



**URGENT BUSINESS**

**Corporate Overview and Scrutiny Committee**

**Monday 4 July 2022**

<b>Agenda Item Number</b>	<b>Page</b>	<b>Title</b>	<b>Report Author</b>	<b>Reason for delayed publication</b>
5.	(Pages 3 - 8)	Urgent Business – Decision taken by the Leader of the Council under urgency procedures: Microsoft 365 Licenses	Chris Wales – Chief Information Officer	Decision taken after agenda publication

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# WEST NORTHAMPTONSHIRE COUNCIL CORPORATE SCRUTINY COMMITTEE

4 July 2022

**LEADER AND CABINET MEMBER RESPONSIBLE FOR STRATEGY:  
COUNCILLOR JONATHAN NUNN**

<b>Report Title</b>	Decision taken by the Leader of the Council under urgency procedures: Renewal of Microsoft 365 licences
<b>Report Author</b>	Chris Wales <a href="mailto:chris.wales@westnorthants.gov.uk">chris.wales@westnorthants.gov.uk</a>

## Contributors/Checkers/Approvers

West MO	Paul Hanson on behalf of Catherine Whitehead	4 July 2022
West S151	Martin Henry	1 July 2022
Other Directors/Officers	Chris Wales – Chief Information Officer	27 June 2022

## List of Appendices

**Appendix A: Record of Decision by the Leader in relation to the renewal of Microsoft 365 licences.**

### 1. Purpose of Report

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- 1.1. This report seeks to notify the Corporate Scrutiny Committee of the decision taken by the Leader of the Council to renew the organisation's Microsoft 365 licences.

## **2. Executive Summary**

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- 2.1 The Local Government Act 2000 Section 9E provides that the Leader of the Council can take any executive decision alone or with his Cabinet. In West Northants the vast majority of Executive decisions, not otherwise delegated, are taken collectively by the Leader and Cabinet together but in cases of urgency the Leader of the Council can take decisions where it is necessary.

## **3. Recommendations**

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- 3.1 That Corporate Scrutiny Committee note the decisions taken by the Leader of the Council set out at Appendix A.

## **4. Reason for Recommendations**

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- 4.1 Where decisions that would otherwise be taken by the Leader and Cabinet have been taken by the Leader alone, in the interests of transparency, the decision is reported to the next available meeting of the Cabinet.
- 4.2 The decision taken provided the authority for the Council to renew our Microsoft 365 licences, which are critical to the functioning of council systems.
- 4.3 Full reasons for the decision taken are set out in the decision records appended to this report.

## **5. Report Background**

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- 5.1 Microsoft 365 licences provide basic communication, information storage, email hosting and electronic office tools to all council staff. This includes popular applications such as Word, Excel, Outlook and PowerPoint, as well the videoconferencing tool Microsoft Teams, and the council's main email systems.
- 5.2 Given the size of the organisation, the appropriate licencing is always obtained through a trusted Microsoft partner who act as a reseller.
- 5.3 A failure in process to identify the renewal as a key decision meant that it was not possible to have the expenditure of a renewal approved by Cabinet before the licences would expire. Failure to renew them would consequently have caused a loss of key business systems to the entire council.

- 5.4 Mindful of the need to ensure continuity of business, the decision to authorise the expenditure of a renewal was therefore made on an urgent basis by the Leader of the Council.

## **6. Issues and Choices**

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- 6.1 The decision taken was necessary to ensure the continued proper running of the Council and its business.
- 6.2 The failure in process that led to the need for an urgent decision, given the predictable timing and nature of the renewal, is being fully investigated to ensure that it is corrected. This will ensure that future, renewals of services requiring approval as a key decision can be guaranteed under normal circumstances to be placed before Cabinet within good time and in the normal fashion.

## **7. Implications (including financial implications)**

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### **7.1 Resources and Financial**

- 7.1.1 The Council has committed to a three-year contract for the renewal of these services, at a cost of £4.5 million over the period. This is already included within existing budgets as it is a continuation of an existing service cost.

### **7.2 Legal**

The Procurement team will be consulted to ensure all appropriate process is followed as part of the renewal.

### **7.3 Risk**

In taking the decision, the risk of council services being disrupted by a loss of access to Microsoft application has been mitigated.

## **8. Background Papers**

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None



**WEST NORTHAMPTONSHIRE COUNCIL**  
**RECORD OF DECISION**

Date Of Decision:	24/06/2022
Title:	Approval of Microsoft licence renewal (note: special urgency powers have been applied)
Is this a "Key Decision"?	Yes
Purpose:	To ensure that Microsoft services, which are critical to the Council's daily workflow, continue to function after their current expiry on June 30 <sup>th</sup> 2022.
Cabinet Member:	Cllr Mike Hallam
Decision Maker:	Cllr Jonathan Nunn
Consultation and Scrutiny:	The contract relates to the continued use of Microsoft 'E3' services. As a 'business as usual' function no consultation was required, however consultation was undertaken with the Chair of the Corporate Scrutiny Committee in relation to the urgency of the decision.
Officer Recommendations:	It is recommended that the Council award a contract for the provision of Microsoft licences to Trustmarque (reseller of Microsoft products), before the existing licenses expire on June 30 <sup>th</sup> 2022. This will apply for the standard three-year period, at a cost of c. £4.5m for the duration.
Decision Taken:	That the Council award a three-year contract for the provision of Microsoft licences to Trustmarque before the existing licenses expire on June 30 <sup>th</sup> 2022 at a cost of c. £4.5m for the duration.
Reasons For Decision:	Given the absolute criticality of Microsoft's tools – Office, Teams, SharePoint et al. – to the Council's daily workflow: <ul style="list-style-type: none"> <li>• It is vital that we maintain continuity of service on July 1<sup>st</sup>.</li> <li>• In the Council's investigation of procurement options, Trustmarque came out with the most favourable quote, with the option to make efficiencies over the duration of the contract.</li> </ul>
Alternative Options Considered (Including Reasons For Rejection):	<ul style="list-style-type: none"> <li>• Allow contract to lapse and go to full procurement: this would cause an unacceptable loss of council services.</li> <li>• Award to another supplier: the supplier selected has offered the best value of the options we have been able to find that are suitable.</li> </ul>
Declarations of interest:	None.

Authorised By Councillor Jonathan Nunn, Leader of the Council and Cabinet Member for Strategy

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Date: .....24 JUNE 2022 .....

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