

**South Lakeland District Council
Cabinet**

Wednesday, 7 December 2022

**Procurement and contract award for Elections
Management and Electoral Registration System
for Westmorland and Furness Council**

Portfolio: Customer and Locality Services Portfolio Holder
Report from: Director of Strategy, Innovation and Resources
Report Author: Simon McVey – Director of Strategy, Innovation and Resources
Wards: All Wards
Forward Plan: Key Decision included in Forward Plan as published on 20 September 2022

Links to Council Plan Priorities:

Working across boundaries

1.0 Expected Outcome and Measures of Success

1.1 An electoral management system providing the functionality required by Westmorland and Furness Council to manage all aspects of elections and electoral registration and enabling citizens to register to vote using the Government Digital Service.

2.0 Recommendation

2.1 It is recommended that Cabinet:-

- (1) Approve the contract for the Elections Management and Electoral Registration system being awarded to the supplier identified in the Part II Appendix 1;**
- (2) Delegate authority to the Director Strategy, Innovation and Resources in consultation with the Specialist Procurement Officer and Lead Specialist Legal Governance and Democracy to enter into the appropriate contract with the successful bidder; and**
- (3) Note that the contract will transfer to Westmorland and Furness Council from vesting date.**

3.0 Background and Proposals

Please note that in accordance with Section 100B(2) of the Local Government Act 1972, copies of Appendix 1 to this report are excluded from inspection by members of the public as they contain information as described in Schedule 12A of the Act, as amended by the Local Government (Access to Information) (Variation) Order 2006, as follows:-

- *Information relating to the financial or business affairs of any particular person (including the authority holding that information). (Paragraph 3)*

In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

- 3.1 Electoral management systems provide functionality to deliver all aspects of electoral registration and elections management and currently six district councils in Cumbria are using systems provided by three different suppliers. Although these are standalone systems there are daily links to the Government Digital Service which enables citizens to register to vote using the .gov.uk website.
- 3.2 Following detailed discussions with the Cabinet Office in relation to local government reorganisation (LGR) in Cumbria it became clear that on vesting day (or as soon as possible after vesting day) the two new unitary councils will need a consolidated register of electors. This is a legislative requirement and also essential so that new registrations submitted via the Government Digital Service can be routed to the correct authority.
- 3.3 The requirement to have a combined register of electors for the two new unitary authorities means that each authority will need to be operating a single Electoral Management System as soon as practicable after vesting day as there is not a workable option of continuing to make use of existing systems for a prolonged period of time.
- 3.4 An LGR workstream has been tasked with this issue since early 2022 which has resulted in procurement exercises to identify suppliers for the new councils. It was determined that the most appropriate route would be for each council to undertake their own evaluation of systems with South Lakeland leading the procurement for Westmorland and Furness Council. An entirely separate process has taken place for Cumberland Council although broadly following the same timescales.
- 3.5 This has been a collaborative project involving election managers from Barrow, Eden and South Lakeland, IT representation from the LGR IT workstream, procurement and legal support from the LGR legal and democratic workstream with oversight from the Westmorland and Furness interim Chief Executive who is the Returning Officer for the new council.
- 3.6 The evaluation has included an assessment of functionality against a detailed statement of requirements, scored system demonstrations and an assessment of the suppliers' responses to four method statements. The method statements included proposed implementation plan, previous experience of migrating systems and teams and an understanding of the risks involved with the process.
- 3.7 The preferred supplier is identified in the Part II appendix.

4.0 Appendices Attached to this Report

Appendix No.	Name of Appendix
1	Part II – award of contract – tender report

5.0 Consultation

- 5.1 There has been regular consultation with the three election teams and the various LGR workstreams leading on IT, legal and democracy and procurement.

6.0 Alternative Options

- 6.1 The option of continuing with existing systems and merging at a later date was considered and rejected. This approach would potentially lead to large numbers of mismatches when the three existing local authority GSS codes are deleted and replaced with a new code for Westmorland and Furness.

- 6.2 In addition there will be new functionality required to deliver Elections Act requirements and potential boundary changes which is better dealt with as one project in a new system.
- 6.3 The alternative option to award the contract to an alternative bidder is not recommended on the basis of the tender analysis in Appendix 1.

