

## NOTICE OF MEETING

# CABINET MEMBER SIGNING

Thursday, 30th November, 2023, 10.00 am - Podium, River Park House, 225 High Road, N22 4HQ (watch the live meeting [here](#))

Councillor: Dana Carlin

### 1. FILMING AT MEETINGS

Please note that this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making depositions, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

The chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual or may lead to the breach of a legal obligation by the Council.

### 2. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

### 3. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a

pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

**4. URGENT BUSINESS**

The Chair will consider the admission of any late items of Urgent Business. (Late items of Urgent Business will be considered under the agenda item where they appear. New items of Urgent Business will be dealt with under agenda item 9).

**5. DEPUTATIONS/ PETITIONS/ QUESTIONS**

To consider any requests received in accordance with Part 4, Section B, paragraph 29 of the Council's constitution.

**6. EXTENSION OF EA21 CALL-OFF CONTRACT - SUPPLY OF LAPTOPS AND ACCESSORIES (PAGES 1 - 10)**

**7. SD-WAN CONTRACT VARIATION (PAGES 11 - 16)**

**8. DATA PROTECTION POLICY (PAGES 17 - 28)**

**9. NEW ITEMS OF URGENT BUSINESS**

Nazyer Choudhury, Principal Committee Co-Ordinator  
Tel – 020 8489 3321  
Fax – 020 8881 5218  
Email: [nazyer.choudhury@haringey.gov.uk](mailto:nazyer.choudhury@haringey.gov.uk)

Fiona Alderman  
Head of Legal & Governance (Monitoring Officer)  
George Meehan House, 294 High Road, Wood Green, N22 8JZ

Wednesday, 22 November 2023

**Report for** Cabinet Member Signing – 30 November 2023

**Title:** Extension of EA21 Call-off Contract - Supply of Laptops and Accessories

**Report authorised by:** Director for Culture, Strategy and Engagement, Jess Crow

**Lead Officers:** Assistant Director for Digital and Change, Nathan Pierce - Head of Technology, Digital Services - Glenn Mason

**Ward(s) affected:** n/a

**Report for Key/**

**Non-Key Decision:** Key

## 1. Describe the issue under consideration

1.1 This report is seeking to have the current EA21 call-off contract with XMA Ltd for the supply of laptops and accessories extended by 12 months and a key decision to approve an increase in spend under the contract above £500,000.00.

## 2. Cabinet Member Introduction

As this report is to the Cabinet Member, no Cabinet Member introduction is required.

## 3. Recommendations

It is recommended that the Cabinet Member:

3.1 Confirm approval for an increase in the maximum value under the initial 2-year term of the Council's EA21 contract with XMA Ltd for laptops and accessories (the EA21 contract), which was called off from CCS Framework RM6068, from £500,000.00 to £572,600.00 to cover an existing overspend to date as well as to cover anticipated spend up to the expiry of the initial term in December 2023;

3.2 Approve, pursuant to Contract Standing Order (CSO) 10.02.1b), a first extension to the EA21 contract:

3.2.1 for a period of 12 months from 10<sup>th</sup> December 2023 to 9<sup>th</sup> December 2024;

3.2.2 at a maximum value of £475,440.00 for the first extension period.

3.3 Note that, if the Council's future digital roadmap aligns to new laptop devices, Digital Services may approach Cabinet in 2024 to seek further approval to extend the EA21 contract for a final 12-month term until 9<sup>th</sup> December 2025 and that a maximum value of £475,440.00 is currently envisaged for that extension period.

#### **4. Reasons for decision**

**4.1** Laptops are an essential tool used by Haringey staff and integral to the successful service delivery and support of operations within the Council. Laptops align to the Council's smart working principles and enable remote working, flexible hours, collaboration and a mobile workforce. Laptops can also reduce operational costs by saving office space, energy and maintenance.

**4.2** Digital Services hold stock of laptops to allocate to end users and require a compliant procurement route to purchase sufficient devices to meet demand. The proposed call-off contract extension will permit procurements to be completed in an efficient, controlled manner, with fixed pricing for accurate budgeting monitoring.

**4.3** The EA21 contract was called off in 2021 from Crown Commercial Services (CCS) Framework RM6068 following a further competition in the form of an aggregated e-auction. This further competition was permitted under the CCS framework call off rules and is considered the most cost-effective way of sourcing laptops and accessories. Twenty-nine public sector organisations took part and the savings achieved through combining demand is judged to offer a greater economy of scale, compared to the Council undertaking an independent procurement.

**4.4** Under the proposed extension of the EA21 contract, there would be no minimum spend commitment and the Council would be free to explore other procurement routes if it is thought the EA21 contract no longer demonstrates value for money or does not deliver products required by the Council.

**4.5** The Council has procured through the EA21 contract since December 2021 and its predecessor EA16 was used to complete the laptop refresh in

2018/19. Continued use of the EA21 contract will ensure the laptops procured are consistent with models supported by Digital Services and are compatible with existing digital infrastructure and benefit from the extended on-site support solution offered under the contract.

