

# Public Document Pack



**Nottingham  
City Council**

## **Nottingham City Council Commissioning and Procurement Executive Committee**

**Date:** Tuesday, 12 December 2023

**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

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|----------|--|---------|
| <b>1</b> | <b>Apologies for absence</b>   |         |
| <b>2</b> | <b>Declarations of interests</b>   |         |
| <b>3</b> | <b>Minutes</b><br>Last meeting held on 14 November 2023 (for confirmation)   | 3 - 14  |
| <b>4</b> | <b>Public E-scooter Hire operator retender – key decision</b><br>Report of Corporate Director of Growth and City Development | 15 - 20 |
| <b>5</b> | <b>Nottingham Car Club retender - key decision</b><br>Report of Corporate Director of Growth and City Development            | 21 - 26 |
| <b>6</b> | <b>Retendering of the offsite storage service - key decision</b><br>Report of Corporate Director for Finance and Resources   | 27 - 86 |

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

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## Nottingham City Council

### Commissioning and Procurement Executive Committee

Minutes of the meeting held Loxley House, Station Street, NG2 3NG, on 14 November 2023 from 10.00 am - 10.42 am

#### Membership

##### Present

Councillor Audra Wynter (Chair)  
Councillor Jay Hayes  
Councillor Linda Woodings

##### Absent

Councillor Cheryl Barnard  
Councillor Corall Jenkins

#### Colleagues, partners and others in attendance:

Thomas Ali	-	Food Development Officer
Nancy Barnard	-	Head of Governance
Tammy Coles	-	Public Health Principal
Peter Ireson	-	Venue Director, Theatre Royal and Royal Concert Hall
Chris Keane	-	Head of Highway Services
Mark Leavesley	-	Governance Officer
Meagan Milic	-	Highways Compliance Manager
Steve Oakley	-	Head of Procurement
Sarah Wilson	-	Chief Electoral Services Officer

#### Call-in

Unless stated otherwise, all decisions are subject to call-in. The last date for call-in is **22/11/2023**. Decisions cannot be implemented until the working day after this date.

#### 32 Apologies for absence

Councillor Barnard ) other Council business  
Councillor Jenkins )

#### 33 Declarations of interests

None.

#### 34 Minutes

The minutes of the meeting held on 10 October 2023 were agreed as a correct record and were signed by the Chair.

#### 35 Procurement of booklet for the Combined County Authority Mayoral Election - key decision

Nancy Barnard, Head of Governance, presented the report and stated the following:

- a) As part of the devolution deal with government to establish a Combined County Authority to secure £38 million of funding per year, which would benefit the lives

of citizens living in the East Midlands region, an election for a Combined County Authority Mayor will need to be held;

- b) Nottingham City Council is expected to be selected as lead authority with Melbourne Barrett appointed as Combined County Authority Returning Officer (CCARO) to oversee the delivery of a Combined County Authority Mayoral Election, which will take place on 2 May 2024, subject to the passing of legislation;
- c) The CCARO will be required to print and post a mayoral election booklet to every elector in the combined authority area, 1.6m individuals in total. The booklet will include information from the CCARO about the election and an election address from each candidate;
- d) Procurement of the contracts to print and post these booklets would normally be the responsibility of the combined authority. However, as this is yet to be established and due to the tight timescales involved in approving the deal and delivering the election, Nottingham City Council has been asked to progress the procurement as an interim measure on behalf of the proposed East Midlands Combined Authority;
- e) Delaying the procurement process until after the legislation is passed and the East Midlands Combined Authority is formally established would result in this legal requirement not being fulfilled and would jeopardise the delivery of the election;
- f) Procurement needs to take place as soon as possible to ensure suitable providers are awarded contracts, subject to the legislation being approved, so that these legal deadlines can be met and that all electors receive a booklet in plenty of time before the election. In particular, postal voters, who will need to receive their booklets prior to their postal packs arriving, to ensure they have the opportunity to read the booklet before they return their ballot paper by post;
- g) To print the booklets the proposal is to call off against the Electoral Services existing print contract with Print Image Network Ltd, through the Nottinghamshire framework;
- h) In addition, the postage of the booklet will be procured through a separate competitive tender process;
- i) All costs for the printing and postage of the mayoral booklet will be met by the East Midlands Combined Authority and contracts will only be awarded on the basis that the legislation needs to be passed before the contract can commence.

### **Resolved to approve**

- (1) expenditure of up to £900,000 for the production and delivery of 1.6m mayoral booklets on behalf of the proposed East Midlands Combined Authority, subject to approval of legislation and noting that costs will be recovered from the Combined Authority once established;**

- (2) call-off against the current printing contract with Print Image Network Ltd. for the printing of the booklets;**
- (3) commencement of a competitive tender process for postage of the booklets, and delegate authority to the Director of Legal and Governance to award the contract based upon the outcomes of that process.**

Reasons for recommendations

- a) To ensure that the Council as proposed lead authority and the Combined County Authority Returning Officer (CCARO) can meet legal requirements for the delivery and conduct of the election, subject to the passing of relevant legislation.
- b) To comply with Financial Regulations relating to testing the market to demonstrate that best value for money is being obtained.
- c) To ensure business continuity for Electoral Services and the CCARO with existing supplier for the delivery of printed electoral materials.
- d) To provide adequate time and resources to implement any new contract as soon as legislation is approved to ensure that all aspects of the project can be delivered on time.
- e) To reduce the risk to the CCARO not being able to operate adequate, effective, and efficient services as a result of any period of time where no supplier is contracted to deliver these services.
- f) To pro-actively plan and react to new legislation as soon as it is approved to meet all new requirements and deliver a robust and safe elections for all citizens of Nottingham and the wider East Midlands Combined Authority area.

Other options considered

Do nothing and not have an appropriate contract in place. This is not recommended as:

- i. this would put NCC and the CCARO at a high risk, as when the legislation is passed an immediate start date for the contract will be required. If the tender process has not been followed prior to the approval of the legislation, then there would be no contract in place to call off on and therefore no ability to post these items.
- ii. awarding a contract without carrying out a tender exercise to procure the postal provider would be in breach of financial regulations and procurement rules.
- iii. failure to print and post the booklet to every elector would be in breach of the election rules and could result in an election petition against the CCARO for misconduct in running the election.

**36 Supply of fresh fruit, vegetables and dairy products to Nottingham City catering establishments - key decision**

Thomas Ali, Food Development Officer, presented the report, and stated that Nottingham City Council has over 70 schools, catering outlets and care homes which require fresh fruit, vegetables, and dairy products, and that the current contracts expire on 31 January 2024, therefore it was essential to have a stable supply of these products in place for the future.

**Resolved to**

- (1) approve undertaking tender processes to procure up to 4-year (2+1+1) contracts for the supply of:**
  - (a) fresh fruit and vegetables, with a maximum cost of £1,900,000;**
  - (b) dairy products, with a maximum cost of £1,160,000;**
- (2) delegate authority to the Corporate Director for People to award the contracts to the successful bidders.**

Reasons for recommendations

- a) The current contracts for the supply of fresh fruit, vegetables and dairy expire on 31 January 2024. New contracts need to be put in place and therefore a competitive tender process will ensure that both quality of product and value for money for all sites is obtained.
- b) There is a contract for suppliers and is subject to the Public Contracts Regulations 2015 which requires the City Council to undertake a competitive tender process to award the contract.
- c) The rationale for the decision is that all the expenditure will be covered by the charges for school meals, which is either through paid meals for the Free Schools Meals budget or income from the Council operated catering outlets.

Other options considered

- a) Do nothing - this would leave the Council at risk of no longer receiving products that are essential to produce school meals. This option has been rejected as Nottingham City Council needs suppliers to provide the food to schools, catering outlets, care homes and heritage sites, ensuring that services to citizens continue.

**37 Continuation of Changing Futures Programme for People Experiencing Severe and Multiple Disadvantage - key decision**

Councillor Woodings, Portfolio Holder for Adult Social Care and Health, introduced the report and, along with Tammy Coles, Public Health Principal, stated the following:

- a) the report sought approval to accept and use funding awarded to Nottingham City Council (on behalf of a local partnership facilitated by the Nottingham City

Place Based Partnership) following successful applications to the national Changing Futures Programme, for an extension of the existing Changing Futures grant, and to the NHS Nottingham and Nottinghamshire Integrated Care Board Health Inequalities and Innovation Fund, to deliver a programme of work to improve outcomes for people experiencing severe and multiple disadvantage (SMD);

- b) Nottingham has the eighth highest prevalence of SMD in England (JSNA 2019);
- c) SMD is one of four high-level priorities included within the Joint Health and Wellbeing Strategy 2022-25 to improve the health, and reduce health inequalities, of the population in Nottingham;
- d) The approval of the recommendations within the report would allow for the continuation and expansion of an ambitious programme for direct delivery of services and infrastructure to improve how statutory and voluntary sector partners work together to improve the lives of people experiencing SMD and the effective use of system resources during the 2024/25 year

### **Resolved to approve**

- (1) receipt of funding to deliver an agreed programme of activity from 01/04/2024 to 31/03/2025 as follows:**
  - (a) up to a total of £993,265 from the Department for Levelling Up, Housing and Communities' Changing Futures transition fund;**
  - (b) up to a total of £469,375 from The National Lottery Community Fund's Changing Futures transition fund;**
  - (c) up to a total of £981,853 from the NHS Nottingham and Nottinghamshire Integrated Care Board's Health Inequalities and Innovation Fund;**
- (2) spend of £2,444,493 from 01/04/2024 to 31/03/2025 to meet the Changing Futures programme objectives, in line with the indicative spending plan as detailed in appendix 1, with operational oversight delegated to the Changing Futures Programme Delivery Board;**
- (3) awards of contracts as set out in appendix 1 for transacting the spend to deliver the Changing Futures programme during 2024/25.**

### Reasons for recommendations

- a) Approval to take receipt of the funding detailed in recommendations 1 – 3 (totalling £2,444,493) is sought to allow for the continued delivery and extension of Nottingham's Changing Futures programme in line with proposals submitted to the Changing Futures national team and the Integrated Care Board.
- b) Appendix 1 details the proposed spend of the three sources of funding from 01/04/2024 to 31/03/2025 as described in recommendation 4. This largely

replicates the existing model and extends some areas of programme activity in line with opportunities to increase the impact of the programme. These are ring fenced grant monies, subject to the Council's financial regulations. Oversight of the full budget remains with the Changing Futures Partnership Board, which needs flexibility to resource the programme.

- c) Appendix 1 also details the compliant routes to market for the proposed contracts to be approved under recommendation 5. This includes:
- i. extending the existing s.75 agreements, so the programme can continue the roles of the Mental Health Practitioner and Programme Director hosted by NHT from 01/04/2024 to 31/03/2025 and the Advanced Analyst at the ICB from 01/07/2024 to 31/03/2025;
  - ii. expansion of the embedded practitioner model into up to four additional public bodies. Changing Futures currently has embedded practitioners in five partner agencies. This model is proving beneficial and is improving the way they work with people experiencing SMD. The development of new partnerships is currently being explored to confirm scope for delivery and to reach those areas most relied upon by people experiencing SMD. Subsequent approval will be sought for spend and approach to contracting once proposals have been confirmed. It is intended that these arrangements will be in place from 01/04/2024 to 31/03/2025;
  - iii. the Main Delivery Service contract, currently delivered by Framework, has been confirmed as exempt from Contract Procedure Rules under 18.94. This will allow the current services to continue from 01/04/2024 to 31/03/2025 with some extensions to provision. The services are to meet the needs of people experiencing SMD, this is a particularly complex cohort, which requires specialist knowledge and experience;
  - iv. the transition to new contracting and funding arrangements in 2024/25 would represent a risk to continuity due to uncertainty in the provider organisation and staff members. This carries a risk of the loss of experienced staff (as occurred during the transition from Opportunity Nottingham). These contracting arrangements will minimise this risk for delivery in 2024/25, with the intention to undertake the more comprehensive recommissioning required for ongoing compliance with procurement regulations prior to the start of the 2025/26 year;
  - v. by extending the existing contracts for advocacy and the Primary Care Embedded Practitioner, the services will continue uninterrupted from 01/04/2024 to 31/03/2025. This applies equally to the grant agreement with NCVS, which would be extended from 19/06/2024 to 31/03/2025.

#### Other options considered

- a) To not accept the funding awarded. This is not recommended on the basis that to not take receipt of the funding would lose the opportunity to realise expected benefits from direct operational delivery and prospects for longer term improvements.



- b) Various options were considered in developing the model. The model proposed incorporates all elements of the current model and provides for expansion of the Wraparound Multi-Disciplinary Team and the Embedded Practitioner roles.
- c) Reprocurring all services was considered as an option. This is not possible for operational reasons. There would be significant risk to the continuity of services. To minimise the risk around transition, the Programme has recommended options to extend existing agreements where compliant with the Council's financial regulations. This will ensure the continuity of the programme and minimise associated uncertainty amongst services and colleagues over their future involvement in the programme.

### **38 Community prevention, support and treatment services for young people and young adults - key decision**

Councillor Woodings, Portfolio Holder for Adult Social Care and Health, introduced the report and, along with Tammy Coles, Public Health Principal, stated the following:

- a) during a recently completed commissioning review for new substance use services it was identified that the young people and young adults' provision, including preventative interventions, as well as treatment and support, was comparatively underfunded relative to the adult's treatment and recovery service;
- b) due to the findings of the review, an operational decision was taken to spend an additional £245,000 ring-fenced public health grant in 2023/24, and this was subsequently included within the contract value for the 2023/24 financial year (six months impact only);
- c) approval was being sought for the spend of up to £3,055,043 of additional Public Health Grant money within the commissioned Young People Young Adults Service from 1 April 2024 to 31 September 2032 to enable the continuation of the current level of investment and the enhancements to capacity and quality that had enabled;
- d) the additional resource has been identified from within the existing alcohol and drugs budget allocation, and the spend was consistent with Best Value principles, including benchmarking with other core cities.

**Resolved to approve spend of up to £3,055,043 of ring-fenced Public Health Grant between 1 April 2024 to 31 March 2032 within the commissioned Community Prevention, Support and Treatment Service for Young People and Young Adults who use Alcohol and Drugs.**

#### Reasons for recommendations

- a) Substance use treatment and recovery services are funded primarily through the ring-fenced Public Health Grant, as required by grant conditions. Nottingham City Council is also in receipt of funding from the Office of the Police and Crime Commissioner as a funding partner and receipt of additional national Grants. This decision relates to ring-fenced Public Health Grant spend only.

- b) All of the funding for substance use services commissioned by Nottingham City Council sits either under ring-fenced grant conditions (Public Health Grant, SSMTRG) or partnership agreements, for which the Director of Public Health is accountable, and the resource must be stewarded in line with these conditions.
- c) Nottingham has a young age-structure, with just under 30% of the population aged 18 to 29, with Full-time university students comprising about 1 in 7 of the population. The updated Substance Misuse (illicit drugs and alcohol) (2022) joint strategic needs assessment for Nottingham reported drug use is highest among 16-19 and 20-24-year-olds but these age groups account for only 8% of people in structured treatment in Nottingham, identifying a potential gap within service provision for this age group. The recently commissioned young people young adults service has a refreshed focus on meeting the needs of young adults aged 18-25 years.

Other options considered

- a) Not to increase the level of investment in the contract. This was rejected as this would not deliver the enhancements to capacity and quality of the service provided and not meet the identified unmet need within the 18-25 population.

