

# Report

## Audit Committee

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### Part 1

**Date:** 20 September 2018

**Item:** 12

**Subject** **Standing Order 24 (Urgent Decisions) or Waiving of Contract Standing Orders Quarter 1: April to June 2018**

**Purpose** To inform Members of the use of Standing Order 24 or the Waiving of Contract Standing Orders in recent decisions taken by Cabinet and Cabinet Members.

**Author** Governance Officer

**Ward** General

**Summary** This report provides details of decisions on the use of Standing Order 24 (decisions taken urgently) or the Waiving of Contract Standing Orders for the above period.

In consideration of this report, Members are reminded that they are not questioning the merits of the decisions taken but are focussing on why decisions were taken as urgent or why contract standing orders needed to be waived.

**Proposal** **The Committee is asked to consider whether the reasons for the urgency/waiving of contract standing orders are properly reflected in the documentation supporting each decision. Members may wish to invite Cabinet Members to attend a meeting of the Committee should they consider this not to be the case.**

**Action by** Audit Committee

**Timetable** Immediate

This report was prepared after consultation with:

- Head of Law & Regulation
- Head of Finance
- Chief Internal Auditor

## **Background**

Details of the decisions taken by Cabinet/Cabinet Members during the above period are set out in the table below, together with a commentary from the Chief Internal Auditor. Copies of the report giving rise to the decision are attached.

In this section you must set out all necessary information to allow Councillors to take an informed decision. You will need to put forward the case to support your proposals.

## **Financial Summary**

The cost implications of the decisions were set out in the original reports to the Cabinet Members. There are no cost implications of the Committee's consideration of this report.

## **Risks**

Scrutiny of these matters by the Committee is an important means of ensuring that the reasons for the urgency or waiving of Contract Standing Orders were properly addressed in the decision making process and that decisions are transparent.

## **Options Available / Preferred Option and Why**

The Committee is asked to consider whether the reasons for the urgency/waiving of contract standing orders are properly reflected in the documentation supporting each decision. Members may wish to invite Cabinet Members to attend a meeting of the Committee should they consider this not to be the case.

## **Comments of Chief Financial Officer**

See original reports attached.

## **Comments of Monitoring Officer**

See original reports attached.

## **Comments of Head of People and Business Change**

See original reports attached.

## **Equalities Impact Assessment and the Equalities Act 2010**

See original reports attached.

## **Children and Families (Wales) Measure**

See original reports attached.

## **Wellbeing of Future Generations (Wales) Act 2015**

See original reports attached.

## **Consultation**

See original reports attached.

Subject	Decision & Date	Reason for Urgency/Reason to waive Contract Standing Orders	Comments of Chief Internal Auditor
<p><b>Families First Programme</b></p>	<p><b>Cabinet Member for Communities and Resources</b></p> <p><b>16 May 2018</b></p>	<p>The reason for urgency was that in October 2017 Newport discovered it was to become an early adopter of Welsh Government's new grant funding initiative Flexible Funding from 1 April 2018. Little information however, was made available on how this new fund was to operate and the recommissioning of Families First, which was already in progress, was put on hold until a fuller understanding of how the funding would impact the service was understood. The current Families First contracts were due to expire on 31 March 2018 and as all extensions within the existing contract terms were exhausted it was being requested that Contract Standing Orders be waived so an extension for a further year be granted. This extension would allow a further review of the programme in accordance with the Flexible Funding guidance and result in either recommissioning services or commissioning new services from 1 April 2019.</p>	<p>There is appropriate justification within the report to support the CM's decision to waive the Council's CSOs.</p> <p>However, there is very little justification in the report to support the urgency of the decision.</p> <p>The report was dated 16 May 2018, as was the CM decision even though action was required by the 1 April 2018; there is no valid reason within the report why the CM was asked to make a retrospective decision.</p> <p>The report clearly states that WG issued new guidance in April 2017 to become effective from April 2018 and that NCC had been notified of their Pathfinder status in October 2017. This would give ample time to request that the CM waive CSOs for the reasons stated in the report and therefore the need for an urgent decision was not required. The request to make an urgent decision should be justified.</p>

## Background Papers

The following documentation is provided as background to the above decisions:

### **Cabinet Member for Communities and Resources – 16 May 2018**

#### **Families First**

- Decision Schedule attached as **Appendix A**
- Report attached as **Appendix B**

Dated: 31 August 2018

