

Record of Officer's Decision

The Openness of Local Government Bodies Regulations 2014 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Date of Decision:	30 March 2023
Decision Maker (Officer):	Linda Trembath, Head of Legal Services
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	<p>Part 3, Schedule 3 – Responsibility for Executive Functions delegated to Officers paragraph 4.3 (1) – the Corporate Director has delegated authority to discharge executive functions within their respective service areas (Part 3.38). All delegations are subject to consultation where considered appropriate in the circumstances (paragraph 4.3 (4)(ii) – Part 3.39).</p> <p>The Deputy Chief Executive has delegated operational matters relating to the commissioning of external suppliers to the Head of Legal Services.</p>
Identify which Portfolio Holder(s)/Committee Chairman consulted?	None.
Ward Member(s) consulted?	None.
Is it a Key Decision?	No
If YES, please provide details of when the 28 days notification was given in the Forward Plan.	
Is it subject to call-in?	No
Decision Made:	To award the supply of a legal case management system to the highest scoring tender, Iken Business Ltd from a date to be agreed but as soon after 1 April 2023 as is possible for a three year period at a value of £16,200 in year one, and thereafter, on present figures,

	<p>£9,000 per annum, a total of £34,200 for the three years.</p> <p>Through the request for quotations exercise, the parties have agreed to enter into the contract with Iken Business Ltd and the terms and conditions are all agreed.</p>
<p>Reason for Decision (if a report was produced to support the Decision, refer to or attach it):</p>	<p>To award the contract for a specialist, “off the peg legal case management system” to the successful contractor, following a tender and evaluation process.</p> <p>The budget provision for the first year has been approved by Management Team at the 7 March 2023 meeting. The budget comes from the income that the Legal Services Team have achieved in the financial year ending March/April 2023 and is in line with the Council’s Financial Procedure Rules.</p> <p>This is a new project designed to assist the Legal Services Team in being able to undertake its work with a consistently increasing workload, in continuing to support teams across the Council and to provide business resilience.</p> <p>In accordance with the Council’s Procurement Procedure Rules quotations, by way of request for quotation, were invited from three different suppliers of off-the-peg specialist, legal case management systems.</p> <p>A request for quotation exercise in line with the Council’s Procurement Procedure Rules was completed and evaluated on a financial and qualitative basis that has been 100% price driven with consideration of the Public Services (Social Value) Act 2012.</p> <p>The contract will comply with the Procurement Procedure Rules and Article 14 of the Constitution.</p> <p>This is a contract with an aggregated value over its lifetime of between £10,000 and £50,000 and will be in writing and in accordance with Section 5 of the Procurement Procedure Rules.</p>

<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>Currently there is no case management system within Legal Services and with an ever increasing workload, the risks of matters, or deadlines, being missed is on the increase. That in turn means that the potential for claims against the Council either being missed, or dates or deadlines for some action, is also increasing. The risks to the Council of some case, action or deadline being missed carries both financial as well as reputational risks.</p>
<p>Details of any Alternative Options Considered and rejected (together with reasons):</p>	<p>The option of having an in-house system developed has been considered. However, it is clear from a number of discussions that the development would require considerable officer time from both the IT teams and the Legal Services team. Any such system would not only require access to it via TDC's network, but would also require training in its use, ongoing development, maintenance works, upgrades or tweaks to the system to ensure both its security, and accessibility for the legal services officers.</p> <p>The alternative of continuing with no such legal case management system in place includes the continuing risks of matters being missed, deadlines for actions or dates being overlooked, and an almost complete inability to understand what work the Legal Services team are dealing with, or to pick cases up in the absence of the officer dealing with any particular matter.</p> <p>With the current ad hoc approach there is no managerial information available, and therefore no way of assessing with any degree of accuracy what work is in progress, what types of matters may be on the increase or which areas might need or be able to offer support to any other team member. Whilst the likelihood of a particular type of matter increasing has previously been flagged up by the team, that was as a result of conversations that team member had had both within the team and with external parties with the results of those conversations leading to a briefing note to Management team at that point.</p>
<p>Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the</p>	<p>N/A</p>

<p>officer, which related to the decision)</p> <p>If relevant, a note of the dispensation granted by the Monitoring Officer:</p>																							
<p>Reason Decision, or supporting Report, is not published:</p> <p><i>Tick one or more of the specific exemptions,</i></p> <p><u>and</u></p> <p><i>Give more information in the final box with regards to why the exemption applies and outweighs the public interest test (which is in favour of disclosure).</i></p>	<table border="1"> <tr> <td data-bbox="580 465 635 506">X</td> <td data-bbox="635 465 1380 506">Not applicable – Decision to be published</td> </tr> <tr> <td colspan="2" data-bbox="580 506 1380 577">If Report is not to be published – tick one of the following boxes:</td> </tr> <tr> <td data-bbox="580 577 635 651">x</td> <td data-bbox="635 577 1380 651">The report supporting the Decision contains confidential information</td> </tr> <tr> <td colspan="2" data-bbox="580 651 1380 763">The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:</td> </tr> <tr> <td colspan="2" data-bbox="580 763 1380 808"> <ul style="list-style-type: none"> • Relates to an individual </td> </tr> <tr> <td colspan="2" data-bbox="580 808 1380 853"> <ul style="list-style-type: none"> • Likely to reveal the identity of an individual </td> </tr> <tr> <td colspan="2" data-bbox="580 853 1380 958"> <ul style="list-style-type: none"> • Relating to financial or business affairs of a person or organisation </td> </tr> <tr> <td colspan="2" data-bbox="580 958 1380 1070"> <ul style="list-style-type: none"> • Relates to a claim for legal professional privilege in legal proceedings </td> </tr> <tr> <td colspan="2" data-bbox="580 1070 1380 1294"> <ul style="list-style-type: none"> • Reveals that the Council proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or to make an order or direction under any enactment </td> </tr> <tr> <td colspan="2" data-bbox="580 1294 1380 1444"> <ul style="list-style-type: none"> • Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime </td> </tr> <tr> <td colspan="2" data-bbox="580 1444 1380 1736"> <p><u>And</u> is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information</p> <p>Reasons: [insert]</p> </td> </tr> </table>	X	Not applicable – Decision to be published	If Report is not to be published – tick one of the following boxes:		x	The report supporting the Decision contains confidential information	The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:		<ul style="list-style-type: none"> • Relates to an individual 		<ul style="list-style-type: none"> • Likely to reveal the identity of an individual 		<ul style="list-style-type: none"> • Relating to financial or business affairs of a person or organisation 		<ul style="list-style-type: none"> • Relates to a claim for legal professional privilege in legal proceedings 		<ul style="list-style-type: none"> • Reveals that the Council proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or to make an order or direction under any enactment 		<ul style="list-style-type: none"> • Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime 		<p><u>And</u> is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information</p> <p>Reasons: [insert]</p>	
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Officers

Signed:

Title:

Signed:

Title:

In consultation with:

Signed:

Portfolio Holder

Dated: