

THE E COLI PUBLIC INQUIRY

SECOND WITNESS STATEMENT OF PAUL DAVIES

I Paul Davies purchasing and fleet manager of the Merthyr Tydfil County Borough Council Finance, Audit & Risk Management Section , based at Unit 20 Pentrebach Industrial Estate, Pentrebach, Merthyr Tydfil will state as follows:-

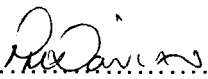
1. I make this statement further to my witness statement dated the 26th January 2007 and in response to a request for further information made by the E Coli Public Inquiry in its letter to the Merthyr Tydfil County Borough Council ("the Council") dated the 30th October 2007.
2. Due to staff turn over, no staff currently working within Central Purchasing (including myself) were involved in the procurement of meat for the Council's schools in 1998 and 2002. In addition, there is no involvement at present within Central Purchasing on the procurement of Meat.
3. All files and folders have been searched (including the personal email folder of the now retired Stores and Purchasing Officer) and save for copies of the minutes of the catering managers meetings on the 22nd April 2004, 27th May 2004, 7th July 2005 and the 20th October 2005, and emails from the Procurement Unit of Rhondda Cynon Taf re meat prices, tender documentation etc, I am unable to produce any further records relating to the procurement process for the Tudor meat contracts in 1998 and 2002.

4. The reason why the Council's central purchasing unit do not hold files re the procurement of school meat is because Rhondda Cynon Taf carry out the procurement process for the Council. The purchasing activity conducted by the Council is that of a 'call off' from the contract arranged by Rhondda Cynon Taf County Borough Council at the time the product is needed.
5. I confirm that there are no procedures within the Council's central purchasing department to monitor performance and/or complaints relating to the contracts for school meat supply. I understand that any complaint regarding the quality of a product is fed back to the Rhondda Cynon Taf procurement unit via the Council's catering management team. As matters currently stand, there is no written internal procedure designed to manage any collaborative contract for the users needs. This will be addressed when a new Senior Buyer is appointed by the Council in April 2008. This post will have responsibility for WPC arrangements including those which are managed on the old Mid Glamorgan County basis. This will then ensure that internal procedures will monitor and record contractor performance and officially feed back findings to the lead authority.
6. The process with regard to delegated authority concerning the award of collaborated contracts is generally well accepted. It is normal to suppose and would be expected that the lead authority has 'expertise' in the procurement process and knowledge of the market and as such it will carry out the processes and procedures to the best of its ability. It is the case with the majority of the contracts that Merthyr participate in, that the lead authority carries out the process and advises of the outcome. To my knowledge the only involvement the Council would have, save for its involvement in the procurement group/catering managers meetings would be to agree or otherwise the award of a supply contract to a particular contractor. The Council's Procurement Department did not have involvement in the procurement of meat for school meals and as such save for the involvement of the Council's

catering management team, the Council's involvement in the procurement process has been very much an arms length and for the time being continues to be so.

STATEMENT OF TRUTH

I hereby confirm that the contents of my statement are true.

Signed 
PAUL DAVIES

Dated 23.11.07