**39 Provision of a Pantomime at the Theatre Royal - key decision**

Peter Ireson, Venue Director, Theatre Royal and Royal Concert Hall, presented the report and stated the following:

- a) the Council engages Crossroads Pantomimes Ltd, an experienced pantomime producer to co-produce the Theatre Royal pantomime. The producer takes on the risks of mounting the production, including the casting, sets, props and costumes, based on an agreed share of the anticipated box office revenues;
- b) the contract with the current producer comes to an end in January 2025 following the final performance and get-out of the 2024/25 pantomime. As such, there is the need to confirm and put in place a contract with a producer before the end of the 2024/25 pantomime to enable the planning and marketing of the 2025/26 pantomime to commence simultaneously and seamlessly;
- c) as well as contributing to the Council Key Outcome highlighted above, the contract also contributes to the Council meeting its statutory duty around Best Value.

**Resolved to approve undertaking a full procurement process to secure a pantomime producer for the Theatre Royal Pantomime for 5 years duration (2025/26 to 2029/30) and to delegate authority to the Venue Director of the Theatre Royal and Royal Concert Hall to enter into a contract with the successful bidder.**

Reasons for recommendations

- a) The contract with the current pantomime producer comes to end after the completion of the pantomime in January 2025.

- b) Offering a 5-year contract, rather than a shorter period, is more likely to attract suitable producer bids, as producers will feel they have an opportunity to recoup and make a return on any necessary investment.
- c) The approval requested in the report will allow the Council to initiate the tender process to secure a pantomime producer. This will allow TRCH to work with the successful producer to plan, develop and deliver the Theatre Royal pantomime in December 2025, which generates a financial contribution supporting the sustainable operation of the venue.

Other options considered

- a) Presenting shows other than a pantomime at the Theatre Royal over the festive period was considered but rejected as the pantomime is extremely popular, makes a significant net contribution to the Council, and the Royal Concert Hall is able to host alternative, complementary performances during the festive period.
- b) Producing the pantomime in-house without an external producer was considered. This option was rejected as it would expose the Council to significant additional risks in the sourcing and securing of artists, sets, props and scenery without the specialist experience and economies of scale available to major producers who present a number of pantomimes across the UK each year.

**40 Highways Annual Procurement Approval 2024/25 - key decision**

Chris Keane, Head of Highway Services, and Meagan Milic, Highways Compliance Manager, presented the report and stated the following:

- a) the report sought approval for the provision of future procurement arrangements to support Nottingham City delivery of statutory Highway Maintenance Works, Highway Improvement and Public Realm Programmes and Specialist Support Services for Highways Works;
- b) there are currently established framework arrangements in place to support highways delivery, but considering the level of framework spend to date and forecast planned work activity in future years, it was essential that new and additional frameworks were established commencing in 2024/25;
- c) in preparation for this, and to ensure continuity in procurement compliance for delivery in future years, both new and additional contracts would be required to be put in place, and those would be under framework arrangements without commitment to spend;
- d) in addition, there are requirements for approval to access third party frameworks for essential services for Highways;
- e) approval is sought to put procurement arrangements in place for the following essential activities:

1. works – planned carriageway maintenance;
  2. works – drilling, sawing and cutting;
  3. services – site surveys, including ground radar;
  4. services – winter service weather forecasting;
- f) it was proposed that Frameworks were awarded through conducting processes in accordance with the Council's Contract Procedure Rules and requirements under the Public Contracts Regulations 2015 and, where permitted, to access existing national frameworks (provided they demonstrated Best Value);
- g) frameworks are anticipated to utilise the National Engineering Council (NEC 4) Suite of Construction Contracts or other industry recognised and accepted terms;
- h) a breakdown of the framework requirements is set out in more detail in appendix 1 of the report, including proposed duration of contracts;
- i) in the operation of any awarded framework agreements, it will be necessary to award call-off contracts for individual projects and to ensure oversight of the operation of any framework and subsequent call-off arrangements, it is proposed that responsibility be delegated at an operational level to the Contracts and Compliance Manager for Highways.

**Resolved to approve procurement and subsequent award of Contracts / Framework Agreements and to delegate authority to the Contracts and Compliance Manager for Highways to act as 'Framework Manager' on the awarded call-off from the Framework Agreements as detailed in appendix 1 to the report.**

Reason for recommendations

- a) Recommendation 1 - Procuring Highway Frameworks will allow Highway Services to continue to compliantly deliver works and services to fulfil statutory obligations to maintain the highway and support all Transport Services in compliant delivery options.
- b) The identified benefits of putting these arrangements in place are:
- continuity in the provision of compliant delivery arrangements for highways activities in response to sustained grant allocation for highways and transport projects;
  - enabling the delivery of external grant funded schemes in line with the timescales of the award;
  - a value-for-money delivery model with no fixed financial commitment to use the framework;
  - opportunities for local Small to Medium Enterprise (SME) companies to tender for the work; through framework awards under smaller lots;

- the potential for a local workforce either through direct employment or through regional SME sub-contractors;
  - ensuring the Council complies with its duty of Best Value by going through a competitive process to evaluate price and quality; this to include further competition through mini-competition;
  - economies in accessing established third-party frameworks where viable;
  - the ability to develop relationships with a core set of framework providers to the Council and ensure effective management through such relationships;
- c) appendix 1 outlines the frameworks required to be approved under this decision, including estimated spend over a 4-year period. All frameworks have no commitment to spend, and values stated are estimated based on current operational forecasts and the MTFP;
- d) Recommendation 2 – To have a named officer to have oversight of the frameworks and approve any call-off arrangements will ensure that there is appropriate and ongoing governance of the spend under, and operation of, the frameworks. In addition, to ensure that the necessary authorities and budgets are in place on a project-by-project basis before a call-off can be awarded;
- e) this delivery model has a number of additional benefits including:
- strong links to our corporate value and objectives through:
    - I. comprehensive compliant financial and procurement arrangements;
    - II. provision of real opportunities for local businesses and local employment;
  - a highly flexible and responsive structure to accommodate short term changes to delivery programmes;
  - local knowledge available in the planning and assessment of proposed works.

Other options considered

- a) Not to let Contracts or Frameworks - Not having compliant procurement measures in place will adversely affect our ability to engage with suppliers and contractors to deliver essential highway works and projects, in particular through time limited external grant funding.
- b) Further, no effective means to demonstrate compliance with financial and procurement regulations for the significant spend in future years by the broader Transport Group at NCC.
- c) To not progress new framework arrangements will jeopardise grant funding and Nottingham would lose out on the opportunity to invest the City, its transformation and in local neighbourhoods. It would also fail to demonstrate commitment to the Government's Levelling Up agenda putting at risk the ability to secure future capital funding.

- d) To directly award Contracts - this would require commitment to spend at point of contract, would not provide the flexibility required for service requirements, including commercial market opportunities, over the period and therefore not provide best value.

#### **41 Exclusion of the public**

The Committee agreed to exclude the public from the meeting during consideration of the remaining item in accordance with Section 100A(4) of the Local Government Act 1972 on the basis that having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

#### **42 Exempt appendix - Provision of a pantomime at the Theatre Royal**

The exempt appendix was noted.

<b>Subject:</b>	Public e-scooter hire operator retender – CPU6549		
<b>Corporate Director:</b>	Sajeeda Rose - Growth and City Development		
<b>Portfolio Holder:</b>	Councillor Angela Kandola - Highways, Transport and Planning		
<b>Report author and contact details:</b>	Iain Turner, Senior Transport Planner, <a href="mailto:iain.turner@nottinghamcity.gov.uk">iain.turner@nottinghamcity.gov.uk</a> 0115 9761526		
<b>Other colleagues who have provided input:</b>	Paul Rogers, Commercial Finance Business Partner Anthony Heath, Senior Solicitor Holly Fisher, Lead Procurement Officer (Products)		
<b>Key Decision</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Subject to call-in</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Reasons:</b> <input type="checkbox"/> Expenditure <input checked="" type="checkbox"/> Income <input type="checkbox"/> Savings of £750,000 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	
<b>Type of expenditure:</b> <input checked="" type="checkbox"/> Revenue <input type="checkbox"/> Capital			
<b>Total value of the decision:</b> £5,000,000 (approx)			
<b>Wards affected:</b> All			
<b>Date of consultation with Portfolio Holder:</b> 26 October 2023			
<b>Relevant Council Plan Key Outcome:</b>			
Green, Clean and Connected Communities	<input type="checkbox"/>		
Keeping Nottingham Working	<input type="checkbox"/>		
Carbon Neutral by 2028	<input checked="" type="checkbox"/>		
Safer Nottingham	<input type="checkbox"/>		
Child-Friendly Nottingham	<input type="checkbox"/>		
Living Well in our Communities	<input type="checkbox"/>		
Keeping Nottingham Moving	<input checked="" type="checkbox"/>		
Improve the City Centre	<input type="checkbox"/>		
Better Housing	<input type="checkbox"/>		
Serving People Well	<input type="checkbox"/>		
<b>Summary of issues (including benefits to citizens/service users):</b>			
<p>The existing contract for the city's e-scooter scheme is due to expire on the 31 May 2024. Therefore, there is a requirement to retender for an e-scooter operator to continue the scheme post-May 2024.</p> <p>The trial has recently been extended until 31 May 2026 by the Department for Transport (DfT) as work on legalisation of all e-scooters continues. A longer-term contract with a duration of three to five years will be sought to cover the extended trial period and a transition period whilst legislation is being passed.</p>			
<b>Exempt information:</b> None			
<b>Recommendations:</b>			
<p><b>1</b> To undertake a procurement for a concessionaire to operate Nottingham's public hire e-scooter scheme for a duration of three to five years.</p>			

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| <b>2</b> To delegate authority to the Corporate Director of Growth and City Development to award the contract to the successful provider following the tender. |
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**1. Reasons for recommendations**

- 1.1 Retendering for an operator will secure commitment to continue the ongoing public e-scooter hire trial in Nottingham. It is proposed that the new contract will cover any extension period set out by the DfT as well as the follow-on period where legislation and long-term arrangements are put in place.
- 1.2 Continuation of the e-scooter hire scheme assists in meeting a number of strategic objectives. These include supporting access to work, education and other services. Providing an affordable personal transport option for short journeys. A clean and green transport mode, that supports the Carbon Neutral 2028 plan.
- 1.3 The council will be seeking a revenue share from the operator to offset costs associated with managing and overseeing the contract including planning of supporting infrastructure and ongoing maintenance with any surplus to support Council revenue savings. Any supporting infrastructure, such as parking corals, will continue to be funded by local transport grant funding.

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

- 2.1 Nottingham's e-scooter hire scheme commenced in October 2020 following a joint procurement in partnership with Derby City Council. Initially planned for a 12-month duration involving 30 local authorities, the trial period has been extended each year by the DfT.
- 2.2 The DfT have indicated the legalisation of all e-scooters will be forthcoming however, delays have been experienced with securing a Bill slot to take the proposed legalisation through Parliament. This has resulted in the DfT extending trials for a further two years to 31 May 2026.
- 2.3 Nottingham's e-scooter scheme is one of the most well used in the country with an average of 3,000 rides per day and is particularly popular with young people, students and other low-income groups without access to a car. The fleet has been expanded from an initial roll out of 250 scooters to 1,300 scooters (operating license limit) at the current time. Issues with pavement riding and poor parking are being addressed through the implementation of innovative technology, education/communications, and infrastructure.
- 2.4 The scheme operates on a fully commercial basis with the current operator taking on responsibility for all costs associated with the ongoing operation of the scheme including vehicle supply, maintenance and repair. This includes providing the App through which users access and pay for the service, customer support and insurance in line with DfT requirements. The City Council is responsible for the approval of vehicle parking locations and any associated infrastructure provision.

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

- 3.1 Two other options were considered, to (1) do nothing, (2) seek a short-term contract to cover trial period only.



- 3.2 Do nothing. Procurement have advised that it is not possible to extend the contract duration (that is due to expire on 31 May 2024) with the current e-scooter operator. This is due to the scheme hitting the £4.5m revenue threshold over the three and a half years the trial will have been active.
- 3.3 Seek a short-term contract to cover any extended trial period. A short-term contract was considered but feedback from other authorities and operators is that best value could not be achieved from this option. A contract only covering the duration of the trial (expiring in 31 May 2026) would not attract investment from an operator or provide the council with levers to ensure high performance.

#### **4. Consideration of Risk**

- 4.1 A risk register has been produced. Known operational risks highlighted include users riding on the pavement and poor parking of e-scooters. Mitigations such as use of technology, increased, infrastructure, operator patrollers as well as education and enforcement requirements will be detailed in the specification.
- 4.2 Key issues relating to the tender process are allowing sufficient time to develop the specification and contract, and completion of the tender process prior to the current contract ending and handover of the service in the event that the existing operator does not bid for/win the next contract.
- 4.3 To mitigate these risks, a programme has been developed, clearly setting out key milestones to ensure the service can commence as the existing contract ends. Risks relating to a lack clarity on the council's requirements will continue to be mitigated as the specification is developed ahead of tender publication in the New Year. Key milestones following Committee approval are:
- Invitation to Tender published: 8 January 2024
  - Closing date for submissions: 12 February 2024
  - Notification of successful bidder: 11 March 2024
  - Transition/mobilisation commences: 26 March 2024
  - New contract commences: 1 June 2024

#### **5. Best Value Considerations**

- 5.1 The e-scooter scheme operates on a commercial basis. The risk for ensuring it remains commercially sustainable rests with the operator. Seeking a new, up to 5 year contract, will allow sufficient time to attract new investment from an operator and provide the council with levers to ensure further improved operational performance as well as generating some income from revenue share. Council input is limited to managing and overseeing the contract and activity related to the approval of parking bays and provision of parking infrastructure. The costs for these will be covered by the income generated and local transport grant funding.

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

- 6.1 The decision to undertake a procurement exercise for an e-scooter operator to provide Nottingham city e-scooter rental, with the period starting 1st June 2024 for three to five years. This is supported as is in line with Nottingham City Council's environmental goals by providing clean green sustainable mode of transport within the city and aids the department of Transport as research on the legalisation of E-scooters progresses.

- 6.2 Previous to this there have been several delegated decisions. Firstly, a DDM for e-scooter purchase DDM 4173. For provision of E scooter parking DDM 3939 from the Emergency Active Travel fund. Funding from the Active travel fund DDM 4173 for evaluation, training, publicity and other associated costs. Lastly, DDM 4025 was approved in October 2020 to commence the trial as part of the local green restart following the Covid-19 pandemic.
- 6.3 Nottingham City Council will continue close monitoring of the tender, with relevant procurement guidelines and timelines above adhered to. The risk register will also be checked regularly.
- 6.4 The E-scooter Scheme is a commercial activity a commercial activity with any cost to the council being fully recovered including officer time and general running costs. Any excess, arising from the scheme (amount to be confirmed as part of the Tender) being used to support revenue savings. This will be reflected in the forecast and Budget for the service and reviewed regularly.

