

EAST RENFREWSHIRE COUNCILCABINET5 December 2019Report by Deputy Chief ExecutiveExemption from Standing Orders Relating to Contracts**PURPOSE OF REPORT**

1. The purpose of the report is to seek an exemption from tendering in accordance with Contract Standing Order 15(iii), in relation to the award of a contract to Zellis UK Limited for the provision of a read only archiving licence for the HR & Payroll system – Resourcelink.

RECOMMENDATION

2. It is recommended that, in accordance with Contract Standing Order 15(iii), the Cabinet approve an exemption from tendering procedures to allow a contract to be negotiated with Zellis UK Limited, for the provision of a read only archiving licence for the 7 year period 1 April 2020 until 31 March 2027, at a cost of £134,400.

BACKGROUND

3. The HR & Payroll system has been in place since 1999 for payroll and 2009 for HR functionality and holds extensive data on Council employees. There are approximately 6000 records for 5105 Council employees including contracted and casual staff groups and HR and payroll functions covered for 467 employees of East Renfrewshire Culture and Leisure Trust. The system also holds the names and posts of approximately 206 NHS employees for HR functions.

4. The contract is due to expire 31 March 2020 at which point access to the system will be terminated. In line with GDPR, legislation and the Council's Retention policy the Council are required to retain access to all records for a period of 7 years. This leaves the Council with no choice, but to secure access to the proprietary data held in the system in a read only format for the legislated period of time.

5. In order to meet the requirements of GDPR, legislation and the Council's Retention policy Zellis UK Limited were invited into discussions with the Core Systems Programme to negotiate on price for the licence and also to determine a compliant procurement route to contract award such as Framework Agreement.

6. Zellis UK Limited have advised the cost for a 7 year read only archive licence will be £134,400 and that they are not named on any Framework Agreement covering our requirement for contract call off. Benchmarking with other councils has been undertaken and for those who secured an archive licence from their incumbent supplier the cost is comparable to the offer from Zellis UK Limited.

REPORT

7. The Council intends to explore the procurement or build of our own data archiving solution to futureproof retention of our data but this will not be in place to meet the expiry of the HR & Payroll system which is 31 March 2020.

FINANCE AND EFFICIENCY

8. It is confirmed that provision for this expenditure has been built into revenue budget plans from 2020/21 onwards.

CONSULTATION

9. It is confirmed that the Chief Officer - Legal and Procurement has been fully consulted and is in agreement to this approach. Consultation has also taken place with the Core Systems Change Board.

IMPLICATIONS OF THE PROPOSALS

10. Should the exemption under Contract Standing Order 15(iii) be granted and a contract awarded for a read only licence there would be:-

- Compliance with legislative requirements
- Ability for staff to access records for period of 7 years

11. Should the request for an exemption under Contract Standing Order 15(iii) be refused:-

- Access to the current system will be removed 31 March 2020 at which point the Council would be in breach of GDPR legislation.

CONCLUSIONS

12. Approval of this exemption request under Contract Standing Order 15(iii) and subsequent award of read only licence to Zellis UK Limited will ensure that the Council remains compliant with all data protection legislative requirements.

RECOMMENDATION

13. It is recommended that, in accordance with Contract Standing Order 15(iii), the Cabinet approve an exemption from tendering procedures to allow a contract to be negotiated with Zellis UK Limited, for provision of a read only archiving licence for the period 1 April 2020 to 31 March 2027, at a cost of £134,400.

REPORT AUTHOR

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BACKGROUND PAPER

East Renfrewshire Council, Standing Orders Relating to Contracts - Contact Standing Order
15(iii)

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