**4.6** Demand for laptops has increased over the last 24 months which is attributed to several factors including: service growth (new staff), digital inclusion for staff who have never had a laptop, support for work placement programmes, framework purchasing for Council initiatives and the replacement of out-of-warranty laptops. To minimise the need to purchase new laptops, the Council reallocates devices whenever possible, which is achieved by redeploying equipment collected through the 'Movers and Leavers' process. However, the stock is aging and the number of staff requiring laptops is growing and, as a result, there is an increased pressure to order new devices. The proposed maximum spend of up to £475,440.00, over the first extension for 12 months, is based on current demand and equates to approximately 10% of the total laptop estate. It also includes contingency to support work placement programmes and Council initiatives through sourcing supplies under the EA21 contract.

**4.7** It is anticipated that the Council will undertake a device refresh in the future and move to the Windows 11 platform. Extending the EA21 contract and approving spend of up to £475,440.00, over the proposed first 12-month extension, provides sufficient time for Digital Services to define the Council's digital roadmap and fully scope and plan for a future refresh which demonstrates value for the Council. All new laptops procured through the EA21 contract extension will be Windows 11 compatible and can be utilised when we move to the new platform.

**4.8** Subject to further approval from Cabinet in 2024, the framework terms and conditions allow for a final 12-month extension from 10<sup>th</sup> December 2024 to 9<sup>th</sup> December 2025. If we are not able to commence with the refresh by December 2024, Digital Services will do a further report recommending Cabinet approve the final extension and the Council will continue to be able to source supplies under the EA21 contract. The CCS framework ends on 9<sup>th</sup> December 2025 and the Council will at that point pursue other options on how to fulfil its requirements.

## 5. Alternative options considered:

**5.1 Do not purchase** – Without laptops staff would not be able to access the Council's digital infrastructure. Digital Services will not have laptops to issue to end users which will impact service delivery and operational

support within the Council. Further purchase of laptops and accessories is needed by the Council to resource delivery of its objectives.

**5.2 Procure through other frameworks** – The EA21 contract is considered the most favourable way of securing supplies as the pricing for these supplies under the contract was set against aggregated volumes. Alternative routes to market will not realise the same cost savings.

## 6. Background information

**6.1** In December 2021, a call-off contract, for the provision of laptops and accessories, was awarded to XMA Ltd by the Director of Customer, Transformation and Resources. The contract was called off from Crown Commercial Services (CCS) framework RM6068 following a further competition known as EA21. The initial contract term was for two years, from 10<sup>th</sup> December 2021, with two options to extend, each for 12 months (2+1+1). The award of the EA21 call-off contract was approved based on a recommendation for a maximum cumulative value of £500,000 to cover supplies purchased.

**6.2** Cumulative call-off spend under the EA21 contract, from December 2021 to date, amounts to £542,000.00. Of this, £415,000.00 was used to fund the purchase of 430 new laptops. The remaining £127,00.00 was used to extend the onsite warranty support for an additional 12 months, for 2087 laptops, and to add accidental damage cover to 3131 laptops. By enhancing the support package, the Council extended the use of our laptop assets for a longer period and reduced the requirement to procure new devices. There is however an immediate requirement to purchase additional laptops before the end of the initial 2-year contract term in December, at an anticipated maximum further cost of £30,600.00, increasing the total anticipated contract value for the current term to a maximum of £572,600.00. Funding for the additional laptops will derive from Digital Services' Capital budget.

**6.3** Demand for laptops is attributed to several factors and the costs can be portioned into two areas. The first incorporates service growth (new staff), digital inclusion for staff who have never had a laptop and replacement of out-of-warranty laptops that are beyond economic repair. The second is support for work placement programmes and purchasing for Council initiatives. Anticipated costs for purchases under the EA21 contract are detailed within the tables below, which show the anticipated maximum 4-year term costs, the first proposed 12-month extension period costs and the anticipated costs if the final 12-month extension is taken up.

**6.3.1** Anticipated costs for the maximum 4-year contract term are below:

Description	Device Type	Anticipated Laptop Orders - Full 4-Year Term	EA21 Costs
Laptop Procurement (Growth, Digital Inclusion, Out-of-Warranty Replacements)	T14S	750	£ 765,000.00
Laptop Procurement (Growth, Digital Inclusion, Out-of-Warranty Replacements)	P16S	20	£ 28,800.00
Laptop Procurement for Council Initiatives & work placement	T14S	184	£ 187,680.00
		<b>Total</b>	<b>£ 981,480.00</b>

**6.3.2** Anticipated costs for the first proposed 12-month extension period are below:

Description	Device Type	Anticipated Laptop Orders – First 12-Month Extension	EA21 Costs
Laptop Procurement (Growth, Digital Inclusion, Out-of-Warranty Replacements)	T14S	360	£ 367,200.00
Laptop Procurement (Growth, Digital Inclusion, Out-of-Warranty Replacements)	P16S	10	£ 14,400.00
Laptop Procurement for Council Initiatives & work placement	T14S	92	£ 93,840.00
		<b>Total</b>	<b>£ 475,440.00</b>

