

**Report of the Chief Constable to the Chair and Members of the Audit Committee  
30<sup>th</sup> September 2021**

**Executive & Presenting Officer: Mrs Joanne Gleeson, Chief Finance Officer**

**Status: For Information**

**Contract Standing Order 10 – Exceptional Situations and  
Procurement Performance Report**

**1. Purpose**

- 1.1 Contract standing orders were revised on 22<sup>nd</sup> November 2012 following the introduction of the Police & Crime Commissioner. Members will recall that an update of the Contract Standing Orders was agreed at the March 2021 meeting of the Audit Committee. Contract Standing Orders state that “Utilisation of Contract Standing Order 10 or failure to follow contract standing orders shall be reported by the CFO of the CC to the Audit Committee”.
- 1.2 The purpose of this report is to advise the Audit Committee on the use of Contract Standing Order 10 during the period February 2021 to August 2021 and the Procurement Activity and Performance during the period February 2021 to August 2021.

**2. Recommendations**

- 2.1 It is recommended that the Audit Committee note the exceptional situations detailed in Appendix 1.
- 2.2 It is recommended that the Audit Committee note the Procurement Activity and Performance of the Procurement function detailed in Appendix 2.

**3. Background**

- 3.1 Contract Standing Orders reflect both the policies of the Office of the Police & Crime Commissioner for Cleveland and the requirements of current legislation. Their purpose is to provide help and guidance to all members of staff who are involved in supplier negotiations for the provision of goods and services. They are mandatory and as such must be complied with at all times.
- 3.2 Contract Standing Orders regulate the arrangements and procedures for acquiring goods and services. There is an underlying requirement that where such an acquisition is amenable to competitive tender that this mechanism should be

employed. This requirement is modified in practice when competitive tendering is not considered either efficient or practical.

- 3.3 Furthermore there are classes of goods and services which are not amenable to competitive tendering, examples of these would be property rental, water supply and contributions to national bodies supplying services to police forces either individually or as a "community of interest".
- 3.4 Contract Standing Order 10 states that "Exceptional situations are those created by external actions and events over which the Force has no control but has an obligation to respond."
- 3.5 In compliance with Contract Standing Orders it is the practice to report every exceptional circumstance where it appears that the normal requirement to tender has not been followed. Changes to the reporting schedule have taken place to coincide with changes to the accounting reporting timetable. Reports will be submitted for information in the financial year 2021/22 in September and March. The details of exceptional circumstances for this reporting period are listed in Appendix 1.
- 3.6 To provide members of the Audit Committee with a full picture of the Procurement activity in the Force and putting the exception report into context a Procurement Performance report has been provided in Appendix 2.

#### **4. Implications**

##### **4.1 Finance**

All commitments are within existing budgets.

Procurement Savings for 2020/21 are £282,423.54

Procurement Savings Year to Date 2021/222 (April-August) are £106,735

##### **4.2 Legal**

Any requests to utilise Contract Standing Order 10 which involve new supplier terms and conditions are discussed and agreed with Legal Services. There are no legal implications arising from the content of this report.

##### **4.3 Diversity & Equal Opportunities**

There are no diversity or equal opportunities implications arising from the content of this report.

##### **4.4 Human Rights Act**

There are no Human Rights Act implications arising from the content of this report.



4.5 Sustainability

There are no sustainability implications arising from the content of this report.

4.6 Risk

There are no risk implications arising from the content of this report.

**5. Conclusions**

- 5.1 The details of the exceptional situations listed in Appendix 1 and the Procurement Performance in Appendix 2 not only comply with the process detailed in Contract Standing Orders but represent the Force's ongoing commitment to greater efficiency and effectiveness.

Claire Wrightson  
Head of Procurement and Fleet

## **Exceptional Situation – Proprietary Product**

### **1. Provision of DNSP Links for ESN project by ICT at a cost of £17,679.92 for 12 months from Vodafone.**

- 1.1 The Home office have mandated that forces purchase and install two DNSP Links in readiness for the ESN National Project.
- 1.2 This is a proprietary product as these links are only available from one provider in the market. The installation costs are a one off £4090 per site plus annual rental of £4749.96 per site.

