

## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	Contract Award to Thomson Reuters for Online Legal Research Platform
<b>Decision Maker:</b>	Asmat Hussain, Director of Legal and Governance
<b>Cabinet Member:</b>	Councillor Ray Morgon and Mayor Rokhsana Fiaz,
<b>SLT Lead:</b>	Asmat Hussain, Director of Legal and Governance
<b>Report Author and contact details:</b>	Jo Swinton- Bland, Head of Business Operations, Legal and Governance Email: <a href="mailto:jo.swintonbland@onesource.co.uk">jo.swintonbland@onesource.co.uk</a>
<b>Policy context:</b>	Commission services in a way that provides the best possible value for money
<b>Financial summary:</b>	The spend for the London Borough of Havering over three years will be £78,223, based on 26 users. The spend for the London Borough of Newham over three years will be £93,413 based on 52 users.
<b>Relevant OSC:</b>	Overview and Scrutiny Board
<b>Is this decision exempt from being called-in?</b>	It is a non-key decision by a member of staff

**Non-key Executive Decision**

**The subject matter of this report deals with the following Council Objectives**

Communities making Havering	<input type="checkbox"/>
Places making Havering	<input type="checkbox"/>
Opportunities making Havering	<input checked="" type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

## **Part A – Report seeking decision**

### **DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION**

For the reasons set out in the report, the Director of Legal and Governance is recommended to agree to:

- a) the award of a contract for an online legal research platform to Thomson Reuters Solutions on behalf of the London Borough of Havering for a period of three years commencing on 1 November 2022.
- b) the award of a contract for an online legal research platform to Thomson Reuters Solutions on behalf of the London Borough of Newham for a period of three years commencing on 1 November 2022.

### **AUTHORITY UNDER WHICH DECISION IS MADE**

oneSource Scheme of Delegation

Level A to C officers have:

B19. Power to approve contractual documents up to the values stated in the financial procedures including contractual extensions and renewals, amendments or variations to contracts

### **STATEMENT OF THE REASONS FOR THE DECISION**

The legal teams require access to an online legal platform for research purposes to assist it in effectively and accurately advising and drafting documents for departments within the Council. The legal teams advise on all areas of law including property, planning, enforcement, contracts, procurements, company law, children social care, adult social care and litigation. All teams use online legal research platforms.

The London Boroughs of Havering and Newham each have current contracts with Thomson Reuters which expires on 31 October 2022.

The London Boroughs of Havering and Newham are both members of the London Borough Legal Alliance (LBLA). The procurement was carried out by the LBLA inviting Thomson Reuters and Lexis Nexis, the only two viable providers in the market that the LBLA are aware of having carried out market research, to provide competitive pricing based on members' stated user numbers, and on the historic discounts provided to LBLA members under two previous procurement processes 3 years and 6 years ago.

The LBLA core packages were designed to include those products required by the majority of LBLA members, as agreed with the members.

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Due to the proprietary nature of the service being procured the market is very limited. The publishing houses own the products and the rights to use them, so the councils have to buy the products directly from them. The councils are purchasing off the shelf products which include packages that the councils require to effectively deliver legal advice in services within both boroughs.

Officers in both councils have undertaken a demo of the Lexis Nexis product over a period of 2 months. However, feedback from officers is that the product does not have the same precedents or the full range of legal research books that officers use.

The London Borough of Havering current has 26 users a year subscribing to the service and the total spend over 3 years is anticipated to be £78,223. However, this may fluctuate if the number of users changes.

The London Borough of Havering current has 52 users a year subscribing to the service and the total spend over 3 years is anticipated to be £93,413. However, this may fluctuate if the number of users changes.

### **OTHER OPTIONS CONSIDERED AND REJECTED**

1. Not purchase an online legal platform – officers in the legal teams need access to this to provide up to date advice and draft documents.
2. Undertake an in house procurement – as members of the LBLA the boroughs benefit from economies of scale when the LBLA conducts a procurement on behalf of its members. If the Councils carried out their own procurement it is likely that the charges would be higher.

### **PRE-DECISION CONSULTATION**

None


### **NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER**

Name: Jo Swinton-Bland

Designation: Head of Business Operations

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Signature:  
28/10/2022

A handwritten signature in blue ink, appearing to be 'J. B. D.', is written in the center of the box.

Date:

## **Part B - Assessment of implications and risks**

### **LEGAL IMPLICATIONS AND RISKS**

The Council has the power to enter into contracts under the general power of competence contained in section 1 of the Localism Act 2011 which allows the Council to do anything that an individual may do subject to any statutory constraints on the Council's powers.

The Council has the power under this section to agree to the proposals in the recommendations.

The value of the proposed contracts are £78K for London Borough of Havering and £93K for London Borough of Newham over 3 years.

The Local Authorities are each a Contracting Authority for the purposes of the Public Contract Regulations 2015 (as amended) (PCR). The value of the contract is below the threshold for services of £213,477, therefore this Contract is not subject to the full rigours of the Regulations.

### **FINANCIAL IMPLICATIONS AND RISKS**

The total charges will be £171,636 for both Councils over 3 years. This will be paid by oneSource and recharged to each Council. London Borough of Havering's share will be £78,223 over 3 years based on 26 users. London Borough of Newham's share over three years will be £93,413 based on 52 users.

### **HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

None

### **EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS**

Under section 149 of the Equality Act 2010, the Council has a duty when exercising its functions. This includes the provisions sought in this report, to have "due regard" to the need to eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act and advance equality of opportunity and foster good relations between persons who share a protected characteristic and persons who do not. This is the public sector equality duty. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

"Due regard" is the regard that is appropriate in all the circumstances. The weight to be attached to each need is a matter for the Council. As long as the Council is properly aware of the effects and has taken them into account, the duty is discharged.

There are no equalities implications or risks arising in the use of external legal services.

### **ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS**

Use of online resources supports reduction of paper

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<b>HEALTH AND WELLBEING CHANGE IMPLICATIONS AND RISKS</b>
None

<b>BACKGROUND PAPERS</b>
None

<b>APPENDICES</b>
None

**Non-key Executive Decision**

**Part C – Record of decision**

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

**Decision**

Proposal agreed

**Details of decision maker**

Signed



Name: Asmat Hussain

Cabinet Portfolio held:

CMT Member title: Interim Director of Legal and Governance

Head of Service title

Other manager title:

Date:06/11/22

**Lodging this notice**

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on \_\_\_\_\_

Signed \_\_\_\_\_



## **Non-key Executive Decision**