**6.3.3** Anticipated costs for the final 12-month extension period are below:

Description	Device Type	Anticipated Laptop Orders - Final 12-Month Extension	EA21 Costs
Laptop Procurement (Growth, Digital Inclusion, Out-of-Warranty Replacements)	T14S	360	£ 367,200.00
Laptop Procurement (Growth, Digital Inclusion, Out-of-Warranty Replacements)	P16S	10	£ 14,400.00
Laptop Procurement for Council Initiatives & work placement	T14S	92	£ 93,840.00
		<b>Total</b>	<b>£ 475,440.00</b>

**6.4** Laptop provision, over the first proposed 12-month extension period, is shown in the table in section **6.3.2**. Laptop procurement for service growth, digital inclusion, and out-of-warranty replacements, amounts to an anticipated £381,600.00, and will be funded by Digital Services' Capital budget. A

contingency amounting to £93,840.00 is to support laptop procurement for Council initiatives and work placements. Funding within this area will derive from the Service requiring the laptops and a process will be defined which will require approval from appropriate Business Management and the requesting Head of Service to confirm funds are available.

**6.5** The final 12-month extension, from 10<sup>th</sup> December 2024 to 9<sup>th</sup> December 2025, is subject to further Cabinet approval. The anticipated costs of up to £475,440.00 for that final extension are shown in the table in section **6.3.3**.

**6.6** The EA21 contract is between the Council and XMA Ltd and is based on CCS framework RM6068 terms and conditions.

## **7. Contribution to the Corporate Delivery Plan 2022-2024 High Level Strategic outcomes?**

Haringey Council operates a laptop first policy for end users as laptops are an essential tool in enabling successful operations within the Council and are vital in contributing to the fulfilment of the Corporate Delivery Plan and achieving positive outcomes for Haringey residents.

## **8. Carbon and Climate Change**

The Lenovo laptops procured through the EA21 contract with XMA Ltd are made from recycled post-consumer content (PCC) including plastic and natural materials, in various components such as the speaker enclosure, battery compartment and adapter. Laptops also come with recycled and/or sustainably forested packaging and recycled PCC cardboard cushioning.

Lenovo have created a CO2 Offset Service which supports different initiatives including new (or extensions of existing) projects relating to windmills, solar cells and biomass energy, amongst others.

The Council will investigate if an auto-shut down feature can be incorporated into the laptop build so that, if a laptop is idle for a set period, it will shut down. This will save on power consumption and result in energy efficiencies.

The Council has a contract with a third party which recycles all laptops that are beyond economical repair. The third party's recycling facility is fully accredited by the Environment Agency and has been awarded a Distinction from ADISA as well as industry-leading certifications from Cyber Essentials, ISO 27001 and DIPCOG.



**9. Statutory Officers comments (Chief Finance Officer (including procurement), Head of Legal and Governance, Equalities)**

**Finance Comments:**

The call-off contract with XMA Ltd does not commit the Council to a minimum spend but provides a framework to enable it to purchase laptops to meet business need over the next 24 months.

The recommendation in Paragraph 3.1 to increase the value of the initial contract by £72,600 includes £30,600 for immediate laptop purchases. This will be funded from the Digital Services Corporate Laptop Refresh capital budget (Scheme 657).

The estimated costs of extending the contract for 12 months totalling £475,440, are set out in the Table in section 6.3.2. The cost of new laptops for service growth, digital inclusion, and out-of-warranty replacements, estimated to be £381,600, will be funded from the Digital Services Corporate Laptop Refresh capital budget (Scheme 657). The provision of laptops for other Council initiatives and work placements, estimated to be £93,840, will first require the necessary funding to be identified by the relevant services who will then be recharged for the cost of the laptops.

Funding to address the final 12-month extension will likely be met from the same sources as above but will be confirmed in the relevant report to Cabinet at that time.

**Strategic Procurement Comments:**

CSO 7.01b) permits the selection of a contractor from a framework established by a public sector body in accordance with their contract standing orders and applicable regulations.

The increase in spend and the extension to EA21 call off contract under the Crown Commercial Services (CCS) framework RM6068 recommended in sections 3.1 and 3.2 will permit the Council to continue the purchase of laptops at the aggregated pricing achieved by the further competition held in 2021.

Strategic Procurement support the recommendations in section 3 of this report.

**Comments of the Head of Legal and Governance:**

The Head of Legal and Governance has been consulted in the preparation of this report.

The report relates to an EA21 contract called off from a CCS framework agreement. The pricing under the contract is unit pricing for the items deliverable under the contract which was fixed during the e-auction call-off process leading to the contract award. As such the contract itself does not fix a maximum contract value.

