



Nottingham City Council

Commissioning and Procurement Executive Committee

Date: Tuesday, 9 November 2021

Time: 10.00 am

Place: Ground Floor Committee Room - Loxley House, Station Street, Nottingham,
NG2 3NG

Councillors are requested to attend the above meeting to transact the following business

Director for Legal and Governance

Governance Officer: Mark Leavesley **Direct Dial:** 0115 8764302

Agenda	Pages
1 Apologies for Absence	
2 Declarations of Interests	
3 Minutes Last meeting held 12 October 2021 (for confirmation)	3 - 6
4 Voluntary and Community Sector update Head of Operations, Nottingham Community & Voluntary Sector	
5 Voluntary and Community Sector Grants - 2022/23 - Key Decision Report of the Corporate Director, Finance and Resources	7 - 14
6 Financial Vulnerability and Debt Advice - 2022/23 - Key Decision Report of the Corporate Director, Finance and Resources	15 - 20
7 Purchase of Corporate software licenses and services for Microsoft products - Key Decision Report of the Corporate Director, Finance and Resources	21 - 24

All items listed 'under exclusion of the public' will be heard in private. They have been included on the agenda as no representations against hearing the items in private were received

If you need any advice on declaring an interest in any item on the agenda, please contact the Governance Officer shown above, if possible before the day of the meeting

Citizens attending meetings are asked to arrive at least 15 minutes before the start of the meeting to be issued with visitor badges

Citizens are advised that this meeting may be recorded by members of the public/ Any recording or reporting on this meeting should take place in accordance with the Council's policy on recording and reporting on public meetings, which is available at www.nottinghamcity.gov.uk. Individuals intending to record the meeting are asked to notify the Governance Officer shown above in advance

Nottingham City Council

Commissioning and Procurement Executive Committee

Minutes of the meeting held at Loxley House, Station Street, NG2 3NG, on 12 October 2021 from 10.00 am - 10.28 am

Membership

Present

Councillor Sam Webster (Chair)
Councillor Cheryl Barnard (Vice Chair)
Councillor Sally Longford
Councillor Adele Williams

Absent

Councillor Eunice Campbell-Clark

Colleagues, partners and others in attendance:

Jackie Handley	- Insurance and Risk Manager
Bethan Hopcraft	- Strategy and Commissioning Officer
Mark Leavesley	- Governance Officer
Steve Oakley	- Head of Contracting and Procurement
Ceri Walters	- Head of Commercial Finance

Call-in

Unless stated otherwise, all decisions are subject to call-in. The last date for call-in is **22 October 2021**. Decisions cannot be implemented until the working day after this date.

15 Apologies for Absence

Councillor Campbell-Clark - unwell

16 Declarations of Interests

None.

17 Minutes

The Committee agree the minutes of the meeting held on 14 September 2021 as a correct record and they were signed by the Chair.

18 Insurance tender: main programme - Key decision

Jackie Handley (Insurance and Risk Manager) and Steve Oakley (Head of Contracting and Procurement), presented the report, which sought approval to tender for and place required insurance policies for the Council, Nottingham City Homes, and associated wholly-owned companies, commencing 01 April 2022 for a period of 3 years, with an up to 2-year extension option.

During discussion, Ms Handley gave the following additional information:

- (i) the YPO framework currently has approximately 15 to 20 suppliers listed (including major providers such as Zurich Insurance) and is the main way to access the market when tendering;
- (ii) if a niche provider is required, and the Council is unsuccessful finding a supplier via the framework, it's brokers would be tasked with sourcing 4-5 different quotes from specialist insurance markets;
- (iii) the brokers work with the council to ensure any policy contracted is robust and suits the needs of the particular cover required.

Resolved to

- (1) approve tendering of the insurance programme currently held by the Council, Nottingham City Homes and associated wholly-owned companies, and include quotations for cyber insurance in the main tender process and subsequent awards;**
- (2) delegate authority to the Insurance and Risk Manager to let the insurance contracts on a 3-year basis, with an option of a 2-year extension for liability, motor, property and associated covers, fine arts, Directors and officers, personal accident and travel, cyber and specific policies for wholly-owned companies or commercial activities;**
- (3) note that any specialist areas of insurance cover that cannot be obtained through the YPO framework at a reasonable price will be considered under a separate process and approve that authority is delegated to the Insurance and Risk Manager to establish the best route to market for this specialist cover;**
- (4) request that the Insurance and Risk Manager inform members of this Committee of the successful providers once the tendering process is complete.**

Reasons for recommendations

The current insurance policies held by the Council, Nottingham City Homes (NCH) and associated wholly-owned companies are subject to long term agreements, all of which expire on 31 March 2022. There is no option to further extend the long term agreements.

Insurance is required by the Council and associated companies to provide financial protection against liabilities and to protect assets against catastrophic loss. The consequent transfer of the risk limits the Council's financial exposure to those losses payable under the policy excess.

Other options considered in making recommendations

No other options were considered as the current insurance policies expire on 31 March 2022 and the Council is required to have insurance.

