

DMPC Decision – PCD1679

Title: MPS Uniform Provision – Next Generation

Executive Summary:

This paper seeks approval to initiate procurement for the MPS Uniform Provision when the current National Uniform Managed Service (NUMS) contract ends in March 2026.

Authority is also sought for an optional extension to the current contract if additional implementation time is required.

Recommendation:

The Deputy Mayor for Policing and Crime, via the Investment Advisory and Monitoring meeting (IAM), is asked to:

1. Approve spend for the Project Team of additional external resource costs of £0.9m for the next 2 years (£0.5m in FY24/25 and £0.4m in FY25/26), which will provide multi-disciplinary expertise, including project, commercial and financial support, that is required to realise the full opportunities presented in this paper. This will be sourced through existing agency contracts and funded from the Operational Support Service (OSS) existing budget envelope
2. Approval to initiate procurement for the NextGen Uniform Contract, at a national value of £500m, and for the project to proceed to Gate 3 (Investment Decision). £500m is the maximum value of the contract notice to allow other forces access to the future contract.
3. Approval of an optional extension of 12 months to the existing DHL National Uniform Managed Service up to £18m. This will be a contingency only, and agreeing the terms of the extension early will ensure the MPS remains in the strongest negotiating position with DHL.

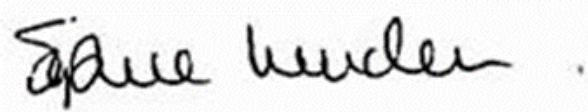
The Procurement Act 2023 shall come into force in October 2024. Any contract notice (invitation to tender) issued prior to this time, will be subject to the current Public Contracts Regulation 2015 conditions. It is not yet clear which would be the more favourable procurement regime to follow, as detailed guidance on the new procurement act has not been released. A decision from MOPAC in August 2024, will allow the MPS the option to choose the timing for the commencement of its procurement and, by extension, which regime would apply once guidance has been provided.

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

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Date 18/07/2024

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

1. Introduction and background

- 1.1. Although the main driver for this project is the end of the current contract for the National Uniform Managed Service (NUMS) framework in March 2026, this procurement exercise provides an opportunity to address significant challenges with the existing uniform service. The current MPS uniform service needs to be more frontline focused and to give officers and staff more easy access to the essential items needed do their job safely and comfortably, while promoting a public perception of high standards.
- 1.2. The vision for the OSS Uniform Next Generation Service fully aligns to a New Met for London and directly contributes to the 3 strategic priorities of:
 - Community crime-fighting;
 - Culture change; and
 - Fixing foundations
- 1.3. The goal of OSS Uniform Next Generation Service is to:
 - **Secure a new agile uniform service** that is responsive to customer needs and offers quality products, at the right time and at the right cost.
 - **Design a new operating model** that cultivates confidence by putting the needs of the customer first, and that reflects the core principles in the New Met for London Plan: Communities First; Frontline Focused; Inclusive; Collaborative; and Precise; and ensures sufficient capacity, capability and behaviour is built into the model to deliver the desired outcomes.
 - **Build upon the improvements to products and services** currently 'in delivery', and ensure future uniform services are constantly evolving using continuous improvement techniques.
 - **Work collaboratively with other police forces**, learning from each other and using our buying power for the benefit of UK Policing.
 - **Support our officers and staff** to look smart, professional and reflect the high standards that we set for ourselves when interacting with the public.

2. Issues for consideration

- 2.1. High level financial modelling at OBC stage indicates that the costs of a new contract will exceed available budgets, given anticipated cost increases. This will be fully assessed through detailed demand modelling and informed by the results of the tender. Given the criticality and priority of the contract, the MPS will need to determine how additional budget will be prioritised over the period, or how to control costs within the available funding envelope. Further detail are outlined in Part 2 of this document.
- 2.2. The current contract has shown limited benefits realisation against the original business case for a national framework, due to the lack of appetite for consistency across forces which is unlikely to change without a ministerial mandate. Several forces

have withdrawn from the NUMS framework, leaving only MPS, City of London, British Transport Police and Border Force as full NUMS customers. The options within this OBC were considered and evaluated with a focus on meeting MPS requirements, while also ensuring other forces can access uniform and equipment from the new contract if they choose to; using MPS buying power, designs and product knowledge for the benefit of national policing. Most UK forces do not have the need for a fully managed service but could however benefit from accessing the quality products the MPS procures at the secured volume pricing. The framework will therefore include the ability for other forces to call off either a fully managed service or just products from the chosen supplier. This approach has been agreed with the Home Office and other NUMS forces and will be discussed at the NPCC Chief's Council in August. This discussion is unlikely to change the MPS procurement strategy.

2.3. This proposal contributes to the New Met for London (NMfL) Plan and MOPAC Police & Crime Plan 2022-25.

2.4. Uniform remains one of the most emotive services that OSS provides and is one of the key aspects of the New Met for London plan, ensuring the MPS Fixes its Foundations by equipping officers and staff with the best quality and value products, while at the same time supporting the dress code policy and standards. The way a uniformed officer or staff member looks and feels in what they are wearing, and the safety equipment provided, links directly to public confidence and how valued the individual feels.

