



MOPAC

MAYOR OF LONDON
OFFICE FOR POLICING AND CRIME

eDiscovery System for Operation Northleigh

MOPAC Investment Advisory & Monitoring meeting 01/08/2024**Report by DAC Stuart Cundy on behalf of the Louisa Rolfe****Part 1 – This section of the report will be published by MOPAC. It is classified as OFFICIAL – PUBLIC***EXECUTIVE SUMMARY*

Approval to award the provision of an e-Discovery tool for the Operation Northleigh investigation following on from a competitive tender process. The Award is via Crown Commercial Services (CCS) Framework (Lot 2) RM6336-eDisclosure and Review Services 2 to Deloitte.

Recommendations

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

1. Approval of the award the provision of an e-Discovery tool for the Operation Northleigh investigation following on from a competitive tender process. The Award is via Crown Commercial Services (CCS) Framework (Lot 2) RM6336-eDisclosure and Review Services 2 to Deloitte. The total contract value is for £8,768,697 (inclusive of 30% commercial Headroom) over a maximum term of 4 years. The term of an initial 3 years with an optional extension of 12 months (see table 4.3 for breakdowns).
2. The total contractual commitment is £6.745m over a maximum term of 4 years. There is contractual headroom of £2.023m included in the contract value but this is not contractually committed and has no budgetary provision.
3. The combined BAU cost of supporting the new eDiscovery service including the dual running costs during implementation, will be £12.431m from 2024/25 to 2028/29. This will be funded from Home Office Special Grant of £2.848m, existing FLP Revenue budget of £6.783m and existing O&P revenue budget of £2.800m.
4. Project revenue costs of £0.352m covering internal project implementation and IT Health Check (ITHC). This will be funded from Home Office Special Grant of £0.123m and existing FLP Revenue budget of £0.229m.

Time sensitivity

A decision is required from the Deputy Mayor by 29/08/2024. This is because the MPS wishes to award contract during September so as to limit dual running costs of the As Is and To Be systems. This will also maintain the investigation timeline with the intention of any criminal charge files submitted to the Crown Prosecution service for early 2026.

Non-confidential facts and advice to the Deputy Mayor for Policing and Crime

Introduction and background

1. Operation Northleigh is one of the largest and most complex criminal investigations in the United Kingdom. The investigation seeks to identify whether criminal offences were committed in respect of the Grenfell Tower fatal fire, if so by whom; and where sufficiency of evidence exists bring those responsible to justice.

Electronic Data Management

2. Most homicide cases are managed in their entirety within the HOLMES case management system. However, that system is not designed to process or manage the volume of electronic data seized during the course of Operation Northleigh. In excess of 150 million electronic data files have been retrieved from numerous sources in differing formats, which require specialist eDiscovery software for the criminal investigation and for any future criminal legal proceedings.

Issues for consideration

Contributes to the New Met for London (NMfL) Plan and / or MOPAC Police & Crime Plan 2022-25¹

3. Operation Northleigh is the criminal investigation into the Grenfell Tower tragedy which has been running since 2017. The MPS response and investigation will have a significant impact on the trust and confidence of the bereaved, survivors, residents and wider public. The MPS is committed to ensuring the criminal investigation is conducted to a high standard, thoroughly and as timely as possible, this business case supports that commitment.

Financial, Commercial and Procurement Comments

4. The project implementation of a new eDiscovery SaaS system will cost £0.352m. It will be funded from Home Office grant (£0.123m) and existing FLP revenue

¹ [Police and crime plan: a safer city for all Londoners | London City Hall](#)

budget (£0.229m).

5. The running of a new eDiscovery SaaS system including dual running cost of the existing system will cost £12.431m between 2024/25 and 2028/29. It will be funded from Home Office Special Grant (£2.848m), existing FLP revenue budget (£6.783m) and existing O&P budget (2.800m).
6. This paper recommends the initiation of procurement and delegation of authority to the Commercial Director to award the following contracts:

The decision required is to award a new contract following a competitive procurement.

7. The Contract award to Deloitte, of an e-Discovery service, via a mini competition under the Crown Commercial Services (CCS) Framework (Lot 2) RM6336-eDisclosure and Review Services 2. The total contract value is £8,768,697, a term of 4 years (an initial term of 3 years, with a 12 month extension option) and delegated approval to award contract to Deloitte Ltd, to the Commercial Directors. This is on the basis that funding approval of £9.65m is approved to enable award of a compliant contract.
8. MOPAC and the MPS are required to comply with the public sector equality duty set out in section 149(1) of the Equality Act 2010. The decisions above will include an assessment of the supplier's ability to meet the MPS requirements under the Equality Act 2010 and an assessment of acceptable equality and diversity statements. There are no known negative equality or diversity implications arising from this process.
Further information is contained in the restricted section of the report.

Legal Comments

9. The Mayor's Office for Policing and 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.
10. Paragraph 4.13 and 4.14 of the MOPAC Scheme of Delegation and Consent provides the Deputy Mayor for Policing and Crime delegated authority to approve all requests to go out to tender for, and approve contract awards valued at £500,000 or above.
11. The proposed procurement route via established framework agreements is compliant with the Public Contract Regulations 2015. [AA3] [PJ4]

Further information is contained in the restricted section of the report

Equality Comments

12. There were no concerns or comments from the MPS equality and diversity

department during consultation.

Privacy Comments

13. 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.
14. 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.
15. The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure the project meets its compliance requirements.
16. A DPIA has been completed for this project. 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.

Real Estate Implications

17. There are no Real Estate Implications with this project and Property Services did not have any comments or concerns during consultation.

Environmental Implications

18. Suppliers were assessed on three themes across Social Value and Sustainability in the tender which constituted 10% of the overall weighting for this procurement:
19. Deloitte offered a number of social value and sustainability elements as part of this contract. One example is their involvement with BrightStart. As part of this project, at least one apprentice will form part of the engagement team. Deloitte has also agreed to re-invest 0.75% of the total contract value to MPS aligned social value and sustainability causes. This represents an additional £52K of investment.
20. Deloitte has outlined its record on sustainability and how it will continue to do this in the life of the contract. Specifically, they will utilise their global WorldClimate strategy to assist in reducing Scope 1, 2 & 3 emissions which aligns with the Mayor of London's Ambitions, with Deloitte's aim to be carbon neutral by 2050. Deloitte has also provided some indicative KPI's which can be utilised in the contract to monitor their performance on social value and sustainability

21. MOPAC and the MPS are required to comply with the public sector equality duty set out in section 149(1) of the Equality Act 2010. The original and renewal decisions included an assessment of the supplier's ability to meet the MPS requirements under the Equality Act 2010 and an assessment of acceptable equality and diversity statements. There are no known negative equality or diversity implications arising from this process.

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 [OPERATIONAL]

Part 2 of eDiscovery for Operation Northleigh is exempt from publication for the following reasons:

- Exemption from the Freedom of Information Act under Section 30 and 31 investigations and prejudice to law enforcement. The exemption provided by section 30 protects criminal investigations and proceedings conducted by public authorities and how it interacts with section 31, the exemption that protects a broader range of law enforcement activities.

The paper will cease to be exempt until September 2028 after completion of the associated contract. Any request for information under FoIA would need to be assessed on a case by case basis, no matter what or when the original decision was made, as the circumstances may have changed e.g. information no longer commercially / operationally sensitive.