19 Approval to procure supervised consumption of methadone and buprenorphine in pharmacies scheme through an open accreditation process - Key decision

Councillor Williams (Portfolio Holder for Adults and Health), Bethan Hopcraft (Strategy and Commissioning Officer) and Steve Oakley (Head of Contracting and Procurement), presented the report, which sought approval to procure a community pharmacy-supervised consumption scheme for opioid substitution therapy (OST), commencing 01 April 2022 for an initial period of 5 years, with an option to extend for up to a further two 2-year periods.

During discussion, Ms Hopcraft gave the following additional information:

- (i) a GP prescription is taken by the patient to a pharmacy and they monitor the dose, with the vast majority of pharmacies across the city offering the service, although some prefer not to be part of the scheme;
- (ii) there are all types of pharmacies involved, from small, independents to branches owned by national and international companies, which gives patients the option to go anywhere in the city;
- (iii) pharmacies submit invoices for work undertaken and those are dealt with by Public Health.

Resolved to

- (1) approve the expenditure of up to £2,589,517 of Public Health monies associated with procuring a community pharmacy-supervised consumption scheme and provision of take-home naloxone scheme commencing 01 April 2022 for a period of 5 years, with an option to extend for a further two 2-year periods;**
- (2) delegate authority to both the Director of Public Health and the Director of Commissioning and Procurement to approve the outcomes of the supervised consumption accreditation process and award the contracts.**

Reasons for recommendations

The current contracts held with 31 providers across 50 bases for this service are due to expire on 31 March 2022. Approval is sought for the use of funding to enable new contracts to be established for the continuation of a supervised consumption scheme within the City for an initial 5-year term with the opportunity to extend for two further two-year periods (subject to successful performance and continuing requirement for this provision. Without securing new contracts, there will be serious consequences for not only our drug-using population, but also a potential increase in crime (through diverted medications, among other crimes), and accidental poisonings of children and vulnerable adults.

Due to the potentially chaotic nature of the lives of people using this provision, there is an increased risk of overdose due to people potentially using more than their prescribed dose. Nottingham City is dedicated to improving health outcomes for citizens and by re-procuring this provision, the risk of overdose from prescribed and

non-prescribed opioids reduces among our drug-using population. Similarly, methadone poisonings account for over half of all poisonings in children under four, and the provision of this scheme will contribute to the reduction in risk of accidental poisonings in children. In addition, this provision will reduce the likelihood of diversion of potentially dangerous controlled medications.

Encouraging daily contact with a qualified health professional will improve the likelihood of any additional health concerns being identified and treated. Throughout their treatment journey, service users can build relationships with their pharmacist which often supports their recovery and other areas of their lives.

The length of the contract to be procured will reduce the processing costs associated with applications and will allow for providers to focus on service delivery, provide stability, and reduce mobilisation and exit time. The providers will be subject to regular financial and contractual audits and any potential extensions will be informed by these audits. Contracts will be issued with a 6-month break clause to allow for flexibility should the need arise to defund this provision.

An open accreditation is recommended for this service to enable any newly qualified pharmacists, or newly owned pharmacies who pass the accreditation process to deliver the scheme during the long contract period. Using a competitive tender process would limit the market, and an open accreditation has proven successful in the past in allowing flexibility for primary care providers (i.e. pharmacies and GPs) to deliver this provision without adding administrative burden to officers within Nottingham City Council, and providers of this service.

The provision is funded entirely through the Public Health ring-fenced grant, and as such is subject to requirements of this grant. Specifically, it is required for the local authority to provide “an accessible drug and alcohol treatment and recovery system that includes a full range of NICE-compliant drug and alcohol interventions to treat both alcohol and drug dependence and to reduce harm, based on local authority prevalence, need and current outcomes”. As stated, NICE guidelines state that provision of supervised consumption, where appropriate and required, is effective in reducing the potential harm caused by overdose, accidental poisoning and diversion of medications.

Other options considered

Do nothing and let the service provision end on 31 March 2022. This is not a viable option because there is a clear need for this service in the city to continue to ensure the continuity of positive outcomes for people who use opioids. Discontinuation of this service could result in an increase in overdose, accidental poisoning, and diversion of controlled medication. All of these aspects would increase the burden on other departments and organisations, such as HM Coroner’s Office, Nottinghamshire Police, Community Protection and local businesses, to name a few.

In line with Public Health grant requirements as laid out in Public Health Grant Conditions and Mandated Functions in England, a local authority must, as a condition in using the grant, “have regard to the need to improve the take up of, and outcomes from, its drug and alcohol misuse treatment services”. The supervised consumption scheme will allow Nottingham City to provide an evidence-based treatment system which aligns with the needs of the drug-using population.

