



PUBLICATION OF DECISION LIST NUMBER 62/17-18

MUNICIPAL YEAR 2017/2018

Date Published: Tuesday 17 April 2018

This document lists the Decisions that have been taken by the Council, which require publication in accordance with the Local Government Act 2000. The list covers Key, Non-Key, Council and Urgent Decisions. The list specifies those decisions, which are eligible for call-in and the date by which they must be called-in.

A valid request for call-in is one which is submitted (on the form provided) to the Governance and Scrutiny Team in writing within 5 working days of the date of publication of the decision by at least 7 Members of the Council.

Additional copies of the call-in request form are available from the Governance and Scrutiny Team.

If you have any queries or wish to obtain further report information or information on a decision, please refer to:
– Claire Johnson (ext.4239)

Phone 020 8379 then extension number indicated

INDEX OF PUBLISHED DECISIONS – Tuesday 17 April 2018

List Ref	Decision Made by	Date Decision comes into effect	Part 1 or 2	Subject/Title of Report	Category of Decision	Affected Wards	Eligible for Call-In & Date Decision must be called in by (If Applicable)	Page Number
1/62/17-18	Executive Director Finance, Resources and Customer Services	Monday 16 April 2018	Part 1	ICT and Transformation Work Programme – Work Packages	Key Decision KD – 4684/U202	All	No (Rule 16 Urgent Decision)	1-2

DECISIONS

For additional copies or further details please contact Claire Johnson (020 8379 4239), Governance and Scrutiny Team.

LIST REFERENCE: 1/62/17-18

SUBJECT TITLE OF THE REPORT :																					
ICT AND TRANSFORMATION WORK PROGRAMME – WORK PACKAGES.																					
Part 1 or 2 (relevant exempt Paragraph)	Wards affected by decision	Decision taken by	Date Decision comes in to effect	Interest declared in respect of the Decision	Category of decision (i.e. Key, Non-Key, Council, Urgent)	Contact Details	Eligible for Call-in & Date to be called in by														
Part 1	All	Executive Director - Finance, Resources and Customer Services	Monday 16 April 2018	None	Key Decision: KD 4684/U202	Martin Sanders 020 8379 4775	No Rule 16 Urgent Decision														
<p>AGREED: That the Executive Director of Finance, Resources and Customer Services approves the use of one 3 month contract with Venn covering the following 6 work packages:</p> <table border="0"> <tr> <td>Biztalk Development</td> <td align="right">£59,296.11</td> </tr> <tr> <td>Web Development</td> <td align="right">£38,416.11</td> </tr> <tr> <td>Social Care Programme Management</td> <td align="right">£33,420.27</td> </tr> <tr> <td>Housing Programme and Homelessness Reduction</td> <td align="right">£62,353.61</td> </tr> <tr> <td>GDPR and ICT Security</td> <td align="right">£248,353.61</td> </tr> <tr> <td>Financial Consultancy</td> <td align="right">£27,353.61</td> </tr> <tr> <td>The total value of this Call-Off Contract is</td> <td align="right">£469,193.32</td> </tr> </table> <p>These are to be funded from the agreed Work programme budget for 2018/19 – 2019/20 (Key Decision no:4410), as well as service specific funding for the Housing, and Finance packages, and some funding from schools for the GDPR work package.</p> <p>Approval is sought to accept the supplier liability limit set out in the draft contract mentioned within the risks section, rather than the unlimited liability required in the council’s Contract Procedure Rules.</p>								Biztalk Development	£59,296.11	Web Development	£38,416.11	Social Care Programme Management	£33,420.27	Housing Programme and Homelessness Reduction	£62,353.61	GDPR and ICT Security	£248,353.61	Financial Consultancy	£27,353.61	The total value of this Call-Off Contract is	£469,193.32
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ALTERNATIVE OPTIONS CONSIDERED

- Do Nothing: Not acceptable, as this would put the council's approved work programme and some service delivery at risk
- Retain existing contractors by paying their IR35 liability: This was not possible as it was rejected by the contractors, and in any case would have increased the council's costs by over 30%
- Recruit new contractors and paying the IR35 liability: Not acceptable as this would have increased the council's costs by over 30%.
- Recruit to fixed-term employee contracts: This was not an immediate option because new role profiles need to be written, evaluated and recruited to, which was not achievable in the time available. Previous recruitments in ICT have also failed multiple times due to the salaries being too low.

REASONS FOR RECOMMENDATIONS

The recommended option is to award a contract to Venn to protect business continuity, control costs, and improve performance management.

Procuring the services via a single supplier keeps the costs at an equivalent level to those being paid via Matrix, separates the relationship between the council and any individuals thus removing the IR35 liability, and enables the council to pay for work based on outputs and milestones rather than days worked. The reliance on a single contractor also means that responsibility for ensuring business continuity passes to this contractor.

BACKGROUND

Please note that a copy of the Part 1 report is available via the Decision list link on the Council's Democracy pages.

SECTION 2: Notice of forthcoming Key Decisions for which it has not been possible to provide notice

This section lists the Key Decisions that are proposed to be taken by the Council, which require publication in accordance with the Local Government Act 2000. The decisions listed are those for which it has not been possible to provide 28 days' notice and need to comply with the Council's urgency procedure. There are two routes that can be followed in this instance to enable a decision to be taken.

1. Rule 15 – General Exceptions

This procedure is used in cases when:

- it is not possible to provide the required 28 days' notice of a key decision; but
- it is possible to provide a minimum of 5 working days' notice prior to the decision being taken;

2. Rule 16 – Special Urgency

This procedure should only be used in exceptional circumstances where it is not possible to:

- provide the required 28 days' notice prior of a key decision; and
- provide a minimum of 5 working days' notice prior to the decision needing to be taken;

These decisions will not be eligible for call-in.

If you have any queries or wish to obtain further report information or information on a decision please refer to: Claire Johnson 020 8379 4239

Date Decision to be Taken	Ref	Part 1/2	Decision Taken by	Decision Proposed under Rule 15 or 16	Proposed Key Decision	Affected Wards	Page No.
16 April 2018	Key Decision KD 4684/U202	Part 1	Executive Director – Finance, Resources & Customer Services (James Rolfe)	Rule 16	ICT and Transformation Work Programme - Work Packages	All Wards	1

DETAILS OF KEY DECISION

Part 1/2 and reason	Date Decision Planned	Decision of	Proposed Key Decision	Ward/s affected by the decision	Contact Name and Number
Part 1	16 April 2018	Executive Director of Finance, Resources and Customer Services (James Rolfe)	ICT and Transformation Work Programme - Work Packages	All Wards	Martin Sanders 020 8379 4775

Reasons for Urgency:

- To secure resources to continue delivery of the work programme.
- The impact of not taking this urgent decision would be that the projects and programmes and some services would come to a halt, and there would be a significant delay whilst new resources were found via alternative routes. This would add to the overall costs and timelines and in some case risk our legal compliance.
- It was not possible to give the required 28 day notice and include the decision on the Council's Key Decision List because the council made a decision in February 2018 that these contractors would need to pay IR35 tax from 1 April 2018, and most contractors were unwilling to do this, therefore the council immediately had a significant business continuity risk. It then took a number of weeks to establish a legally compliant approach to procuring the necessary resources.

Background Papers:

No.	Description of Background Papers	Name and Telephone No. of Document Holder	Location/e-mail address
	None		