Paul Rogers, Commercial Finance Business Partner (G&CD) - 14/11/2023

## **7. Legal colleague comments**

- 7.1 This report seeks approval to tender for an e-scooter operator to continue the scheme beyond the end of the present contract (31 May 2024) and in line with trial period imposed by the Department for Transport or other legal requirements.
- 7.2 The report highlights that the DfT have extended the trial period for e-scooters until 31 May 2026. Any contractual arrangement used for the purposes of the tender and the subsequent legally binding arrangements will need to be explicitly subject to any decisions that the DfT make as regards trial period and any other legal requirements that may be imposed.
- 7.3 Note should also be made of the resource pressure the Contracts and Commercial team within Legal Services is presently under and the possibility that funding may need to be found to cover the cost of using external solicitors to draft the necessary contract due to the proposed timetable; the solicitor supporting this matter has requested a draft contract some months back and again in recent meetings but nothing has been forthcoming. The shorter the time period given to draft the contract, the higher the likelihood that external solicitors will need to be engaged to meet that timetable if a budget can be identified by the client department.
- 7.4 As a retender where there is an incumbent supplier, care needs to be exercised that the tender process used does not limit the market without reasonable justification or intentionally favour the existing supplier.
- 7.5 The proposal includes the Council continuing to own and maintain resources for use by the proposed supplier, in particular parking corrals. As a cost of operation, this potentially means that the Council is taking on some of the risk of operation, thus potentially taking this scheme outside the definition of a concession as set out in the Concession Contract Regulations 2016. This has been raised and it is understood from the author of the report that this is a known risk. This approach, however, mitigates other risks that the Council may potentially face, in particular in the parking of e-scooters and e-bikes and

the potential problems the Council may face if they had no influence over this. Further, the possibility of a commercial arrangement being entered into between the Council and the supplier for the use of such areas has been raised as a possibility that would remove this risk.

- 7.6 As regards the possible transition between the incumbent supplier and a new supplier, it would be prudent to identify to the incumbent supplier now the contractual obligations they are under as regards a successful transition or end of contract scenario.

Anthony Heath, Senior Solicitor - 21 November 2023.

## **8. Other relevant comments**

### **8.1 Procurement**

The request to undertake a procurement exercise for the provision of the E-scooter Scheme complies with the Council's contract procedure rules and the Concession Contract Regulations.

The value of the turnover is below the threshold of the Concession Contract Regulations; however, the principles will be applied throughout.

This contract requirement will be supported by procurement to ensure the final contract offers best value and remains compliant.

Holly Fisher, Lead Procurement Officer (Products) - 21 November 2023

## **9. Crime and Disorder Implications (If Applicable)**

- 9.1 All e-scooters are fitted with GPS tracking devices and are insured by the operator of the scheme. Potential issues for personal safety and the opportunity for crime will be considered as part of the selection process.
- 9.2 Delivery of an accessible and affordable public hire scheme has the potential to limit the illegal usage of private e-scooters that the council has limited control over.

## **10. Social value considerations (If Applicable)**

- 10.1 The public e-scooter hire scheme provides a clean, green, and affordable mode of transport for thousands of the city's residents and commuters seeking an integrated and sustainable travel option.
- 10.2 The procurement process will allow for Social Value proposals from bidders.

## **11. Regard to the NHS Constitution (If Applicable)**

- 11.1 N/A

## **12. Equality Impact Assessment (EIA)**

- 12.1 An EIA is not required because this re-tender does not introduce a significant change to policies, function or services a new EIA is not required at this time. The document will be reviewed and updated before the specification completed.

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

- 13.1 A DPIA is not required because the City Council will not have access to any personal information on e-scooter hire users. Any data received for contract monitoring purposes will be provided in an aggregated and anonymised format that will not identify individuals or their personal information.

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

- 14.1 Attached as appendix A, and due regard will be given to any implications identified in it.

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

- 15.1 None.

**16. Published documents referred to in this report**

- 16.1 Delegated decisions related to e-scooter trial:

- Appointment of provider for e-scooter trial in Nottingham - 27/10/2020;
- OEDD – Extension of the rental e-scooter trial - 19/10/2021;
- E-scooter trial continuation - 07/12/2022.

<b>Subject:</b>	Nottingham Car Club Retender		
<b>Corporate Director:</b>	Sajeeda Rose - Growth and City Development		
<b>Portfolio Holder(s):</b>	Councillor Angela Kandola - Highways, Transport and Planning		
<b>Report author and contact details:</b>	Anne-Marie Barclay, Project Manager, <a href="mailto:annemarie.barclay@nottinghamcity.gov.uk">annemarie.barclay@nottinghamcity.gov.uk</a> , 0115 8764095		
<b>Other colleagues who have provided input:</b>	Paul Rogers, Finance Business Partner Sarah O'Bradaigh, Senior Solicitor Holly Fisher, Lead Procurement Officer (Products)		
<b>Key Decision</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Subject to call-in</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Reasons:</b> <input type="checkbox"/> Expenditure <input checked="" type="checkbox"/> Income <input type="checkbox"/> Savings of £750,000 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
<b>Type of expenditure:</b>	<input checked="" type="checkbox"/> Revenue <input type="checkbox"/> Capital		
<b>Total value of the decision:</b> Up to £900,000			
<b>Wards affected:</b> All			
<b>Date of consultation with Portfolio Holder:</b> TBC			
<b>Relevant Council Plan Key Outcome:</b> Green, Clean and Connected Communities <input type="checkbox"/> Keeping Nottingham Working <input type="checkbox"/> Carbon Neutral by 2028 <input checked="" type="checkbox"/> Safer Nottingham <input type="checkbox"/> Child-Friendly Nottingham <input type="checkbox"/> Living Well in our Communities <input type="checkbox"/> Keeping Nottingham Moving <input checked="" type="checkbox"/> Improve the City Centre <input type="checkbox"/> Better Housing <input type="checkbox"/> Serving People Well <input type="checkbox"/>			
<b>Summary of issues (including benefits to citizens/service users):</b>  The existing contract for the Nottingham car club is due to expire in May 2024. The purpose of this report is to secure approval to retender the scheme (for 3+2 years), with a view to securing a concessionaire who will work with the council to expand the service provision across the city, and increase the number of electric vehicles on the fleet where the charging infrastructure can be provided.			
<b>Exempt information:</b> None.			
<b>Recommendations:</b>			
<b>1</b> To undertake procurement to retender for a concessionaire to deliver the Nottingham Car Club for up to five years (a 3+2 concession contract).			
<b>2</b> To delegate authority to the Corporate Director of Growth and City Development to award the contract to the successful provider following the tender.			

## **1. Reasons for recommendations**

- 1.1 Retendering of the Nottingham Car Club scheme will secure commitment to expand the operating fleet to new hire locations across the city, that will increase the availability of car club vehicles to more residents, businesses and visitors. To support CN28 and cleaner air objectives the operator will also be required to increase the share of low and zero emission vehicles.
- 1.2 In order to expand the car club it will be necessary to allocate additional dedicated car club bays in commercial and residential areas, which for on-street locations will require the implementation of further Traffic Regulation Orders (TROs). Future bay locations will be assessed for their viability in terms of customer attractiveness, commercial value and deliverability of electric vehicle charging infrastructure.
- 1.3 The current concession includes payment of an annual charge by the operator for each dedicated parking bay plus a revenue share. This allows the scheme to operate without the need for Council funding.
- 1.4 Increasing the number of electric vehicles in the car club fleet will require an increased deployment of electric vehicle charging infrastructure. This will need to be integrated with the Council's roll out of public charging facilities.
- 1.5 The cost of changing infrastructure will be funded through a combination of income generated from the scheme and local transport grant funding.
- 1.6 Income generated through the scheme will contribute to existing Council savings as well as supporting promotional activity such as discounted drivetime to Nottingham residents or expansion of the service into neighbourhoods that would otherwise not be commercially viable.

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

- 2.1 A car club offers 'pay as you go' car hire for the public and for businesses. It contributes to Nottingham's sustainable transport approach by offering an alternative to private car ownership for journeys not suitable or possible by alternative means of transport. The benefits of car clubs are that it can be a cheaper option than owning a car, helps to reduce congestion, reduces parking pressure and helps cut pollution.
- 2.2 All costs and responsibilities associated with private vehicle ownership are included in the annual membership, hourly booking rates and mileage rates. This creates a saving for members when compared with traditional car ownership with limited mileage (typically less than 7,000 miles per year).
- 2.3 CoMoUK, the national charity dedicated to the social, economic and environmental benefits of shared transport, recently published their annual study into car club usage. The report highlighted that nationally there has been a significant growth in car club membership, which has more than doubled since 2019. On average each car club vehicle in the UK has replaced 22 private vehicles.
- 2.4 The Nottingham car club has been in operation since 2014. First launched with a City Centre focus it was retendered in 2019. The contract was awarded to Enterprise and will expire in May 2024.

- 2.5 The car club operates on a 'back to bay' model whereby users hire and return a vehicle to a dedicated location. The current fleet comprises of 20-25 vehicles and is a mixture of low emission, hybrid and fully electric vehicles.
- 2.6 The scheme operates on a fully commercial basis with the concessionaire taking on responsibility for all costs associated with the operation of the scheme including vehicle purchase, fuel, tax, insurance, cleaning, maintenance, customer support, online booking and payment system.

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

- 3.1 Three other options to (1) do nothing (2) extend with the existing operator and (3) deliver in house were considered.
- 3.2 As a minimum, the current car club scheme could continue (or decline) on a commercial basis without further involvement from the Council. Outside of a formal contractual arrangement the Council would not benefit from the income generated and lose all influence over the scheme so was, rejected.
- 3.3 The tender award in 2019 was for a three-year concession, with an option to extend for a further two years. The two-year extension has already been utilised and further extension of this contract has therefore been rejected.
- 3.4 The specialist skills and resources required to operate and manage a car club are not available within the Council for the service to be delivered in house resulting in this option being rejected.

### **4. Consideration of Risk**

- 4.1 A risk register has been produced. From an operational perspective, key risks have been identified in relation to a lack of interest from the market to operate the service and difficulty in providing sites for future expansion. A lack of interest to operate the service is unlikely, as use of the Nottingham scheme is increasing.
- 4.2 Given that provision of a fully electric fleet may be challenging and cost prohibitive to potential operators, this risk will be further mitigated by operating a mix of low and zero emission vehicles. Risks related to future expansion will be mitigated by ensuring only deliverable sites are included in the tender specification.
- 4.3 Key risks relating to the tender process are allowing sufficient time to develop the specification and contract, completion of the tender process prior to the current contract ending and handover of the service in the event that the existing operator does not bid for/win the next contract.
- 4.4 To mitigate risks associated with project timescales a programme has been developed, clearly setting out key milestones to ensure the service can commence as the existing contract ends. Risks relating to a lack clarity on the Council's requirements will continue to be mitigated as the specification is developed ahead of tender publication in the New Year.
- 4.5 Key milestones following Committee approval are:
- Invitation to Tender published: 8 January 2024;
  - Closing date for submissions: 12 February 2024;
  - Notification of successful bidder: 11 March 2024;

- Transition/mobilisation commences: 26 March 2024;
- New contract commences: 13 May 2024.

## 5. **Best Value Considerations**

- 5.1 The car club scheme operate primarily on a commercial basis, generating some income from permit fees and share of income through usage.
- 5.2 Through the tender process the intention will be to further expand the scheme across the city. The cost of new vehicles required will be met by the concessionaire with the Council funding new Traffic Regulation Orders as required using income generated or local transport grant funding. Increasing the proportion of electric vehicles will be linked to the expansion of the public electric vehicle charging network being funded through the Government's Local Electric Vehicle Infrastructure (LEVI) programme. Bidders will be tested on their commitment to this as part of the tender response.
- 5.3 The project team will identify an agreed list of hire locations that could potentially be introduced as part of the new concession across the City.

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

- 6.1 The decision to retender the car club concession, which provides Nottingham City Council additional green, low priced transport options, within agreed timelines as per point 4.3 above and adhering to relevant procurement legislation, is supported.
- 6.2 The Gross income is approximately £180,000 per year (£900,000 over the life of the 5-year contract). The operator is responsible for taking the overall commercial risk with the marketing and operational performance of the contract.
- 6.3 The car club contributes approximately £14,000 per year in income from a 5% revenue share (circa £5,000 per year) and fees for the use of parking bays (circa £9,000 per year). This revenue is used to offset the costs of operating Traffic Regulation Orders and other transport functions related to the operation of the car club.
- 6.4 As per 6.2 above, this service does not run at a cost to the council, Therefore the proposal will not add financial pressure to the MTFP and can be contained within Transport Strategy and is supported. This will be monitored by the service for any variance and reflected in the monthly forecast for the service.

Paul Rogers, Finance Business Partner - 06/11/2023

## 7. **Legal colleague comments**

- 7.1 The value of the concession contract is below the threshold for the Concession Contracts Regulations 2016 (CCR) to apply. The CCR does not, therefore, apply to this contract. Having regard to the total estimated turnover value of the contract (which is the for the life of the contract or 5 years whichever is the longest), in accordance with Contract Procedure Rule 18.65, at least 3 written tenders will need to be obtained.

Sarah O'Bradaigh, Senior Solicitor – 07/11/23



## **8. Procurement colleague comments**

- 8.1 The request to undertake a procurement exercise for the provision of the Car Club complies with the Council's contract procedure rules and the Concession Contract Regulations.
- 8.2 The value of the turnover is below the threshold of the Concession Contract Regulations; however, the principles will be applied throughout.
- 8.3 This contract requirement will be supported by procurement to ensure the final contract offers best value and remains compliant.

Holly Fisher, Lead Procurement Officer (Products) - 10 November 2023

## **9. Crime and Disorder Implications (If Applicable)**

- 9.1 All car club vehicles are fitted with GPS tracking devices and are insured by the operator of the scheme. Potential issues for personal safety and the opportunity for crime will be considered as part of the selection process for any new car club bays to ensure vehicles are provided in safe and secure locations that are well lit with good natural surveillance to help give confidence to vulnerable users.

## **10. Social value considerations (If Applicable)**

- 10.1 The car club scheme will improve the sustainable transport choices across the city, providing both residents and businesses with access to a fleet of new, safe and less polluting vehicles. For residents without access to a private vehicle, the car club also provides opportunities to access services/locations that may otherwise be difficult or not cost effective to visit without a car.
- 10.2 The procurement process will test bidders to ensure that the chosen Concessionaire offers a range of payment and membership options suitable for younger drivers and low-income families.

## **11. Regard to the NHS Constitution (If Applicable)**

- 11.1 N/A

## **12. Equality Impact Assessment (EIA)**

- 12.1 An EIA is not required because as this re-tender does not introduce a significant change to policies, function or services a new EIA is not required at this time.

## **13. Data Protection Impact Assessment (DPIA)**

- 13.1 A DPIA is not required because Nottingham City Council will not have access to any personal information of car club members. Any data received for contract monitoring purposes will be provided in an aggregated and anonymised format and will not comprise information that identifies individual members or shares their individual personal information.

