

DMPC Decision – PCD

596

Title: Communications Data Analysis Tool**Executive Summary:**

The purpose of this Business Justification Paper is to seek approval to procure and implement a Communications Data Analysis tool to enable (Metropolitan Police Service) MPS Intelligence to carry out complex analysis on data obtained under the Regulation of Investigatory Powers Act in support of serious crime investigations.

Due to the ever-increasing amount of digital/mobile/cell data involved in investigations, the implementation of a Communications Data solution is an operational priority. The MPS needs to improve on how it analyses and presents communications data back to the investigation teams and Crown Prosecution Service. The aim is to move towards a more efficient and higher quality system, replacing existing manual processes to meet the current and future operational needs of the MPS.

The scope of the deployment will ensure all MPS Intelligence analysts are able to access the software when needed. Increasing the availability of the technology will enhance MPS Intelligence ability to flex staff between cases. It will also increase knowledge and skills within the organisation when dealing with large quantities of communications data. This decision is making no change to the legal basis under which the data is obtained by the MPS in order that it can be analysed. The legal basis is set out within the paper.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

- Approve the total funding of £1.5m to procure and implement the chosen solution. The spend will be broken down as follows: £0.7m in 2019/20, then £0.3m p.a. until 2022/23. The spend will be funded from agreed existing MPS budgets.
- The £1.5m includes a request to convert £0.4m funding from revenue to capital in the first year to fund the capital spend and that this will be added to the MPS capital plan.

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

Stephen Hendon

Date

19/6/19

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

1. Introduction and background

- 1.1. Communications, ANPR & Digital Forensic data is complex and it is unfeasible to process manually. The scale and complexity of the data is growing and with the current manual processing & investigation of the data, the amount of resource required has reached unsustainable levels.
- 1.2. There is a need for software to process, analyse, map & create court exhibits. This software has the following benefits:
 - Save up to 95% of the time spent manually processing data
 - Make much more efficient use of the resources
 - Progress investigations faster
 - Deliver more successful outcomes at court
- 1.3. Therefore it is a priority to deliver a software solution to standardise the processing, analysis & mapping of communications data, and other digital forensic data.
- 1.4. The current process requires analysts to cleanse captured data, analyse and present output to investigation teams and CPS/court. This data stems from mobile devices (phones/tablets) and call data records. The job undertaken is to review and present the data in the form of schedules and maps.
- 1.5. There are numerous challenges as Call Data Records (CDRs) are received in multiple formats. This issue is exacerbated when dealing with large and complex cases and multiple devices.

2. Issues for consideration

- 2.1. This information is contained in the restricted section of the report.

3. Financial Comments

- 3.1. The £1.5m is made up as follows:
 - £0.4m for the creation of a capital item.
 - Convert revenue to capital for the purchase of storage and add to the MPS capital plan.
 - £0.3m p.a. will be required for revenue costs from 2019/20 to 2022/23.

4. Legal Comments

- 4.1. MPS Directorate of Legal Services (DLS) has been consulted as part of the assurance process and no concerns have been raised to date. Key stakeholders, including DLS will be engaged throughout the procurement phase to ensure no issues arise.

- 4.2. The communications data analysed in the tool will be legally obtained and retained under the Regulation of Investigatory Powers Act 2000 (RIPA).
- 4.3. Under Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides that Deputy Mayor for Policing and Crime has authority to approve all requests to go out to tender for contracts of £500,000 or above, or where there is a particular public interest.
- 4.4. 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 £181,302 or above will be procured in accordance with the Regulations.

5. Commercial Issues

- 5.1. The strategic route to market as endorsed by Crown Commercial Services for cloud-based software as a service offering is the Crown Commercial Services Framework Agreement (Digital Marketplace G-Cloud 10). The contract will be awarded to a single supplier with an initial contract for 2 years with a 1 + 1 year renewal option.
 - The product will require minimal training
 - Deploying the product will enable benefits realisation
 - Realisation of benefits also highlights greater efficiency
- 5.2. All the solutions within the scope of this procurement are already in use across the 43 UK police forces as well as a number of other law enforcement agencies. The MPS have engaged with a number of forces and the NCA to gain an understanding of the process they have followed in selecting a product to ensure there is an open and transparent process.
- 5.3. All solutions being considered as part of this process can be procured via the G-Cloud 10 Framework and within the total stated cost of this paper.

