

Title	LWETB Disposal of Fixed Assets Policy
Date	23 rd October, 2018
Approved By	LWETB Meeting 23 rd October, 2018
For Review By	LWETB Board

LWETB Disposal Of Fixed Assets Policy

1 Purpose

Longford and Westmeath Education & Training Board (LWETB) is, and wishes to be seen by all, as being transparent and likely to achieve a fair market-related price in its disposal of assets. The purpose of this document is to set out in LWETB policy and procedure in relation to the appropriate management and monitoring of the disposal of the LWETBs assets.

2 Scope

This policy does not comprehend the disposal of land or buildings. LWETB must seek the approval of the Minister for Education and Skills before disposing of land.

3 Policy

It is the policy of LWETB to adhere to the Code of Practice for the Governance of Education and Training Boards when disposing of assets where such assets are surplus to general educational requirements. This should be by auction or competitive tendering process, other than in exceptional circumstances (such as a sale to a charitable body). The method used should be both transparent and likely to achieve a fair market-related price. The reserve value of the asset being disposed of should be determined, where required and practicable, on foot of a professional valuation. See Appendix A for Code of Governance section on disposal of assets.

4 Definitions

For the purposes of this policy, tangible fixed assets are assets that have physical substance and are held for use in the production or supply of goods or services, for rental to others, or for administrative purposes on a continuing basis in LWETB's activities. This means that a fixed asset is an asset intended for continuing use, rather than a short term, temporary asset.¹ Fixed assets are classified under the following major categories with accompanying estimation of depreciation²

- Computer Equipment 3 years
- Equipment – other (incl. fixtures and fittings) 5 years
- Motor Vehicle 5 years
- Plant & machinery 10 years

5 Procedure for disposal of assets

At the conclusion of a stock take, on the completion of a capital project, or as the need arises an agreed list of all Surplus & Obsolete assets for disposal will be certified by the Principal/Centre Manager & Independent Stock taker and submitted to the Chief Executive for approval (see Appendix C for example). On receipt of approval from the Chief Executive, the Principal/Centre Manager will proceed with disposal ensuring:

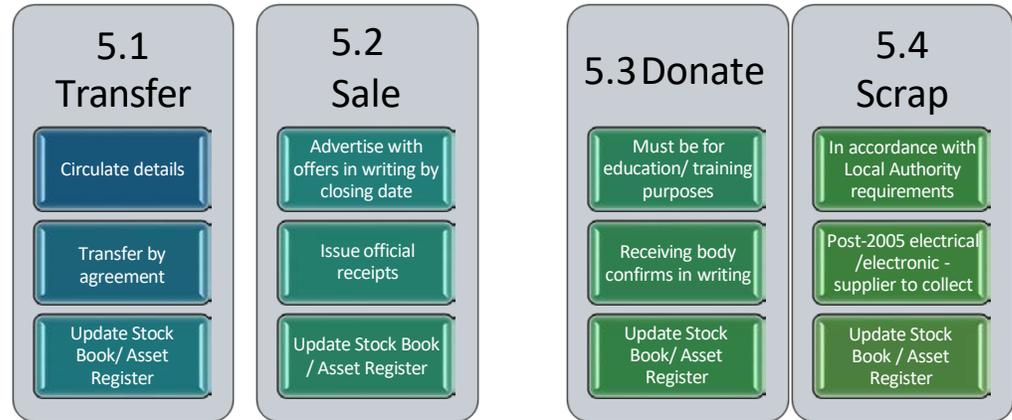
- All personal information is removed from equipment / furniture & there is compliance with Data Protection Legislation
- There is compliance with License, Patent, Legal agreements etc. (e.g. Software Licenses)
- There is compliance with Health & Safety requirements
- Unique school references are removed
- Disposals above €1000 should be notified to LWETB Insurer
- Any conflict of interest should be declared and the relevant person should remove themselves from the process
- Any disposal of electrical equipment must comply with the relevant WEEE Directives³
- Disposal will be by transfer, sale, donate or scrap in that order⁴

¹ A short term temporary asset would typically be one that is intended for use for less than one year

² See Appendix B for Asset write down example

³ Guidance for public bodies is available at <http://www.epa.ie/pubs/advice/waste/weee/>

⁴ Computer Devices: If it is deemed by LWETB Management excessively onerous or impractical to prepare PCs for transfer / sale / donation (e.g. PCs issues that prevent timely wiping that are the reason for their replacement; licensing implications regarding the operating system) they have discretion to send an asset directly to the final stage (approved/secure scrapping).



5.1 Transfer

- The approved lists of items suitable for transfer will be forwarded to other schools / centres or if relevant to other departments within the LWETB and state a closing time & date for receipt of request(s).
- Transfer to be effected in accordance with agreements reached between schools / centres and approved by the CE.
- Where agreement in respect of transfer of equipment/furniture to one or more centres is not achieved, the decision rests with the C.E.
- Stock Books/ Asset Register will be updated to reflect transfers in and out.

