

## DMPC Decision – PCD1636

**Title:** IT Consolidated Paper Approval Request 2024\_25

### Executive Summary:

This paper seeks commercial approval for existing BAU-run MPS technology requirements over the next 18 months. The majority of these requirements are owned by the Digital, Data and Technology (DDaT) OCU but also included are some technology requirements locally owned by other MPS business units.

This approval is sought in order to streamline the number of submissions made to MOPAC for services that are already in place with pre-existing budget approval and that are required for the running of the MPS.

### Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

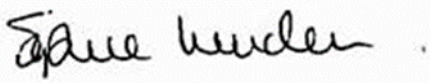
1. To delegate authority to the Commercial Director to initiate procurements, and award and sign contracts for identified requirements within the DDaT Business Group with an expected combined contract value of £215.401m.
2. To approve the extension of existing contracts for identified requirements within the DDaT Business Group with an expected combined extension value of £37.468m. The combined total value of these contracts with additional extension value is £130.375m.
3. To delegate authority to the Commercial Director to initiate procurements, and award and sign contracts for identified requirements outside of DDaT with a combined contract value of £149.593m.
4. To approve the extension of existing contracts for identified requirements outside of DDaT Business Group with an expected combined extension value of £4.967m. The combined total value of these contracts with additional extension value is £9.563m.
5. To delegate authority to the Commercial Director to initiate procurements, and award and sign contracts for up to a 36-month contract length for identified consolidation opportunities with a projected value of £15.500m.
6. To grant approval to initiate procurements and delegate authority to award all contracts, regardless of value, under the Supplier Performance Framework in support of the DDaT Professional Services category strategy. Expenditure associated with these contracts, as with the ones mentioned above, will be subject to the availability of funding.

**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** 15/03/2024

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

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

- 1.1. Papers have been presented and approved for the past four years with a commitment to seek approval for the following year. This has still left a large number of BAU-run requirements needing a Business Justification Paper (BJP) to be submitted on top of the consolidated request.
- 1.2. Wherever possible the MPS will seek to compete the requirements contained below to drive the most efficient and cost-effective solution for the MPS. Where this is not possible then the MPS shall be applying the relevant legal justification/exemption fully in accordance with the relevant law in force at the time (being either the Public Contracts Regulations 2015 or the Procurement Act 2023, whichever is applicable).
- 1.3. This paper is not seeking approval for any additional funding in relation to the contracts listed within. The budget numbers and estimated costs set out in the financial case above are shown at nominal values.

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

- 2.1. It is requested that the Board delegate authority to commence procurements and to award and sign individual contracts to MPS Commercial Services at a value up to 50% above individual contract costs set out below. This is to allow for sufficient contract headroom for demand growth and/or inflation. This headroom is not funded within MOPAC approved budgets and separate approvals will be required to meet any costs outside of the overall existing MOPAC approved budget. At the point of award for each contract then individual budget confirmation from the business owner will be sought and confirmed.

### **3. Financial Comments**

- 3.1. The requirements in this paper all relate to items that have a preexisting agreement or agreements in place. Where it is beneficial, contracts may be consolidated into a single, longer-term agreement to achieve best cost points and streamline sourcing and contracting processes.
- 3.2. Expenditure associated with these contracts will be subject to the availability of funding.

### **4. Legal Comments**

- 4.1. Contract values for all requirements (in aggregate with previous contracts) are above the UK procurement threshold for services of £213,477 (as per the PCR regs 1<sup>st</sup> January 2022). Therefore, the PCR applies unless the contract is subject to an exemption from the PCR 2015.
- 4.2. If applicable, Regulation 72(1) (b) (current) (or Schedule 8, Section 74, part 8 of Procurement Act 2023) shall be applied which allows existing contracts to be extended up to 50% of the original contract value. Where regulation 72 /Part 8 cannot be used the MPS shall enter into new contracts (based upon the existing contracts).
- 4.3. The specific legal advice for each contract is contained in the restricted section of the report.

## **5. Commercial Issues**

- 5.1. Where new contracts are being placed to replace existing ones, then the relevant information is contained in the restricted section of the report. All existing contracts being requested to have an extension does not change any aspects relating to responsible procurement.

## **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 for the applicable requirements to ensure that the MPS meets its compliance requirements.
- 6.4. All requirements in this request are pre-existing contracts and will have been subject to relevant DPIA requests. Where any changes to existing contracts are identified that alter the position on the use of personal data then DPIAs will be completed at the relevant point.

## **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. This business case has undergone an initial Equality screening. Due regard has been taken to ensure compliance with the Equality Act in particular the Public Sector Equality Duty. Real consideration has been taken to assess Equality impact caused by the proposed business case. As a result, no negative impact has been identified to any individual and/or group safeguarded by a protected characteristic and to those who are not negating the requirement to document any mitigation.
- 7.3. As the intention of this document is to seek additional funding for an existing function, there is no real organisational change. Further reviews will be conducted and if any new Equality Impact is identified, a full Equality Impact Assessment will be initiated.

## **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 IT Consolidated Paper Approval Request 2024/25  
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 - Trade Secrets and Prejudice to 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**

*Kanakucherd.*

**Date** 12/03/2024