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. Once a supplier has been selected, a DPIA will be completed with that supplier to ensure full compliance. 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. This tool will only be utilised by MPS Officers and Staff and therefore an Equalities Impact Assessment (EIA) will be undertaken as part of implementing the chosen solution to ensure it is compatible with the standard reasonable adjust software tools already available on the MPS IT estate. The EIA will be compiled in consultation with the Strategy Diversity & Inclusion team.
- 7.2. This EIA will be regularly reviewed and support and guidance from the Strategy Diversity and Inclusion team will be maintained throughout the lifecycle of this project.

8. Background/supporting papers

- 8.1. Report

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

Tick to confirm statement (✓)

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

The Contract Management Team has been consulted on the commercial issues within this report. The proposal is in keeping with the GLA Group Responsible Procurement Policy.

✓

GDPR/Data Privacy

- GDPR compliance issues are covered in the body of the report.
- A DPIA will be completed.

✓

Director/Head of Service

The Chief Finance Officer 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

R. Lawrence

Date

18/6/19

**MOPAC**MAYOR OF LONDON
OFFICE FOR POLICING AND CRIME**Communications Data Analysis Tool****MOPAC Investment Advisory & Monitoring meeting 27th June 2019****Report by DAC Duncan Ball on behalf of the Chief of Corporate Services****Part 1 – This section of the report will be published by MOPAC. It is classified as OFFICIAL – PUBLIC****EXECUTIVE SUMMARY**

The purpose of this Business Justification Paper is to seek approval to procure and implement a Communications Data Analysis tool to enable Met Intelligence to carry out complex analysis on data obtained under the Regulation of Investigatory Powers Act in support of serious crime investigations.

Due to the ever-increasing amount of digital/mobile/cell data involved in investigations, the implementation of a Communications Data solution is an operational priority. The MPS needs to improve on how it analyses and presents communications data back to the investigation teams and Crown Prosecution Service. The aim is to move towards a more efficient and higher quality system, replacing existing manual processes to meet the current and future operational needs of the MPS.

The scope of the deployment will ensure all Met Intelligence analysts are able to access the software when needed. Increasing the availability of the technology will enhance Met Intelligence ability to flex staff between cases. It will also increase knowledge and skills within the organisation when dealing with large quantities of communications data. This decision is making no change to the legal basis under which the data is obtained by the MPS in order that it can be analysed. The legal basis is set out within the paper.

Recommendations

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

- Approve the total funding of £1.5m to procure and implement the chosen solution. The spend will be broken down as follows: £0.7m in 2019/20, then £0.3m p.a. until 2022/23. The spend will be funded from agreed existing MPS budgets.

- The £1.5m includes a request to convert £0.4m funding from revenue to capital in the first year to fund the capital spend and that this will be added to the MPS capital plan.

Time sensitivity

A decision is required from the Deputy Mayor by 27th June 2019. We will run the procurement process in parallel and providing the funding is approved we will transact the contract before the 30th June before G-cloud 10 ends.

The G-Cloud 10 framework formally closes on the 30th June and all contracts based on its terms and conditions must be placed by then. The G-Cloud 11 framework will launch on the 1st July, but there is no guarantee that the current suppliers will be available on the framework and rates will not have changed.

Met Intelligence have reviewed a number solutions over the past 12 months and the data/intelligence that has been produced has proven invaluable in securing successful convictions, as well as supporting ongoing investigations. The current commercial arrangements have come to an end and we can't extend under the current Terms and Conditions beyond 30th June, therefore we require an immediate decision to ensure the intelligence teams can retain access to this technology via an official procurement process.

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

Introduction and background

1. Communications, ANPR & Digital Forensic data is complex and it is unfeasible to process manually. The scale and complexity of the data is growing and with the current manual processing & investigation of the data, the amount of resource required has reached unsustainable levels.
2. There is a need for software to process, analyse, map & create court exhibits. This software has the following benefits:
 - Save up to 95% of the time spent manually processing data
 - Make much more efficient use of the resources
 - Progress investigations faster
 - Deliver more successful outcomes at court
3. Therefore it is a priority to deliver a software solution to standardise the processing, analysis & mapping of communications data, and other digital forensic data.
4. The current process requires analysts to cleanse captured data, analyse and present output to investigation teams and CPS/court. This data stems from mobile devices (phones/tablets) and call data records. The job undertaken is to review and present the data in the form of schedules and maps.
5. There are numerous challenges as Call Data Records (CDRs) are received in

multiple formats. This issue is exacerbated when dealing with large and complex cases and multiple devices.