2.5. The strategy for Next Gen also includes engagement with Business Groups to rationalise products with similar specifications. This will not only manage costs but also reduce the current elitist approach to kit for specialist commands highlighted in the Casey Report.

3. Financial Comments

3.1. High level financial modelling at OBC stage indicates that the costs of a new contract will exceed available budgets, given anticipated cost increases, resulting in a £10.8m unfunded pressure over 5 years. This will be fully assessed and detailed within the FBC.

3.2. Subject to the recommendations in this OBC being approved, it is requested that short-term Project Team funding of £0.9m (£0.5m in FY 24/25 and £0.4m FY 25/26) is approved to undertake the activities necessary to complete procurement and get the OSS Uniform NextGen Project to Gate 3 (Investment Decision) and FBC stage. The project team will consist of external resources and the cost for these resources will be funded for the Operational Support Services existing budget envelope. It is currently anticipated that an additional £0.641m of project team cost will be sourced from internal resources.

4. Legal Comments

- 4.1. The Mayor's Office for Policing and Crime ("MOPAC") is a contracting authority as defined in the Public Contracts Regulations 2015 ("the Regulations") and the forthcoming Procurement Act 2023 ("the Act"). Awards of, and modifications to, public contracts for goods and/or services valued at £213,477 or above shall be in accordance with Regulations and the Act. (Whichever regime applies).
- 4.2. From 28 October 2024 the Act shall come into force, replacing the Regulations. Depending on when the proposed procurement is commenced, the applicable procurement regime shall be applied.
- 4.3. Regulation 72 of the Regulations permits MOPAC to modify a contract in limited circumstances, provided the value of the modification does not exceed 50% of the value of the original contract. Specifically, regulation 72(1)(b) provides MOPAC may modify a contract where:
 - It is not possible to change contractor due to technical or economic reasons; and
 - To change contractor would cause MOPAC to suffer significant inconvenience or substantial costs duplication.
- 4.4. This report confirms it is not possible to change contractor for economic reasons and to change would result in costs duplication to the MOPAC. On the basis those factual assertions are correct and meet the criteria for the above, regulation 72 will be met.
- 4.5. Regulation 72(3) provides the MOPAC shall publish a modification notice where a contract is modified in accordance with regulation 72(1)(b) or (1)(c).
- 4.6. The MOPAC Scheme of Delegation and Consent provides the Deputy Mayor for Policing and Crime ("DMPC") with delegated authority to approve:
 - Business cases for revenue or capital expenditure of £500,000 and above (paragraph 4.8);
 - All requests to go out to tender for contracts of £500,000 or above, or where there is a particular public interest (paragraph 4.13); and
 - All unforeseen variations and extensions to contracts with an original value of £500,000 or above, when the variation or extension is greater than 10% of the original value and/or is for a period of more than 12 months (paragraph 4.13)
- 4.7. Paragraph 7.23 of the Scheme provides that the Director of Commercial Services has consent for the approval of the award of all contracts, with the exception of those called in through the agreed call in procedure.

5. Commercial Issues

- 5.1. This project is likely to contribute to delivering the London Anchor Institutions' Charter by ensuring that operational officers and staff are equipped to carry out their roles in supporting our communities. The environmental and sustainability requirements set out in the tender for the new contract will also support accelerating delivery of a cleaner, greener London.

- 5.2. At a time when the MPS is looking for opportunities to reduce outsourcing and the related spend, it is unclear whether all avenues to bring back some of these services in-house have been looked at.

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 project meets its compliance requirements.
- 6.4. A DPIA has been completed for the current NUMS contract and a new DPIA will be registered for the new contract. The project will ensure a privacy by design approach, which will allow the MPS to find and fix problems at the early stages of any project, ensuring compliance with GDPR. DPIAs support the accountability principle, as they will ensure the MPS complies with the requirements of GDPR and they demonstrate that appropriate measures have been taken to ensure compliance.

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. For the 2 options considered as part of this OBC the end user (Operational Officers and Staff), impacts are likely to be the same and will be addressed by the statement of requirements and user specifications for products. A full equality impact assessment against all protected characteristics will be completed as part of the full business case.

8. Background/supporting papers

Supporting material is contained within the restricted section of the paper.

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 MPS Uniform Provision – Next Generation
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>
Financial Advice: The Strategic Finance and Resource Management Team has been consulted on this proposal.	✓
Legal Advice: The MPS legal team has been consulted on the proposal.	✓
Equalities Advice: Equality and diversity issues are covered in the body of the report.	✓
Commercial Issues Commercial issues are covered in the body of the report.	✓
GDPR/Data Privacy GDPR compliance issues are covered in the body of the report .	✓
Drafting Officer Omo Okuonghae has drafted this report in accordance with MOPAC procedures.	✓
Director/Head of Service: 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 15/07/2024