

DMPC Decision – PCD 1271

Title: Additional contract spend in Support of the Command & Control (C&C) service

Executive Summary:

This decision requests approval for a further extension to the existing Command and Control (C&C) service with its main supplier. This is additional to the 12 month £7.9m extension already approved in the Consolidated IT Contract Renewals 22/23 decision (PCD 1160).

An additional 12 months extension is requested along with associated additional contract spend (taking the total contract value to £21.8m) in order to maintain the application and hardware support on the Mission Critical Command and Control (C&C) service. This additional cost is inclusive of a potential inflation provision.

The total extension to the Command and Control support contract will be for a two year period.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

1. Approve an additional £2.7m in contract spend in 2022/23 to cover the shortfall between the £7.9m approved in the Consolidated Contracts Paper and the proposed annual cost of £10.6m.
2. Approve a further £10.6m of contract spend in 2023/24 to provide an additional 12 months of contract term in addition to the 12 months in the Consolidated Contracts paper for a total of 24 month extension to the existing C&C system.
3. Approve a provision for inflation in the second year of the contract for £0.6m.

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 02//09/2022

Spine Under .

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

1. Introduction and background

- 1.1. The Command and Control solution is one of the MPS's mission critical systems that underpins policing in London. It is used to manage emergency and non-emergency calls from members of the public and control the dispatching of Officers, where necessary.
- 1.2. The Command and Control system is being replaced by the Optimising Contact and Response Programme, however an extension will be required to ensure a safe transition and facilitate the migration of data from the legacy system.
- 1.3. The existing support and maintenance contract provided by the supplier for the application, hardware and support is offered at both a second and third line support capability. This maintenance contract expires on 3rd October 2022. The intention is to extend this capability by two years, after which time, the solution will be superseded with a new service.
- 1.4. The extension proposal for the support capability from the supplier has been received, but is considerably more than expected and was estimated in the MOPAC approved paper for Consolidated IT Contracts Renewal FY 22/23 (decision PCD 1160). Approval for additional contractual capacity in a short time scale has therefore become necessary, to mitigate the risk of having a significantly reduced support capability on a Mission Critical system.

2. Issues for consideration

- 2.1. The current supplier contract is for a four year period and expires 3rd October 2022.
- 2.2. The supplier has proposed a 2 year deal of £21.2m inclusive of a £4.7m license fee to be paid up front. The second year of the contract may be subject to an uplift in line with RPI indexation, this is being challenged with the supplier. If it is not possible to negotiate this down the maximum contract spend is £22m.
- 2.3. This support and maintenance extension is a tactical solution to provide existing levels of support on the business critical system until the new solution is delivered.
- 2.4. The expectation is that the existing support capability will only be required for up to two years, ensuring service continuity beyond October 2022.
- 2.5. During the two year period all other support provided by other mechanisms will remain in place.
- 2.6. There are no expected material changes to the current contract terms during the 2 year additional period and it is intended that the service shall remain in steady state.

3. Financial Comments

- 3.1. From the current specific budget of £8.4m the increase in annual costs of £2.2m in year 22/23 and £2.8m in year 23/24 including a further £0.6m in year 23/24 due to agreed indexation will be funded from within existing budgets.

4. Legal Comments

- 4.1. The Mayor's Office for Policing and Crime ("MOPAC") 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 (including VAT) or above shall be procured in accordance with the Regulations. This report confirms the value of the proposed contract exceeds this threshold.
- 4.2. The MOPAC Scheme of Delegation and Consent provides the Deputy Mayor for Policing and Crime ("DMPC") has delegated authority to approve:
- a. Business cases for revenue or capital expenditure of £500,000 and above (paragraph 4.8). and
 - b. 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. Further information is contained in the restricted section of the report.

5. Commercial Issues

- 5.1. The current Command and Control contract runs for a period of four years, expiring on 3rd October 2022, with a total contract value of £33.9m. This includes license fees of £5.4m paid up front.
- 5.2. Due to slippage in the replacement Command and Control System a two year extension is being sought with the current supplier.
- 5.3. The supplier has proposed a 2 year extension of £21.2m inclusive of a £4.7m license fee to be paid up front.
- 5.4. The second year of the contract may be subject to a 7% increase in support cost, which equates to an additional £0.6m. The total 23/24 contract spend will therefore be £11.2m.

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 have been consulted at all stages to ensure the service meets its compliance requirements.
- 6.4. A DPIA has been completed for this service and remains under regular review. The MPS continue to 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. As this is an extension of an existing service this work does not change any aspects relating to equality or diversity.
- 7.2. There are no new implications for the London Anchor Institutions' Charter.

8. Background/supporting papers

- 8.1. Approval for a one year extension to the service was provided in decision PCD 1160.

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 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 has been completed.

✓

Drafting Officer

Craig James has drafted this report in accordance with MOPAC procedures.

✓

Director/Head of Service:

The Interim 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

Date 30/08/2022





Request for additional contract spend in Support of the Command & Control (C&C) service.

