
Report of Urgent Action

- 1** Under regulation 19 of the The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 the County Council must receive a report from the Leader on any decisions taken under regulation 11. These are key decisions which were not in the Forward Plan and which needed to be taken with less than five clear days' notice. Such urgent decisions can only be taken with the agreement of the relevant Scrutiny Committee Chairman or, in his or her absence, the Chairman of the County Council. Key decisions taken with less than five clear days' notice and which are in the Forward Plan are reported via the Executive Decision Database.
- 2** Such action is avoided wherever possible as it circumvents the normal mechanism for publication of decisions and ensuring that members have the opportunity to comment before decisions are taken.
- 3** However, on occasion, this is not possible and the County Council is asked to note the following decision which has been taken by the appropriate decision-maker, in consultation with the relevant members.

Variation of Contract with Entserv UK Limited (DXC) for a Corporate Business Management Solution (Smartcore)

- 4** Cabinet member decision [ECR1\(19/20\)](#) approved the start of a procurement process in November 2019 for services to deliver a replacement business management system for the Council (the SmartCore Programme). That decision delegated authority to the Director of Finance and Support Services to award the contract and enable roll out of the SmartCore programme.
- 5** A contract was awarded to Entserv UK Limited (trading as DXC) in June 2020 for DXC to be the Council's contractor. As it proceeded a number of business design and delivery requirements for the programme led to changes to the contractual position to ensure successful implementation. These led to additional charges and changes to the timetable which took some time to negotiate and settle before incorporation into a variation of the contract. The additional time for the programme contributed to the additional cost.
- 6** The Council and DXC worked through a reset phase to agree and define further Council requirements and the programme was contractually paused during this time. DXC were paid retainer fees under Letters of Authority. A Deed of Variation was negotiated to give contractual certainty. Whilst these terms took time to settle there was an urgency once settled, for the Council to take the decision for reasons of contractual and cost certainty within a short window.
- 7** Notice of a decision, Award of Contract: Design and Implementation Support Service, was published in the Forward Plan in July 2021. The decision for a variation of contract was made under that notice. Due to the need for the matter to be determined as soon as possible, the Director of Finance and Support Services, as decision maker, secured agreement from the Chairman of the Performance and Finance Scrutiny for the decision to be taken with limited notice. The Cabinet Member for Support Services and Economic Development was consulted and kept advised throughout this process.

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- 8** The Director Finance and Support Services, with agreement from the Director of Law and Assurance and the Chairman of the Performance and Finance Scrutiny Committee to the use of urgent action, then approved the changes to contractual requirements and the allocation of funds to enable execution of the contract variation needed to complete the delivery of the corporate business management solution (Smartcore).

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Leader

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