The report is seeking, firstly, approval for an increase in the maximum spend approved for the initial 2-year contract term by the Director in Dec. 2021, when the award of the contract was being approved, from £500,000 to £572,600. This increase in the approved spend is not a contract price but a budgetary provision for spend under the contract and as such is not affected by procurement rules.

Further approval for the increased spend sought by the recommendation in section 3.1 has become necessary because the total spend during the initial term ending in Dec. 23 is now anticipated to exceed £500,000 and a Key Decision is required for approval of a total spend above that figure. Under the Council's Constitution, a Key Decision must be approved by Cabinet or a Cabinet Member.

The report is also seeking approval for the extension of the contract for 12 months. As this is an optional extension provided for in the original contract, it is permissible under procurement rules. A spend level permitted during the extension period also has to be approved. As this spend will be in addition to the increased spend for the initial term, which is in excess of the Key Decision threshold of £500,000, the approval for the spend during the extension period requires approval by Cabinet or a Cabinet Member. Without approval for such further spend, no further devices could now be sourced under the EA21 contract.

Pursuant to Contract Standing Order 16.02 and Contract Standing Order 10.02.1(a), the Cabinet Member has authority to approve the extension referred to in the recommendation in sections 3.1 and 3.2. A Cabinet Member may, like Cabinet, also take Key Decisions relating to spend in excess of £500,000. This is subject to the Finance comments clearing this spend.

The Head of Legal and Governance (Monitoring Officer) sees no legal reasons preventing the Cabinet Member from approving the recommendations in the report assuming the Finance comments also clear this spend.

### **Equality Comments:**

The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not.

The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

The proposals within this report take account of these needs and the associated statutory duties and good practice guidelines.

**10. Use of Appendices**

n/a

**11. Local Government (Access to Information) Act 1985**

n/a

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**Report for:** Cabinet Member Signing – 30<sup>th</sup> November 2023

**Title:** SD-WAN Contract Variation

**Report authorised by:** Jess Crowe, Director of Culture, Strategy & Engagement

**Lead Officer:** Glenn Mason, Head of Technology

**Ward affected:** All

**Report for key/  
Non-Key decision:** Key Decision

## **1. Describe the issue under consideration.**

- 1.1 Request approval for the variation of the current contract to provide Haringey Council with the flexibility to extend the implementation of SD-WAN solutions to additional or new sites within the Haringey area. The original contract was initially established for 31 corporate links connecting to the core LBH offices.
- 1.2 LBH recognizes the importance of modernizing our network infrastructure to ensure efficient communication and data transfer across all council sites. The implementation of SD-WAN has proven to be a significant step forward in achieving this goal, providing improved network performance, scalability, and cost-efficiency.
- 1.3 The proposed variation aims to empower the Council with a mechanism to seamlessly bring other smaller or new sites into the SD-WAN environment. This flexibility is crucial to adapt to the changing needs and growth of our network infrastructure.

## **2. Cabinet Member Introduction**

This report seeks to vary the current contract for the existing supplier LONDON GRID FOR LEARNING TRUST.

## **3. Recommendations**

The Cabinet Member for Finance and Local Investment is asked: to approve the variation of the current contract value £499,000 by up to a value of 50% equal to a maximum of £249,500 and the alignment to the original contract end date of Three Years from the Installation Date for each connection as allowed under CSO 10.02.1 b Subject to the provisions of CSO 3.01 and the Regulations (in particular Regulation 72 of the Public Contract Regulations or Regulation 43 of the Concession Contracts Regulations (as

applicable), compliance with Financial Regulations and subject to satisfactory outcomes of contract monitoring; the following may authorise an extension or variation to a contract (b) the Cabinet where the value is £500,000 (five hundred thousand pounds) or more.

#### **4. Reasons for decision**

- 4.1 To enable the continued adoption of flexible working, so that officers can work in and for the Borough.
- *Adopting SD-WAN facilitates flexible working by providing reliable and secure connectivity for officers regardless of their location, enhancing productivity and enabling remote work arrangements.*
- 4.2 To fully align with the government's "Internet First" policy, the next generation corporate network is based on SD-WAN, which provides direct internet access at Council offices, libraries, youth, and community centres, and across the Borough.
- *Aligning with the government's "Internet First" policy ensures that the Borough's network infrastructure is modern and capable of providing direct internet access, promoting efficiency and digital accessibility.*
- 4.3 The technology also allows the Borough to take advantage of the reduced cost and delivery lead time of locally sourced internet connectivity compared to dedicated circuits (MPLS).
- *SD-WAN offers cost-effective and faster internet connectivity compared to traditional MPLS circuits, which is beneficial for the Borough in terms of both budgetary considerations and speed of implementation.*
- 4.4 Simplified and streamline delivery of future connectivity, giving the Borough flexibility and swift response to implement new initiatives to connect council with its residents.
- *SD-WAN simplifies the process of implementing and managing network connectivity, providing the Borough with the flexibility to adapt to future initiatives quickly and connect with residents more effectively.*
- 4.5 The contract seeks to allow an extension of the SD-WAN solution to meet the council's accommodation strategy requirements.
- *The contract is designed to accommodate the Borough's future needs, including expansion or changes in the accommodation strategy, ensuring long-term scalability and adaptability.*
- 4.6 The supplier is providing improved performance and resolution to agreed service level agreements (SLA). Hardware refresh included within the scope of the contract with client premise equipment (CPE) replaced at the sites.
- *The selected supplier offers improved network performance and meets agreed-upon service level agreements, which is essential for maintaining efficient operations. Additionally, the hardware refresh ensures the reliability and modernization of the network infrastructure.*
- 4.7 The overlaying SD-WAN technology used is specific to individual suppliers.

