

Report to CABINET

Contractual Arrangements – Synergy Education Management System Contract Renewal 2024/25 to 2026/27

Portfolio Holder: Cllr Mohon Ali – Cabinet Member for Education & Skills,
In consultation with: Cllr Jabbar – Cabinet Member for Finance and Corporate Resources,

Officer Contact: Sayyed Osman, Deputy Chief Executive

Report Author: Irfan Rasul – Digital Technology Manager / Senga Henstock – ICT Senior Buyer

18th March 2024

Reason for Decision

To enter into a call-off contract under a procurement compliant framework agreement in accordance with Contract Procedure Rules to support the ongoing use of Synergy Education Management System for 3 years with the option to extend by a further 1 year

Executive Summary

The report seeks approval to enter into a call-off contract with Access UK LTD to provide the Education Management System together with any additional modules and services, subject to budget approval.

Recommendations

That Cabinet Approves:

- Approve a Call-Off Contract via Crown Commercial Services G Cloud 13 Framework Agreement RM1557.13 Lot 2 Cloud Software for the continued use of the Synergy application and,
- Delegate authority to the Director of Legal Services to formalise any relevant legal requirements, including the execution of the Call-Off Contract as a Deed FCR-03-24
- Delegate authority to the Member for Education and Skills and Director of Education Skills and Early Years to build flexibility into the call-off contract to allow for the purchase of additional modules and support in accordance with the framework agreement and the relevant pricing schedule, subject to budget availability and approval

**Contractual Arrangements – Synergy Education Management System Contract Renewal
2024/25 to 2026/27**

1 Background

1.1 Synergy Education Management System is a long-standing software application used by Oldham Council and many other LA's. The system plays a critical role in Children's Services. The current agreement is due to expire March 2024.

2 Current Position

2.1 Synergy continues to be an integral application for Oldham Council, the preferred option* is to remain with Access UK LTD * as the provider of the application. Synergy is the operational system used by many education services, comprising the core system, a parent portal and a provider portal. It underpins our school admissions processes, all of our early years provision and funding, our family information service and a number of other functions. It is shortly being extended to provide case management and event booking for Family Hubs. While the system contains large amounts of child data, it should be noted that it does not represent a complete record for all purposes of every child in the borough: children are included and updated due to service need only.

2.2 The current contract for will expire on 31st March 2024; however, the Council requires continued use of the system and, therefore, a replacement contract is required to commence immediately following the expiry of the current contract.

2.3 The purpose of this report is to seek approval to enter into a new Contract under an existing Framework Agreement for 3 years with the option to extend once).

2.4 Approval is also sought to build flexibility into the call-off contract to allow for the purchase of additional modules and support in accordance with the framework agreement and the relevant pricing schedule and subject to budget approval.

3 **Options/Alternatives**

- 3.1 Option A - approve a call-off Contract via Crown Commercial Services G Cloud 13 Framework Agreement RM1557.13 Lot 2 Cloud Software for the continued use and support of the Synergy application which will ensure the system support is in place to continue to optimise usage of the Software and ensure the Council have maximised total cost of investment.
- 3.2 Option B – not approve the direct award and tender for a new system. This may result in significant increased costs for the Council, which are associated with buying a Business-Critical system. Additionally, the timescales for procurement, implementation, and business change would typically be 18 months. Interim arrangements would need to be made in this time as loss of the system is not a viable option.

4 **Preferred Option**

- 4.1 Option A - approve a call-off Contract via Crown Commercial Services G Cloud 13 Framework Agreement RM1557.13 Lot 2 Cloud Software

5 **Consultation**

- 5.1 None

6 **Financial Implications**

- 6.1 These are detailed on the Part B version of the report, later on the agenda.
(Andy Cooper - Senior Finance Manager)