## **14. Carbon Impact Assessment (CIA)**

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

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

15.1 None.

**16. Published documents referred to in this report**

16.1 None.

<b>Subject:</b>	Retendering of the offsite storage service		
<b>Corporate Director/ Director:</b>	Ross Brown - Finance and Resources Malcolm Townroe - Legal and Governance Services		
<b>Portfolio Holder:</b>	Councillor Audra Wynter – Finance and HR		
<b>Report author and contact details:</b>	Beth Brown - Head of Legal and Governance Services <a href="mailto:Beth.Brown@nottinghamcity.gov.uk">Beth.Brown@nottinghamcity.gov.uk</a> Alison Liversidge - Information Compliance Specialist <a href="mailto:Alison.Liversidge@nottinghamcity.gov.uk">Alison.Liversidge@nottinghamcity.gov.uk</a> Eileen Hudson - Principal Records Officer <a href="mailto:Eileen.Hudson@nottinghamcity.gov.uk">Eileen.Hudson@nottinghamcity.gov.uk</a>		
<b>Other colleagues who have provided input:</b>	David Marshall - Senior Finance Business Partner, Finance Louise Dobson - Lead Procurement Officer, Products Richard Bines - Solicitor, Contracts and Commercial Paul J Burrows - IT Change, Projects & Strategy Manager Naomi Matthews - Data Protection Officer/Information Compliance Team Leader/Senior Solicitor		
<b>Key Decision</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<b>Subject to call-in</b>
	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
<b>Reasons:</b>	<input checked="" type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £750,000 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Type of expenditure:</b>	<input checked="" type="checkbox"/> Revenue <input type="checkbox"/> Capital		
<b>Total value of the decision:</b> up to £800,000			
<b>Wards affected:</b> All			
<b>Date of consultation with Portfolio Holder:</b> TBC			
<b>Relevant Council Plan Key Outcome:</b> Green, Clean and Connected Communities <input type="checkbox"/> Keeping Nottingham Working <input type="checkbox"/> Carbon Neutral by 2028 <input checked="" type="checkbox"/> Safer Nottingham <input type="checkbox"/> Child-Friendly Nottingham <input type="checkbox"/> Living Well in our Communities <input type="checkbox"/> Keeping Nottingham Moving <input type="checkbox"/> Improve the City Centre <input type="checkbox"/> Better Housing <input type="checkbox"/> Serving People Well <input checked="" type="checkbox"/>			
<b>Summary of issues (including benefits to citizens/service users):</b> Since 2010 the offsite document storage service has been provided by Box-it North Midlands (herein referred to as “Box-it”), who are based in Uttoxeter. They are a franchise operated by R P Storage Ltd (company number 05338185).  NCC have been out of contract with Box-it for a significant period of time, and so a retendering process now needs to take place for the storage of NCC’s paper documentation. The current contract terms with Box-it are to store documents, with a select number of boxes having to be stored in archival (or specialist) storage conditions. They offer a delivery and collection service twice a week to NCC sites and provide a service for confidential destruction of paperwork when requested. They also provide materials, such as file storage boxes and security tags.			

This retendering process provides the opportunity for NCC to futureproof its archived paper data. Approval is sought to re-tender for the provision of an off-site data storage service for approximately 22,739 boxes owned by NCC with significant additional modifications over and above the existing service provision. The process will be to procure a hybrid document management solution using a competitive procedure with negotiation.

The proposal is to move to a hybrid model of service that offers:

- a physical paper archive solution
- a scan on demand service
- a significantly reduced box delivery and collection service
- a bulk scanning option with file preparation
- an improved box tracking audit system
- an electronic document management storage solution.

**Exempt information:** None.

**Recommendations:**

1. To seek approval via the spend control process put in place by Nottingham City Council's Chief Finance Officer to spend up to £800,000 on the procurement of a hybrid total document management solution (as detailed in paragraph 3.1 below) noting that the procurement will only proceed once the above approval has been given.
2. To procure a hybrid (as detailed in paragraph 3.1 below) total document management solution service provider using a competitive procedure with negotiation.
3. To delegate authority to the Head of Legal Services to approve the outcome of the competition procedure with negotiation and award and enter into a 5-year contract with option to extend for a further 3-years and then a further 2-year contract with the successful provider, subject to satisfactory contractual performance.
4. To note each Corporate Directorate's Service Delivery Area has responsibility for:
  - document digitisation suitability;
  - document record management (including document retention period policy compliance);
  - UK GDPR and Data Protection Act 2018 compliance;
  - ensuring sufficient resource and budget allocation to ensure UK GDPR and Data Protection Act 2018 compliance.
5. To note the intention to de-centralise the budget for the document management solution and devolve this to each Corporate Directorate's Service Delivery Area

**1. Reasons for recommendations**

- 1.1 NCC currently stores 22,739 boxes at Box-it's offsite storage facility. 2,359 of these boxes require storage in higher cost archival conditions, due to the age of these documents, and the need for them to be kept in their physical format in perpetuity.
- 1.2 The contract has expired, and therefore approval is sought to retender the operation with modifications to the original 2010 specification.

- 1.3 The annual cost of the current contract primarily only covers the cost for storage, delivery/collection of boxes, and any new box materials. The Box-it service has included the delivery of around 1,500 boxes to various NCC sites per year. The current process is to return the boxes to the offsite facility once the contents are viewed. As a matter of convenience, standard practice, and cultural habit, sending files to Box-it has been the default option for most service areas for many years.
- 1.4 In line with changing approaches to the management of paper records by organisations across the public sector, Information Compliance recommends that NCC moves away from purely archiving records to one where records are futureproofed and digitised. NCC have a legal requirement to physically maintain some records in hard copy, usually in perpetuity. The need to retender provides an opportunity for NCC to adopt a new approach to the way the organisation manages paper records. The preferred option would be to consider a hybrid model, storing paper files where legally required to do so, and then digitising paper records when requested to view by colleagues, as well as those with the longer retention dates where it would be cheaper to scan and destroy rather than storing physically. This option will help to support the organisation's future aims.
- 1.5 In a recent Financial Controls Assessment carried out by Ernst & Young, the auditors identified several serious concerns including a weak control environment, ineffective systems, and a culture which is not focused upon compliance. It was found that there were issues around the inability to find documents and document retention. Although this audit related to financial records, it is evident through work conducted by Information Compliance that these issues are likely to be reflective across all areas in the authority in relation to the data that they hold.
- 1.6 The transformation of the offsite storage service will help underpin the corporate planning theme referred to in the Information Assurance Board Report (18 May 2023). By rethinking how NCC manages and futureproof its information assets, and by taking a longer-term view of records management, NCC can deliver best value outcomes for Nottingham.
- 1.7 It is envisioned that the process of digitising records will become a longer-term project, with little to no cost savings initially. But with the reduction of paper records stored, and the move to store files digitally, the costs will reduce over the longer-term period of the contract, for which the savings can then be built into larger bulk scanning projects if required.
- 1.8 Information Compliance believe that, where possible, a programme of digitising records would be beneficial to NCC for the following reasons:
- Service areas could quickly access information which would reduce delays caused when waiting for boxes to be delivered, improving efficiency within teams, and delivering a better service to our citizens.
  - It is evident through the procurement frameworks related to document management that it is more cost effective to adopt a hybrid model of storage and scanning.
  - It will improve the efficiency of those colleagues classed as hybrid workers to access records from wherever they are working.
  - There will be a reduction in risk of records degrading over time or from records being mislaid or lost.
  - There is the future potential to transfer existing digitised documents from decommissioned systems currently used by NCC onto a new EDMS creating one centralised system to store documents.

- Improved protection of data through IT mechanisms, through providing a better inventory of records than what NCC has at the current time, using metadata to categorise the sensitivity of the information contained, and adding in automatic retention periods.
- A reduction in storage costs will be made over the timeframe of the contract, although a certain number of records would still need to be retained in hard copy as defined through legislation (such as deeds, births, deaths, and marriage registers) – these could still be digitised for ease of access and to support the reduction of deliveries.
- The proposal will help support NCC's Carbon Neutral aims by requesting less physical box deliveries, a reduction in documentation being printed, reducing the need large amounts of physical storage, and therefore decreasing utility usage (such as electricity).

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

- 2.1 NCC has a number of statutory requirements around the management of personal data of its citizens and staff; of particular relevance are storage limitation (not keeping data for longer than is necessary) and ensuring that data is stored safely and securely and protected from accidental loss, destruction or damage. Failure to observe these and other key requirements of the UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018 could potentially constitute a breach of the legislation and could therefore result in significant reputational and/or financial damage to the Council (a fine of up to £17.5m or up to 4% of turnover).
- 2.2 Since 2010 the offsite storage service has been provided by Box-it. When NCC centralised to Loxley House, colleagues were encouraged to use the service to store all physical documents. Unfortunately, many boxes were not accurately catalogued, and many were assigned inaccurate retention periods with named box owners who have now either moved to new roles or have left the organisation. When required, boxes are ordered via an in-house developed database and delivered or collected by Box-it twice weekly to various council locations.
- 2.3 Information Compliance inherited the management of the legacy service in 2018 and have since attempted to bring both the service in line with the UK GDPR storage limitation principle and save NCC additional cost of storing boxes unnecessarily, by ensuring that boxes are either retained as per legislative or business requirements or destroyed if past their retention period.
- 2.4 The current annual cost of the contract primarily only covers the storage, delivery, and collection of boxes, as well as box materials.
- 2.5 The quality of the inventory information for each box varies between department, but the vast majority is poor. Often the information held relates to the overall box contents and not the files within, resulting in a whole box being delivered when only a file is required. In many instances, colleagues cannot be sure that the information still exists within that box, which wastes additional staff time searching for the relevant information needed.
- 2.6 Within the original 2010 contract, an external software system was not commissioned to connect with the external supplier's box ordering software. Currently, boxes are ordered via an in-house developed database which is no longer fit for purpose as information cannot be easily changed, and still reflects the 2010 organisational structure. Significant financial investment is required to re-code the database to ensure that it is accurate and can be used more effectively for auditing and reporting

purposes. Having one system, used by Information Compliance, NCC staff and the storage provider will alleviate current issues and will present an accurate auditable picture of the physical records held in storage.

- 2.7 Box-it currently charge around £150 for each box to be scanned and digitised and supply the documentation on a USB, which is not a secure method for transferring or supplying data. Box-it are not equipped to bulk scan documentation as they are primarily a physical document storage provider. There is also significant risk to NCC of information being misplaced as scanned images are not recorded onto any relevant searchable document management system. There is currently no central document management system. This has resulted in scanned documents being stored on shared drives - for example, the limited capacity of storing documents within LiquidLogic means that scanned social care files for citizens cannot be stored in one central place. The high cost of scanning is also currently prohibitive to teams who wish to use this service to digitise their physical documentation.
- 2.8 Information Compliance have been in contact with various local authorities across the UK to see how they undertake digitisation. The benefits of a paperless environment include: searchability (easier and faster finding of documents); accessibility (easier access particularly with hybrid working); productivity (spend less time recalling boxes and sifting through files); preservation (protecting documents and files from deteriorating); reduction in storage costs and improved UK GDPR compliance and a focus on improved disaster recovery.
- 2.9 As part of the procurement process, Information Compliance and Procurement colleagues have had meetings and demonstrations with four companies to understand what the industry can offer. The four suppliers spoken to were chosen for their digitisation offer, their location to Nottingham and the costings of their services. Information Compliance and Procurement colleagues have undertaken site visits to two suppliers to view their storage and scanning facilities. Through these visits, it has become evident that many public organisations are moving away from physical storage to digitising documents and suppliers have offered their expertise and experience of managing similar projects with these governing bodies.

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

- 3.1 Information Compliance have approached the current supplier and a number of other suppliers for their costings of storage, delivery, and destruction of physical boxes, as well as the scanning and storage of digitised records, with the provision for the use of their own box and document management system. Suppliers have provided the costings in order for the calculation of the projected costings for this report. However, Box-it have not provided new costings for scanning. The new costs include the payment of the uplift and perm-out fee charged by Box-it within the box storage cost projections. There will be further work undertaken with service areas and Information Compliance to understand if the amount of current archival storage is necessary, which may bring the costs down further.

#### **Option 1 – Storage only approach (i.e. storage, delivery, destruction of physical paperwork, use of supplier's box tracking platform)**

This option would be the same approach taken by NCC that it has done for the past 13 years, therefore remaining as the "status quo", which is currently unsustainable and not good value for money. Deliveries would still take place to various NCC sites twice a week for colleagues, with the option for the supplier to destroy boxes on NCC's behalf. The only change would be the use of a supplier's box tracking platform

to reduce the current risk with the internally built-in house database. This would not support more agile working, will not achieve efficiencies in terms of staff time and resources, not assist with required digitisation projects as well as not supporting NCC's CN28 aims.

	<b>Current supplier costs (per annum)</b>	<b>Estimated current supplier - new costs (per annum)</b>	<b>Estimated new supplier costs (per annum)</b>
Storage – normal (20,380 boxes)	£56,248.80	£64,400.80	£41,371.40
Storage – archival (2,359 boxes)	£17,126.34	£17,126.34	£46,800.00
Retrieval (1,500 boxes)	Included	Included	£1,500.00
Delivery/Collection (450 boxes)	Included	Included	£2,376.00
Destruction (1,500 boxes)	£2,400.00	£3,360.00	£1,500.00
Box tracking software	N/A	Not available	Included
<b>Total</b>	<b>£75,775.14</b>	<b>£84,887.14</b>	<b>£93,547.40</b>

**Option 2 – Digitisation approach (i.e., digitise everything and only store the records that need to be retained in their physical format, destruction of boxes, use of the supplier's document management system and box tracking system)**

This approach will not be suitable or affordable given the staff resource and financial constraints that NCC is currently facing. There is no one size fits all approach to digitisation, and so this 'big bang' approach would not be suitable across the varying teams within the organisation.

	<b>Current supplier costs (per annum)</b>	<b>Estimated current supplier - new costs (per annum)</b>	<b>Estimated new supplier costs (per annum)</b>
Storage – normal (20,380 boxes)	£56,248.80	£64,400.80	£41,371.40
Storage – archival (2,359 boxes)	£17,126.34	£17,126.34	£46,800.00
Retrieval (1,500 boxes)	Included	Included	£1,500.00
Delivery/Collection (450 boxes)	Included	Included	£2,376.00
Destruction (1,500 boxes)	£2,400.00	£3,360.00	£1,500.00
Box tracking software	N/A	Not available	Included
Document Management System (25 users)	N/A	Not available	£12,000.00
Scanning (approx. 48,585,920 total images, 4,858,592 images per year over 10 years)	£291,515.52	Not quoted (c.£291,515.52)	£242,929.60
<b>Total</b>	<b>£367,290.66</b>	<b>£376,402.66</b>	<b>£348,477.00</b>

**Option 3 – Hybrid approach (i.e. a scan on demand service to reduce deliveries and stored paperwork, supplier's document management system and box tracking system, storage of boxes where required and when not cost effective to scan)**

This would be the desired option for this new tender and from conversations with suppliers, would be the best approach to digitising records. Scans can have a level of service dictated to the supplier which could ensure documents can be delivered electronically to colleagues within 24 hours, and then after a set time, the physical



paperwork can then be destroyed - reducing physical storage costs. With this reduction of costs over time, it will release funds in the budget to tackle bulk scanning projects, such as citizen records.

	<b>Current supplier costs (per annum)</b>	<b>Estimated current supplier – new costs (per annum)</b>	<b>Estimated new supplier costs (per annum)</b>
Storage - normal (20,380 boxes)	£56,248.80	£64,400.80	£41,371.40
Storage – archival (2,359 boxes)	£17,126.34	£17,126.34	£46,800.00
Retrieval (1,500 boxes)	Included	Included	£1,500.00
Delivery/Collection (450 boxes)	Included	Included	£2,376.00
Destruction (1,500 boxes)	£2,400.00	£3,360.00	£1,500.00
Box tracking software	N/A	Not available	Included
Document Management System (25 users)	N/A	Not available	£12,000.00
Scanning (252,000 images / 105 boxes per year)	£15,120.00	Not quoted (c.£15,120.00)	£12,348.00
<b>Total</b>	<b>£90,895.14</b>	<b>£100,007.14</b>	<b>£117,895.40</b>

3.2 Options 2 and 3 will require input from across the organisation, with the assistance of staff within Information Compliance. There will need to be extensive thought and planning within each team to create specified file definitions and categorisations so that electronic scanned files can be indexed and utilised effectively by those staff members who need them to undertake their day-to-day work.

3.3 It is envisaged that changes to the provision will enable internal variations to be made on how the system is managed. At the present time, the budget is centralised, maintained by the Information Compliance team. This means that there is no incentive for services to maintain and manage their physical records. By moving towards a more service-based approach, service areas will be responsible for paying to store their own records, paying for box deliveries and destructions. This will help to prevent unnecessary spend on retaining boxes past their retention date and reducing or removing deliveries to sites when the scan on demand service will suffice, allowing for service areas to be involved in the management of their own records with guidance on the relevant statutory requirements from Information Compliance when required.