- *SD-WAN technologies may vary among suppliers, and selecting a specific supplier ensures compatibility and a cohesive network infrastructure.*
- 4.8 Going out to market could result in interoperability issues in trying to get a new site to access required LBH IT services as well additional costs.
- *Seeking new suppliers in the market could lead to interoperability challenges and additional expenses in integrating new sites into the existing network, potentially disrupting IT services.*
- 4.9 Will negate issues regarding ownership when issues arise as will not be required to interface with multiple suppliers - technically, services desks, accounts, etc.
- *Having a single supplier simplifies ownership and accountability in case of issues or troubleshooting, reducing the need to coordinate with multiple suppliers and streamlining the resolution process.*
- 4.10 Cover additional costs that have not been accounted for within the original contract such as Civil Works, Wayleaves, and Permits being incurred and passed on by the supplier.
- *The contract includes provisions to cover unforeseen costs such as civil works, wayleaves, and permits, providing financial protection and ensuring that the supplier is responsible for any unexpected expenses.*
- 4.11 Scalability: The ability to include additional sites as needed, without the need for extensive contract renegotiations or procurement processes.
- 4.12 Cost-Efficiency: Optimizing network resources and reducing operational costs.
- 4.13 Network Performance: Ensuring consistent and high-quality connectivity across all council sites.
- 4.14 Adaptability: Responding quickly to new site requirements and network demands.

## **5. Alternative options considered**

### **5.1 Do Nothing – Prohibits LBH from adopting flexible working.**

- 5.1.2 This would mean the Council would be left without suitable office connectivity for its staff, and significant operational difficulties in achieving plans for more flexible working and as well having to keep legacy equipment operational and maintained.

### **5.2 Ad-Hoc Site Deployment**

- 5.2.2 All future sites would have a consistent connectivity platform which based on chosen suppliers overlay SD-WAN technology as well all the managed service benefits.

## **6. Background Information**

### **6.1 Context**

- 6.1.1 The original report was approved on the 26<sup>th</sup> January 2023. The contract was to supply 31 new connectivity links with SD-WAN infrastructure under the SD-WAN project with view of setting the standard for any future site connectivity requirements for the Council as a whole.
- 6.1.2 The contract for the SD-WAN deployment had a total value of up to £499,000.00.
- 6.1.3 This variation is to support additional demand from the organisation based on the on the deployment outcomes of the current program.
- 6.1.4 The proposed budget will be identified by service owners this will be a call off contract and funding will be on a case-by-case basis. A process will be defined which will require approval from appropriate Business Management via Halo and the requesting Head of Service to confirm funds are available.
- 6.1.6 Increased partnership working with external organisations has been a positive experience.

## **7. Contribution to the Corporate Delivery Plan 2022-2024 High Level Strategic outcomes**

### **7.1 Resident experience, collaboration and participation**

Haringey Council provides corporate connectivity to enable service delivery to residents and users. SDWAN is essential in enabling successful operations within the Council and are vital in contributing to the fulfilment of the Corporate Delivery Plan and achieving positive outcomes for Haringey residents.

### **7.2 Statutory Officers comments (Chief Finance Officer, Procurement, Assistant Director of Corporate Governance, Equalities).**

#### **7.2.1 Carbon Management**

“Implementing a Software-Defined Wide Area Network (SD-WAN) has several carbon reduction benefits. This leads to a more efficient network operations and reduces the environmental footprint of our IT infrastructure. Some key benefits include:

- **Reduced Energy Consumption:** By reducing the amount of data traffic going through data centres and between branch offices. This can result in energy savings as less equipment needs to be powered and cooled.
- **Reduced Hardware Footprint:** By centralizing network management and using virtualized network functions, this new system can help organizations reduce the number of physical network appliances and servers, leading to a smaller hardware footprint and reduced energy consumption.
- **Remote Work Optimization:** The rise of remote working through the use of SD-WAN enables employees to work from home or in satellite offices, reducing the need for commuting to centralized offices, which can lower carbon emissions associated with transportation.
- **Less Travel:** SD-WAN can facilitate video conferencing, collaboration, and remote communication, reducing the need for business travel.”



## **7.2.2 Finance**

The £249,500 cost of this call-off contract extension to enable SD-WAN solutions to be implemented at additional or new sites within the borough will be funded from the requesting Service's revenue budgets. Projects will be assessed on a case-by-case basis with installations only proceeding once those budgets have been identified.