5.2 Sale

The reserve value of all items to be sold should, where practicable, be determined on foot of a valuation by a professional valuer and submitted with details of Equipment/Furniture for Disposal (sale) to the CE. The sale of obsolete items can be completed by one of the following methods:

- a) Display details of items for sale in the school/centre and include in newsletters to families attending the school & centre
- b) An advertisement in the local paper (this option should always apply to individual items whose disposal value is expected to exceed €1,000 or where the combined total of disposals is expected to be greater than €2,000).
- c) By means of a Public Auction, should be considered if more expedient & cost effective. The following rules apply to (a) and (b): -
 - Offers to purchase should be requested in writing and state a closing time & date.
 - Offers to be date stamped on receipt.
 - If the highest offer is not accepted, a written explanation should be submitted to the CE for a approval.

The method of sale to be agreed between the CE and the Principal/ Centre Manager will depend on the quantities and the value of the items for sale. A form of Identity / Contract for Sale (see Appendix D) should be completed and signed by the purchaser and the Principal / Centre Manager on behalf of the school/centre in advance of handover of items.

Payment shall be in favour of Longford and Westmeath LWETB, official receipt issued for amount received & lodgements made to the Board's account without delay. A summary of lodgements, reference number(s) & receipts issued will be submitted to the Chief Executive, immediately after lodgement. Stock Books / Asset register will be updated to reflect all sales with the Name of purchaser, date of collection & receipt number to be recorded.

5.2.1 Sale to staff members

There are also certain situations where staff members may wish to purchase equipment. This is often the case in relation to computers which are no longer in use and out of date.

In this case, the following procedure should be followed:

- The relevant school/ centre/ department should contact the LWETB Finance Department to request an evaluation of the asset(s).
- The Finance office will approve a price and notify the relevant school / centre / department
- Similar to above, a form of Identity / Contract for Sale (see Appendix D) should be completed and signed by the purchaser and the Principal / Centre Manager on behalf of the school/centre in advance of handover of items. Payment shall be in favour of Longford and Westmeath LWETB, official receipt issued for amount received & lodgements made to the Board's account without delay. Stock Books/ Asset register will be updated to reflect all sales with the Name of purchaser, date of collection & receipt number to be recorded.

5.3 Donate

Items of equipment can be donated free of charge to institutions/ organisations etc. that will use them for training / education purposes. If this method of disposal is used, the receiving body must be asked to confirm in writing that it has received the item(s) in question free of charge from LWETB and that the LWETB has transferred ownership of the asset including all associated costs and liabilities. See Appendix E for sample template.

5.4 Scrap

If surplus equipment / furniture cannot be disposed of by way of Transfer, Sale or Donation and it is deemed obsolete, arrangements should be made to have it scrapped.

- Regard shall be had to the requirements of the local authority.
- In the case of electrical & electronic equipment purchased after August 2005, the supplier should be requested to collect.
- Stock Books/ Asset register will be updated to reflect all items scrapped. Date & method should be recorded.

6 Records

A list of disposals, indicating method & proceeds will be submitted to the Chief Executive as per Centre Register of Disposals (Appendix F). The Centre Register of Disposals shall be certified by the Principal/Centre manager to confirm compliance with these procedures. The register will be available for inspection if requested by the Board. Records / documentation in support of the disposal shall be held for 7 years.

7 Implementation & review

This policy will be reviewed every three years by the Senior Management Team in line with best practice, or in light of changes in legislation and guidance from sources such as Internal Audit, C&AG, the Department of Education and Skills and the Department of Public Expenditure & Reform.

The date of implementation is 14th November, 2018 which is the date of adoption by LWETB.

Appendix A: Code of Practice for the governance of LWETBS (Excerpt)

Section 25: Disposal of State Assets and Access to Assets by Third Parties

LWETB must seek the approval of the Minister for Education and Skills before disposing of land.

LWETB is required to comply with the statutory provisions and procedures, as set out in relevant Department Circulars, concerning the disposal of assets or the granting of access to property or infrastructure for commercial arrangements. The disposal of assets, where such assets are surplus to general educational requirements, should be by auction or competitive tendering process, other than in exceptional circumstances (such as a sale to a charitable body). The method used should be both transparent and likely to achieve a fair market-related price. The reserve value of the asset being disposed of should be determined on foot of a professional valuation, normally by the Valuation Office, and recorded in advance in the LWETB's records.

Compliance with use of Auction or Tendering Requirements

25.1 If an auction or competitive tendering process takes place and the highest bid is not the bid accepted, it is essential that specific Board approval is given before the disposal of the asset or granting of access to property or infrastructure for commercial arrangements with third parties can be completed. For reasons of transparency, such approval together with the reason why a lower bid was permitted to be accepted should be noted in the minutes of LWETB.