### **2. Annual Support and Maintenance for CycComms for Covert Standards at a cost of £20,283.04 for 12 months from Geoff Smith Associates.**

- 2.1 The Home Office funded collaboration a number of years ago for a regional solution for telephone analysis for investigations.
- 2.2 Support and Maintenance for the application is required to ensure the software is supported and receives upgrades.
- 2.3 Maintenance of the software can only be provided by Geoff Smith Associates they are the sole provider of this product therefore it is proprietary.

### **3. Extension of Modern Slavery Network Support for the OPCC at a cost of £19,200 for 12 months from Robin Brierley Consulting.**

- 3.1 In 2018 the PCC commissioned support for the creation and development of a pilot Anti-slavery Network. The purpose was to bring together key partners to collectively and collaboratively prevent, identify, disrupt and eradicate Human Trafficking and Modern Slavery in all its forms.
- 3.2 Over the last 3 years the network has built positive relationships around this agenda and achieved some groundbreaking work to safeguard and support victims. The benefit of this joint work has been recognised by our key partners who are in agreement that there is much more progress to be made and the subject matter expert (SME) commissioned following a procurement exercise has been key to the success so far.
- 3.3 In order to provide continuity to the work to date the PCC with financial support from 4 of the Local Authorities wish to extend the existing contract for 12 months. This is proprietary as the SME has detailed knowledge of the work carried out to date. During the 12 month extension discussions will take place with partners in terms of ongoing sustainability of service.

#### **4. Annual Support and Maintenance of Cleartone ANPR for Intelligence at a cost of £24,262 for 12 months from Cleartone.**

- 4.1 ANPR is a vital tool in crime detection, currently all Cleveland systems are from Cleartone.
- 4.2 In order to ensure systems, continue to be supported and maintained a support agreement is required. This will ensure that should any issues occur with the equipment or systems these will be resolved by the supplier.
- 4.3 Cleartone are the only provider who can support Cleartone equipment and systems and therefore this is proprietary.

#### **5. Purchase of ANPR Cameras by Project Adder at a cost of £24,262 from Cleartone.**

- 5.1 The Force has secured funding from Central Government to tackle drug crime. ANPR is a vital tool in crime detection and has been deemed as a intelligence tool to support the Adder Project goals.
- 5.2 Additional cameras are required to support the Adder Project whilst there are other ANPR Cameras in the market place, the Force would have to invest heavily in infrastructure and training and therefore to ensure continuity and compatibility the Cleartone cameras are proprietary.

#### **6. Extension of Victim Care and Advice Service for OPCC at a cost of £788,952 for Cleveland and Durham for 12 months from Safer Communities.**

- 6.1 The Victim Care and Advice Service was extended for 12 months from April 2020 for 12 months to ensure continuity of service provision throughout the PCC election period, ensuring the incoming PCC was not committed to a long term contractual commitment.
- 6.2 As a result of the COVID Pandemic the PCC elections were postponed for 12 months. In support of this and due to uncertainty in the market a further 12 month extension was required.
- 6.3 It is not clear of Durhams intention in terms of the future service model post March 2022, however it is Cleveland's intention to re-procure following a Victim Needs Assessment which will take place during 2021 which will inform the new procurement process.
- 6.4 To ensure continuity of service a further 12 month extension is requested. Safer Communities have the knowledge and experience to deliver under the extension and therefore this is proprietary. The cost to Cleveland for the 12 month extension is £437,554.

**7. Purchase of Griffeye Licence for Scenes of Crime at a cost of £19,900 for 12 months from Griffeye Technology.**

- 7.1 Mobile Phones are developing at a fast rate with passcodes to unlock these becoming more advanced. The Digital Forensic Unit require a tool to unlock mobile phones that don't have a passcode supplied with them to enable examination of the devices.
- 7.2 Griffeye is the only product available on the market for unlocking mobile phones without the passcode and this is proprietary to Griffeye.
- 7.3 This years renewal is for both DFU and POLIT with Griffeye being a major part of the DFU accreditation and approved by CAID and the Home Office for grading of images.