## **7.2.3 Strategic Procurement**

CSO 10.02.1 b) permits Cabinet to vary a contract and under CSO 16.02 the Leader may allocate such a decision to the Cabinet Member having the relevant portfolio responsibility.

The variation is subject to the provisions of CSO 3.01, responsibilities, and the Public Contract Regulations in particular Regulation 72(1)(c) of the Public Contract Regulations

Strategic Procurement support the recommendations in section 3 of this report.

## **7.2.4 Legal / Head of Legal and Governance (Monitoring Officer) comments:**

**7.2.4.1** The Head of Legal and Governance (Monitoring Officer) has been consulted in drafting this report.

**7.2.4.2** Pursuant to Contract Standing Order 10.02.1b) Cabinet has authority to approve the variation referred in the recommendations. Pursuant to Contract Standing Order 16.02 the Leader may allocate any such decision to the Cabinet Member having the relevant portfolio responsibilities.

**7.2.4.3** The Head of Legal and Governance (Monitoring Officer) sees no legal reasons preventing the Cabinet Member for Finance and Local Investment from approving the recommendations of this report.

## **7.2.5 Equality**

The council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advance equality of opportunity between people who share protected characteristics and people who do not.
- Foster good relations between people who share those characteristics and people who do not.

**7.2.5.1** The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex, and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

**7.2.5.2** Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

## **8 Use of Appendices**

8.1 None

## **9 Local Government (Access to Information) Act 1995**

9.1 List of background documents: none.

**Report for:** Cabinet Member Signing – 30 November 2023

**Title:** Data Protection Policy

**Report authorised by :** Fiona Alderman, Head of Legal & Governance

**Lead Officer:** Sirkku Pietikäinen, Data Protection Officer

**Ward(s) affected:** All

**Report for Key/  
Non Key Decision:** Non key decision

**1. Describe the issue under consideration**

The Data Protection policy has been updated to ensure compliance with the new legislative requirements.

The safety and integrity of personal data is a matter of great importance to the public. The Data Protection policy sets out our statement of intent in ensuring we work to the high standards our residents and customers would expect.

The Cabinet Member for Finance and Local Investment is asked to approve this policy.

**2. Cabinet Member Introduction**  
N/A

**3. Recommendations**

That the Cabinet Member approves the Data Protection policy.

**4. Reasons for decision**

To ensure that this key policy is up-to-date and reflects the legislation.

**5. Alternative options considered**

N/A

**6. Background information**

The Data Protection policy has been reviewed and updated to ensure that the council complies with the with the new legislative requirements.

In addition, a recent internal audit report into Information Governance – Information Retention recommended:

*As per ICO recommendations “LB Haringey should update the existing Data Protection Policy and ensure all the tasks and responsibilities of the DPO as defined under Article 39 of the UK GDPR are documented.”*

The following changes has been made to the policy:

- Following the Brexit, the (EU) GDPR is now called UK GDPR.
- Paragraph 4.4 Full list of DPO’s responsibilities have been added to ensure the policy complies with the audit/ ICO recommendations.
- Paragraph 10. National Data Opt-Out for Health and Care Data. This is a new paragraph. The national data opt-out was introduced on 25 May 2018, enabling patients to opt-out from the use of their health data for research or planning purposes (secondary purposes). We are now required to include it in the Data Protection policy and our Privacy Notice.

It is essential that Data Protection policy is in place (along with the supporting procedural documents. This policy replaces the existing Data Protection Policy.

## 7. **Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes**

### **Resident experience, participation, and collaboration:**

1. **Positive Resident Experience** - All residents, businesses and other stakeholders can easily access services which are designed and operated in a resident-centric way. Co-production puts resident voice and experience at the heart of everything we do. Positive interactions with the council will support better relationships with the community, increasing mutual trust and confidence.
2. **Enabling Community Collaboration** - More residents participate and interact with community and peer-led activities and organisations. The council make this easier and more attractive to residents, where we can, recognising the role that civil society plays in community resilience and cohesion.
3. **Developing Young Voice** - Young people are meaningfully involved in all the ways in which the wider public has an influence in how the borough is run. The council will play a facilitatory role in making this easier and more attractive, recognising that young people as a cohort have been historically under-represented in decision making.

## 8. **Carbon and Climate Change**

N/A

## 9. **Statutory Officers comments (Director of Finance (procurement), Head of Legal and Governance, Equalities)**

- **Finance** - Alex Altman, Business Partner

There are no direct financial implications arising from this report.

- **Procurement** -Bobbi Virgo, Procurement Strategic Partner (Care)

Strategic Procurement notes the contents of this report and confirms there are no Procurement related matters preventing the Cabinet member for Finance and Local Investments approving the recommendations in Paragraph 3 above.

- **Head of Legal & Governance** - Fiona Alderman, Head of Legal & Governance

The Legal comments are included in this report.

