

# **WAVERLEY BOROUGH COUNCIL**

## **EXECUTIVE**

**4 APRIL 2023**

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**Title:**

**Microsoft Enterprise Agreement renewal**

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**Portfolio Holder:** Cllr Peter Clark, Portfolio Holder for IT

**Head of Service:** Nicola Haymes, Executive Head of Communications and Customer Services

**Key decision:** Yes

**Access:** Public

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### **1. Purpose and summary**

The purpose of this report is to seek approval to place the order to renew the Microsoft Enterprise Agreement for Waverley. This is the licence agreement to run the software that underpins most of the activity of the authority. This includes Microsoft Office, Exchange/Outlook, SQL Server, Windows Operating system.

The price for the Enterprise Agreement is set by Microsoft and the only option for negotiation is which reseller you contract with and the uplift margin they charge. We currently use Bytes as our reseller and have a 1 year extension option on the contract. Crown Commercial Services have run a tender process for Enterprise Agreement that has been awarded to Phoenix Software.

The provision of £145k for this renewal is within the existing IT service revenue budget.

### **2. Recommendation**

It is recommended that the Executive

1. Delegate authority to the Joint Strategic Director, Transformation & Governance to approve the purchasing of the annual Microsoft Enterprise Agreement on the best commercial terms available each year provided that the sum is within the relevant budget as approved.
2. Authorise the IT team to renew the Microsoft Enterprise Agreement for 2023/24 for Waverley with either Bytes or Phoenix Software depending on best price and terms. The provision for the licence is within the existing IT revenue budget.

### **3. Reason for the recommendation**

This action is recommended to be able to continue running the Waverley IT estate.

#### **4. Relationship to the Corporate Strategy and Service Plan**

##### **4.1 Corporate Priority:** A financially sound Waverley, with infrastructure and services fit for the future.

The IT infrastructure is maintained and improved which supports the activity of the Council.

#### **5. Implications of decision**

##### **5.1 Resource (Finance, procurement, staffing, IT)**

**Drafted by: Rosie Plaistowe-Melham, Financial Services Manager**

Budget provision is in place for the full cost of the Microsoft Agreement, there is no additional financial impact.

Not renewing the Enterprise Agreement will have negative financial and reputational impact on the council with staff unable to carry out day to day tasks.

##### **5.2 Risk management**

If the Enterprise Agreement is not renewed Waverley will not be able to run any Microsoft software.

##### **5.3 Legal**

**Drafted by: Ian Hunt, Interim Deputy Borough Solicitor**

The Council is committed to the use of the Microsoft platform, and would face significant difficulty in adopting any other approach for this key infrastructure. Accordingly the Council is permitted to procure the service from the relevant framework options.

##### **5.4 Equality, diversity and inclusion**

There are no direct equality, diversity or inclusion implications in this report. Equality impact assessments are carried out when necessary across the council to ensure service delivery meets the requirements of the Public Sector Equality Duty under the Equality Act 2010.

##### **5.5 Climate emergency declaration**

There are no direct climate emergency implications as a result of this decision.

#### **6. Consultation and engagement**

N/A

#### **8. Other options considered**

The alternative option would be to not renew the Microsoft Enterprise Agreement, the implications of which are set out above.

## 9. **Governance journey**

Executive, 4 April 2023

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### **Background Papers**

There are no background papers, as defined by Section 100D(5) of the Local Government Act 1972).

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### **CONTACT OFFICER:**

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Agreed and signed off by:

Legal Services: Ian Hunt, Deputy Interim Borough Solicitor, 22/03/2023

Head of Finance: Rosie Plaistowe-Melham, Financial Services Manager, 20/03/2023

Strategic Director: Annie Righton, Joint Strategic Director for Community and Wellbeing  
21/03/2023

Portfolio Holder: Councillor Peter Clark, Portfolio Holder for IT, 21/03/2023