**8. Provision of Leadership and Development Consultancy from People and Development at a cost of £22,000 for 26 weeks from Pinktree Training.**

- 8.1 Cleveland Police previously operated a Hybrid Training/Learning and Development commissioning and delivery model. Pinktree Training was brought in following recommendation from the College of Policing to provide support to the Interim HR Director during the transfer of L&D back to the Force and support the HMICFRS Service improvement Plan.
- 8.2 In order to continue to support the Service Improvement Plan including the development of a Leadership Framework, the arrangement with Pinktree Training has been extended. Pinktree were recommended by the College of Policing due to the specific skill sets and therefore this is proprietary.

**9. Annual Renewal of Support and Maintenance of Cellebrite Kiosks for Scenes of crime at a cost of £11,420 for 12 months from Cellebrite.**

- 9.1 Cellebrite Hardware and Software is internationally recognised for its ability to enable extractions and investigations of mobile devices.
- 9.2 Cleveland Police purchased a number of kiosks to be used as a key tool in mobile device investigations.
- 9.3 In order to maintain these devices to ensure they can continue to be used as an investigative tool, support contracts are required.
- 9.4 Cellebrite is the sole provider of support and maintenance of these devices and therefore it is proprietary.

**10. Extension of IT Consultancy by the Executive at a cost of £43,200 for 12 months from RJL Consultancy Ltd.**

- 10.1 HMICFRS highlighted that our ICT had areas of weaknesses coupled with the transfer of the IT Team back into Force resulted in 2020 a requirement for an urgent and immediate specialist to ensure that the correct governance and scrutiny was placed over the processes.

10.2 RJL Consultancy has led on Police Digital Strategies in other Forces and has been highlighted by peers with requisite knowledge. RJL Consultancy was able to meet the urgent needs of the Force and started work immediately to ensure the smooth transition of IT services back to the Force.

10.3 This work was completed successfully, however the Force has continued to have a need for assistance with the transformation of Digital following the return of ICT. RJL has proprietary knowledge of the force and systems.

**11. Extension of the Domestic Abuse Perpetrator Programme by the OPCC at a cost of £73,000 for 12 months from Route2.**

11.1 The Domestic Abuse Perpetrator Programme contract was put in place following a successful tender exercise. The contract and its extension periods have expired.

11.2 The service ensures that domestic abuse perpetrators receive interventions to challenge and address their behaviour.

11.3 As a result of the Covid Pandemic and the delays in the PCC elections from 2020 to 2021 the PCC wishes to extend the contract for a period of 12 months to enable the service to continue during the PCC election and provide sufficient time for the PCC to tender the service.

11.4 The extension with the current provider will ensure that service delivery can continue without interruption due to their proprietary knowledge of this service provision.

**12. Renewal of Licences for Centurian Software by Department of Standards and Ethics at a cost of £23,795 for 12 months from FIS.**

12.1 Centurian software is a nationally recognised database for Professional Standards case handling. The majority of Forces across the country currently use this database and there is no recognised and tested alternative.

12.2 Cleveland Police have utilised the Centurian Software for a number of years and this proprietary product is provided by FIS. This contract is renewed annually.

12.3 The Force currently has 100 named users. FIS are the sole provider of Centurian Licences and therefore this is proprietary.

**13. Annual Support and Maintenance of Pegasus Source Management Module for ICT at a cost of £18,254.66 for 12 months from Altia-ABM**

13.1 Pegasus is a suite of applications which provides electronic workflow for covert policing. The management of covert policing is a requirement under the Regulation of Investigatory Powers Act 2000 (RIPA).

13.2 To ensure on-going support and maintenance of an operationally vital system a renewal of this agreement is required.

13.3 Altia-ABM is the sole provider of Pegasus and therefore this is proprietary.

**14. Annual Support and Maintenance for PNLD from for ICT at a cost of £14,804.54 from West Yorkshire Police.**

14.1 The Police National Legal Database (PNLD) is an online knowledge base of legislation, case law, offence wording and police powers. The website is maintained by West Yorkshire Police on behalf of all Police Forces.

14.2 All Forces contribute to the annual support and maintenance costs which are proprietary as no other Police Force and external agency provide this service and knowledge base.