Issues for consideration

6. This information is contained in the restricted section of the report.

Contributes to the MOPAC Police & Crime Plan 2017-2021¹

7. The intelligence target operating model supports a number of the Priorities and Commitments in the MOPAC Police & Crime Plan:

- a. A better Criminal Justice system for London – continually review and refine our services including ability to reach out to the huge range of diverse communities, innovate and test new system approaches to tackling persistent offenders, work with partners to deliver and approach to young adults to help with the transition point between youth and adult services.
- b. Keeping children & young people safe – work with the MPS to identify crime hotspots across the capital identifying where young Londoners are least safe, work with boroughs to invest in the earlier identification of young people at risk of CSE, support the targeted and intelligence led use of stop and search and scrutinise the use of stop and search, work with local authorities to build good practice to tackle gangs at a local level, review the MPS' approaches to gang crime.
- c. Tackling Violence against Women and Girls – improve and create new multi-agency partnership to tackle human slavery, work with CPS and MPS to improve the quality of evidence going from the police to the prosecutors and ensure the MPS understand who the highest risk perpetrators are.

Financial, Commercial and Procurement Comments

8. The £1.5m is made up as follows:

- £0.4m for the creation of a capital item.
- Convert revenue to capital for the purchase of storage and add to the MPS capital plan.
- £0.3m p.a. will be required for revenue costs from 2019/20 to 2022/23.

9. The strategic route to market as endorsed by Crown Commercial Services for cloud-based software as a service offering is the Crown Commercial Services Framework Agreement (Digital Marketplace G-Cloud 10). The contract will be awarded to a single supplier with an initial contract for 2 years with a 1 + 1 year renewal option.

- The product will require minimal training
- Deploying the product will enable benefits realisation
- Realisation of benefits also highlights greater efficiency

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

10. All the solutions within the scope of this procurement are already in use across the 43 UK police forces as well as a number of other law enforcement agencies. We have engaged with a number of forces and the NCA to gain an understanding of the process they have followed in selecting a product to ensure we have an open and transparent process. We have learned from their experience and we drive value for money through competition of the tender.
11. All solutions being considered as part of this process can be procured via the G-Cloud 10 Framework and within the total stated cost of this paper.

Legal Comments

12. MPS Directorate of Legal Services (DLS) has been consulted as part of the assurance process and no concerns have been raised to date. Key stakeholders, including DLS will be engaged throughout the procurement phase to ensure no issues arise.
13. The communications data analysed in the tool will be legally obtained and retained under the Regulation of Investigatory Powers Act 2000 (RIPA).
14. Under Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides that Deputy Mayor for Policing and Crime has authority to approve all requests to go out to tender for contracts of £500,000 or above, or where there is a particular public interest.
15. 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 £181,302 or above will be procured in accordance with the Regulations.

Equality Comments

16. This tool will only be utilised by MPS Officers and Staff and therefore an Equalities Impact Assessment (EIA) will be undertaken as part of implementing the chosen solution to ensure it is compatible with the standard reasonable adjust software tools already available on the MPS IT estate. The EIA will be compiled in consultation with the Strategy Diversity & Inclusion team.
17. This EIA will be regularly reviewed and support and guidance from the Strategy Diversity and Inclusion team will be maintained throughout the lifecycle of this project.

Privacy Comments

18. 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.

19. 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.
20. The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure the project meets its compliance requirements.
21. Once a supplier has been selected, a DPIA will be completed with that supplier to ensure full compliance. 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

22. There is no Real Estate impact to this project, the solution will be available on the corporate devices therefore not impact the size of the estate.

Environmental Implications

23. No environmental implications have been identified at this stage.

Report author: Ollie Lane, DP Business Engagement Manager.

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 the Comms Data Analysis Business Justification Paper is exempt from publication under Article 2(2)(a) of the Elected Local Policing Bodies (Specified Information) Order 2011.

The relevant sections under the FOIA that would exempt this information from disclosure are Sections 31 (Law Enforcement), Section 40 (Data Protection), Section 43 (Commercial Interest) and section 23 (security bodies) of the Freedom of Information Act.

The confidentiality of part 2 should be reviewed after ten years (Nov 2028). No disclosure of part 2 is permitted without consultation from the MPS.