7 **Legal Implications**

- 7.1 Limited comments are to be made from a legal perspective per se as the contractual documents for review are limited to the draft call-off contract which has been supplied under separate cover and for which amendment is not generally permissible under a framework arrangement.
- 7.2 As ever this proposal must abide by the Council's budgetary arrangements and so comply with the attendant authorised expenditure and the applicable constraints.
- 7.3 Initially it was intended to use the YPO framework as previously but upon examination and following discussion between the Procurement and Legal departments such a step was discounted due to the content of the YPO call-off contract which was not satisfactory for the services in question. It has now been proposed to utilise a call-off contract from the Crown Commercial Services G Cloud 13 Framework Agreement RM1557.13 Lot 2 Cloud Software. G-Cloud was specifically devised for this type of subject matter. A feature of G-Cloud is the several pages of technical detail requiring completion, but the Council Procurement and IT staff are familiar with this form of contract and will therefore possess sufficient experience and expertise for its population and completion.
- 7.4 What is desired and recommended is in effect to renew the engagement of the existing supplier because it alone is able to provide this product; supply by another would necessitate wholesale replacement.
- 7.5 Compliance with the public procurement regime must be demonstrated and with the Council's own rules – as set out in paragraph 8 of the Contract Procedure Rules. Sufficient

explanatory and supporting information must be provided in order to justify reliance upon the proposed course of action. Justification for Option A is required especially given the alternative in Option B.

7.6 The total Contract amount as determined by paragraph 3.2 of the Contract procedure Rules and that total value places the matter well within the ambit of the UK's public procurement rules. However, it also requires execution of agreements by deed using the Council's seal.

7.7 Refer to List of Cabinet Responsibilities (page 7 of Guide and Summary to the Constitution), Scheme of Delegation and to the Financial Procurement Rules paragraph 13.8 as appropriate.

(Mike Bentley – Consultant/Locum Solicitor – Commercial Team)

8. **Co-operative Implications**

8.1 Extending our contract with Synergy represents a co-operative approach in terms of providing training modules to our staff members, particularly those in children's services, thereby supporting the principles of learning and innovation.

James Mulvaney (Policy Manager)

9 **Human Resource Implications**

9.1 None

10 **Risk Assessments**

10.1 The new 36 month call off contract with Access UK LTD represents a saving to the Council in terms of officer time involved with switching to an alternative provider. The system is used by many education services comprising of the core system, a parent portal and a provider portal. It underpins the school admissions process and early years provision, to change these systems especially mid school year would be detrimental on the services involved. The purchase of the additional modules represents a financial risk to the Council this will need to be managed by the service and in line with the Council's current financial position. Risk considerations need to understand what data is created on the system and the use of the data to ensure compliance with legislation. The system will need to be monitored to ensure that data is only kept in line with lawful requirements.

Vicki Gallacher (Head of Insurance and Information Governance)

11 **IT Implications**

11.1 None – The infrastructure, connectivity and access will remain the same.
Irfan Rasul (Digital Technology / CTO)

12 **Property Implications**

12.1 None

13 **Procurement Implications**

13.1 Commercial Procurement supports the recommendation of Option A, approve a call-off Contract via Crown Commercial Services G Cloud 13 Framework Agreement RM1557.13 Lot 2 Cloud Software. .

13.2 Procurement have conducted an exercise following the CCS G Cloud Buying Guidelines and Access UK LTD are listed as the only provider for the Synergy application, as per the Framework rules the Council can direct award on G-Cloud 13 after completing the buying process, Any call-off contract will initially last for a maximum of up to 36 months, with the option to extend once by up to 12 months, however this must be clearly specified in the initial contract terms. The total call-off length should not be for more than 48 months (4 years). This includes the initial call-off duration plus the extension option. This Framework is compliant with the Council Contract Procedure Rules.

13.3 Access UK LTD have submitted a written proposal to confirm they can meet the requirements of the Council in accordance with the relevant terms and conditions and the pricing established vas per the YPO Framework Agreement.
See Appendix 2

Senga Henstock (ICT Senior Buyer)

14 **Environmental and Health & Safety Implications**

14.1 None

15 **Community cohesion, including crime and disorder implications in accordance with Section 17 of the Crime and Disorder Act 1998**

15.1 None

16 **Oldham Equality Impact Assessment, including implications for Children and Young People**

16.1 Yes

17 **Key Decision**

17.1 Yes

18 **Key Decision Reference**

18.1 FCR-03-24

19 **Background Papers**

19.1 None

20 **Appendices**

20.1 None