**15. Support and Maintenance for Consolidata Software for ICT at a cost of £12,660.59 for 12 months from NDI Ltd.**

15.1 Consolidata Software is a vital tool which acts as a gateway to access PNC via a number of core ICT systems such as Niche, ANPR and EROS.

15.2 In order to maintain the system, support and maintenance is required. NDI are the sole provider of the gateway and support nationally.

**16. Purchase of GrayKey Licence for Scenes of Crime at a cost of £32,500 for 12 months from Grayshift.**

16.1 Mobile Phones are developing at a fast rate with passcodes to unlock these becoming more advanced. The Digital Forensic Unit require a tool to unlock mobile phones that don't have a passcode supplied with them to enable examination of the devices.

16.2 Graykey is the only product available on the market for unlocking IOS and Android mobile phones without the passcode and this is proprietary to Grayshift

**17. Annual Support of Corevet by Department of Standards and Ethics at a cost of £10,100 from WPC for 12 months.**

17.1 Corevet is the Vetting Case Management system used by Cleveland Police to fulfil its responsibilities as per the College of Policing's APP on Vetting, in ensuring we have an efficient system in place to manage vetting applications.

17.2 Corevet is a nationally used system used by most forces and was originally procured via a framework contract. This framework has now expired, however in order to maintain the system, annual support is required to ensure the force can continue to use the system.

17.3 WPC are the sole providers of Corevet and the only provider of the support and maintenance, therefore proprietary.

**18. Upgrade of ICCS System by ICT at a cost of £73,403 from APD – NEC Software Solutions.**

- 18.1 The Force purchased the current ICCS solution a number of years ago via a Framework agreement which includes annual support and maintenance. This is a critical system used by the Force Control Room.
- 18.2 There is a national requirement to upgrade the ICCS to enable compatibility with the Forthcoming ESN Platform (Airwaves replacement). This upgrade is in 2 parts with the first part including an upgrade to the next version of ICCS.
- 18.3 APD-NEC provided a quote for the upgrade of over £100k, however following negotiations by Procurement the costs were reduced by approx £30k bringing the labour costs in line with the contract.
- 18.4 APD-NEC are the sole provider of the Cortex ICCS and therefore the upgrade is proprietary.

**19. Extension of Pension Administration Contract by Corporate Finance at a cost of £224,000 from XPS for 2 Years.**

- 19.1 In 2018, the Force entered into a contract for Pension Administration services with Keir (now XPS) following a further competition on a framework. The contract was for 4 years and expires on 31/03/2022.
- 19.2 In line with other forces, Cleveland wish to extend the pension administration contract for further 2 years as a result of the work XPS are currently conducting on our behalf to support the McCloud judgement.
- 19.3 This extension will enable us to work with our existing provider whom we know have access to all of the relevant information to support this and cannot guarantee any new provider would have. The two year time scale encompasses the political timeframe and any subsequent parliamentary change.
- 19.4 Due to the knowledge and information that XPS hold, this extension is proprietary.

**Exceptional Situation – Operational Emergency**

**20. Provision of Professional Services for ICT at a cost of £12,675 from BT.**

- 20.1 BT were in the process of gathering via their existing contract the required unified communications inventory information so that new support contract options could be offered.
- 20.2 During the infrastructure audit a significant number of existing system health/stability issues were discovered. These issues needed to be addressed to ensure the current service could continue to operate effectively and safely, without these fixes the Force

had no assurances that in the event of failure their operational telephony system could be recovered.

- 20.3 BT were able during their audit to complete the necessary work to resolve the issues under an operational emergency. A tender exercise would have delayed the fix and left the force at risk of not being able to answer calls to the public.

**21. Provision of Post Incident Management Course for Firearms at a cost of £15,000 for 13 Delegates from Police Firearms Officer's Association.**

- 21.1 The Force is required to maintain a capability to provide Post Incident Managers (PIM's), 7 out of 10 existing PIMS unexpectedly withdrew from providing this role.
- 21.2 It was essential to rebuild this capability and capacity urgently due to a lack of provision is a breach of APP as the Force would be unable to effectively support any post incident investigation.
- 21.3 The cost of the course is £1000 per delegate plus travel and accommodation for the trainers.

