

## DMPC Decision – PCD 1500

**Title:** Support renewal of the Forensics application 'Remote Search and Review' with the supplier Magnet

### Executive Summary:

This paper seeks MOPAC approval for a call off contract via a Value Added Reseller to Magnet Forensics for the maintenance and support of the Metropolitan Police Service's existing Forensic solution - Remote Search and Rescue – over a three year period.

### Recommendation:

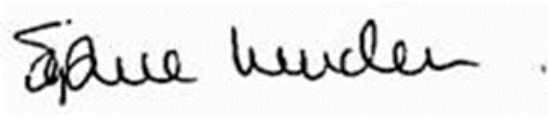
The Deputy Mayor for Policing and Crime is recommended to:

1. Approve a direct award via a Value Added Reseller, from September 2023 to September 2026, to Magnet Forensics for the maintenance and support of the Metropolitan Police service's existing Forensic solution Remote Search and Review. This will be for a three year term with a Total Contract Value (TCV) of £6.978m.

### Deputy Mayor for Policing and Crime

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct. Any such interests are recorded below.

The above request has my approval.

Signature 

Date 20/09/2023

## **PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE DMPC**

### **1. Introduction and background**

- 1.1. The MPS procured the Remote Search and Review service 3 years ago as part of a strategic outlook to implement an Enterprise-wide IT solution providing frontline officers with the capability to search & review forensically recovered data for evidence and disclosure purposes.
- 1.2. This option would result in the extension of the existing support service providing operational continuity for Digital Forensics. This option is believed to have the lowest operational and technical risk & impact whilst maintaining operational capability.

### **2. Issues for consideration**

- 2.1. The current Magnet agreement expires 20th September 2023.
- 2.2. There are no contract extension options remaining on the existing agreement, which has been in place since 2020.
- 2.3. Magnet Forensics are the creator and publisher for the RS&R application and so it is not possible to consider an alternative supplier or compete these requirements.
- 2.4. Without maintenance and support of the existing solution there is a significant risk to service, affecting the organisation's operational capability to respond to demand for review of evidential data.
- 2.5. The business impact of a loss of the existing system for an extended or indefinite period of time would result in the following:
  - 2.5.1. Inability to manage operational requirements to review forensic detail, taken from a variety of devices, used for the gathering of evidential data, potentially protecting the lives of Londoners.
  - 2.5.2. Damage to MPS reputation with the members of the public, partner agencies and other organisations.

### **3. Financial Comments**

- 3.1. The estimated cost of Magnet support & maintenance over the 5 years from 2023/24 to 2027/28 is £9.304m, which is fully funded within the MOPAC-approved DDaT revenue budget.
- 3.2. Further information is contained in the restricted section of the report.

### **4. Legal Comments**

- 4.1. The Mayor's Office for Policing Crime is a Contracting Authority as defined in the Public Contracts Regulations 2015 ("the Regulations"). All awards of public contracts for goods and/or

services valued at £213,477 (inclusive of VAT) or above will be procured in accordance with the Regulations.

4.2. This report confirms the value of the proposed contract exceeds this threshold and therefore the Regulations apply.

4.3. The use of a compliantly procured Framework Agreement will constitute a compliant process where the Framework Agreement's ordering processes are followed.

4.4. Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides the Deputy Mayor for Policing and Crime has delegated authority to approve all requests to go out to tender for contracts valued at £500,000 or above.

4.5. Upon approval by the MOPAC, the Director of Commercial Services may sign contracts irrespective of value, provided they are not required to be sealed (under 7.26 of the MOPAC Scheme of Consent and Delegation).

## **5. Commercial Issues**

5.1. As an extension to an existing service this work does not change any aspects relating to responsible procurement.

5.2. Due to the supplier's sole position in the market and the bespoke nature of the programme, it is difficult to go down any route other than direct award. The direct award is from a previously competed framework.

5.3. To mitigate the risks associated with direct award, there have been successful commercial negotiations to fix the software licences for the duration of the contract.

## **6. GDPR and Data Privacy**

6.1. The request for renewal of the support and maintenance contract on the existing service does not use personally identifiable data of members of the public, so there are no GDPR issues to consider.

## **7. Equality Comments**

7.1. MOPAC is required to comply with the public sector equality duty set out in section 149(1) of the Equality Act 2010. This requires MOPAC to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations by reference to people with protected characteristics. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.2. As this is an extension of an existing service this work does not change any aspects relating to equality or diversity.

**8. Background/supporting papers**

MPS Report - Support renewal of the Forensics application 'Remote Search and Review' with the supplier Magnet

**Public access to information**

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOIA) and will be made available on the MOPAC website following approval.

If immediate publication risks compromising the implementation of the decision it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.

**Part 1 Deferral:**

Is the publication of Part 1 of this approval to be deferred? **NO**

If yes, for what reason:

Until what date:

**Part 2 Confidentiality:** Only the facts or advice considered as likely to be exempt from disclosure under the FOIA should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a **Part 2** form – **YES**

ORIGINATING OFFICER DECLARATION	<i>Tick to confirm statement (✓)</i>
<b>Financial Advice:</b> The Strategic Finance and Resource Management Team has been consulted on this proposal.	✓
<b>Legal Advice:</b> The MPS legal team has been consulted on the proposal.	✓
<b>Equalities Advice:</b> Equality and diversity issues are covered in the body of the report.	✓
<b>Commercial Issues</b> Commercial issues are covered in the body of the report.	✓
<b>GDPR/Data Privacy</b> GDPR compliance issues are covered in the body of the report .	✓
<b>Drafting Officer</b> Omo Okuonghae has drafted this report in accordance with MOPAC procedures.	✓
<b>Director/Head of Service:</b> The MOPAC Chief Finance Officer and Director of Corporate Services has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓

**Chief Executive Officer**

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Deputy Mayor for Policing and Crime.

**Signature****Date 18/09/2023**