

## **DMPC Decision – PCD 1734**

**Title:** Messaging Service for Mass Communications over Mobile Phone Networks using Short Messaging Service (SMS)

### **Executive Summary:**

This paper seeks approval to procure a replacement Managed Messaging service for mass communications over mobile phone networks using the Short Messaging Service (SMS).

### **Recommendation:**

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

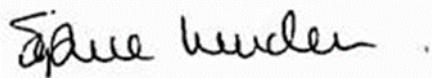
1. Approve the initiation of procurement action for a contract for a Managed Messaging service with a term of 5 years in addition to 3 x 12-month extension options, fully funded from within the MOPAC Approved DDaT budget, as well as the delegation of authority to approve the award of contracts to the Commercial Director, subject to the contract value and project costs not exceeding the values within this paper, in which case a fresh paper will be presented.
2. Approve project revenue to project manage the implementation, testing, commissioning and SD&I (of Service Design & Introduction) of the replacement Managed Messaging service, fully funded from within the MOPAC approved DDaT budget.
3. Approve the placement of a project works order for provision of Service Design & Introduction (SD&I) support and ongoing service desk support on the Capgemini Infrastructure Services contract.

**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**

A handwritten signature in black ink, appearing to read "Eileen Underwood", is written over a light grey rectangular background.

**Date** 17/10/2024

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

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

- 1.1. MPS use Managed Messaging for a range of mass communication needs, covering both internal and external stakeholders. This service uses mobile networks' Short Message Service (SMS) with a charge for each message sent.
- 1.2. Each user of these services operates within a tiered restriction on the number of messages that can be sent at once (bulk send limit), with only the DDaT Core Infrastructure (DDaT CI) team having access to the highest tier of bulk send.
- 1.3. In 2023/24, users sent approximately 22 million messages using the service.
- 1.4. The objective for this project is to procure a replacement Managed Messaging service, whilst maintaining all the functionality and security controls in place today.

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

- 2.1. This service will replace the current Wirefast service provided by Vodafone and be funded via the existing MOPAC-approved DDaT budget. Wirefast is a third party service procured through Vodafone and is used by Frontline Officers and Staff.
- 2.2. Following contact award but prior to implementation, the successful bidder will present to TDA for architectural approval.
- 2.3. An IT Health Check may not be required, as the service will be entirely cloud-based and managed under the provider's own Information Security Management System (ISMS) accredited to ISO 27001 with annual CHECK ITHCs already in place. However a provision for ITHC is included in the financial case as a contingency, should MPS security, following architecture review, require further testing.
- 2.4. There is a requirement for an update to the existing Managed Messaging Service Design and Integration (SD&I).
- 2.5. There will be no adverse operational impact from completing this project. All changes will be managed to the DDaT Change Approval Board (CAB) process.
- 2.6. Contributes to the New Met for London (NMfL) Plan and / or MOPAC Police &
- 2.7. Crime Plan 2022-25 by ensuring appropriate mass communications are in place for Officers and Staff.

### **3. Financial Comments**

- 3.1. Commercially sensitive finance, commercial and legal detail has been redacted. This information is contained in the restricted section of the report. This is to ensure a compliant procurement process.

### **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 £214,904 (inclusive of VAT) or above will be procured in accordance with the Regulations.
- 4.2. MOPAC is a contracting authority as defined in the Public Contracts Regulations 2015 ("the Regulations").
- 4.3. The proposal falls within the delegated authority of the Deputy Mayor for Policing and Crime (DMPC) under the MOPAC Scheme of Delegation and Consent.
- 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. This report requests approval by the DMPC for the Director of Strategic Procurement to approve the eventual award.

- 4.5. A valid framework is a compliant route to market under the PCR 2015 regulations and the recommendation can be lawfully approved on this basis.

## **5. Commercial Issues**

- 5.1. Devices can be compliantly procured via existing DDaT contracts however, where shown to be commercially beneficial, new contracts may be awarded. More information is contained in the Part 2.
- 5.2. The paper recommends the initiation of procurement competition for a contract for a Managed Messaging service with a term of 5 years with 3 one-year extension options and delegate approval to award contract to the Commercial Director.
- 5.3. The paper recommends the utilisation of the Pegasus Infrastructure Contract to procure a project delivered by Capgemini under Pegasus Infrastructure from the MOPAC Approved Digital Data & Technology (DDaT) Project for SD&I.
- 5.4. The procurement objectives are to:
- Obtain the best value pricing
  - Maintain existing service performance levels
  - Reduce Operational and Commercial risk to the MPS
  - Award a contract that complies with Public Contracts Regulations 2015 (or any replacement regulations)
  - Provide a contract to maintain operational capability with flexibility, including opportunities to negotiate and innovate
  - Provide benefit via social value provisions from the successful supplier
- 5.5. There is an option to break the contract early in response to price increases.
- 5.6. This paper requests approval to utilise Pegasus Infrastructure contract to procure Technical Services. The services required to deliver this shall be procured as a Project Work Order on the Infrastructure.

## **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. The project will produce a new DPIA that covers the general principals and security controls of the service. Departments that routinely use Manage Messaging to contact members of the public or other private phone numbers will also need to complete a DPIA for their specific use of the service.

## **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. Social Values Commercial Services outline their approach to achieving Social Value in their June 2021 paper “Leveraging our Supply base to drive societal and sustainable changes for the benefit of Londoners”.
- 7.3. Commercial Services will use the re-procurement of services as an opportunity to leverage the investment capabilities to create enduring social and economic opportunities for the most vulnerable members of society for the benefit of Londoners.
- 7.4. The Statement of Requirements (SOR) will include section on Social Value and Sustainability capabilities to be provided by the Supplier. It will incorporate:
  - COVID-19 recovery
  - Tackling economic inequality
  - Equal opportunity and social inclusion
  - Wellbeing

## **1. Background/supporting papers**

None.

**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** 15/10/2024