3.4 Options will also require consultation with the services that request delivery of boxes and FM Services regarding the impact of changes to the type of offsite storage service that is delivered.

#### 4. **Consideration of Risk**

4.1 There is a risk that the organisation is currently not complying with the principles of the UK GDPR. It is evident that at the current time, NCC does not have oversight of all the personal and sensitive data that is held, for what purpose, for the period it must be retained and where it is stored. This could result in a costly data breach, or a failure to disclose information when requested, and consequently, NCC could incur a significant fine by the Information Commissioner's Office. The mitigating actions through this new tender process will be to futureproof NCC's records by digitising them and ensuring that they are searchable and easily accessible.

- 4.2 There is a financial risk to consider. There is a current budget of £70,675 per annum to cover storage, delivery, collection, and materials. However, it is not known what the full costs of storage or digitising records will be until the tender and procurement process is undertaken, and the quotes returned by suppliers may be higher than the £800,000 agreed. Through projections, it has been calculated that there will be no budgetary savings during the short term. However, savings will be made with the reduction of boxes in physical storage, reducing the amount paid in this area over the course of the contract and into the future. The process will also enable those boxes in archival conditions to be reviewed to see if they need to remain in this high-cost storage going forwards. It is estimated that the breakeven point (where NCC only stores the paper records where it is legally required) and have scanned everything else, is around 25 years.
- 4.3 Physical records can deteriorate over time and to digitise them will help to preserve their integrity, especially if there is a duty for them to be kept in perpetuity. Digitisation will help to prevent physical records from being mismanaged, and therefore being at risk of loss. However, there must be thought given to how the digital matter will be stored due to the relatively new nature of digitised records. Currently there is not enough research or precedent to ensure that this is a long-term solution due to significant and ever evolving technological changes.
- 4.4 Another risk is that paper-based records are more susceptible to potential disasters such as fire, floods, or theft. A mitigating action would be disaster recovery, for which any documents stored in an electronic document management system (EDMS) would be easier to recover than physical records in the event of a disaster.
- 4.5 There is a risk to the storage and management of the files once they have been digitised and the physical paperwork has been destroyed. If the digital files are not stored, named and metadata assigned correctly on a preferred system, data will be lost and cannot be searched for effectively. Data can also remain on these storage solutions and could be retained for longer than the documents defined retention date leading to the contravention of the 'storage limitation' principle under article 5(1)(e) of the UK General Data Protection Regulation (GDPR). However, through using a new supplier, they will be able to index and file documents correctly, which will mitigate this risk, and help with NCC staff resources.
- 4.6 NCC currently uses an internal database that is based on a corporate structure relating to 2010. The database is not fit for purpose for a number of reasons; it does not allow reporting on box contents, changes to structure details, or the use of generic team emails instead of a single user, and cannot be improved without significant financial investment. The move to a new supplier will mean that NCC can procure this system from them, and the inventory data will be futureproofed.
- 4.7 The new service will not be successful without significant engagement from all service areas with the support of colleagues in Information Compliance. There will be a move away from the centralised budget with Information Compliance towards a service area-based approach, incentivising them to take responsibility to manage their own records. Service areas will be required to be accountable for ensuring the supplier is aware of how the records should be appropriately named and filed electronically, which will in turn allow for readily accessible and retrievable information.
- 4.8 The current Box-it contract has a £95,312.60 exit fee. This consists of a Termination Fee (3 months storage totalling c£18,000), an uplift fee of £1 per box (£22,739); and a perm out fee of £2.40 per box (£54,573.60). After speaking with

suppliers across the sector, there is the ability for the uplift and perm out fees to be integrated into the storage costs with repayment incorporated into the storage prices to be quoted. In either case, NCC will have to pay for at least the termination fee, and in the worst-case scenario, also the remaining perm-out and uplift fees if the contract was awarded to a new supplier and the costs could not be incorporated into contract prices.

## **5. Best Value Considerations**

5.1 Thought has been given to best value and a regard to a combination of efficiency, economy and effectiveness is demonstrated below.

5.1.1 Given the requirement for the Council to reduce its spending, rethinking the way that money is spent on physically maintaining information assets is prudent. Now is the time to transform how NCC manages the service and reduce the spend year on year, when action can be taken now that looks to futureproof records, where possible, via digitisation.

5.1.2 The preferred option to digitise most records will contribute to the way that the service is run by using digital resources effectively. This approach will ensure that resources are not wasted in terms of staff time ordering a box, waiting for its delivery using porters to deliver the boxes, physically printing documents or scanning copies and wasting paper and photocopier ink. It will also contribute to the reduction of duplicate copies of documents in multiple locations. This will significantly speed up vast amounts of processes across the Council where citizen data needs to be recalled, reducing staff time taken up on the administrative burden around physical records which will allow them to serve citizens more efficiently.

5.1.3 The new approach will result in improved effectiveness. Once documents have been scanned and filed appropriately in electronic storage (most likely in an EDMS), colleagues will be able to quickly locate and access the right documents at the right time resulting in an improved service to our citizens, residents, customers, partners, and stakeholders.

5.1.4 The new option will improve the overall environmental value by reducing the number of deliveries required to deliver and return boxes to and from storage. However, it should be noted that a small number of boxes may still need to be recalled and the physical records viewed (such as property deeds or registration certificates).

5.2 The contract length for the offsite storage document provision will be initially set at 5 years with the option to extend the contract for a further 3 years and then a further 2, subject to satisfactory contractual performance with the successful provider. The reasoning for the contract length is that the process of digitisation is new to NCC, and the initial 5-year period will help to put in place the necessary mechanisms to ensure the digitisation project is successful and to provide enough time to make a satisfactory analysis. Many of the boxes being stored have longer term retention periods (over 35 years) and so it would not be financially beneficial for NCC to change suppliers on a regular basis. The contract length will also provide the opportunity for NCC to spread the cost of the exit fees over a longer term, helping with NCC financial resources.

- 5.3 For the reasons above it has been decided that BIY (buy it yourself) model will be adopted, working in partnership with procurement to go out to the market to get the best value service available.

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

- 6.1 The Finance department supports in principle the need to future proof remote storage and archiving of data in a more modern and useable way. Of the three options, Option 3 appears to be the preferred choice for moving this forward and a tendering exercise would be the best way to achieve this. Option 1 is no longer viable, and Option 2 would be too costly and also unnecessary.

Choosing Option 3 will enable the Council to become compliant with current GDPR legislation whilst also addressing concerns raised by external auditors, Ernst Young. It is also worth noting that Box-it have indicated that a price increase would be applicable from April 2024, raising the current cost to £84,887.14 (Option 1) and also their price for the more compliant Option 3 to £100,007.14.

There is the added risk of an exit fee of circa £18,000 to end the Box-it contract, which would be a one-off additional charge to the Council. There are also additional variable exit-fees of £77,313 chargeable by Box-it (see paragraph 4.8 above).

The alternative supplier canvassed for this report has indicated a willingness to pick up the £77,313 and recharge back to the Council as part of their quoted price of £117,895.40pa for Option 3. However, this £77,313 fee will become a tangible risk directly for the Council should a different supplier be chosen that is unwilling to enter a similar arrangement. This requires careful consideration when the tender submissions received are evaluated.

The annual budget is currently £70,675, which will be substantially exceeded in the case of all three options considered here. A contribution from reserves would be required in the first year of a new contract to meet the known £18,000 exit fee specified by Box-it, plus the possible additional £77,313 exit fees (subject to above) and the likely increase in future annual costs from April 2024.

David Marshall, Senior Finance Business Partner, Finance – 28 November 2023

**7. Legal colleague comments**

- 7.1 Failure to observe the UK General Data Protection Regulation 2016 and Data Protection Act 2018 could potentially constitute a breach of the legislation and could therefore result in significant reputational and/or financial damage to the Council.

The 'storage limitation' principle under article 5(1)(e) of the UK General Data Protection Regulation (GDPR) places an obligation on Nottingham City Council to retain personal data only for as long as is necessary for the purposes in which it is processed. The retention periods set in relation to the personal data reflect the period in which the continued retention or processing is necessary.

Nottingham City Council are also obliged to comply with the 'security' principle under 5(1)(f) of the UK GDPR. As the data controller, for as long as the personal data is being retained, Nottingham City Council remains responsible for the security of the documents being stored at an off-site storage provider. Through the tender process, the supplier will have to demonstrate their compliance with the relevant standards in

order to provide assurances to the Council that the storage of documents comply with this principle.

Retaining personal data for longer than is necessary, and not securing the data in storage appropriately, places Nottingham City Council in a position where it may be operating in contravention to these principles and at risk of non-compliance with data protection legislation.

Nottingham City Council are also obligated to account for, document and demonstrate compliance with these principles to the Information Commissioner's Office (ICO).

Naomi Matthews, Data Protection Officer for the Council, Information Compliance Team Leader, Senior Solicitor - 5 July 2023.

7.2 The decision concerns the procurement of a hybrid document management solution by a service provider capable of providing a bespoke range of data management solutions.

It is understood the option to utilise the ESPO Framework 390\_22 – Document Management Solutions- lot 3 has been discounted, in an effort to increase the social value in the procurement by opening up the possibility of more local suppliers to bid who did not appear on the list of successful providers on the framework. This will also allow for new document handling technologies offered by local suppliers to be considered in the tender process. The option to utilise the Competitive Procedure with Negotiation pursuant to regulation 29 of the Public Contract Regulations 2015 (PCR's) will offer a route to market that is also compliant with the Council's own Contract Procedure Rules for the award of a service contract above the relevant PCR's procurement threshold, whilst ensuring bespoke and complex service needs are met by suppliers. The Council must however ensure it sets sufficiently robust initial tender criteria (so as not to distort competition and favours some suppliers over others) and award criteria (which cannot be negotiated), as the basis for subsequent negotiations to improve the tender content, save for the final tender.

Suppliers should be assessed during the procurement process for their financial stability, track record, experience and technical & professional ability and vetted for compliance with a range of accreditations including but not limited to ISO 9001 and ISO 27001. Additional social value benefits may be obtained if the successful suppliers in the process transpire to be local, which may also help the Council to comply with its best value duty in this context.

PCR reg 18 sets out the principles that underpin and flow through procurement regulations and processes generally. It requires that contracting authorities treat economic operators equally and without discrimination and act in a transparent and proportionate manner. Competition must not be artificially narrowed.

Whilst the proposed contractual arrangement to award a contract for a period of up to 10 years would potentially be perceived to exclude other economic operators for a considerable period, and increase the risk of challenge, the length of the contract must be appropriate to the purchases in question and should reflect value for money considerations. A contract awarded on an initial 5-year basis, given the subject matter of the contract and the organisational investment financially and in process terms, with the option to extend for periods of a further 3 and 2 years (subject to satisfactory contractual performance, effective and timely contract management and appropriate contractual routes for early exit if deemed appropriate) would mitigate the

risks of challenge in his respect. The awarded contract would be extendable subject to regulation 72 PCR 2015 without a further procurement where the extensions provided for in the initial procurement documents are clear, precise and have unequivocal review clauses and where the scope, nature and conditions of the change are stated, subject to them not alerting the overall nature of the contract. This should be achieved against the background of robust contract management and clear key performance indicators set out within the contract, supported by relevant termination provisions.

With a contract of such a long possible duration, any contract should provide clear and robust exit terms and have early and effective obligations in relation to possible transition in order to facilitate an adequate transition to a future provider at the conclusion of the contract.

Richard Bines, Solicitor, Contracts and Commercial Team – 27 November 2023

## **8. Procurement colleague comments**

- 8.1 Procurement have been working with the Records Management Team to assess the market and understand what is available to the organisation going forward, bearing in mind best value – economy, effectiveness and efficiency. An option has been recommended based on research into the market and best value offering a service that will meet future requirements but keeping within budget constraints where possible

Procurement will work with the client team to undertake a compliant procurement process and the recommended route to market is via Competitive Procedure with Negotiation as this will address the complexities of the services required and the contract.

We have discounted the use of the ESPO and CCS Document Management Frameworks due to wanting to encourage local suppliers to bid on the contract, and also achieve maximum social value where we can apply the 1% levy to the contract.

I have recommended a longer-term contract covering 5-years with the option to extend for a further two periods of 3 plus 2-years due to the investment into a new document management system and the time required to see the return on investment.

Louise Dobson, Lead Procurement Officer, Products - 28 November 2023

## **9. IT Service comments**

- 9.1 The IT Service supports the recommendations made in this report and will support their implementation on its usual project basis, including commissioning external IT services should this be required. The IT Service will also assist with technical assurance to ensure cyber risk is minimised.

The proposal offers the opportunity to consolidate not only physical documents to a new EDMS but also a route for consolidating existing disparate EDMS solutions to a common base, for example the 'Castle' system. This is welcomed as reducing the number of application systems in use by the Council is a strategic objective which is expected to reduce overall costs.

Paul J Burrows, IT Change, Projects & Strategy Manager - 10 November 2023

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

10.1 Not applicable.

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

11.1 Through the digitisation of paper records, it is envisaged that there will be an increase in staff productivity, as time searching for physical records, getting the box delivered and scanning the contents will be eliminated. This will ensure that colleagues will be able to quickly locate and access the right documents at the right time resulting in an improved service to citizens, residents, customers, partners, and stakeholders.

11.2 If a scan on demand service is procured, there will be a reduction in twice weekly deliveries to various sites across Nottingham City. Therefore, it will help support NCC's Carbon Neutral aims by requesting less deliveries, a reduction in physical documentation being produced, reducing the need for large amounts of physical storage, which in turn decreased utility usage (such as electricity and water).

11.3 Digitising records will also make them more accessible to staff and citizens. Through undertaking an Equalities Impact Assessment (EIA), it has shown that digital records can be more accessible as they can be used with specialist software and can be made available much quicker than at the current time.