Subject:	Voluntary and Community Sector Grants – 2022/23		
Corporate Director/ Directors:	Frank Jordan – Corporate Director for Residents Services Andrew Errington – Director of Community Protection Katy Ball – Director for Commissioning and Procurement		
Portfolio Holder:	Cllr Neghat Khan		
Report author and contact details:	Louise Graham – VCS Partnerships Manager louise.graham@nottinghamcity.gov.uk 07885 790195		
Other colleagues who have provided input:			
Key Decision	Yes	Subject to call-in	Yes
Reasons: Expenditure of £750,000 or more taking account of the overall impact of the decision			Revenue
Significant impact on communities living or working in two or more wards in the City			No
Type of expenditure:	Revenue		
Total value of the decision:	A budget of £1,759,509 for 2022/23 which will result in a saving of £167,082		
Wards affected:	All		
Dates of consultation with Portfolio Holder:	20 May, 17 June, 15 July, 16 September & 14 October 2021		
Relevant Council Plan Key Outcome:			
Clean and Connected Communities		X	
Keeping Nottingham Working		X	
Carbon Neutral by 2028		<input type="checkbox"/>	
Safer Nottingham		<input type="checkbox"/>	
Child-Friendly Nottingham		X	
Healthy and Inclusive		X	
Keeping Nottingham Moving		<input type="checkbox"/>	
Improve the City Centre		<input type="checkbox"/>	
Better Housing		<input type="checkbox"/>	
Financial Stability		<input type="checkbox"/>	
Serving People Well		X	
Summary of issues (including benefits to citizens/service users):			
<p>The Voluntary and Community Sector (VCS) deliver a wide range of activity for citizens across Nottingham, engaging with many communities that a local authority is unable to reach. Current VCS grant agreements cease on 31st March 2022. This report requests approval for the delivery of three one-year VCS grant programmes in 2022/23:</p> <ul style="list-style-type: none"> • Area Based Grant (ABG) – enabling delivery of activity to benefit children and young people, support for citizens engaging in training or employment. • Communities of Identity Grant - enabling delivery of community based provision to some of the most vulnerable groups of citizens across Nottingham, refugees and asylum seekers, citizens who identify by gender or sexual orientation, new and emerging communities including Roma. • Three individual specialist grants – supporting the financial infrastructure of the VCS, providing key support, advice and guidance to refugees and asylum seekers and enabling delivery of activity and services within a community space. 			

It is proposed a one-year extension to grant arrangements from April 2022-March 2023 be approved. This will allow a number of requirements to be put in place and enable a broader conversation about what a future community model should look like both within the Council and in partnership.

Additional requirements for 2022/23:

- £167,082 agreed saving to be applied subject to final budget approval;
- Refocus activity to provide some mitigation to the reduction in Council activity particularly in relation to Early Help and Youth Services;
- Agree a new set of performance targets, including the need to begin working towards greater self-sustainability and increased leverage of other grants through match funding;
- Incorporation of funding from the Public Health Grant intended to facilitate access to mainstream health services to align with other VCS activity to provide assistance to refugees and asylum seekers.

Exempt information: None

Recommendations:

- 1** To approve spend of £1,759,509 on grants for the Voluntary and Community Sector through a grant process.
- 2** To delegate approval to undertake a grants process to the Director of Commissioning and Procurement.
- 3** To delegate approval of the grants specifications to the Director of Community Protection in consultation with the Director of Commissioning and Procurement.
- 4** To delegate approval of the outcome of the process and grant award to the Director of Community Protection, in line with the outcome of the Council budget for 2022/23, in consultation with Legal Services.

1. **Reasons for recommendations**

- 1.1 To enable a reduction in the funding available to support the delivery of activity provided by VCS organisations.
- 1.2 To enable a broader conversation about what a future community model should look like, both within the Council and in partnership.
- 1.3 To renegotiate outcomes to help mitigate the reductions in Council services and to enable the realigning of outcomes delivered through the delivery of the VCS grant programmes. This includes understanding the impact of Covid and the new landscape that has emerged as a result of this.
- 1.4 To encourage and support further opportunities for VCS organisations to leverage external, additional funding against this source of grant funding.
- 1.5 To align activity funded to assist refugees and asylum seekers to access mainstream health services to complement the delivery of other activity to assist refugees and asylum seekers currently supported through VCS grants.

2. **Background (including outcomes of consultation)**

2.1 The current grants programmes were developed as part of the Streamlining Investment in the Voluntary Sector Programme in 2013. The Grant Funding process was agreed by Executive Board Commissioning Sub-Committee in July 2013. This followed an extensive consultation process with the VCS, internal colleagues and key stakeholders. The delivery of the grants programmes provides financial support to activity provided by VCS organisations within the City.

2.2 **Area Based Grant - Total Funding £1,164,828**

Supporting locally owned and delivered activity in neighbourhoods across the City with provision around:

- Children and young people – Delivering the only city wide support for play opportunities for young children. Delivering access to universal provision for young people with some targeted work undertaken by specialist delivery partners.
- Employment and skills activity - Supporting citizens into work or training with a focus on people aged under 25 and over 50 years. Match funded against European Social Fund activity that draws additional funding into Nottingham to deliver.
- Support for smaller VCS groups – Providing locally based infrastructure advice and support to community groups to enable them to deliver activity effectively and safely.
- Locally identified need – Support for older isolated citizens as an example

2.3 **Communities of Identity Grant – Total Funding £499,000**

Supporting specific communities within Nottingham who are more vulnerable and demonstrate a protected characteristic. This funding will be used to support:

- Refugees and asylum seekers,
- Communities of gender and sexual orientation
- New and emerging communities that are predominantly eastern European (including Roma) and African.