7.0 Implications

Financial, Resources and Procurement

- 7.1 This matter is on the Procurement Schedule for 2022/3. Procurement has been undertaken using Crown Commercial Services Framework RM3821 – Lot 2C – citizens services – which has 9 suppliers including the three suppliers currently providing software to councils in Cumbria. Although there is provision for a direct award, a competition exercise has been run between all the suppliers on the framework.
- 7.2 The cost of the proposals are split between one off implementation costs and annual software licences which have been assessed over a four year period to identify a total cost of ownership. These are detailed in the part II appendix with the annual licence costs for Westmorland and Furness being approximately 53% of the annual costs currently being paid by Barrow, Eden and South Lakeland.
- 7.3 The detailed implementation plan and overall project costs including IT provision by Westmorland and Furness Council will be presented to the LGR programme board.

Human Resources

- 7.4 There are no Human Resources implications associated with this report.

Legal

- 7.5 In accordance with Rule 2.2.4 of the Contract Procedure Rules, this report seeks approval to award a contract to the recommended bidder as noted in the tender report in the Part II Appendix 1. Approval is also sought to delegate authority to the Director of Strategy, Innovation and Resources in consultation with Lead Specialist for Legal, Governance and Democracy (Monitoring Officer) to enter into the appropriate contract.
- All legal support for this procurement has been provided and funded by the LGR legal and democratic workstream including some external legal support. The Crown Commercial Services Framework RM3821 includes Terms and conditions that will be adopted together with schedules. In accordance with Rule 19.3 of the Contract Procedure Rules, the use of Frameworks has been approved by the Procurement Specialist in consultation with Legal Services (and including advice from external solicitors to the LGR programme). The use of the framework has been agreed by the other sovereign councils within the LGR workstream.

Health and Sustainability Impact Assessment

- 7.6 Have you completed a Health and Sustainability Impact Assessment? No
- 7.7 If you have not completed an Impact Assessment, please explain your reasons: Not Applicable

7.8 Summary of Health and Sustainability Impacts

		Positive	Neutral	Negative	Unknown
Environment and Health	Greenhouse gases emissions				Y
	Air Quality				Y
	Biodiversity				Y
	Impacts of Climate Change				Y
	Reduced or zero requirement for energy, building space, materials or travel				Y
	Active Travel				Y
Economy and Culture	Inclusive and sustainable development				Y
	Jobs and levels of pay				Y
	Healthier high streets				Y
	Culture, creativity and heritage				Y
Housing and Communities	Standard of housing				Y
	Access to housing				Y
	Crime				Y
	Social connectedness				Y

Equality and Diversity

7.9 Have you completed an Equality Impact Analysis? No

7.10 If you have not completed an Impact Analysis, please explain your reasons: Not Applicable

7.11 Summary of Equality and Diversity impacts

Please indicate: P = Positive impact; 0 = Neutral; N = Negative; Enter "X"						
Age	P		0	X	N	
Disability	P		0	X	N	
Gender reassignment (transgender)	P		0	X	N	
Marriage & civil partnership	P		0	X	N	
Pregnancy & maternity	P		0	X	N	
Race/ethnicity	P		0	X	N	
Religion or belief	P		0	X	N	
Sex/gender	P		0	X	N	
Sexual orientation	P		0	X	N	

Armed forces families	P		0	X	N	
Rurality	P		0	X	N	
Socio-economic disadvantage	P		0	X	N	

Risk	Consequence	Controls required
The procurement is not conducted in compliance with relevant legislation.	A legal challenge to the procurement resulting in additional costs and project delays.	Adequate support and expertise to successfully undertake the procurement exercise.
System implementation delayed due to competing demands of LGR and local elections being held during May 2023.	Voters unable to register online or large number of mis-matches requiring user intervention.	Detailed project plan recognising external factors and clearly identified project resources.

Contact Officers

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Background Documents Available

None

Tracking Information

Signed off by	Date sent	Date Signed off
Section 151 Officer	27/10/2022	15/11/2022
Monitoring Officer	27/10/2022	15/11/2022
CMT	17/11/2022	17/11/2022

Circulated to	Date sent
Lead Specialist	N/A
Human Resources Lead Specialist	N/A
Communications Team	N/A
Leader	N/A
Committee Chairman	N/A
Portfolio Holder	N/A
Ward Councillor(s)	N/A
Committee	N/A
Executive (Cabinet)	N/A
Council	N/A