

DMPC Decision – PCD 1735**Title:** Resale of Surplus Devices**Executive Summary:**

This paper seeks approval to proceed, pursuant to Section 15 of the Police Reform and Social Responsibility Act 2011 Provision of Goods, with a contract to resell 3,125 Panasonic FZG2 tablets and 500 Panasonic keyboards to achieve approximately £1m in income.

Recommendation:

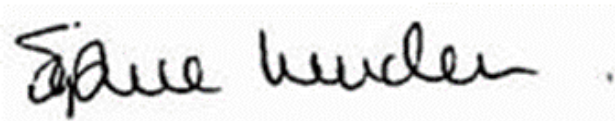
The Deputy Mayor for Policing and Crime, via the Investment Advisory and Monitoring meeting (IAM), is asked to:

1. **Approve** the initiation of procurement action, pursuant to Section 15 of the Police Reform and Social Responsibility Act 2011 Provision of Goods, for a contract to resell 3125 FZG2 tablets and 500 Panasonic keyboards, and delegate approval to award to the Director of Commercial Services.

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** 18/10/2024

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

1. Introduction and background

- 1.1. The Panasonic Tablet estate was implemented in 2019 as a refresh of the previous Dell Tablet devices and provided a much needed improvement in useability, utility and resilience to the ruggedness of frontline policing roles. Feedback from a pilot in summer 2023 with 2 BCU's demonstrated that Frontline Officers overwhelmingly preferred laptops to tablets and in November 2023 the decision to replace the ageing Tablet estate with 12,000 Laptops was agreed.
- 1.2. Whilst end-of-life devices are typically digitally sanitised and passed on to partners such as The Good Things Foundation to aid in Digital Inclusion, the need to keep stock in hand for replacements, refresh and damages meant some Panasonic tablets retained potential for re-use.
- 1.3. With the current financial situation, resale of these devices has been investigated and found to offer potential to recover the residual value within the assets. It has been confirmed that there are no other deployment options within the organisation for these devices.
- 1.4. This proposal contributes to MPS target to achieve cost savings in this financial year by delivering a one-off cashable benefit of approximately £1m.

2. Issues for consideration

- 2.1. There are no significant issues for consideration.

3. Financial Comments

- 3.1. In order to assure that the MPS is receiving the highest value return on these surplus units, MPS Commercial Services approached 3 separate vendors for a response. KOcycle provided the highest value return and a guaranteed minimum unit price of £400 per brand new item. In the event that KOcycle secure a higher sale cost for the MPS, then the additional benefit above the minimum cost will be split 80/20 in favour of the MPS.
- 3.2. The resale is projected to bring in approximately £1m in rebate to the MPS.

4. Legal Comments

- 4.1. MOPAC is a contracting authority as defined in the Public Contract Regulations 2015 (the Regulations). All awards of public contracts for goods and/or services valued at £214,904 or above shall be procured in accordance with the Regulations. This report confirms the value of the proposed contract exceeds this threshold. This report confirms that MOPAC's route to market is compliant with the Regulations.
- 4.2. 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); and
 - 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).
- 4.3. 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.

4.4. Transfer of Undertakings (Protection of Employment) Regulations 2006 are not applicable for this procurement.

5. **Commercial Issues**

5.1. The contract will involve the supplier collecting the tablets & keyboards from storage and optimising when reselling, to ensure maximum rebate for both parties.

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 contract change meets its compliance requirements.

6.4. The contract 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.

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 Resale of Surplus Devices

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? 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

A handwritten signature in black ink, featuring a circular loop at the start followed by a series of connected loops and a long horizontal stroke.

Date 15/10/2024