

## REQUEST FOR EXEMPTION TO STANDING ORDERS

An exemption to Standing Orders can be made under SO 1.12 – 1.15. No exemption can be used if the EC Procedure applies.

Name: Denise Lyon	Date: 27 February 2008
Directorate: Central Services	Service:
E-Procurement System URN:	Value:

### Background (including supplier details costs etc):

As Monitoring Officer I have the power to delegate investigations into alleged breaches of the councillor Code of Conduct. One of the investigators who has done this work in the past, Mr Graham Rowe, has been approached to offer this service as a freelance local government consultant, having previously been engaged through a firm of solicitors. Consultants are normally required to carry professional indemnity insurance. However, as the investigator will be carrying out the Monitoring Officer's statutory investigatory function, and the result of the work is a report which is then considered by the Standards Committee, the Council's insurance should be adequate to cover such a situation. In any event, the likelihood of any liability arising out of the exercise of these statutory powers is very unlikely. Mr Rowe has carried out this type of work for the council in the past and I wish to continue to have the option to do so, particularly as, from April, all complaints of misconduct are to be passed to me direct by the Standards Board and a significant increase in work is expected.

### Business Reasons for an Exemption:

Although the following are justifiably accepted as valid reasons for an exemption to Standing Orders, they are closely monitored and should be applied only in cases where a full procurement exercise is not a viable option. (please tick appropriate boxes)

	✓	
An Emergency		
Goods or Services to existing systems or kit		
Purchase or repair of patented or proprietary articles sold only at a fixed price		
Effective competition is prevented by government control		
Goods and/or Services recommended by a Central Government Department		
Extension to an existing contract for the purpose of achieving Best Value		
Purchase or Sale by Auction		
Purchase under contract arranged by Consortium, Government Department or Agency of which the Council is a member		
Where the Contract is with a Public Utility Company or other organisation who will assume liability for the works on completion e.g. sewer adoption		
Other Reasons (please provide details) Set out above	✓	

Business Benefits for an Exemption:

Financial Savings / Efficiencies etc:

This consultant offers a competitive rate of approximately two thirds the cost of provision through a solicitor's practice

What are the implications to the following:

Finance:

(Please confirm insurance position for Monitoring Officer activities)

Human Resources:

ICT:

Asset Management:

Strategic and/or Operational Objectives:

Risk Assessment:

Detail risks here: Claims against the council are unlikely given the consultant is carrying out a statutory function, out of which there is a statutory appeal process in any event

Or attach print from the RM system

Signature of Officer Requesting Exemption:

Supporting Signature of Corporate Director:

Supporting Signature of Head of Legal, Licensing and Democratic Services:

Supporting Signature of Audit Manager (confirming Financial Regulations and Standing Orders have been adhered to)

PLEASE NOTE:

Standing Order 1.13 requires you to prepare a report for the Executive Board to support the action taken.

Internal Audit are required under Standing Orders to keep a Register of Exemptions, please ensure your report to Executive Board is copied to Internal Audit.