All Communities of Identity (COI) partnerships provide support for specialist VCS groups and organisations within their remit, seek to build skills and confidence, deliver English for Speakers of Other Languages (ESOL) and conversational English, and provide information, advice and guidance relevant to their community. In all cases the activity delivered aims to ensure these communities feel part of the city, to build trust and enable them to be active citizens. Each partnership also delivers against outcomes specific to their community.

2.4 **Specialist Grant Funding – Total Funding £210,825**

- Financial support for the VCS (£60,000)

- Provision of specialist financial management support and advice for VCS groups that balances the generic support delivered by ABG and COI.
- Independent Living Support (£78,000)
 - Provision of high level specialist advice and support to refugees and asylum seekers. Previously delivered via contract, converted to grant to enable wrap around support that is supported by more generic COI delivery.
- Sycamore Centre (£72,825)
 - Provision of a community space, tied into a lease arrangement agreed by property.

2.5 Consultation with the VCS

There has been a series of consultation events and meetings to discuss the future of the grant programme against the needs of local people. This has included:

- Meetings with current Lead Organisations and their partnerships;
- Presentations and discussions at Area Partnership Networks across the City to listen to VCS groups and local people;
- A series of events open to all VCS organisations hosted by NCVS;
- Discussions with stakeholders including internal services who use the grant programmes as a delivery mechanism for providing activity to citizens.

Consultation themes:

- A need to ensure local ownership of delivery continues at a neighbourhood/community level;
- Recognition of the ability of the VCS to reach citizens that the Council cannot;
- Understanding that the VCS can provide a more cost effective solution to delivering activity;
- The need for a more focused infrastructure support offer.

2.6 Into the Mainstream (ITM) – Total Funding £51,939

Asylum seekers and refugees are recognised as more vulnerable to communicable diseases, mental ill health and other health issues, and face challenges in accessing health services due to language / literacy, lack of understanding of NHS services and other barriers. The current contract to fund assistance to help refugees and asylum seekers to access mainstream health services (including registration with a GP) is due to end on 31st March 2022. A review of assistance for refugees and asylum seekers has identified the opportunity to align this activity to complement the delivery of other advice and assistance to refugees and asylum seekers through the VCS grants programme.

3. Other options considered in making recommendations

- 3.1 **Not continuing with the VCS grants programme** - Not recommended due to significant detrimental effect on citizens, particularly the most vulnerable and those in need of support if less funding is available to support these programmes.
- 3.2 **A longer grant agreement** - Not recommended as this would not align with the commissioning activity around the community support offer for vulnerable citizens and the ICS Community Transformation work stream.
4. **Consideration of Risk**
- 4.1 **Failure to use funding to deliver priorities** – Grant agreements will provide clearer targets in terms of the organisations objectives in using the Grant. This will be monitored through a new officer led objective management framework to ensure quality of delivery and delivery to agreed outcomes.
- 4.2 **Reduction of support** – Grant agreements will encourage VCS organisations work towards greater self-sustainability and increased leverage of other grants.
5. **Finance colleague comments (including implications and value for money/VAT)**
- 5.1 The proposed extension and re-allocation of the funding is within the existing budgets for the grant programmes as detailed below. This extension will reduce the budget available for these services when the current VCS grant agreement ceases on 31st March 2022. This will enable the approved savings of £167,083 to be met in the 2022-23 financial year and also provide a timeline to open discussions on the future community model.

Grant	Value	
Area Based Grant	£1,164,828	
Communities of Identity Grant	£499,000	
Specialist Grant Funding	£210,825	
Into the Mainstream (ITM)	£51,939	*funded by Public Health
TOTAL GRANT	£1,926,592	
SAVING 2022-23	(£167,083)	
REVISED GRANT TOTAL	£1,759,509	

- 5.2 The table above includes the Into the Mainstream grant (ITM) totalling £0.052m which is funded by Public Health. This funding will be transferred to VCS in 2022/23 on a one off basis in order to fund this grant whilst a while a review of this activity is undertaken and longer term arrangements put in place for 1 April 2023+, ensuring value for money is sought for the organisation.

The ITM grant will be subject to a full monitoring process ensuring adherence to the Public Health grant conditions and ensuring that the desired outcomes are achieved.

The ITM grant is not impacted by the ongoing Public Health funding review exercise currently being undertaken and this spend is captured within the

Public Health budget as incorporated within the Council's 2022/23 Medium Term Financial Plan.

Susan Turner – 20.10.21
Senior Commercial Business Partner

Hayley Mason
Strategic Finance Business Partner (Adults and Public Health)
28 October 2021

6. **Legal colleague comments**

- 6.1 The proposals in this report seek an extension of the VCS grant process to support a variety of activities provided by VCS organisations with the City.
- 6.2 It is understood that these organisations offer significant benefit across the projects they deliver, which the Council wishes to support under this grant process.
- 6.3 It is intended that a long term assessment of the future community model will be undertaken to consider the Council's funding position going forward.
- 6.4 Grants are not governed by the Public Contracts Regulations 2015 (PCR) and so there is no requirement for a procurement process to be followed. Appropriate grant agreement terms should however be put in place between the parties in order to reflect this arrangement, following the completion of a fair and transparent grant award process.
- 6.5 The Grant recipients shall be required to provide such information and comply with any instructions from the Council to ensure that a Grant remains compliant with the Subsidy Control Rules, including where appropriate or required to so, obtaining independent advice on receipt of the Grant to ensure compliance.

