



**CABINET – 20 JULY 2021**

**EXCEPTION TO CONTRACT PROCEDURE RULES - URGENT ACTION  
TAKEN BY THE CHIEF EXECUTIVE IN RELATION TO THE  
APPOINTMENT OF A SUPPLIER TO PROVIDE FREE SCHOOL MEAL  
VOUCHERS OVER THE SUMMER HOLIDAYS**

**REPORT OF THE DIRECTOR OF CORPORATE RESOURCES**

**PART A**

**Purpose of the Report**

1. The purpose of this report is to advise the Cabinet of urgent action taken by the Chief Executive to agree an exception to the Council's Contract Procedure Rules which enabled the direct appointment to Edenred to supply Free School Meal Vouchers for the 2021 summer holidays.
2. The award will enable the County Council to award £90 of vouchers to each pupil eligible for Free School Meals in its schools as well as Leicestershire pupils attending SEND provision and some early years pupils. The maximum value of the exception will be £1,420,000.

**Recommendation**

3. It is recommended that the Cabinet notes the urgent action taken by the Chief Executive to agree an exception to the Contract Procedure Rules to enable the appointment of Edenred to provide Free School Meal Vouchers until 30<sup>th</sup> September 2021.

**Reasons for Recommendation**

4. The Council's Constitution (Contract Procedure Rule 6(b)(ii)) provides that exceptions to the Contract Procedure Rules may be made by the Cabinet where it is satisfied that an exception is justified on its merits and that in urgent cases the Chief Executive (after consultation with the Leader or Deputy Leader save where this is not practicable) may direct that an exception be made subject to it being reported to the Cabinet.
5. The circumstances and financial considerations are explained in Part B of this report.

**Timetable for Decisions (including Scrutiny)**

6. The Chief Executive agreed the exception on 25<sup>th</sup> June 2021.

**Policy Framework and Previous Decisions**

7. The exception to the Contract Procedure Rules is in line with the Council's Constitution (Contract Procedure Rule 6(b)(ii)).

**Resource Implications**

8. The Director of Corporate Resources and the Director of Law and Governance have been consulted on the content of this report.
9. The vouchers are being funded by an extension of the Covid Local Grant Scheme that was announced by the Department for Work and Pensions (DWP) on 21<sup>st</sup> June 2021. The County Council will be awarded an additional £1,376,152.88 and will fund the balance required for summer vouchers from the initial Covid Local Grant Scheme.

**Circulation under the Local Issues Alert Procedure**

10. None.

**Officers to Contact**

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## **PART B**

### **Background**

11. Over the past 6 months the County Council has been providing food vouchers for pupils eligible for Free School Meals during school holidays. This has been funded initially by the Covid Winter Grant Scheme and most recently from the Covid Local Grant Scheme from the DWP. Edenred have been providing an online platform for schools to order vouchers and the most recent contract ended on 31<sup>st</sup> May 2021. The Government had indicated that the Holiday Activity Fund (HAF) would be the only provision for pupils eligible for Free School Meals over the summer holidays.
12. The DWP notified the County Council that there would be an extension of the Covid Local Grant Scheme on 21<sup>st</sup> June 2021. Previous communication had indicated that funding would not be provided this far into the pandemic. Leicestershire schools break up on the 9<sup>th</sup> July, so schools needed to start issuing vouchers on the 28<sup>th</sup> June.
13. Whilst a Crown Commercial Service (CCS) framework exists for provision of food vouchers, authorities still have to run a competition and/or benchmark suppliers and there is a 10-day set up time once a contract is awarded. The Authority must demonstrate it has assessed suppliers for Value for Money and determined the most economically advantageous tender. The Direct Award route under the CCS framework requires buyers to demonstrate the cost effectiveness of a solution before placing an order. With a limited number of working days left before the schools closed this it was not possible to complete this process and potentially have to allow 10 working days to set up the operation of a new system in 300 schools (as set out in the Specification).
14. Therefore, there was not sufficient time to run a competition in accordance with the Council's Contract Procedure Rules. It was recommended that the Council use a supplier which it has used in the past and is already set up in all 300 Leicestershire schools. This exception will remain in place until 30<sup>th</sup> September 2021.

### **Alternative Options**

15. The option of using the CCS framework has been outlined above. The extension of the previous contract was also considered, however that was awarded under a previous CCS Framework which has since expired.

### **Equality and Human Rights Implications**

16. There are no positive or adverse equality or human rights implications arising from this report his report.

### **Background Papers**

None.

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