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

12.1 Not applicable.

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

13.1 Attached as appendix 3, and due regard will be given to any implications identified in it.

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

14.1 Attached as appendix 1, and due regard will be given to any implications identified in it.

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

15.1 Attached as appendix 2, and due regard will be given to any implications identified in it.

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

16.1 None.

**17. Published documents referred to in this report**

17.1 None.

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# DATA PROTECTION IMPACT ASSESSMENT - Off-site Document Storage Re-tender V1.0

Reference number: DPIA-490

Author: Eileen Hudson  
Email: [eileen.hudson@nottinghamcity.gov.uk](mailto:eileen.hudson@nottinghamcity.gov.uk)

## DATA PROTECTION IMPACT ASSESSMENT

### **When to complete this template:**

**Start to fill out the template at the beginning of any major project involving the use of personal data, or, where you are making a significant change to an existing process that affects personal data. Please ensure you update your project plan with the outcomes of the DPIA.**

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# 1. Document Control

## 1. Control Details

Author of DPIA:	Eileen Hudson, Principal Records Officer
Owner of project:	Eileen Hudson, Principal Records Officer Alison Liversidge, Information Compliance Specialist
Contact details of Author:	<a href="mailto:Eileen.Hudson@nottinghamcity.gov.uk">Eileen.Hudson@nottinghamcity.gov.uk</a> <a href="mailto:Alison.Liversidge@nottinghamcity.gov.uk">Alison.Liversidge@nottinghamcity.gov.uk</a> 0115 876 3855

## 2. Document Amendment Record

Issue	Amendment Detail	Author	Date	Approved
V0.1	First draft	Eileen Hudson	14/06/2023	

## 3. Contributors/Reviewers

Name	Position	Date
Eileen Hudson	Principal Records Officer	14/06/2023
Alison Liversidge	Information Compliance Specialist	

## 1. Glossary of Terms

Term	Description
NCC	Nottingham City Council
IC	Information Compliance
Box-it	Current document storage provider

Author: Eileen Hudson  
Email: [Eileen.Hudson@nottinghamcity.gov.uk](mailto:Eileen.Hudson@nottinghamcity.gov.uk)

## 2. Screening Questions

1. Does the project involve personal data? <b>Yes</b>	<b>If 'Yes', answer the questions below. If 'No', you do not need to complete a DPIA but make sure you record the decision in the project documentation.</b>
2. Does the processing involve any of the following data: medical data, ethnicity, criminal data, biometric data, genetic data and any other special/ sensitive data?	<b>Yes</b>
2. Does the processing involve any systematic or extensive profiling?	<b>No</b>
3. Does the project involve processing children's data or other vulnerable citizen's data?	<b>Yes</b>
4. Does the processing involve decisions about an individual's access to a product, service, opportunity or benefit that is based on any evaluation, scoring, or automated decision-making process?	<b>No</b>
5. Does the processing involve the use of innovative or new technology or the novel application of existing technologies?	<b>Yes</b>
6. Does this project involve processing personal data that could result in a risk of physical harm in the event of a security breach?	<b>Yes</b>
7. Does the processing combine, compare or match data from multiple sources?	<b>No</b>
8. Does the project involve processing personal data without providing a privacy notice?	<b>No</b>
9. Does this project process data in a way that tracks on line or off line location or behaviour?	<b>No</b>
10. Will the project involve using data in a way it has not been used before?	<b>Yes</b>
11. Does the project involve processing personal data on a larger scale?	<b>Yes</b>
12. Will the project involve processing data that might prevent the Data Subject from exercising a right or using a service or entering into a contract?	<b>No</b>
<b>If you answered 'Yes' to any <u>two</u> of the questions above, proceed to Question 3 below. If not seek advice from the DPO as you may not need to carry out a DPIA.</b>	<b>Proceed</b>

**Project Title:** Off-site Document Storage Re-tender

**Team:** Information Compliance, Legal and Governance

**Directorate:** Finance and Resources

**DPIA Reference number:** ***DPIA-490***

**Has Consultation been carried out?** At the present time, consultation has not been carried out. However, the team are planning to consult with internal stakeholders to see what their priorities are for an off-site storage provider, as well as the possibility of digitisation of paper records. The team are also planning on undertaking some soft market research with providers through Procurement.

1. DDM attached?	<b>No – we are in the process of drafting various documents for the tendering process and for the various NCC Boards. These can be made available once drafted.</b>
2. Written evidence of consultation carried out attached?	<b>No – see above</b>
3. Project specification/ summary attached?	<b>No – we are in the process of drafting the specification for procurement and can be made available on request.</b>
4. Any existing or previous contract / SLA / processing agreement attached?	<b>Yes</b>
5. Any relevant tendering documents attached?	<b>No – we are in the process of drafting various documents for the tendering process and for the various NCC Boards. These can be made available once drafted</b>
6. Any other relevant documentation attached?	<b>No</b>

### 3. Project - impact on individual's privacy

Issue	Questions	Examples	Yes/No	Initial comments on issue & privacy impacts
Page 47  Purpose and means		Profiling, data analytics, Marketing. Note: The GDPR requires a DPIA to be carried out where there is systematic and extensive evaluation of personal aspects relating to individuals based on automated processing, including profiling, and on which decisions about individuals are based.		
	Please give a summary of what your project is about ( <i>you can also attach or embed documents for example a project proposal</i> ).		NCC has been using Box-it as the off-site document storage provider since 2010. The contract for the service has expired since 2015, and since then has been on a rolling yearly contract. However, in April 2023, Information Compliance were made aware that this was unable to continue and the service had to go out to tender. Information Compliance have been trying to undertake this re-tender process since 2019 but this has stalled due to the Covid-19 pandemic.	
	<b>Aims of project</b> Explain broadly what the project aims to achieve and what types of processing it involves.		The aims of the project is to ensure that an offsite storage provider is awarded the contract to provide physical storage of all manner of documents in an offsite storage facility and to help NCC to digitise selected records and to provide these in a PDF or alternative suitable format. We will also be asking them to confidentially destroying records on the request of NCC.  IC will be also looking into the prospect of obtaining a new case management system for internal users to record their box contents and to retrieve their documents as the current database/s are not currently fit for purpose, and the IT support Information Compliance have is restricted to one team member leading to a single point of failure in this area.	
	<b>Describe the nature of the processing</b> How will you collect store and delete data? Will you be sharing with anyone? You might find it useful to refer to a flow diagram or another way of describing data flows. What types of processing identified as likely high risk are		The various aspects of processing IC would be asking the document storage provider to undertake will be: the storage of paper records (equating to around 23,000 boxes), adaptation or alteration when preparing files for digitisation, the retrieval and delivery of information to various NCC sites, disclosure of information when digitising records, erasure or destruction of data through confidentially destroying paper records that have reached their retention, or when they are no longer required.  All types of processing are deemed of high risk as the offsite provider will be responsible for the protection of all types of data – personal, sensitive and	

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	involved? Who will have access to the project personal data, how is access controlled and monitored and reliability of staff assessed? Will data be separated from other data with in the system?		<p>commercially sensitive data that requires to be kept by NCC. The majority of long retention dates are for boxes owned by People and Legal and these are deemed of particularly high risk due to the nature of the data (ASC, CIS, Mitigation, Deeds, Legal cases involving Children and Adults).</p> <p>Staff at the offsite provider will have access to these records (to securely store and deliver to NCC sites) possibly with an external scanning provider if it deemed best value to separate the two functions Information Compliance feels would be necessary to future proof these documents. The current system of allowing only relevant NCC staff access to particular records will continue to be implemented if a new system is created, and this will remain in the same way as it is now (managed by Records Management, ensuring that Records Management e-learning has been completed and team manager authorisation provided)</p>	
	<b>Privacy Implications</b> Can you think of any privacy implications in relation to this project? How will you ensure that use of personal data in the project is limited to these (or “compatible”) purposes?		Yes	If a new provider is awarded the contract, there will need to be measures in place in order to ensure that NCC’s data is protected from any unauthorised access or breach. There will be a processing agreement in place with the new provider to ensure all Data Protection and Records Management aspects are covered, unless this is within the contract which will be reviewed by the DPO and other Legal colleagues (such as contracts).
	<b>New Purpose</b> Does your project involve a new purpose for which personal data are used?		No	The main processing elements and purposes will remain the same as they are now with Box-it. However, there will be a focus on digitisation of records which have a longer retention period (35+ years) in order to remove these from physical storage and to be more accessible as part of the move towards hybrid working. This new development will also form a large part of the specification as part of the tendering process.
	<b>Consultation</b> Consider how to consult with relevant stakeholders: Describe when and how you will seek individuals’ views- or justify why it’s not appropriate to do so. Who else do you need to involve in NCC? Do		Yes	<p>This is a back office function which will not directly affect the way that NCC delivers services to citizens.</p> <p>IC has already met with NCC IT around the provision for the documents which will be digitised and have some help from that area. IC has put requested IT support with the project.</p>



	you plan to consult Information security experts, or any other experts?			IC aim to also ask for department subject matter experts to assist us with the thoughts around digitising documents and where they could be stored (SharePoint, specific case management system etc.).
Page 49 Individuals (data subjects)	Will the project:	Expanding customer base; Technology which must be used by individuals; Hidden or complex uses of data; Children's data		
	Affect an increased number, or a new group, or demographic of individuals (to existing activities)?		No	The storage of paper records will remain the same as it is now, but with the external storage provider that will be awarded the contract.
	Involve a change to the way in which individuals may be contacted, or are given access to services or data? Are there any areas of public concern that you should factor in?		No	The storage of paper records will remain the same as it is now, but with the external storage provider that will be awarded the contract.
	Affect particularly vulnerable individuals, including children?		Yes	There are many boxes in storage that hold children's data and those of adults, and vulnerable individuals. There will be no change in how these are managed, just who will be the provider of the storage.
	Give rise to a risk that individuals may not know or understand how their data are being used?		No	The storage of paper records will remain the same as it is now, but with the external storage provider that will be awarded the contract.
Parties	Does the project involve:	Outsources service providers; Business partners; Joint ventures		
	The disclosure of personal data to new parties?		Possibly	If a new external storage provider is awarded the contract then citizens, colleagues and commercially sensitive data will be disclosed to this new provider due to the movement and storage of c23, 000 boxes will commence.

	The involvement of sharing of personal data between multiple parties?		Possibly	There could be the sharing of personal and sensitive information between different parties if it is deemed by NCC's leadership that it would be more beneficial to have one provider providing an archive service, and one provider undertaking the digitisation of paper records.
Data categories	Does the project involve:	Special personal data; Biometrics or genetic data; Criminal offences; Financial data; Health or social data; Data analytics: Note: the GDPR requires a DPIA to be carried out where there is processing on a large scale of special categories of data or of data relating to criminal convictions and offences		
	The collection, creation or use of new types of data?		Yes	At the present time, Information Compliance have stemmed the amount of new boxes entering storage per year (1500 from 2019 to 100 in 2022). However new boxes are entering storage and will contain various personal data.  The new use of data will potentially be the digitisation of data that have longer retention period (35+ years). There will be more work undertaken in the future around the use of SharePoint/Case Management systems to store digitised files for easy retrieval and use by NCC colleagues as part of the hybrid working model.
	Use of any special or privacy-intrusive data involved?  <ul style="list-style-type: none"> <li>• Political opinions</li> <li>• Religious beliefs or philosophical beliefs</li> <li>• Trade union membership</li> <li>• Genetic data</li> <li>• Biometric data</li> <li>• Sexual life</li> <li>• Prosecutions</li> <li>• Medical data</li> </ul>		Yes	Special data contained within the boxes held at off-site storage will contain the following: <ul style="list-style-type: none"> <li>• Political opinions</li> <li>• Religious beliefs or philosophical beliefs</li> <li>• Trade union membership</li> <li>• Sexual life</li> <li>• Prosecutions</li> <li>• Medical data</li> <li>• Criminal data</li> </ul> There may be biometric/genetic data but IC are yet to come across this in exercises to remove data from off-site storage.

	<ul style="list-style-type: none"> <li>Criminal data</li> </ul> <p>(Criminal data processing, i.e. criminal convictions, etc. also has special safeguards under Article 10)</p>			
	<p>New identifiers, or consolidation or matching of data from multiple sources?</p> <p>(For example a unique reference number allocated by a new management system)</p>		Possibly	Currently, Box-it use a barcode system in order to automatically update their systems when boxes are in, out, or destroyed. This has an M number attached which is their unique code. The internal off-site database uses a box code consisting of two letters and four numbers. If a new provider comes in, there may be a new way of them identifying the boxes, and this may be the case if a new internal database is also procured as part of this process.
Technology	New solutions:	Locator or surveillance technologies; Facial recognition; Note: the GDPR requires a DPIA to be carried out in particular where new technologies are involved (and if a high risk is likely)		
	Does the project involve new technology that may be privacy-intrusive?		No	

Data quality, scale and storage	Data:	New data		
	Does the project involve changes to data quality, format, security or retention? What are the benefits of the processing?  i.e. will the new system have automatic retention features? Will the system keep the information in a safer format etc.?		Yes	The main change will be to the storage of physical paperwork in boxes held off site. Information Compliance will set out in the specification how we expect data to be stored, and to what high standards especially for those documents in the 'strong room' (registers, deeds). If a new provider is awarded, then this will change the way documents are stored securely as well as how the provider may undertake destruction of boxes.  A change to the format of the data will take place if we decide that historical scanning of paperwork (and the destruction of the physical paperwork) will take place as the data will only be held electronically and work will be required to ascertain how we can futureproof these electronic documents up to 100 years in the future without them digitally degrading.
	Does the project involve processing data on an unusually large scale?		Yes	
Monitoring, personal intrusion	Monitoring:	Surveillance; GPS tracking; Bodily testing; Searching; Note: the GDPR requires a DPIA to be carried out where the project involves systematic monitoring of a publicly accessible area on a large scale		
	Does the project involve monitoring or tracking of individuals or activities in which individuals are involved?		No	
	Does the project involve any intrusion of the person?		No	
Data transfers	Transfers	Transfers outside the EEA		
	Does the project involve the transfer of data to or activities within a country that has inadequate or significantly different data protection and privacy laws?		No	This should not change even if the digitised documents are to be stored on Microsoft SharePoint. Microsoft's DPA states that " <i>Taking into account such safeguards, Customer appoints Microsoft to transfer Customer Data, Professional Services Data, and Personal Data to the United States or any other country in which Microsoft or its Sub processors operate and to store and process Customer Data, and Personal Data to provide the Products, except as</i>

				<p><i>described elsewhere in the DPA Terms.”</i> However, NCC IT confirms that Microsoft processes all NCC data in the UK South region of the EEA and NCC IT is not planning to allow any change in this position.</p> <p>NCC will ensure that the contract with any service provider who processes NCC personal data outside the UK/EEA will ensure NCC continues to comply with data protection legislation.</p>

## 4. Legal Framework and Governance – Compliance

Ref.	Question	Response	Further action required (and ref. to risk register as appropriate)
<b>1. Applicable laws and regulation</b>			
1.1	Which data protection laws, or laws which impact data protection and privacy, will be applicable to the project?	<ul style="list-style-type: none"> <li>• UK General Data Protection Regulation</li> <li>• Data Protection Act 2018</li> <li>• Human Rights Act 1998</li> </ul>	
1.2	Are there any sector-specific or other regulatory requirements or codes of practice, which should be followed?	ISO 15489-1:2016 - Records Management ISO 9000 and ISO 9001 – Quality Management Principles	
<b>2. Organisation's policies</b>			
2.1	Is the project in compliance with the organisation's information management policies and procedures (including data protection, information security, electronic communications)?	Yes.	

2.2	Which policy requirements will need to be followed throughout design and implementation of the project?	Data Protection Policy Information Security Policy Records Management Policy	
2.3	Are any changes/updates required to the organisation's policies and procedures to take into account the project?  <b>Note: new requirements for "Accountability" under the GDPR, including record-keeping, DPOs and policies</b>	If a new organisation is awarded the contract, there will need to be some updates to the training information provided by Information Compliance about how colleagues can access their boxes, and if a new system is procured as part of this process, documents and intranet pages will need to be updated along with communications to all staff. There may need to be some updates to record-keeping if any identifiers of the boxes are needing to be changed.	
<div>Page 55</div> <h3>3. Training and roles</h3>			
3.1	Will any additional training be needed for staff in relation to privacy and data protection matters arising from the project?	A refresh of training will be produced for all users of the off-site storage provision in order for them to understand how the change in provider may affect how boxes are retrieved and sent back to storage. This may also lead to a refresh of the Record Management e-learning.	