Dionne Screamon 22.10.2021
Solicitor, Legal and Governance

7. **Other relevant comments**

- 7.1 This report proposes the funding of activities delivered by the voluntary and community sector from April 2022 through a grant funding process. The Procurement Team have been consulted on the proposals and are supportive of the proposed approach. As the arrangements will be grant funding and not services contracts, they are not subject to the UK Procurement Regulations or the procedural requirements of the Council's Contract Procedure Rules. A grant application process should be undertaken and appropriate grant agreements entered into to reflect the award of funding.

Jo Pettifor – 21.10.21
Category Manager Strategy and People
Commissioning and Procurement

- 7.2 The proposals outlined do not have a direct impact upon the Council's workforce, other than in their delivery and performance management by Officers as part of their substantive job role.
The proposals do highlight an opportunity to positively influence the Council's Equality, Diversity and Inclusion ('EDI') strategy, by supporting delivery of provision for a number of groups within the city, including young people, vulnerable groups and those with protected characteristics.

Consideration of the future operating model will require review and input from the Council's support services, including HR and Legal teams, at the relevant time, to help understand the impact of any changes.

Paul Slater
HR Business Lead
29 October 2021

8. **Crime and Disorder Implications (If Applicable)**

8.1 N/A

9. **Social value considerations (If Applicable)**

9.1 These proposals support Nottingham City Council's approach to social and environmental well-being in connection with public service grant agreements for the VCS by requiring community groups to share space and work in partnership or to form consortia. This work will contribute to an increase and improvement in social and community cohesion and will help to foster a greater understanding and respect between communities and cultures.

9.2 Priorities for the grant programme have been identified in partnership with the VCS through a series of consultation events. Successful applicants will be required to engage with other grant funded programmes, organisations, area partnerships, stakeholders and Nottingham City Council initiatives such as the Employers Hub to help direct service outcomes and support local citizens.

10. **Regard to the NHS Constitution (If Applicable)**

10.1 N/A

11. **Equality Impact Assessment (EIA)**

11.1 An EIA is not required because there are no significant changes to existing services that will impact on delivery.

12. **Data Protection Impact Assessment (DPIA)**

12.1 A DPIA is not required because there are no significant changes to existing services that will impact or change the way that data is managed.

13. **Carbon Impact Assessment (CIA)**

13.1 A CIA is not required because there are no significant changes to existing services that will impact on the minimal carbon production from delivery.

14 List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

14.1 N/A

15 Published documents referred to in this report

15.1 N/A

Subject:	Financial Vulnerability and Debt Advice - 2022/23		
Corporate Director/ Director:	Clive Heaphy – Corporate Director Finance and Resources Katy Ball – Director Commissioning and Procurement		
Portfolio Holder:	Councillor Sam Webster		
Report author and contact details:	Louise Graham – VCS Partnerships Manager louise.graham@nottinghamcity.gov.uk 07885 790195		
Other colleagues who have provided input:			
Key Decision: Yes	Subject to call-in Yes		
Reasons: Expenditure of £750,000 or more taking account of the overall impact of the decision			Revenue
Significant impact on communities living or working in two or more wards in the City			Yes
Type of expenditure:	Revenue		
Total value of the decision:	£812,988		
Wards affected:	All wards		
Date of consultation with Portfolio Holder:	27 May 2021		
Relevant Council Plan Key Outcome:			
Clean and Connected Communities	X		
Keeping Nottingham Working	X		
Carbon Neutral by 2028	<input type="checkbox"/>		
Safer Nottingham	<input type="checkbox"/>		
Child-Friendly Nottingham	<input type="checkbox"/>		
Healthy and Inclusive	X		
Keeping Nottingham Moving	<input type="checkbox"/>		
Improve the City Centre	<input type="checkbox"/>		
Better Housing	X		
Financial Stability	<input type="checkbox"/>		
Serving People Well	X		
Summary of issues (including benefits to citizens/service users):			
<p>The current arrangements for financial vulnerability are due to end on 31st March 2022. Given the increasing demand for advice in Nottingham City it is important that financial vulnerability and debt advice support is maintained therefore this paper outlines the new arrangement to be put in place for April 2022.</p> <p>To ensure that support reaches citizens most in need of support, it is crucial that community focused advice and support around all aspects of financial vulnerability both reaches into local communities and provides an easily accessed digital offer. This delivery should be flexible to be able to react to emerging needs and the impact of Covid on vulnerable citizens in agreement with the Council.</p> <p>It is proposed a one-year conditional grant process for April 2022-March 2023 is approved.</p>			
Exempt information:	None		
Recommendations:			

1	To approve spend of £812,988 on Financial Vulnerability and Debt Advice through a grant application process, subject to the outcome of current budget discussions.
2	To delegate approval of the grants process to the Director of Commissioning and Procurement.
3	To delegate approval of the outcome of the process and award of funding to the Director of Commissioning and Procurement in line with the outcome of the Council budget for 2022/23.

