

DMPC Decision – PCD 518

Title: Funding Approval for Procurement and Deployment of Replacement Tetra Radios & Associated Equipment

Executive Summary:

The delay to the Home Office programme to replace the existing Airwave radio network with a new 4G Emergency Services Network (ESN) has resulted in the requirement to replace the current Airwave radio terminals. These current Airwave radio terminals have been in use since 2005 and are now 14 years old and classified as end of life with no further extensions to the warranty possible. Few failed radios are repairable, all failed hand portable radios are replaced with spares from stock. As a result, it is becoming increasingly difficult to maintain sufficient spares to support operational deployment.

Recommendation:

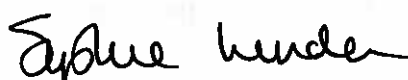
The Deputy Mayor for Policing and Crime is recommended to approve:

- The purchase of Tetra radios to replace the current end of life and out of warranty police radios at a cost of £24.3m, made up of £21.3m capital (funded within the capital plan) and £3m project revenue (funded in the Digital Policing Project Revenue budget).
- The award of a direct call off contract to Sepura Ltd, worth £28m, for an initial period of 5 years, from February 2019 to February 2024 with an optional extension period of 12 months, for the supply of Sepura Tetra Terminals, ancillaries and services from the Police ICT Company (PICTCO) National Tetra Framework Agreement.

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**

12/2/19

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

1. Introduction and background

- 1.1. The Home Office Emergency Services Network (ESN) programme has suffered significant delays to a point where the MPS (and potentially all UK emergency services) will remain dependent on the Airwave network until at least December 2022, probably longer. This matter has been the subject of parliamentary scrutiny.
- 1.2. The MPS current Airwave Tetra radio terminals have been in use since 2005. They are now 14 years old and classified as end of life with no further extensions to the warranty possible. Few failed radios are repairable, all failed hand portable radios are replaced with spares from stock. As a result, it is becoming increasingly difficult to maintain sufficient spares to support operational deployment

2. Issues for consideration

- 2.1. This paper addresses the issue by seeking funding to replace the existing radios with new Tetra radios. This will achieve the following benefits:
 - Provision of an operational radio terminal fleet that supports front line police officers by enhancing communications and safety, with access to the Airwave Service until transition to ESN;
 - Provision of service support for the new terminals and new terminal programming solution incorporated in the Managed Radio Services contract at no additional cost.

3. Financial Comments

- 3.1. The capital cost of £24.1m is fully funded within the new draft capital plan with MOPAC for approval in early 2019.
- 3.2. The £3m project revenue funded from the existing Digital Policing project revenue budget.

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 £181,302 or above must be procured in accordance with the Regulations. This report confirms the value of the proposed contract exceeds the threshold. Accordingly, the Regulations are engaged.
- 4.2. The Procurement Strategy and the proposed procurement route is to enter into a call-off contract under the Police ICT Buying Company (PICTCO) Framework Agreement (the National Airwave Terminal Framework Agreement) dated 15 November 2018. This Framework Agreement allows all Police Forces in the UK to directly enter into a call-off contract under LOT 1 for TETRA hand held terminals, vehicle terminals, accessories and associated services. The Framework Agreement has been compliantly procured by PICTCO

in accordance with the Public Contracts Regulations 2015 and the MPS are a permitted user of the Framework Agreement. Therefore, this call-off contract is compliant with the Public Contracts Regulations 2015.

- 4.3. Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime (DMPC) has delegated authority to approve all requests to go out to tender for contracts of £500,000 or above.
- 4.4. Paragraph 7.23 of the Scheme provides the Director of Strategic Procurement has consent to approve all proposals to award of all contracts with the exception of those called in through the agreed call in procedure. Paragraph 4.14 provides the DMPC reserves the right to call in any proposal to award a contract valued at £500,000 or above.

5. Commercial Issues

- 5.1. Value for money will be achieved by utilizing the national procurement framework recently developed by the Police Information and Communications Technology Company (PICTCo), ensuring the MPS attain the best possible price for hardware.

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 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. The work covered by the approval recommended in this paper is to replace end of life and out of warranty equipment. There are no Equality or Diversity impacts associated with this work.

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

	<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 The proposal is in keeping with the GLA Group Responsible Procurement Policy.	✓
GDPR/Data Privacy <ul style="list-style-type: none"> GDPR compliance issues are covered in the body of the report. A DPIA is not required. 	✓
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.	✓

OFFICER APPROVAL**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

8/2/19

**INVESTMENT ADVISORY and MONITORING MEETING
February 2019**

Funding Approval for Tetra Radio Replacement.

Report by Angus McCallum on behalf of the Deputy Commissioner

EXECUTIVE SUMMARY

- 1) This paper seeks MOPAC approval for the allocation and release of £24.3m of funding to cover the cost of replacing end of life and out of warranty Tetra radios. This replacement is necessary for the following reasons:
 - to ensure all front line police officers continue to have fully supported and operational radios providing mission critical radio communications on the Airwave service until successful transition to the new Emergency Services Network (ESN)
 - the current radio models are end of life and out of warranty, spare stock for replacement of faulty radios is rapidly diminishing
 - the Home Office ESN programme has suffered significant delays and the final delivery date remains uncertain, so the MPS are likely to be reliant on Tetra radios until at least the end of 2022.