## 5. Personal Data Processing Compliance

Ref.	Question	Response	Further action required (and ref. to risk register as appropriate)
<b>1. Personal Data Processing</b>			
1.1	Which aspects of the project will involve the processing of personal data relating to living individuals?	The storage of paper records (equating to around 23,000 boxes), adaptation or alteration when preparing files for digitisation, the retrieval and delivery of information to various NCC sites, disclosure of information when digitising records, erasure or destruction of data through confidentially destroying paper records that have reached their retention, or when they are no longer required.	
1.2	Who is/are the data controller(s) in relation to such processing activities?	Nottingham City Council.	
1.3	Who is/are the data processor in relations to such processing activities?	Chosen Offsite storage provider. Chosen scanning provider (if separate to the storage provider)	
<b>2. Fair and Lawful processing - GDPR Articles 5(1)(a), 6, 9, 12, 13</b>			
2.1	Which fair processing conditions are you relying on?  GDPR: Article 6(1) (legal basis for processing) and, for sensitive personal data, Article 9(2).	6(1). <b>Choose at least one of the following for personal data, usually (e)</b> -(Cross out the rest) a) <del>Consent</del> b) <del>Performance of contract</del> c) <del>Legal obligation</del> d) <del>Vital interests</del> <b>e) Public interest / exercise of Authority</b> 9(2) Choose at least 1 for special data-usually g (cross the rest out) a) <del>Explicit consent</del>	The lawful basis under Article 6 and special conditions under Article 9 would be completely dependent on the information that is stored off-site.  The lawful basis for processing the data will be dependent on the purposes for which the data is processed or the business area using it. Commonly, NCC processes personal data in pursuit of its public functions as a local authority. Therefore, Public Task is usually the lawful basis.



Page 57		<p> <del>b) Employment / social security / social protection obligations</del>  <del>c) Vital interests</del>  <del>d) Non-profit bodies</del>  <del>e) Processing made public by data subject</del>  <del>f) Legal claims</del>  <b>g) Substantial public interest</b>  <del>h) Health, social care, medicine</del>  <del>i) Public interest for public health</del>  <b>j) Archiving, statistics, historical research</b> </p> <p><b>For any criminal Data</b>  Comply with Article 10 if it meets a condition in Part 1, 2 or 3 of Schedule 1.</p> <ul style="list-style-type: none"> <li><del>• Employment, social security and social protection</del></li> <li><del>• Health and social care purposes</del></li> <li><del>• Public health</del></li> <li><del>• Research</del></li> </ul> <p>Substantial public interest:</p> <ul style="list-style-type: none"> <li>• <b>Statutory and government purposes</b></li> <li><del>• Equality of opportunity and treatment</del></li> <li><del>• Racial and ethnic diversity at senior levels of organisations</del></li> <li><del>• Preventing or detecting Unlawful Acts</del></li> <li><del>• Protecting the public against dishonesty etc</del></li> <li><del>• Regulatory requirements relating to unlawful acts and dishonesty etc</del></li> <li><del>• Journalism etc in connection with unlawful acts and dishonesty etc</del></li> <li><del>• Preventing fraud</del></li> </ul>	<p>However, this data may relate to several other functions, even informal ones. There will be some data or processing which will not be appropriate.</p>
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Page 58		<ul style="list-style-type: none"> <li>• Suspicion of terrorist financing or money laundering</li> <li>• Counselling</li> <li>• Safeguarding of children and of individuals at risk</li> <li>• Safeguarding of economic well-being of certain individuals</li> <li>• Insurance</li> <li>• Occupational pensions</li> <li>• Political parties processing</li> <li>• Disclosure to elected representatives</li> <li>• Informing elected representatives about prisoners</li> </ul> <p>Additional Conditions</p> <ul style="list-style-type: none"> <li>• Consent</li> <li>• Vital interests</li> <li>• Personal data in the public domain</li> <li>• Legal claims</li> <li>• Judicial Acts</li> </ul>	
Note: different conditions may be relied upon for different elements of the project and different processing activities. Also, the scope of special category data is wider under the GDPR, and in particular includes genetics & biometric data, and sexual orientation.			
2.2	How will any consents be evidenced and how will requests to withdraw consent be managed?	NCC will not rely on consent as a legal basis for processing data.	
Note: new requirements for obtaining and managing consents within the GDPR.			
2.3	Is the data processing under the project covered by fair processing information already provided to individuals or is a new communication needed (see also data subject rights below)?	Not necessary – service team’s own privacy notices highlight to data subjects how long NCC retains their information.	
Note: more extensive information required under the GDPR than under current law, and new requirements on how such information is provided. Also a general principle of “ <i>transparency</i> ”. It is important to assess necessity and Proportionality			

2.4	If data is collected from a third party, are any data protection arrangements made with such third party?	No.	
2.5	Is there a risk of anyone being misled or deceived?	No.	
2.6	Is the processing “fair” and proportionate to the need’s and aims of the projects?	Yes – we will require the offsite storage provider to provide NCC with all those processing activities to help us manage our physical data on citizens, staff and commercial aspects.	
2.7	Are these purposes clear in privacy notices to individuals? (see above)	N/a – see above	
<b>3. Adequate, relevant and not excessive, data minimisation - GDPR Article 5(1)(c)</b>			
2.8	Is each category relevant and necessary for the project? Is there any data you could not use and still achieve the same goals?	Yes – the information that is held by the offsite storage provider (currently Box-it) and data held on the internal database is necessary as an audit trail and to help find and retrieve information easily and accurately.	
Note: GDPR requires data to be “limited to what is necessary” for the purposes (as well as adequate and relevant).			
3.2	Is/can data be anonymised (or pseudonymised) for the project?	No.	
<b>4. Accurate and up to date - GDPR Article 5(1)(d)</b>			
4.1	What steps will be taken to ensure accurate data is recorded and used?	It is the responsibility of the individual box owner or service area to ensure that the box information recorded is accurate and reflects the contents of the boxes. IC is trying to improve this going forwards, but it is difficult to get staff to undertake this retrospectively. Information Compliance will undertake some data analysis exercises if the boxes need to	

		be moved over to a new provider ensure both their records and those held on the internal database match.	
For example: checks when receiving/sending information from/to third parties, or transcribing information from oral conversations or handwritten documents, any automatic checks on information not meeting certain criteria.			
4.2	Will regular checks be made to ensure project data is up to date?	Please see above.	
<b>5. Data retention - GDPR Article 5(1)(e)</b>			
5.1	How long will personal data included within the project be retained?	Each box has its own defined retention date as set by the box creator. Retention dates range from 1 year to 100 years (maximum that can be recorded, but these are usually needing to be kept in perpetuity).	
5.2	How will redundant data be identified and deleted in practice? Consider paper records, electronic records, equipment?	Information Compliance are undertaking a project to remove boxes at their retention date automatically, and to tackle the historic backlog of retained boxes. This will continue to take place if a new provider is awarded the contract. Information Compliance will attempt to remove all non-compliant boxes before their movement over to a new provider, or if this is not possible, to have a plan on how to remove these as soon as possible once they are moved over.	
5.3	Can redundant data be easily separated from data which still need to be retained?	This should be identified by box owners and their service areas from the information held on the internal database. The offsite provider cannot do this as they will remove a whole box rather than individual documents.	
<b>6. Data subject rights - GDPR Articles 12 to 22</b>			
6.1	Who are the relevant data subjects?	Citizens, staff, external stakeholders, members of the public.	

6.2	Will data within the project be within the scope of the organisation's subject access request procedure?	Yes.	
6.3	Are there any limitations on access by data subjects?	Yes – Any rights requests will be handled under the Council's existing policies and procedures.	
6.4	Is any data processing under the project likely to cause damage or distress to data subjects? How are notifications from individuals in relation to damage and distress managed?	All rights requests will be handled under the Council's existing policies and procedures. Nottingham City Council can restrict the above rights in certain circumstances for example to avoid obstructing an investigation, avoid prejudicing the prevention, detection, investigation, or prosecution of criminal offences or to protect the rights and freedoms of others. This is not unique to this processing activity.	
6.5	Does the project involve any direct marketing to individuals? How are requests from data subjects not to receive direct marketing managed?	No.	
6.6	Does the project involve any automated decision making? How are notifications from data subjects in relation to such decisions managed?	No.	
6.7	How will other rights of data subjects be addressed? How will security breaches be managed?	These rights will be processed by the Information Compliance Team at Nottingham City Council. All breached will be dealt with by the Information Compliance team and the Data Protection Officer.	

## 7. Data Security - GDPR Articles 5(1)(f), 32

For example:

- **Technology:** encryption, anti-virus, network controls, backups, DR, intrusion detection;
- **Physical:** building security, clear desks, lock-leads, locked cabinets, confidential waste;

<b>Organisational:</b> protocols on use of technology, asset registers, training for staff, pseudonymisation, regular testing of security measures.			
Describe the source of risk and nature of potential impact on the individuals. Include associated compliance and corporate risks as necessary -What security measures and controls will be incorporated into or applied to the project to protect personal data? Consider those that apply throughout the organisation and those which will be specific to the project. N.B Measures that are appropriate to the nature of the data and the harm which may result from a security breach	Likelihood of harm  Remote, Possible or Probable	Severity of harm  Minimal, Significant or Severe	Overall Risk  Low, Medium or High
1. Loss of paperwork during the move from Box-it to the new provider. This would be a breach of the Article 5 Principle (f) 'security' of the UK GDPR.	Possible	Severe	High
2. Data that has been processed previously has been retained for longer than necessary when the data is no longer needed. This would be a breach of the Article 5 Principle (e) 'storage limitation' of the UK GDPR.	Probable	Significant	Medium
3. Destruction of records that have not been authorised by the off-site provider. This would be a breach of the Article 5 Principle (f) 'security' of the UK GDPR.	Possible	Significant	Medium
4. Intentional unauthorised access to data by the staff at the offsite storage provider. This would be a breach of the Article 5 Principle (f) 'security' of the UK GDPR.	Possible	Severe	Medium
5. Data that is digitised is not future proofed and the data is no longer recoverable in the future. This would be a breach of the Article 5 Principle (f) 'security' of the UK GDPR.	Probable	Significant	High
6. Risk that the awarded offsite storage provider does not have the relevant standards and data protection aspects in place. This would breach all standards under the UK GDPR.	Remote	Minimal	Low

7. Lack of knowledge between colleagues if the process needed to change if a new provider is awarded the contract. This could breach the Article 5 Principle (d) 'accuracy' of the UK GDPR.		Probable	Significant	Medium
<b>Identify measures to Reduce Risk- Identify additional measures you could take to reduce or eliminate risks identified as medium or high risk that you have identified</b>				
Risk	Options to reduce or eliminate risk	Effect on risk Eliminated/ Reduced or Accepted	Residual risk Low/Medium/High	Measures approved Yes/No
1. Loss of paperwork during the move from Box-it to the new provider. This would be a breach of the Article 5 Principle (f) 'security' of the UK GDPR.	The new awarded offsite provider will, as part of the contract, have to ensure that there is a robust process in place to ensure no documentation goes missing at any time of the contract. This will be ensured through Procurement, Legal and Data Protection. Information Compliance may also assist with this process to ensure the process is as robust as possible.	Reduced	Medium	Yes
2. Data that has been processed previously has been retained for longer than necessary when the data is no longer needed. This would be a breach of the Article 5 Principle (e) 'storage limitation' of the UK GDPR.	Information Compliance are taking a proactive approach to this by contacting box owners at the time their boxes are due to expire and this process will continue for all paper documents. Historical paperwork will be removed from storage prior to the move by Information Compliance.	Reduced	Low	Yes
3. Destruction of records that have not been	An audit trail will be undertaken at all times and we will expect the offsite	Reduced	Low	Yes

authorised by the off-site provider. This would be a breach of the Article 5 Principle (f) 'security' of the UK GDPR.	provider to only accept requests for deletion that come from Information Compliance to ensure that this does not happen.			
4. Intentional unauthorised access to data by the staff at the offsite storage provider. This would be a breach of the Article 5 Principle (f) 'security' of the UK GDPR.	The contract and processing agreement will set out the security requirements for staff who work as part of the provider. We would expect that if there is any unauthorised access detected that this would be dealt through the data breach protocol.	Reduced	Low	Yes
5. Data that is digitised is not future proofed and the data is no longer recoverable in the future. This would be a breach of the Article 5 Principle (f) 'security' of the UK GDPR.	Information Compliance will want to build this into the specification as the contract will run for 10 years however there will be a lot of work undertaken to ensure that this risk is mitigated as much as possible – there is no way to know how technology will look in 100 years as IT has not been around that long at present.	Accepted	Medium	Yes
6. Risk that the awarded offsite storage provider does not have the relevant standards and data protection aspects in place. This would breach all standards under the UK GDPR.	Procurement selection documents for publication must have rigorous data protection and IT security questions in order to ensure that due diligence can be carried out on providers prior to award	Reduced	Low	Yes
7. Lack of knowledge between colleagues if the process needed to change if a new provider is awarded the contract.	If the processes need to change, Information Compliance will conduct training and produce guidance to inform colleagues, and will send out comms	Reduced	Low	Yes



This could breach the Article 5 Principle (d) 'accuracy' of the UK GDPR.	across the organisation to inform colleagues of the change.			
<b>8. Data processors - GDPR Article 28 &amp; direct obligations in other articles</b>				
8.1	Are any data processors involved in the project?	Off-site storage provider – not currently awarded. Processing Agreement has been created for Box-it for this financial year.		
8.2	What security guarantees do you have?	Unable to comment until procurement award is granted.		
For example: specific security standards or measures, reputation and reviews				
8.3	Please attach the processing agreement	Current Processing Agreement for Box-it for 2022/2023		
For example: security terms, requirements to act on your instructions, regular audits or other ongoing guarantees Note: new requirements for the terms of contracts under the GDPR (much more detailed than current law).				
8.4	How will the contract and actions of the data processor be monitored and enforced?	Power to audit under the processing agreement.		
8.5	How will direct obligations of data processors be managed?	Under the processing agreement		
Note: New direct obligations for processors under the GDPR, including security, data protection officer, record-keeping, international data transfers.				
For example: fair & lawful, lawful purpose, data subject aware, security, relevance.				
<b>9. International data transfers - GDPR Articles 44 to 50</b>				
9.1	Does the project involve any transfers of personal data outside the European Union or European Economic Area?	No	See 'Data Transfers' above on page 13.	

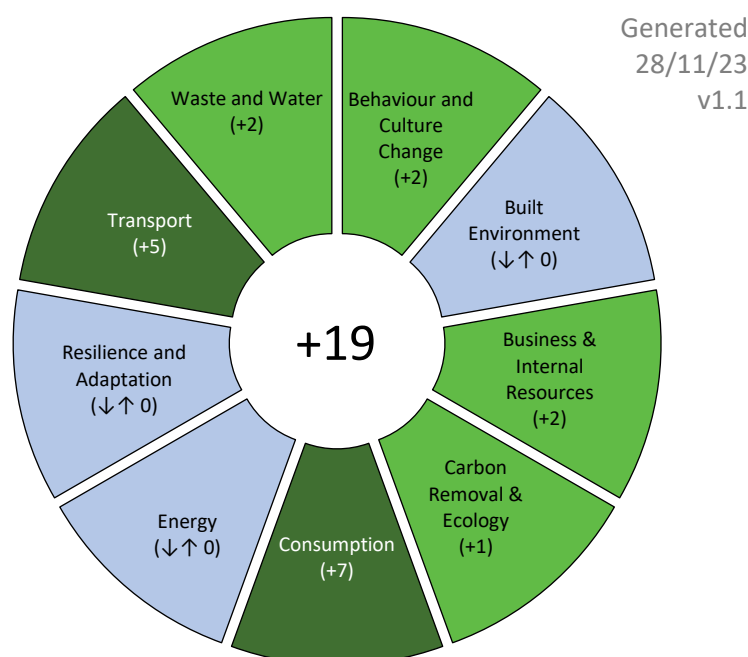
9.2	What steps are taken to overcome the restrictions?	N/A	
<p>For example: Safe Country, contractual measures, binding corporate rules, internal assessments of adequacy</p> <p>Note: GDPR has similar methods to overcome restrictions as under current law, but there are differences to the detail and less scope for an “own assessment” of adequacy.</p>			
<b>10. Exemptions</b>			
10.1	Will any exemptions for specific types of processing and/or specific DP requirements be relied upon for the project?	No	
<p>For example: crime prevention, national security, regulatory purposes</p> <p>Note: Exemptions under the GDPR to be assessed separately, and may be defined within additional EU or UK laws.</p>			

## 6. Sign off and record outcomes

Item	Name	Date
Measures approved by: (project owner) This must be signed before the DP can sign off on the DPIA.	Eileen Hudson (E.S.Hudson)	15/06/2023
Residual risks approved by: (If accepting any residual high risk, consult the ICO before going ahead)	Eileen Hudson (E.S.Hudson)	15/06/2023
DPO advice provided: (DPO should advise on compliance, measures and whether processing can proceed)	T.Pollard	15/08/2023
Summary of DPO advice: <i>Procurement process must ensure that data protection and IT security questions draw out correct information from bidders so that necessary scoring can ensure that a provider with sufficient guarantees is awarded the contract.</i> <i>Processing terms in contract must be reviewed by Information Compliance team before publication</i>		
DPO advice accepted or overruled by		If overruled, you must explain your reasons
Comments:		
IT Security Officer: Where there are IT security issues		
IT Officer comments:		
SIRO Sign off: (For major projects)		
Consultation responses reviewed by:		
This DPIA will be kept under review by:		The DPO should also review ongoing compliance with DPIA



**Carbon Impact Assessment** – retender of off-site document storage provision for Nottingham City Council.



Nottingham is aiming to become the first carbon neutral city in the country by 2028 (4 years and 1 months away).

