

# Public Document Pack



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19 July 2022

Dear Councillor

## **GENERAL EXCEPTION NOTICE – (GE05 22) CHANGE OF CONTRACT AWARD FOR MICROSOFT 365 LICENCES**

Please find attached a General Exception Notice relating to a decision to be taken by Councillor Trevor Bartlett, Leader of the Council, to award the contract for Microsoft 365 licences to a different company to the one agreed by Cabinet at its meeting held on 4 July 2022. This was due to the results of the tender exercise being reported wrongly in the Cabinet report.

Although the original decision was included in the Notice of Forthcoming Key Decisions, this decision was not. However, the decision may still be taken provided 5 clear days have elapsed between publishing the General Exception Notice and informing the Chairman of the Overview and Scrutiny Committee, and the decision being taken.

Members of the public who require further information are asked to contact Kate Batty-Smith, Democratic Services Officer, on 01304 872303 or by e-mail at [democraticservices@dover.gov.uk](mailto:democraticservices@dover.gov.uk).

Yours sincerely

A handwritten signature in black ink that reads 'Kate Batty-Smith'.

Democratic Services Officer

ENCL

1 **GENERAL EXCEPTION NOTICE - (GE05 22) CHANGE OF CONTRACT AWARD FOR MICROSOFT 365 LICENCES** (Pages 2-3)



<b>DEMOCRATIC SUPPORT SECTION ONLY</b>	
Decision No:	<u>GE04</u>
Publication Date:	<u>19/07/22</u>

## General Exception

Pursuant to the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

### Notice of Key Decision

**A: Decision to be taken and by whom**

To approve the change of contract award for the Microsoft 365 licence contract for 3 years.

To be taken by Councillor Trevor Bartlett, Leader of the Council

This is a Key Decision which has not been included within the Notice of Forthcoming Key Decisions, but which must be taken by such a date that it is impracticable to defer the decision until 28 days after the next Notice is published.

**B: Reasons why this Key Decision was not included in the Notice of Forthcoming Key Decisions and why it would not be practicable to defer the decision**

This key decision was approved by Cabinet on 4 July 2022. However, due to an error on a bid submission, the tender outcome in the report taken to Cabinet was erroneous.

A Decision Between Cabinet meetings is now necessary in order to allow the Council to sign the new contract with the successful company for the Microsoft 365 licences used by all staff in the Council.

The licence purchase must be completed at least 6 weeks prior to licence renewal date (30 September 2022). For this reason, deferring the decision until 28 days' notice has been given would not be practicable and would potentially lead to an interruption in service for staff who rely on Microsoft 365 to carry out their duties.

**C: List of documents submitted to the decision-maker**

Cabinet-style report.

**D: Part of the Constitution authorising the decision**

Rule 15 (General Exception Procedure) of the Access to Information Procedure Rules (Part 4 – Rules of Procedure).

- Notice must be given in the first instance to the Chairman of the relevant Scrutiny Committee
- The General Exception procedure allows a Key Decision which has been omitted from the Notice of Forthcoming Key Decisions to be taken, provided 5 clear days has elapsed between informing the Chairman of the relevant Scrutiny Committee and making a copy of this notice available to the public (on the website and displayed in the Council Chamber lobby), and the decision being taken.
- Subject to any prohibition or restriction on their disclosure, copies of, or extracts from, documents submitted to the decision-maker in relation to the decision may be requested from

the address given below. In addition, the public may submit other documents relevant to the decision to the same address.

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