- **Equality**

The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share those protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not

The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic. This report details amendments to the Council's existing Data policy, due to legislative changes. These changes are not expected to impact negatively on protected groups.

The Council will continue to consider potential impacts and comply with existing equality obligations as part of the application of the Data Protection policy.

## 10. Use of Appendices

Data Protection Policy

## 11. Background papers

N/A



# HARINGEY COUNCIL DATA PROTECTION POLICY

PREPARED BY	Feedback & Information Governance Manager
AUTHORISED BY	Senior Leadership Team and Cabinet Member for Corporate Resources
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Contents

Contents.....	2
1. Introduction .....	3
2. Policy statement .....	3
3. Aim.....	3
4. Key roles and responsibilities .....	4
5. Documenting our processing activities .....	5
6. Privacy Notices .....	5
7. Consent .....	5
8. Special Category Information.....	5
9. Individual Rights.....	6
10. National Data opt-out for Health and Care Data .....	6
11. Training.....	6
12. Privacy by design and default.....	6
13. Personal data security breaches .....	7
14. Contracts with processors .....	7
15. Approval & Review.....	7
16. Relevant polices and procedures .....	7



## DATA PROTECTION POLICY

### 1. Introduction

1.1. The council collects, holds and processes lots of information including personal information about the people it serves, including local residents and businesses, and its employees.

1.2. The Data Protection Act 2018 (the Act) is, with the UK GDPR (General Data Protection Regulations) and EU GDPR, the legal framework that ensures personal information relating to living individuals is handled properly and gives individuals rights in relation to their personal information, such as to access the information that is held about them.

1.3. This Policy sets out how Haringey Council will comply with the Act. It should be read in conjunction with Digital Services' IT Security policies which set out the technical measures in place to ensure that information on our IT systems is held securely and the measures to ensure privacy by design and default in procurement and development of our IT systems.

### 2. Policy statement

2.1. The Council fully recognises its responsibilities to act responsibly in how personal information is handled and to uphold the rights of individuals in respect of that information. As such it supports and is committed to uphold the following principles:

- Personal data shall be processed lawfully, fairly and in a transparent manner
- Personal data will only be collected for a specified, explicit and legitimate purpose and will not further processed or archived in a manner that is incompatible with those purposes.
- The Council will ensure we collect and process data that is adequate, relevant, and limited to what is necessary in relation to the purposes
- The Council will keep data accurate and up-to-date, and correct or delete inaccuracies in a timely manner
- Personal data will not be kept in a personally identifiable form for longer than necessary for the purpose; and if stored for longer periods for archiving in public interest, research or statistical purposes will be subject to appropriate technical and organisational measures to safeguard the rights and freedoms of people.
- The Council will ensure through technical and organizational measures, the security and integrity of the personal data it holds, against unauthorized or illegal processing, accident loss, destruction, or damage.

### 3. Aim

3.1. This policy aims to ensure that:

- procedures are in place to ensure the Council complies with its legal responsibilities in relation to the Act
- all officers understand and undertake their responsibilities in relation to the Act
- compliance with this Policy is monitored and the Council can evidence that it is complying with its legal responsibilities.

3.2. This Policy applies to all employees, contractors, consultants, agency staff and other users of Haringey Council's information. The Policy is also applicable to elected Members who create and use records in their capacity as representative of the Council.

3.3. The Policy applies to all personal information created, received, stored, used and disposed of by the Council irrespective of where or how it is held.

## 4. Key roles and responsibilities

4.1. **All officers** whose role involves access to personal information held by Haringey council are responsible for compliance with this policy, for handling information in accordance with our IT Security policies and for following the processes and guidance that support these policies. It is a breach of Haringey's Staff Code of Conduct to misuse personal information; misuse could result in disciplinary action or dismissal.

4.2. **Managers** must ensure that their staff are aware of and adhere to this policy and the data protection requirements within their area of work. They must disseminate any associated procedures and guidance to their staff and ensure that they have completed the data protection training.

4.3. **Information asset owners** are responsible for delivering the function that the information is held in relation to and for making decisions on what information is held and how it will be used. This is usually the Head of Service or Assistant Director. Information Asset owners must ensure that their processing activities are compliant, properly documented in the Record of Processing Activities and that consideration of privacy and data protection is integral to any consideration of new policies, business processes, projects and contracts.

4.4. **The Data Protection Officer's (DPO)** key responsibilities as defined in Article 39 of the UK GDPR are:

- to inform and advise the Council and our employees of our obligations to comply with the UK GDPR and other data protection laws;
- to monitor compliance with the UK GDPR and other data protection laws, and our data protection policies, including managing internal data protection activities; raising awareness of data protection issues, training staff and conducting internal audits;
- to advise on, and to monitor Data Protection Impact Assessments (DPIA)
- to cooperate with the ICO; and to be the first point of contact for the ICO and for individuals whose data is processed (employees, customers etc).
- When carrying out their tasks the DPO is required to take into account the risk associated with the processing the Council is undertaking. The DPO must have regard to the nature, scope, context, and purposes of the processing.
- The DPO should prioritise and focus on the riskier activities, for example where special category data is being processed, or where the potential impact on individuals could be damaging. Therefore, DPOs should provide risk-based advice to the Council.
- If the Council decides not to follow the advice given of the DPO, the reasons should be documents to help demonstrate our accountability.

