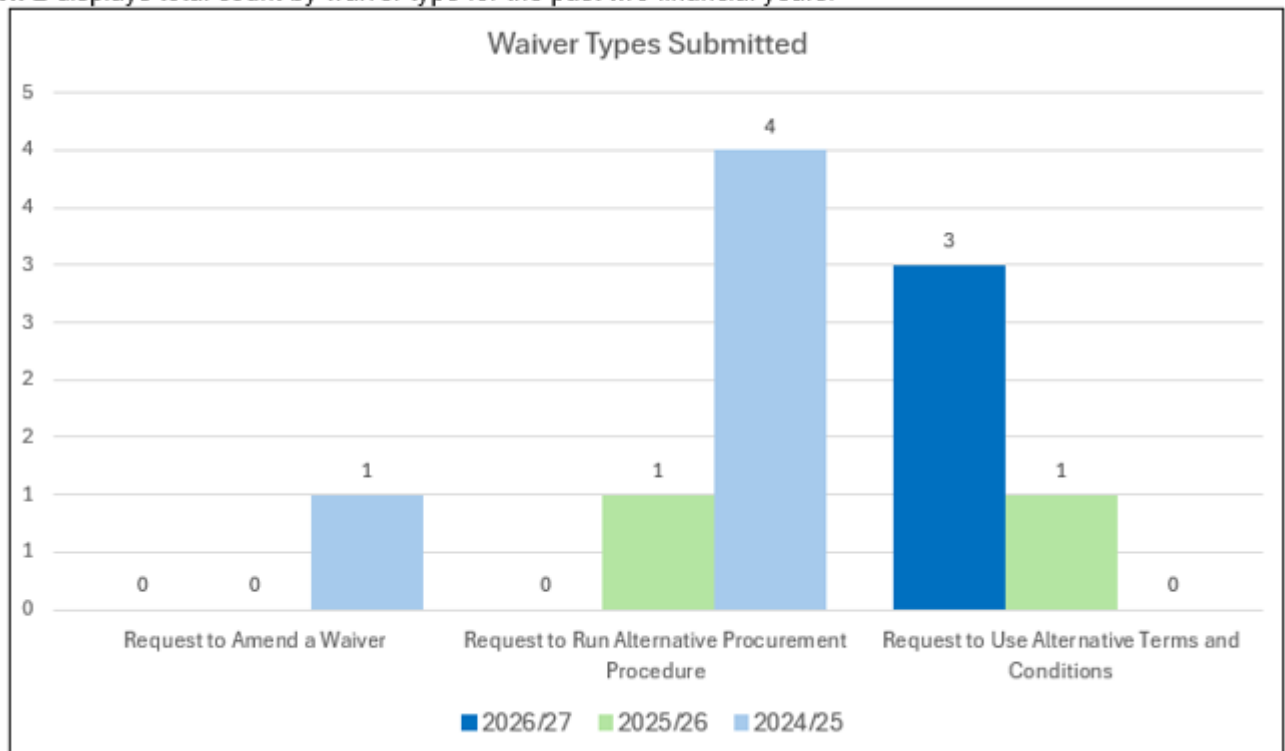
Table 3 shows the total value and number of waivers by type for FY 2024/25, including their approval status: approved, cancelled, or declined.

2024/25	Approved		Cancelled		Declined		Total Submitted	
Waiver Types	Value	No.	Value	No.	Value	No.	Value	No.
Request to Amend a Waiver	£0	1	-	-	-	-	£0	1
Request to Run Alternative Procurement Procedure	£1,107,801	4	-	-	-	-	£1,107,801	4
Request to Use Alternative Terms and Conditions	-	-	-	-	-	-	£0	0
Request to Use Off Contract Agency Supplier	-	-	-	-	-	-	£0	-
2024/25 Grand Total	£1,107,801	5	£0	-	£0	-	£1,107,801	5