MOPAC Investment Advisory & Monitoring meeting

Report by D Pradun 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

Further to the approval granted in the Consolidated IT Contract Renewals 22/23 paper this paper seeks MOPAC approval for an additional 24 month extension and accompanying additional contract spend in order to maintain the application and hardware support on the existing Mission Critical Command and Control (C&C) service with its main supplier.

This will be for a two year period.

Recommendations

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

Approve an additional £2.7m in contract spend in year 22/23 of the contract to cover the shortfall between the £7.9m approved in the Consolidated Contracts Paper and the proposed annual cost of £10.6m.

Approve a further £10.6m of contract spend in year 23/24 to provide an additional 12 months of contract term in addition to the 12 months in the Consolidated Contracts paper for a total of 24 month extension to the existing C&C system.

Approve a provision for inflation in the second year of the contract for £0.6m.

Note The increase in annual costs will be funded from within existing budgets.

Time sensitivity

A decision is required from the Deputy Mayor by September.

This is because the current support provided by the supplier expires on October 3rd 2022. Without approval there is significant risk of

- **Potential prolonged outage windows;**
- **Placing severe risk on the support of a Mission Critical service.**

- **Potential reputational damage if the system were to fail and as a result of lack of support, be unrecoverable.**
- **Inability to manage calls from members of the public, potentially placing the lives of Londoners at risk.**
- **Damage to MPS reputation with the members of the public, partner agencies and other organisations.**

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

Introduction and background

1. The Command and Control solution is one of the MPS's mission critical systems that underpins policing in London. It is used to manage emergency and non-emergency calls from members of the public and control the dispatching of Officers, where necessary.
2. The Command and Control system is being replaced by the Optimising Contact and Response Programme however an extension will be required to ensure a safe transition and facilitate the migration of data from the legacy system.
3. The existing support and maintenance contract provided by the supplier for the application, hardware and support is offered at both a second and third line support capability. This maintenance contract expires on 3rd October 2022. The intention is to extend this capability by two years, after which time, the solution will be superseded with a new service.
4. The extension proposal for the support capability from the supplier has been received, but is considerably more than expected and was estimated in the MOPAC approved paper for Consolidated IT Contracts Renewal FY 22/23. This has placed a time emphasis on having to seek approval for additional contractual capacity in a short time scale, mitigating the risk of having a significantly reduced support capability on a Mission Critical system.

Issues for consideration

1. The current supplier contract is for a four year period and expires 3rd October 2022.
2. The supplier has proposed a 2 year extension of £21.2m inclusive of a £4.7m license fee to be paid up front. The second year of the extension (year 23/24) will be subject to a 7% uplift, which equates to an additional £0.6m.
3. This support and maintenance extension is a tactical solution to provide existing levels of support on the mission critical system until the new solution is delivered.
4. Expectation is that the existing support capability will only be required for up to two years, ensuring service continuity beyond October 2022.
5. During the two year period all other support provided by other mechanisms will remain in place.
6. There are no expected material changes to the current contract terms during the 2 year additional period and it is intended that the service shall remain in steady state.

Contributes to the MOPAC Police & Crime Plan 2022-251

The Command and Control solution is one of the organisation's mission critical systems that underpins policing in London. It is used to manage emergency and non-emergency calls from members of the public and control the despatching of officers, where necessary. The system has evolved and grown over a number of years and requires a significant level of support at second and third line from the supplier.

Financial, Commercial and Procurement Comments

7. The current Command and Control contract runs for a period of four years, expiring on 3rd October 2022, with a total contract value of £33.9m. This includes license fees of £5.4m paid up front.
8. Due to slippage in the replacement Command and Control System a two year extension is being sought with the current supplier.
9. **The supplier has proposed a 2 year extension of £21.2m inclusive of a £4.7m license fee to be paid up front.**
10. **The second year of the contract will be subject to a 7% increase in support cost, which equates to an additional £0.6m. The total 23/24 contract spend will therefore be £11.2m.**
11. **The increase in annual costs of £2.2m in year 22/23 and £2.8m in year 23/24 including a further £0.6m in year 23/24 due to agreed indexation will be funded from within existing budgets.**

Legal Comments

12. The Mayor's Office for Policing and Crime ("MOPAC") 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 (including VAT) or above shall be procured in accordance with the Regulations. This report confirms the value of the proposed contract exceeds this threshold.
13. The MOPAC Scheme of Delegation and Consent provides the Deputy Mayor for Policing and Crime ("DMPC") has delegated authority to approve:
 - a. Business cases for revenue or capital expenditure of £500,000 and above (paragraph 4.8). and
 - b. 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).
14. 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.
15. Further information is contained in the restricted section of the report.

Equality Comments

As this is an extension of an existing service this work does not change any aspects relating to equality or diversity.

There are no implications for the London Anchor Institutions' Charter

Privacy Comments

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 have been consulted at all stages to ensure the service meets its compliance requirements.

A DPIA has been completed for this service and remains under regular review. The MPS continue to 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

There are no real estate implications.

Environmental Implications

No Environmental implications as a result of this request.

Background/supporting papers

Referenced in the MOPAC approved Consolidated IT Contracts Renewal FY 22/23, 3rd March 2022