25.2 Where in the exceptional circumstances that an auction or competitive tendering process is not used, specific Board approval is required before negotiations start and also before the disposal of the asset or granting of access to property or infrastructure for commercial joint venture arrangements with third parties can be completed.

25.3 No disposal of an asset or grant of access to property or infrastructure for commercial arrangements with third parties should be completed until the officer authorising the disposal or grant of access has certified formally that specific Board approval, where necessary, has been obtained.

Members and their Families

25.4 In accordance with best practice, disposal of assets to members of LWETB's, staff or their families or connected persons (see section 9.2) should, as with all disposals, be by a transparent method and at a fair market-related price. The value of the asset being disposed of should be determined on foot of a professional valuation, normally by the Valuation Office, and recorded in advance in the LWETB's records. Where the Board is considering a proposal for any such disposal, the member connected to the potential purchase should absent him or herself from the Board deliberations on the issue. A record of all such disposals to such persons (to include details of the asset disposed of, price paid and name of the buyer) should be noted in a register kept for this purpose. This register should be available for inspection, if requested, by the Board or by any member. The Board may specify that any disposal above an approved threshold should be formally endorsed by the Board, which may impose specific restrictions with regard to any such disposal.

25.5 The Chairperson, in the annual report to the Minister for Education and Skills (see section 19.1) should affirm that disposal procedures, as outlined above, have been complied with.

Appendix B: Asset write down example

Sale of :	Obsolete PC		
Write Down :	Depreciation On a Straight Line Basis Over 3 Years (33 $\frac{1}{3}$ %)		
Asset	1234567890		
Description:	Dell Laptop		
Model No:	0987654321		
Serial	XXXXXX		
Date Of Purchase:	1 January 2013 (€600)		
Date Of Sale:	30 June 2016		
Year	Cost/Written Down Value	Depreciation	Net Book Value
2013	600	200	400
2014	400	200	200
2015	200	200	0
2016	0		0
Purchased Date:			
Receipt			

Appendix C: Details of equipment / furniture for disposal (sample)

Year Ending____

School / Centre____

Details	Stock Book Ref	Serial No / Other Ref	Year & Cost of Purchase	Estimated Value	Comments

Signed_____

Date _____

Signed_____

Date _____

Principal/Centre Manager

Independent Stock taker/ Valuer

Appendix D: Contract for sale (sample)

The (name of school) offers for sale the under-described machine/machinery/equipment/furniture on the following terms:

- o Same is offered for sale 'as is' and on the basis that same has been inspected in advance by the purchaser.
- o Same is sold with or without any defects (or safety devices as required by statute) and without any warranties or guarantees (express or implied) on the part of the vendor as to its functionality, effectiveness, safety for use, merchantable quality or fitness for purpose within the meaning of the Sale of Goods Act 1893, and Sale of Goods and Supply of Services Act 1980.
- o The vendor does not act in the course of his business within the meaning of the Sale of Goods Act 1893 and the Sale of Goods and Supply of Services Act 1980.
- o The vendor accepts no liability whatsoever for any loss or damage howsoever caused or incurred by the purchaser or any other person, as a result of the use by such person of the goods.

(Describe the Machine/Machinery/Equipment/Furniture)

I, (name of purchaser) hereby agree to purchase the above described items on the terms as outlined above and I hereby further acknowledge as follows:

1. I have inspected the goods prior to signing this Contract and I am satisfied as to the present condition and the state of repair of the items.

2. I acknowledge that I am not dealing as a consumer within the meaning of the Sale of Goods Act 1893, the Sale of Goods and Supply of Services Act 1980 and the Consumer Protection Act 2007.

Signed: _____

Date: _____

(for School/Centre)

Signed: _____

Date _____

(for purchaser)

Appendix E: Confirmation of donation (sample)⁵

I can confirm that_____ (name of receiving organisation/ institution) has received the following item(s) of equipment free of charge from Longford and Westmeath Education and Training Board for use in training/education:

List/ Description of equipment:

I acknowledge the transfer of ownership of the asset(s) including all associated costs and liabilities from LWETB to the Receiving Body

Receiving Body:

Signature: Date:

LWETB Principal/

Manager: Signature:

Date:

⁵ To be completed by receiving body

Appendix F: Centre register disposals of equipment / furniture (sample)

Year Ending _____

School / Centre _____

Details	Stock Book Ref	Serial No / Other Ref	Year & Cost of Purchase	Method of Disposal			
				Transfer To	Sale (Name of buyer, Value, R/N)	Donate To	Scrap (Method)

I certify that disposals have been carried out in accordance with the approved procedures of the LWETB & that stock books have been updated.

Signed _____

Date _____

Principal/Centre Manager