


<b>Individual Mayoral Decision Proforma</b> Decision Log No: <u>55</u>	 <b>TOWER HAMLETS</b>
<b>Report of:</b>	<b>Classification:</b> Unrestricted
<b>Electoral Management Software (EMS) Verification Development</b>	

<b>Is this a Key Decision?</b>	<b>No</b>
<b>Decision Notice Publication Date:</b>	
<b>General Exception or Urgency Notice published?</b>	<b>Yes</b> (give details) / <b>Not required</b>
<b>Restrictions:</b>	

## 1. EXECUTIVE SUMMARY

The introduction of Individual Elector Registration (IER) is the biggest change to voter registration since the universal franchise was introduced in 1928. IER will have a major impact on the Electoral Registration Officers who will be expected to apply additional levels of scrutiny and control to comply with the IER policy requirements and this requires an appropriate level of IT support.

The Electoral Commission identified several key principles which should underpin the introduction of IER. These included:

- The system should be capable of being implemented efficiently and without a detrimental impact on the existing duties and responsibilities of Electoral Registration Officers; and
- The system should ensure that all personal data is properly managed and protected.

Following a competitive procurement process, the Cabinet Office appointed Xpress Software Solutions Limited to deliver services to Local Authorities and entered into contracts with the supplier.

The Cabinet Office now wish for Local Authorities, including the London Borough of Tower Hamlets, to manage the implementation of the Electoral Management Software. The Cabinet Office has confirmed the grant payable to the Council (see 3.1 below) and has produced the contractual documentation which the Council are required to enter into.

## 2. RECOMMENDATIONS

The Mayor is recommended to:

- A. Note the grant receipt of £386,140.96 from the Cabinet Office for the Electoral Management Software;
- B. Approve entering into of the contractual documentation to implement the Electoral Management Software; and
- C. Delegate to the Service Head - Legal Services the power to finalise the contractual documentation and enter into the contractual documentation on behalf of the Council.

## 3. BODY OF REPORT

### 3.1 Grant

3.1.1 By letter dated 12 February 2014 (the "Grant Letter" attached at Appendix 1), the Cabinet Office confirmed a capital grant determination for the London Borough of Tower Hamlets under Section 31 of the Local Government Act 2003 for the purpose of Electoral Management Software to enable the transition to Individual Electoral Registration.

3.1.2 The amount of grant is £386,140.96 (the "Grant Sum") which represents the value of the contract (£376,140.96), together with an additional sum of £10,000 for the administration costs incurred by the Council.

3.1.3 The Grant Sum is payable in accordance with Annex B to the Grant Letter

### 3.2 The Contract

3.2.1 The Cabinet Office and Xpress Software Solutions Limited entered into a contract dated 20 December 2013 for the provision of EMS Verification services.

3.2.2 The Council are now required to enter into a Deed of Novation with the Cabinet Office and Xpress Software Solutions Limited to transfer the rights and obligations of the Cabinet Office under the contract to the Council.

3.2.3 In addition, the Council shall enter into a Deed of Indemnity with the Cabinet Office, so that the Council is protected against any expenses arising from the negligence of the Cabinet Office in the performance of their obligations under the contract to date.

#### **4. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

- 4.1 The report seeks Mayor's executive approval to contract with a designated provider to implement the required software for delivery of Individual Electoral Registration. The Council is not able to select its own software solution.
- 4.2 The Council will receive a capital grant of £376k for procurement and implementation of the system, and a further £10k for additional administration costs incurred by the Council. Any expenditure over and above these sums will fall as a charge to the Council, funded from corporate contingencies.

#### **5. CONCURRENT REPORT OF THE SERVICE HEAD – LEGAL SERVICES**

- 5.1 The procurement of this supplier has been carried out by the Cabinet Office who have requested LBTH to manage the implementation on their behalf.
- 5.2 The Cabinet Office will provide a capital grant to LBTH to pay for the software and £10,000 for LBTH's time in managing the implementation.
- 5.3 Under LBTH Procurement Procedures (para 5.10) there is an exemption from the Procurement Rules where "the contract is to be funded in full by another public or voluntary organisation that has requested in writing that its own procedures are followed, subject to compliance with European Law."
- 5.4 The Grant Determination Letter dated 12.2.14 makes it clear that the decision to purchase this software has been taken by the Cabinet Office and the grant is made pursuant to the direction of the Minister of State for Cities and Constitution.
- 5.5. Given LBTH is acting at the direction of the Cabinet Office regarding the choice of supplier this is does not fall within the remit of the Strategic Partnering Contract.

#### **6. ONE TOWER HAMLETS CONSIDERATIONS**

- 6.1 These are not applicable as the matter is at the direction of the Cabinet Office.

#### **7. RISK MANAGEMENT IMPLICATIONS**

- 7.1 Risks to the Council in the procurement will be mitigated by an indemnity from the Cabinet Office referred to at para 3.2.3 above.

## **Appendices**

### **Appendix 1: Grant Determination Letter dated 12 February 2014**