1. **Reasons for recommendations**

- 1.1 The current arrangements for funding advice services for people experiencing financial difficulty, which were delivered under contracts come to an end on 31 March 2022, and a new arrangement needs to be implemented by 1 April 2022.
- 1.2 The creation of a one-year grant aligned to intended outcomes of the organisations will ensure stable provision of financial vulnerability support and debt advice and also enable a broader conversation about what the future community focused delivery model should look like both within the Council and in partnership.
- 1.3 To use the opportunity of the ending of the current arrangements to enable the re-aligning of outcomes delivered by this resource as a response to the changing need within local communities. This includes understanding the impact of Covid and the new landscape that has emerged as a result of this.
- 1.4 The award of a one-year grant also enables the successful delivery organisation to use this funding as match-funding against other grant opportunities such as those advertised by Central Government, Big Lottery etc.
- 1.5 This activity is already being delivered in the City by VCS organisations as part of their core function, NCC's funding serves as a contribution to the overall activities these organisations deliver. This approach will drive efficiencies and will open up the field to smaller organisations that work at a neighbourhood level with a 'reach' into local communities. The requirements via the procurement route often deter smaller organisation from applying, despite these organisations often being best placed to deliver this type of support.

2. **Background (including outcomes of consultation)**

- 2.1 The current contracts in place for the provision of advice to assist people experiencing debt and other financial difficulty are due to end in March 2022.
- 2.2 The rationale for undertaking a grant process is:
 - Is that these services are already being delivered in the City by VCS organisations as part of their core function and our funding serves as a contribution to the overall services these organisations deliver.
 - A grant process will enable local charitable organisations who already provide advice to bid, plus bring in additional resource for this activity in the city.

- A one-year grant will also enable the organisations flexibility to respond to needs as they present and for the Council to consider the funding it wishes to provide within the City as it changes.
- Currently the impact of COVID on people's mental health and finances is still unknown and this approach will allow services to flexibly meet unknown need in agreement with the Council.
- This will drive efficiencies and a grant approach will open up the field to smaller organisations that can work at neighbourhood level and reach those 'hard to reach' groups, as the requirements via the procurement route often deters the smaller organisations from applying, who are generally best placed to deliver this.

3. **Other options considered in making recommendations**

3.1 **Discontinuing current arrangements and not proceeding with a grant award**

- Not recommended due to significant detrimental effect on citizens, particularly the most vulnerable and in need of support.

3.2 **A longer grant agreement**

- Not recommended as this would not align with the commissioning activity around the Community Support offer for vulnerable citizens and the ICS Community Transformation work stream.

4. **Consideration of Risk**

4.1 If the decision is to not fund advice for people experiencing financial difficulty, the resulting impact of less funding could mean less support is available and the impact on citizens may include increased debt, not maximising benefits, and increased risk of homelessness that could ultimately result in a reduction in collection of rent and council tax.

4.2 There are no perceived direct risks attached with this decision. The current contracts are due to expire and the Council's intended objectives for ensuring these types of services are offered in the City will still be being provided by the VCS organisations under their core model of delivery. Consideration of other potential risks will be undertaken as the proposal is taken forwards.

5. **Finance colleague comments (including implications and value for money/VAT)**

5.1 Existing MTFP budget provision of £0.813m is contained within Commissioning & Procurement, within the Finance & Resources directorate, for this contract. This contract is therefore deemed affordable with no financial pressure occurring as a result of approving this decision.

It should be noted that 50% of this budget is made up from the Public Health reinvestment grant. Any future service redesign and/or savings proposals should be made in consultation with the NCC Public Health team, considering this funding element.

At the time of writing, there are no future savings in relation to this contract embedded in the MTFP.

Phil Gretton – Strategic Commercial Business Partner – 26 October 2021

6. Legal colleague comments

- 6.1 The proposal in this report is to approve the funding for financial vulnerability and debt advice services to VCS organisations in the City.
- 6.2 It is understood that services were previously offered under service contracts paid for by the Council. Following a review of the provision in the City and in line with the Council's policy objectives, it is deemed more appropriate that funding is allocated through a grant application process to existing VCS organisations who already deliver these kind of services. It is proposed to initiate a grant application process for a one-year period, whilst an assessment of the broader community model requirements is undertaken.
- 6.3 As the money will no longer be provided under a service contract, the Council will not be able to be as explicit about deliverables as it may have been previously, as this is not how grant agreements are intended to operate. Use of the funds will however be monitored in accordance with the bid process criteria to ensure alignment with the Council's objectives to support these types of services being available within the City.
- 6.4 Grants are not governed by the Public Contracts Regulations 2015 and so there is no requirement for a procurement process to be followed. Appropriate grant agreement terms should however be put in place between the parties in order to reflect this arrangement, following the completion of a fair and transparent grant award process.
- 6.5 The Grant recipients shall be required to provide such information and comply with any instructions from the Council to ensure that a Grant remains compliant with the Subsidy Control Rules, including where appropriate or required to do so, obtaining independent advice on receipt of the Grant to ensure compliance.