4.5. **The Senior Information Risk Owner (SIRO)** has ownership of the organisation's information risk policy and information risk management strategy.

4.6. **The Caldicott Guardian** is the senior person responsible for protecting the confidentiality of people's health and care information and making sure it is used properly.

4.7. **The Information Governance Board** is responsible for overseeing and leading the work of council Departments in relation to Information Governance and to ensure compliance with relevant statutory and local requirements, taking account of industry standards/recognised best practice. The Board will be chaired by the SIRO.

## 5. Documenting our processing activities

5.1. We will keep and maintain a Record of Processing Activities (ROPA) for all council functions that involve handling personal information. The ROPA will include the following:

- The purposes of the processing
- The appropriate legal basis for processing (as contained in the Act)
- Who processes the information (council officers or others on our behalf according to our instruction)
- The location of the information
- Security measures
- The different types of people whose personal data is processed,
- the categories of personal data we process
- The recipients of personal data
- Whether we use the information to make automated decisions or conduct profiling of the information subject
- How long the information is kept

5.2. The ROPA will be compiled, held and monitored by the Data Protection Officer and made available on request to members of the public, partners and the Information Commissioner's Office.

## 6. Privacy Notices

6.1. We will inform the people whose personal data we process how and why we process their information by providing appropriate privacy notices when we obtain their data.

## 7. Consent

7.1. Where we rely on consent as the legal basis for our data processing activities, we will ensure that genuine and explicit consent is obtained and that we are able to demonstrate that.

## 8. Special Category Information

8.1. The Act applies additional safeguards to information relating to: race; ethnic origin; politics; religion; trade union membership; genetics; biometrics (where used for ID purposes); health; sex life; or sexual orientation (referred to in the Act as "special category" data).

8.2. The Council will not hold special category information unless it is necessary to do so. Where special category information is held, Haringey Council will ensure that one of the necessary conditions at Schedule 1 of the Act is met and that this is supported by an appropriate policy document, where applicable.

## 9. Individual Rights

9.1. The Council will uphold the following rights as enshrined in the Act:

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure
- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision making and profiling

9.2. The Data Protection Officer will ensure that appropriate procedures are in place to enable people to exercise their data protection rights in compliance with the Act.

## 10. National Data opt-out for Health and Care Data

10.1 A system of opt-out for use of health and care personal data (including pseudonymised data) has been implemented by the NHS. We are required to comply with this. We will therefore:

- Ensure that all data extracts for non-direct care purposes are filtered to remove patients who have opted out
- Ensure that we make patients aware of their rights.
- Where data is being manually extracted for non-care purposes, we will ensure that records are manually checked for opt-out

## 11. Training

11.1. All officers that handle personal information must complete the Data Protection and IT Security e-learning courses. This forms part of our corporate induction for new employees. Existing employees must retake the course annually; compliance will be monitored by the Data Protection Officer and Information Governance Board.

11.2. Staff will have access to up-to-date policies, procedures, guidance, and training through the intranet.

## 12. Privacy by design and default

12.1. We will institute organisational measures to ensure that data protection and privacy issues are incorporated into our consideration of new policies, business processes and projects. These will include:

- Our project management framework Organisation Impact Assessment to address data protection considerations.
- Our formal decision-making processes to include data protection considerations.
- Privacy Impact Assessments to be completed when using new technologies or where the proposed processing is likely to result in a high risk to the rights and freedoms of individuals.

12.2. Our Digital Services will ensure that appropriate technical measures are taken to ensure

privacy by design and default in procurement and development of our IT systems.

## **13. Personal data security breaches**

13.1. We will record all personal data security breaches and report them to the Information Commissioner's Office as required by the Act in accordance with our Personal Data Security Breach Procedure. Details of security breaches will be reported to the Information Governance Board quarterly.

## **14. Contracts with processors**

14.1. We will ensure that we have written contracts with all people or organisations that process personal information on our behalf so that both parties understand their data protection responsibilities and liabilities.

## **15. Approval & Review**

15.1. This policy has been approved by the Cabinet Member for Finance and Local Investment.

15.2. The policy will be reviewed by The Data Protection Officer and Information Governance Board biennially or on an exception basis if there are any changes to the relevant legislation and guidance, any applicable audit recommendations or any other reason to review or amend the policy.

## **16. Relevant policies and procedures**

16.1. This policy should be read in conjunction with Haringey's IT Security Policy and

16.2. Records Retention policy.

16.3. The following procedures support this policy and provide detailed guidance for compliance:

- Personal Data Security Breach procedure
- Individual Data Protection Rights Procedure (includes subject access)
- Privacy Impact Assessment process and forms

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