A. RECOMMENDATIONS – That the Deputy Mayor for Policing and Crime:

1. Approves the purchase of Tetra radios to replace the current end of life and out of warranty police radios at a cost of £24.3m, made up of £21.3m capital (funded within the capital plan) and £3m project revenue (funded in the Digital Policing Project Revenue budget).
2. Approves the award of a direct call off contract to Sepura Ltd, worth £28m, for an initial period of 5 years, from February 2019 to February 2024 with an optional extension period of 12 months, for the supply of Sepura Tetra Terminals, ancillaries and services from the Police ICT Company (PICTCO) National Tetra Framework Agreement.

B. SUPPORTING INFORMATION

1. Background

The Home Office Emergency Services Network (ESN) programme has suffered significant delays to a point where the MPS (and potentially all UK emergency services) will remain dependent on the Airwave network until at least December 2022, probably longer. This matter has been the subject of parliamentary scrutiny.

The MPS current Airwave Tetra radio terminals have been in use since 2005. They are now 14 years old and classified as end of life with no further extensions to the warranty possible. Few failed radios are repairable, all failed hand portable radios are replaced with spares from stock. As a result, it is becoming increasingly difficult to maintain sufficient spares to support operational deployment.

This paper addresses the issue by seeking funding to replace the existing radios with new Tetra radios. This will achieve the following benefits:

- Provision of an operational radio terminal fleet that supports front line police officers by enhancing communications and safety, with access to the Airwave Service until transition to ESN;
- Provision of service support for the new terminals and new terminal programming solution incorporated in the Managed Radio Services contract at no additional cost.

2. Approach to Deployment

The replacement radio deployment will be planned and documented in detail and in a collaborative manner with Borough Commanders, Transformation Directorate, site representatives and our existing service partner (Capita). The project will review lessons learned and seek advice, from similar recent deployments, e.g. Body Worn Video, to ensure minimal business impact and a positive police officer experience.

The project is cognisant of the decant to a BCU model and potential impact to the deployment schedule.

C. OTHER ORGANISATIONAL & COMMUNITY IMPLICATIONS

1. Equality and Diversity Impact

The work covered by the approval recommended in this paper is to replace end of life and out of warranty equipment. There are no Equality or Diversity impacts associated with this work.

2. Financial Implications / Value for Money

The risks associated with using a fleet of end of life and out of warranty radios and the potential requirement for a further 5-7 years of Airwave network dependency means that replacement radios are required.

The planned spend of £24.3m consists of £21.3m covered in the Capital Plan submitted to MOPAC in November 2018 and within the ROM costs advised to PIB in August 2018, and £3m revenue covered in the Digital Policing Project Revenue budget.

Value for money will be achieved by utilizing the national procurement framework recently developed by the Police Information and Communications Technology Company (PICTCo), ensuring the MPS attain the best possible price for hardware.

3. Legal Implications

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 must be procured in accordance with the Regulations. This report confirms the value of the proposed contract exceeds the threshold. Accordingly, the Regulations are engaged.

The Procurement Strategy and the proposed procurement route is to enter into a call-off contract under the Police ICT Buying Company (PICTCO) Framework Agreement (the National Airwave Terminal Framework Agreement) dated 15 November 2018. This Framework Agreement allows all Police Forces in the UK to directly enter into a call-off contract under LOT 1 for TETRA hand held terminals, vehicle terminals, accessories and associated services. The Framework Agreement has been compliantly procured by PICTCO

in accordance with the Public Contracts Regulations 2015 and the MPS are a permitted user of the Framework Agreement. Therefore, this call-off contract is compliant with the Public Contracts Regulations 2015.

Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime (DMPC) has delegated authority to approve all requests to go out to tender for contracts of £500,000 or above.

Paragraph 7.23 of the Scheme provides the Director of Strategic Procurement has consent to approve all proposals to award of all contracts with the exception of those called in through the agreed call in procedure. Paragraph 4.14 provides the DMPC reserves the right to call in any proposal to award a contract valued at £500,000 or above.

4. Risk (including Health and Safety) Implications

It is considered that the work required to replace the existing radio fleet has low technical risk as the radios have already been operationally tested and the models to be deployed were considered by a focus group to be the superior option. The processes associated with radio configuration, from receipt to rollout will be tested prior to the main deployment commencing.

5. Real Estate and Environmental Implications

It is anticipated that the multi-battery charger units will occupy slightly less space (on walls and desks) than those currently deployed and utilise less power.

6. Privacy Statement

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.

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.

The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure the project meets its compliance requirements.

The project does not use personally identifiable data of members of the public, so there are no GDPR issues to be considered.

7. Freedom of Information Act (FOIA)

Part 2 is exempt from publication under Article 2(2)(a) of the Elected Local Policing Bodies (Specified Information) Order 2011. Section 43 Commercial Interest

The paper will cease to be confidential after 7 years from the date of MOPAC approval.

Report author: Roy Beckerson - ESN Project Manager, 0203 276 7002