Dionne Screaton – 22.10.21
Solicitor, Legal and Governance

7. Other relevant comments

- 7.1 This report proposes the funding of financial vulnerability debt advice activities delivered by the Voluntary and Community Sector from April 2022 through a grant funding process. The Procurement Team have been consulted on the proposals and are supportive of the proposed approach. As the arrangements will be grant funding and not services contracts, they are not subject to the UK Procurement Regulations or the requirements of the Council's Contract Procedure Rules. A grant application process should be undertaken and appropriate grant agreements entered into to reflect the award of funding.

Jo Pettifor – 13.10.21
Category Manager Strategy and People, Commissioning and Procurement

- 7.2 HR and EDI considerations should be discussed in context of the reduced budget and how Lead Organisations plan to achieve this. Consideration will be given to any TUPE implications. Should TUPE apply then associated staff

transfers will need to take place before any restructure and this will likely impact on the timescales for delivering any savings. The costs of any TUPE, particularly in relation to pensions will need to be considered at an early stage.

Paul Slater
HR Business Lead
29 October 2021

8. Crime and Disorder Implications (If Applicable)

8.1 N/A

9. Social value considerations (If Applicable)

9.1 These proposals support Nottingham City Council's approach to social and environmental well-being in connection with public service grant agreements for the VCS by requiring community groups to share space and work in partnership or to form consortia. This work will contribute to an increase and improvement in social and community cohesion and will help to foster a greater understanding and respect between communities and cultures.

9.2 Priorities for the grant programme have been identified in partnership with the VCS through a series of consultation events. Successful applicants will be required to engage with other grant funded programmes, organisations, area partnerships and stakeholders to help direct service outcomes.

10. Regard to the NHS Constitution (If Applicable)

10.1 N/A

11. Equality Impact Assessment (EIA)

11.1 An EIA is not required because there are no significant changes to existing services that will impact on delivery.

12. Data Protection Impact Assessment (DPIA)

12.1 A DPIA is not required because there are no significant changes to existing services that will impact or change the way that data is managed.

13. Carbon Impact Assessment (CIA)

13.1 A CIA is not required because there are no significant changes to existing services that will impact on the minimal carbon production from delivery.

14. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

14.1 N/A

15. Published documents referred to in this report

15.1 N/A

This page is intentionally left blank

Subject:	KD – Purchase of Corporate software licences and services for Microsoft products		
Corporate Director(s)/ Director(s):	Clive Heaphy, Corporate Director for Finance & Resources		
Portfolio Holder(s):	Councillor Sam Webster, Portfolio Holder for Finance & Resources		
Report author and contact details:	Simon Salmon, Head of IT Services simon.salmon@nottinghamcity.gov.uk , 0115 85 77750		
Other colleagues who have provided input:	Paul J. Burrows, IT Change Projects & Strategy Manager paul.burrows@nottinghamcity.gov.uk , 0115 87 63153		
Key Decision	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Subject to call-in
			<input checked="" type="checkbox"/> Yes
			<input type="checkbox"/> No
Reasons:	<input checked="" type="checkbox"/> Expenditure	<input type="checkbox"/> Income	<input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision
			<input checked="" type="checkbox"/> Revenue
			<input type="checkbox"/> Capital
Significant impact on communities living or working in two or more wards in the City			<input checked="" type="checkbox"/> Yes
			<input type="checkbox"/> No
Total value of the decision: The value of the decision is estimated to be up to £ 4,500,000 over 3 years			
Wards affected: All	Date of consultation with Portfolio Holder(s): 20-Oct-2021		
Relevant Council Plan Key Theme:			
Nottingham People			<input type="checkbox"/>
Living in Nottingham			<input type="checkbox"/>
Growing Nottingham			<input type="checkbox"/>
Respect for Nottingham			<input type="checkbox"/>
Serving Nottingham Better			<input checked="" type="checkbox"/>
Summary of issues (including benefits to citizens/service users):			
<p>Nottingham City Council uses Microsoft products for both end-user and server computing, this is consistent with the Council's ICT Strategy. Every 3 years licences are re-purchased. This report seeks authorisation for re-purchasing using an approved framework. In addition to licences the Council also uses associated services, such as Microsoft approved technical support and consultancy services related to licensed products, to enable it to get the maximum value from purchased licences.</p> <p>The Microsoft purchasing model is based on actual license consumption and is subject to annual review during which licence volumes may be increased or reduced. The volume of licences to be purchased will be based upon consumption at the point at which procurement is made.</p>			
Exempt information:			
None			
Recommendation(s):			
<p>1 To delegate authority to the Head of IT Services to enter into contracts up to the value of £4,500,000 over 3 years using approved procurement frameworks to purchase Microsoft software licences and associated services for financial years 2022/23 to 2024/25.</p>			
<p>2 To approve allocation of funding from the IT Efficiency Fund for the three year period 2022/23 to 2024/25 to purchase Microsoft software licences and associated services.</p>			

1 Reasons for recommendations

- 1.1 In order to continue to use Microsoft products for end user and server computing beyond 30 Jun. 2022 Nottingham City Council will need to renew its software licensing agreement with Microsoft.
- 1.2 Microsoft products used as online services are subject to continuous development and improvement. Because of the increasing richness of these products the Council needs sometimes to be able to call upon additional support to get the best value from purchased products. This is the reason for recommending the inclusion of services within this decision as well as licenses.

