

**DMPC Decision – PCD 1556 - MOPAC Investment Advisory & Monitoring meeting 02/11/2023**

**Title:** [Police Radio Services Procurement](#)

**Executive Summary:**

This Paper seeks permission to approve the purchase of various radio equipment and services over 5 years from financial year 2024-2025 onwards.

**Recommendation:**

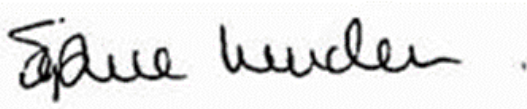
The Deputy Mayor for Policing and Crime is recommended to:

1. Approve capital spending of £11.09m for the purchase of radio equipment over 5 years. Costs are included in the new draft capital plan with MOPAC for approval in early 2024.
2. Approval of a direct award for a call off contract via the PDS (Police Digital Service) TETRA2 Framework, with contract duration of 5 +1+1+1 (8 years) and a total contract value of £28m.

**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** 30/11/2023

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

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

- 1.1. The MPS operate and maintain a fleet of TETRA radios in order to deliver its services. In part 2 the paper outlines the planned purchases for the next five years to support this alongside the options considered. There are no proposed changes to the way this service is delivered.

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

- 2.1. As of 2023 there is a new framework in place for Police Forces to purchase radio equipment. MOPAC previously approved the equivalent contract on the previous framework, the purpose of this paper is to enable the MPS to migrate to the new framework and continue to purchase good and services.
- 2.2. Further information is contained in the restricted section of the report.
- 2.3. Radio communication is a mission critical service for the Police Service. Keeping the MPS's communications equipment up to date and in good condition helps fulfil our commitment to reducing violence and provide service to victims of crime in line with the MOPAC Police & Crime Plan.

### **3. Financial Comments**

- 3.1. This information is contained in the restricted section of the report.
- 3.2. All emergency services in London make use of the same radio network and regularly use this service to collaborate and work together at major incidents and events. Maintaining our communications equipment enables us to be effective partners.

### **4. Legal Comments**

- 4.1. The Mayor's Officer 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. The PDS TETRA2 Framework is a compliant route to market for this service. The framework lists all UK police forces as "contracting authorities", therefore the framework allows MOPAC/MPS to enter into a direct call-off contract for up to eight years and as such the proposed call-off contract is compatible with the Regulations.
- 4.3. The MOPAC Scheme of Delegation and Consent provides the Deputy Mayor for Policing and Crime ("DMPC") has delegated authority to approve business cases for revenue or capital expenditure of £500,000 and above (paragraph 4.8).

- 4.4. Paragraph 7.23 of the Scheme provides that the Director of Strategic Procurement has consent for the approval of the award of all contracts, with the exception of those called in through the agreed call in procedure. Paragraph 4.14 of the Scheme provides the DMPC reserves the right to call in any MPS proposal to award a contract for £500,000 or above.

## **5. Commercial Issues**

- 5.1. This information is contained in the restricted section of the report.

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

- 6.1. The MPS is subject to the requirements and conditions placed on it as a 'State' body to comply with the European Convention of Human Rights and the Data Protection Act (DPA) 2018. Both legislative requirements place an obligation on the MPS to process personal data fairly and lawfully in order to safeguard the rights and freedoms of individuals.
- 6.2. Under Article 35 of the General Data Protection Regulation (GDPR) and Section 57 of the DPA 2018, Data Protection Impact Assessments (DPIA) become mandatory for organisations with technologies and processes that are likely to result in a high risk to the rights of the data subjects.
- 6.3. The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure the procurement meets its compliance requirements.
- 6.4. The procurement does not use personally identifiable data of members of the public, so there are no GDPR issues to be considered.

## **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. The social value offered by the supplier has been evaluated as part of the Framework evaluation process.
- 7.3. There are considered to be no negative equality or diversity implications arising from this process negating the requirement to present any mitigation.

**8. Background/supporting papers**  
None.

**Part 2 – This section refers to the details of the Part 2 business case which is NOT SUITABLE for MOPAC Publication.**

The Government Security Classification marking for Part 2 is:  
OFFICIAL-SENSITIVE [COMMERCIAL]

Part 2 of Police Radio Services Procurement BJP is exempt from publication for the following reasons:

- Exempt under Article 2(2)(a) of the Elected Local Policing Bodies (Specified Information) Order 2011 (Data Protection Section 43 – Commercial Interests).

The paper will cease to be exempt upon completion of the contract. This is because the information is commercially sensitive and could compromise future procurement activity.

**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? YES/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**

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**Date** 30/11/2023