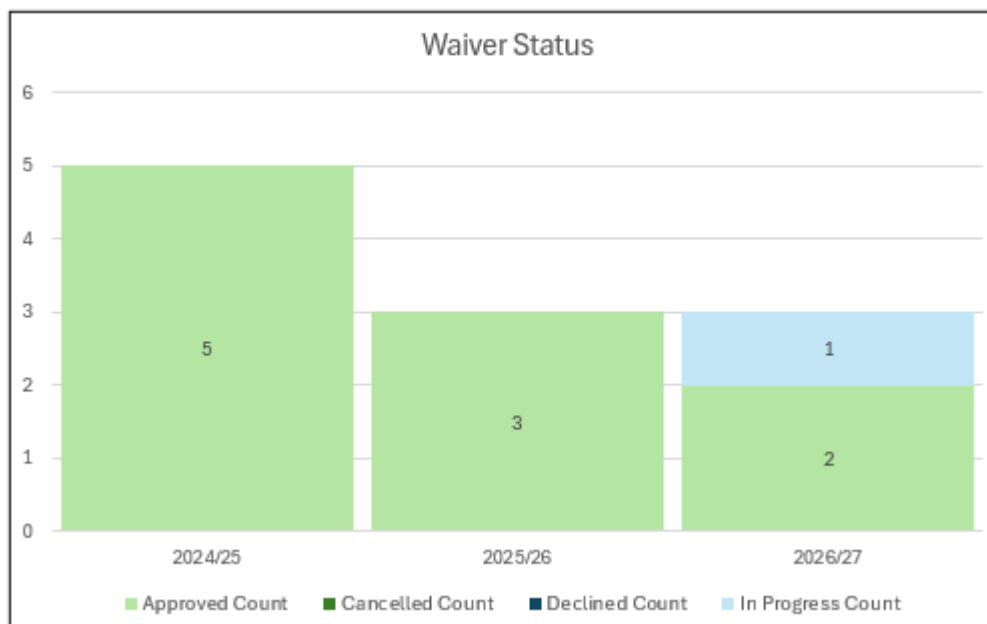
Graph 1 displays the total value and number of waivers submitted over the three financial years.



Graph 2 displays total count by waiver type for the past two financial years.



Graph 3 displays total count by waiver status for the last three financial years.



Background Documents:

Contract Procedures were revised in April 2024 to increase the number of procurement procedure options available for below threshold contracts. The procurement procedure used is identified based on the risk, value, complexity, market and urgency of the requirement, with direct awards being permitted where it can be clearly demonstrated that only one supplier can meet the need and there is no scope for competition.

Officers are able to seek exemption from the following requirements of Contract Procedures:

- using the procedure identified by Commercial Services for below threshold contracts, including the direct award of grants and use of off contract agency staff suppliers;
- using the procedure identified by Commercial Services for above threshold contracts, where the alternative procedure is permitted under the Procurement Act 2023;
- using the Council's standard tender templates;
- following the prescribed route for issuing and submission of tenders;
- using the Council's standard terms and conditions of contract or recognised national construction contracts.

Waiver requests are reviewed and signed off as follows:

Waiver type	Review and comments	Decision
Request to run an alternative procedure	Commercial Services Section 151 Officer Where applicable: - Finance / Information Governance / IT Services	Budget holder
Request to use an alternative tender pack / route for issuing tender	Commercial Services	Commercial Services
Request to use off contract agency supplier	Commercial Services	Budget holder

	Section 151 Officer HR Where applicable: - Finance	
Request to use alternative terms and conditions	Commercial Services Where applicable: - Legal Services / Insurance Manager / Information Governance / IT Services / Finance / Health and Safety	Commercial Services
Request to direct award a grant	Commercial Services Section 151 Officer Finance (VAT Manager)	Budget holder
Request to amend an existing waiver	As set out above subject to waiver type	As set out above subject to waiver type

Officer Contact Details:

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Title: Head of Commercial Services

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