2 Background (including outcomes of consultation)

- 2.1 Nottingham City Council has used Microsoft products for many years to support end user computing and servers providing application systems, security software, communications, etc.
- 2.2 The Council's ICT Strategy commits to the Microsoft product set, preferring these to other suppliers.
- 2.3 Microsoft software licences are purchased as enterprise wide agreements on a 3 yearly basis. Licencing volumes are reviewed annually to confirm that they are correct and may be 'trued-up' or 'trued-down' accordingly. These annual reviews allow the Council to add or reduce the number of licences in use. The current 3 year agreement ends on 30 Jun. 2022.
- 2.4 The current Corporate Microsoft software licensing agreement is used by both the Council and Nottingham City Homes.

3 Other options considered in making recommendations

- 3.1 Do nothing. This is not considered feasible. The Council depends heavily upon Microsoft's software to deliver services to citizens and maintain shared service delivery with other organisations. The Council could not function without Microsoft software and would be acting illegally if this were not licensed.
- 3.2 Move away from Microsoft software to other providers' software. This is not considered feasible. The Council has trialled non-Microsoft software in the past and has found that challenges in compatibility between it and Microsoft products, which are far more widely used, have added cost and frustration to users' activities. There would be significant costs associated with a change from Microsoft software.

4 Finance colleague comments (including implications and value for money/VAT)

- 4.1 This decision seeks approval to delegate authority to the Head of IT Services to enter into contracts up to the value of £4.500m over a 3 year period using approved procurement frameworks to purchase Microsoft software licences and associated services.

- 4.2 The contracts cover financial years 2022/23 to 2024/25 and funding will be provided in full from the IT Efficiency Fund (ITEF).
- 4.3 The profiling of the above costs have been considered in the ITEF forward plan which aligns to the current MTFP. It is to be noted however that there are further IT projects within the ITEF forward plan that are yet to be approved. The current balance of the ITEF funding is insufficient to fund all of these projects from 2022/23 onwards therefore careful consideration and planning when prioritising projects is critical in order to only spend within the agreed ITEF allocated budget whilst at the same time meeting corporate IT needs. No financial pressure or overspend can occur.
- 4.4 Whilst this decision seeks approval spend up to £4.500m over the 3 year period, the actual value and contracts paid will be based on actual activity levels. The IT service should make every attempt to spend below this ceiling amount, ensure only the minimum equipment is purchased and contracts are only entered for the minimum amounts in order to reduce future liabilities and financial risk, considering the constrained financial environment NCC is operating in.
- 4.5 Alternative provision delivery models have been explored but have proven unviable as outlined in the report.
- 4.6 The compliant procurement process will support the achievement of value for money.
- 4.7 VAT will be treated in accordance with HMRC guidance.

Phil Gretton – Strategic Finance Business Partner – 26 October 2021

5 Legal and Procurement colleague comments (including risk management issues, and including legal, Crime and Disorder Act and procurement implications)

5.1 Legal comments:

This report raises no significant legal issues. The procurement of Microsoft software licences through a recognised framework agreement is in accordance with public procurement rules and the Council's Contract Procedure Rules.

S O'Bradaigh, Senior Solicitor 20/10/21

5.2 Procurement comments:

Procurement Team will work with the relevant IT colleague to ensure the procurement of a new Microsoft Software Licence for a 3-year period starting 1 July 2022 is done so in a compliant and transparent manner. There are a number of recognised frameworks that could be used in addition to the CCS aggregation route.

I do not have concerns about this procurement and IT have Procurement Team on board from the outset.

L Dobson, Procurement Officer 27/10/21

6 Social value considerations

6.1 There are no Social Value Considerations directly associated with this decision.

7 Regard to the NHS Constitution

7.1 Local authorities have a statutory duty to have regard to the NHS Constitution when exercising their public health functions under the NHS Act 2006. In making this decision relating to public health functions, we have properly considered the NHS Constitution where applicable and have taken into account how it can be applied in order to commission services to improve the health of the local community.

The NHS Constitution states in section 2, 'NHS Values' that:

'Working together for patients.

Patients come first in everything we do. We fully involve patients, staff, families, carers, communities, and professionals inside and outside the NHS. We put the needs of patients and communities before organisational boundaries. We speak up when things go wrong.'

Microsoft software products are widely used within the NHS. Operating software that is of the same type as the NHS reduces the risk of non-compatibility issues and so facilitates the exchange of information between the NHS and the Council and joint working.

8 Equality Impact Assessment (EIA)

8.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because:

The proposal included within this report is a renewal of software licensing for products that are already in use by the Council. As such an EIA would have been undertaken at the point of initial acquisition or implementation.

Yes



Attached as Appendix x, and due regard will be given to any implications identified in it.

9 List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

9.1 None

10 Published documents referred to in this report

10.1 Nottingham City Council ICT Strategy