Category	Impact	Score
Behaviour and Culture Change	Communication & engagement	+1
Behaviour and Culture Change	Wider influence	-
Behaviour and Culture Change	Working with communities	-
Behaviour and Culture Change	Working with partners	+1
Built Environment	Building construction	-
Built Environment	Building use	-
Built Environment	Switching away from fossil fuels	-
Business & internal resources	Developing green businesses	-
Business & internal resources	Marketable skills & training	-
Business & internal resources	Sustainability in business	-
Business & internal resources	Material / infrastructure requirement	+2
Carbon Removal & Ecology	Carbon storage	-
Carbon Removal & Ecology	Biodiversity & Ecology	+1
Carbon Removal & Ecology	Bee friendly city	-
Carbon Removal & Ecology	Carbon offsets	-

Consumption	Food & Drink	-
Consumption	Products	+2
Consumption	Services	+3
Consumption	Local and low-carbon production	+2
Energy	Local renewable generation capacity	-
Energy	Reducing energy demand	-
Energy	Improved energy storage	-
Resilience and Adaptation	Green / blue infrastructure	-
Resilience and Adaptation	Natural flood management	-
Resilience and Adaptation	Drought vulnerability	-
Resilience and Adaptation	Flooding vulnerability	-
Resilience and Adaptation	Heatwave vulnerability	-
Transport	Staff travel requirement	+1
Transport	Decarbonising vehicles	+1
Transport	Improving infrastructure	-
Transport	Supporting people to use active travel	-
Transport	Reduced need to travel	+3
Waste and Water	Single-use plastic	-1
Waste and Water	End of life disposal / recycling	+3
Waste and Water	Waste volume	-1
Waste and Water	Water use	+1

## Summary

Nottingham City Council is re-tendering for the operation of an existing contract for its offsite document storage service which provides for the physical storage of paper records. The service has been supplied by Box-it North Midlands (a franchise operated by R P Storage Ltd) since 2010. Currently there are c23000 boxes in storage (reduced from c35000 in 2010). Where it is financially beneficial, we will aim to digitise records with longer term retention periods and commission a 'scan-on-demand' service for those documents that need to be recalled rather than physical deliveries taking place.

This provision is required as we are required under UK GDPR and the Data Protection Act 2018 to keep records secure for as long as is necessary. The Regulation and Act does not state that documents must be kept in their original format (unless set out in other legislation) so this is the reasoning to move towards a 'scan-on-demand' service. The aim will be to decrease the amount of physical paperwork being stored offsite over the next 10 years.

The biggest benefits regarding carbon impact will be the reduction in use of physical deliveries of paperwork to various sites across the City, reducing carbon emissions from vehicles by using the 'scan-on-demand' service. Additionally, many suppliers are committed to recycling as much of the paperwork, plastic wallets, treasury tags and staples as they can. This will be an important part of the procurement process

as the material used can almost all be recycled. Some material could be reused (such as lever arch folders and plastic wallets) but most will be recycled.

Within the last 3 years, Information Compliance have successfully stemmed the number of boxes going into storage from 150 per year to 90. With the move to hybrid working, there is significantly less printing taking place and storage of physical paperwork. The move to scan on demand will also reduce the need for paperwork to be created.

The negative impact of the provision can be seen in the use of plastic, and especially those deemed of single use. Security tags are currently provided to ensure another layer of security for highly sensitive information (such as legal boxes containing children and adult files). These are single use, as you must cut them to get access to the box. This will be most likely to be the same with any new provider. However, the use of these tags could be reduced significantly if scanning documents as the security of these files can be undertaken using technological software (such as access controls). Additionally, there could be an increase of waste produced, due to the increased number of boxes and paperwork that are being destroyed, however it is envisioned that the majority percentage of this will, and can be, recycled.

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## **Equality Impact Assessment (EIA) Tool**

### **Document Control**

<b>Control Details:</b>	
Title of EIA/ Decision (DDM):	Retendering of the offsite storage provision/supplier.
Budget booklet code (if applicable):	
<b>If this is a budget EIA please ensure the title and budget booklet code is the same as the title used within the budget booklet</b>	
Name of author (Assigned to Pentana):	Alison Liversidge
Department:	Finance and Resources
Director:	Ross Brown
Division:	Legal and Governance
Contact details:	alison.liversidge@nottinghamcity.gov.uk
Strategic Budget EIA:	No
<a href="#">Exempt from publication:</a>	No
Date decision due to be taken:	12/12/2023

### **Document Amendment Record**

Version	Author	Date
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V0.3	Eileen Hudson	20/11/2023
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V0.5	Eileen Hudson	22/11/2023

### **Contributors/Reviewers** (Anyone who has contributed to this document to be named)

Name	Title role	Date
Eileen Hudson	Principal Records Officer	08/11/2023

Nasreen Miah	Equality & Employability Consultant	16/11/2023
Beth Brown	Head of Legal and Governance	22/11/2023

## Glossary of Terms

Term	Description
Box-it	Current document offsite storage provider
NCC	Nottingham City Council
UK GDPR	UK General Data Protection Regulation - controls how personal information is used by organisations.

## Section 1 – Equality Impact (NCC staff/ Service users/ Citizen/ Community impact)

### 1. a. Brief description of proposal/ policy/ service to be assessed

Since 2010 the offsite storage service has been provided by Box-it North Midlands (based in Uttoxeter).

Currently Nottingham City Council (NCC) stores 22739 boxes, of which, 2359 are stored in higher cost archival conditions. The annual budget of the current contract is £70,675 per annum; however, this primarily only covers the cost for storage, delivery/collection of boxes, and any new box materials. The current process is to return the boxes to the offsite facility once the contents are viewed. As a matter of convenience, standard practice, and cultural habit, sending files to Box-it has been the default option for most service areas for many years.

The Information Compliance team are re-tendering for the operation of the offsite storage service which provides for the physical storage of records held in approximately 22739 boxes owned by NCC. This retendering process provides an opportunity to futureproof NCC's archived data. The proposal has already been agreed at the Commissioning Oversight Board and the budget will increase to approximately £80,000 per annum.

The proposal is to move to a hybrid model of service that offers: -

- a physical archive solution – storing boxes where legally required
- a scan on demand service – to provide information to colleagues in a fast manner
- a significantly reduced box delivery and collection service

- a bulk scanning option with file preparation – for those boxes that are not recalled as often
- an improved box tracking audit system
- an electronic document management storage solution – software to access the scanned files.

The timescale is to seek agreement from the Commissioning and Procurement Executive Committee on the 12<sup>th</sup> December 2023, with the tender process starting shortly after this. The aim is to get a new supplier in place by the 1<sup>st</sup> April 2024.

### **1. b. Information used to analyse the equalities implications**

Information Compliance have been in contact with various local authorities across the UK to see how they undertake digitisation. The benefits of a paperless environment include: searchability (easier and faster finding of documents); accessibility (easier access particularly with hybrid working); productivity (spend less time recalling boxes and sifting through files); preservation (protecting documents and files from deteriorating); reduction in storage costs and improved UK GDPR compliance and a focus on improved disaster recovery.

As part of the procurement process, Information Compliance and Procurement colleagues have had meetings and demonstrations with companies to understand what the industry can offer. It has become evident that many public organisations are moving away from physical storage to digitising documents and suppliers have offered their expertise and experience of managing similar projects with governing bodies.

Through analysis of the boxes currently held in storage, the majority of the paperwork held in the offsite storage will be in relation to the People's directorate, representing adult and children who have had social care involvement as well as those citizens who have been involved with the education services department (49% of the total boxes). These boxes are in the top 5 areas of the most recalled boxes to NCC sites. These files will contain very sensitive information particularly around some of the nine protected characteristics.

**1. c. Who will be affected and how?**

<b>Impact type (NCC staff/ Service users/ Citizens/ Community)</b>	<b>Equality group/ individual</b>	<b>Positive</b>	<b>Negative</b>	<b>None</b>	<b>Reasons for your assessment  (Including evidence)</b>	<b>Details of mitigation/ actions taken to advance equality</b>	<b>Details of any arrangements for future monitoring of equality impact  (Including any action plans)</b>
Page 76	People from different ethnic groups			x	The tender is looking at digitisation of paper records and will not impact this group.		
	Men			x	The tender is looking at digitisation of paper records and will not impact this group.		
	Women			x	The tender is looking at digitisation of		

					paper records and will not impact this group.		
	Trans			x	The tender is looking at digitisation of paper records and will not impact this group.		
NCC Staff and Citizens Page 77	Disabled people/ carers	x			The digitisation of paper will help make the information more accessible to disabled staff and citizens through the various digital software that may be available to this group for use (for example, colleagues	Through the tender process, we will ask the suppliers to advise of their training options. If no training is available to all staff, Records Management colleagues will be on hand to provide training or guides on how to use the relevant systems. Records Management colleagues will	

<p>Page 78</p>					<p>may have software to enhance the size of documents, or have software which dictates the information on the screen)</p>	<p>also be able to assist in ordering scans and arranging delivery to colleagues. Once the funding has been agreed at the relevant Executive Committee, Records Management will issue communications out across the business informing of the possible change of supplier so there will be at least 3 months' notice.</p>	
	<p><b>Pregnancy and maternity</b></p>			<p>x</p>	<p>The tender is looking at digitisation of paper records and will not impact this group.</p>		

	<b>Marriage/Civil Partnership</b>			<b>x</b>	<b>The tender is looking at digitisation of paper records and will not impact this group.</b>		
	<b>People of different faiths/ beliefs and those with none</b>			<b>x</b>	<b>The tender is looking at digitisation of paper records and will not impact this group.</b>		
Page 79	<b>Lesbian/ Gay/ Bisexual people</b>			<b>x</b>	<b>The tender is looking at digitisation of paper records and will not impact this group.</b>		
	<b>Older</b>		<b>x</b>		<b>The tender is looking at digitisation of paper records and may negatively impact this</b>	<b>Through the tender process, we will ask the suppliers to advise of their training options, and the use of,</b>	

Page 80					group (especially if the person is not IT literate or is not confident in using the new technology)	and training for these IT programmes will be taken into consideration within the tender process. If no training is available to all staff, Records Management colleagues will be on hand to provide training or guides on how to use the relevant systems. Records Management colleagues will also be able to assist in ordering scans and arranging delivery to colleagues.	
	Younger			x	The tender is looking at digitisation of paper records and will not		



					impact this group.		
<p><b>Citizens</b></p> <p>Page 81</p>	<p><b>Care Experience</b> (Please refer to the guidance notes for further information)</p>	<p><b>x</b></p>			<p><b>Digitised paperwork will mean that information can be made available more quickly to social workers and for subject access requests, preventing negative effects on these individuals' lives and the service they receive from NCC.</b></p>	<p><b>Through the tender process, we will dictate that there must be some restrictions in place to prevent unauthorised access to certain files (such as Childrens, Adults and Fostering and Adoption) – Records Management colleagues will have access to these, but all staff have had enhanced DBS checks undertaken. There will be the specification that Records Management colleagues can audit the access to</b></p>	

Page 82						information by colleagues from across the business and must provide a certificate to show they have completed Records Management training and have authorisation from their manager before they can access the system and/or specific information which may need to be restricted (this is the same process that we currently have in place now).	
Citizens	Other (e.g., cohesion/ good relations, <u>vulnerable children/ adults</u> ), <u>socio-economic background</u> .  <i>Please underline the group(s) /issue more</i>	x	x		<u>Vulnerable children/ adults</u>  Digitised paperwork will mean that	<u>Socio-economic background</u> There will still be the opportunity to receive printed copies of information as	

<p>Page 83</p>	<p><i>adversely affected or which benefits.</i></p>			<p>information can be made available more quickly to social workers and for subject access requests, preventing negative effects on these individuals' lives and the service they receive from NCC.</p> <p><u>Socio-economic background</u> The digitisation of paperwork may mean that it excludes those people who do not have access to digital services to receive</p>	<p>there are at the present time for example with subject access requests.</p>	
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					downloadable information.		
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**1. d. Summary of any other potential impact** (including cumulative impact/ human rights implications):

**None**

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**Section 2 – Equality outcome**

**Please include summary of the actions identified to reduce disproportionate negative impact, advance equality of opportunity and foster good relations. Please pull out all of the mitigations you have identified and summarise them in this action plan**


Equality Outcome	Adjustments to proposal and/or mitigating SMART actions	Lead Officer	Date for Review/ Completion	Update/ complete
Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010.				

Advance equality of opportunity between those who share a protected characteristic and those who don't				
Foster good relations between those who share a protected characteristic and those who don't				
<p>(Please add other equality outcomes as required – e.g., mitigate adverse impact identified for people with a disability)</p> <p>Page 85</p>	<p><b>With a new supplier, we will be looking to procure a new box ordering/tracking system, as well as an electronic document management system. Suppliers we have met with have advised that they will undertake training sessions with those colleagues that will use the systems which will benefit all, especially those people with a disability. However, we will not know if the system/s will work with accessible software for colleagues who require use of this until the tender process is undertaken. We will specify in the tender documentation that the suppliers should show how their system is accessible for the right</b></p>	<p><b>Alison Liversidge/Eileen Hudson</b></p>	<p><b>April 2024</b></p>	

	decisions to be made during the tender process, and this will give us the opportunity to address these issues and come up with solutions ourselves or with the selected supplier.			
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Please note: All actions will need to be uploaded onto Pentana

### Section 3 – Approval and publishing

<p><b>The assessment must be approved by the manager responsible for the service /proposal.</b></p> <p><b>Approving Manager details</b> (name, role, contact details):</p> <p><b>Beth Brown</b>  <b>Head of Legal and Governance</b>  <b>Beth.brown@nottinghamcity.gov.uk</b></p>		<p><b>Date sent for advice:</b></p> <p><b>10/11/2023</b></p>
<p><b>Approving Manager Signature:</b></p> 		<p><b>Date of final approval:</b></p> <p><b>22/11/2023</b></p>

For further information and guidance, please visit the [Equality Impact Assessment Intranet Pages](#)  
 Alternatively, you can contact the Equality and Employability Team by telephone on 0115 876 2747

Send document or link for advice and/ or publishing to: [edi@nottinghamcity.gov.uk](mailto:edi@nottinghamcity.gov.uk)