**22. Provision of Corporate UK Phonebook for ICT at a cost of £28,200 from Siminix for 12 months.**

- 22.1 Cleveland Police have used Corporate UK Phonebook to provide Officers and staff access to addresses and phone numbers via the intranet site for a number of years.
- 22.2 In an effort to reduce costs the need for this service was reviewed and a decision was taken to cancel the contract, however following feedback from users regarding the concerns of this cancellation, and a review of the functionality, a decision was made to reinstate and enable the additional functionality available which includes company and director information and IP addresses for use in investigations.
- 22.3 UK Phonebook can only be provided by Siminix and the supplier has developed the product for a number of years to provide additional services which overlap with both free of charge services and services purchased from other providers however these are unavailable as a one stop shop, therefore this is proprietary.
- 22.4 Following last year's exemption to extend the contract, the force intended to investigate the tool to establish what services were required and carry out a procurement exercise. Due to other business priorities a procurement exercise was not conducted as the force could not support any change of provider and therefore an extension was required to ensure the operational teams had continuity of service. This work has been put into the ICT workplan to be re-procured next year.

**23. Extension of ICT Contract Resource for ICT at a cost of £39,000 from Senovo for 3 months**

- 23.1 Cleveland Police have used contract resource from Senovo for a number of months to assist with the Digital Transformation programme.

- 23.2 Following a recent audit a number of critical Network Security upgrades were identified. The contract resource from Senovo was coming to an end and the resource had the necessary skills and experience needed to complete the critical upgrades.
- 23.3 It was therefore necessary to extend the existing arrangement as an emergency to ensure the Force could protect its network and information security.

## **Appendix 2 –Procurement Performance**

- The PCC has 315 live contracts
- In the Period February 2021 to August 2021, 77 of these contracts were extended
  - 63 were extended in line with the contract term e.g. if a contract was awarded as a 3 year contract with an option to extend for two further 12 month periods.
  - 14 were extended via an exception to contract standing orders and have been reported to the Audit Committee in the report submitted in September 2021 and Appendix 1 of this report
- 13 Tenders or Further Competitions were carried out during the period February 21 – August 21.

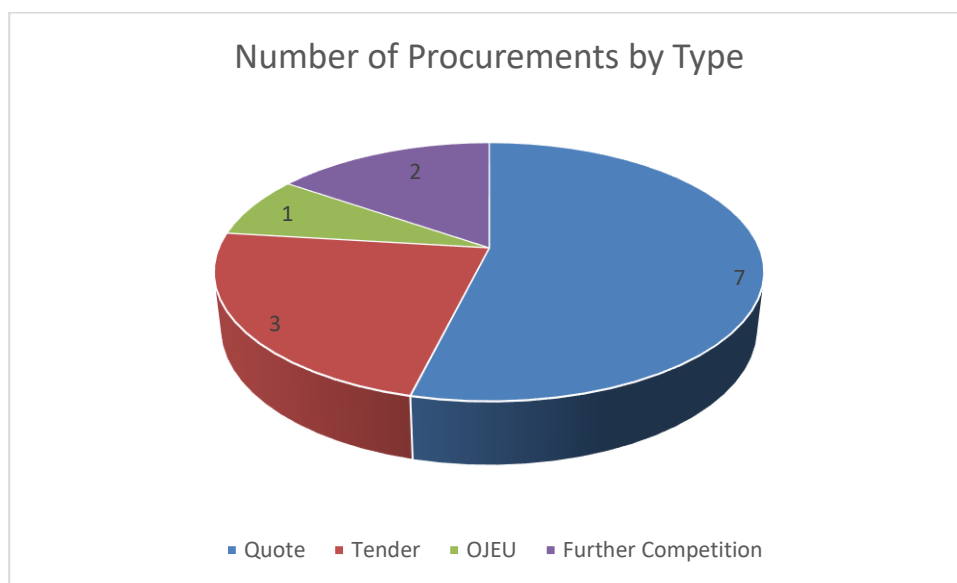


Chart 1 – Split of Procedure Type

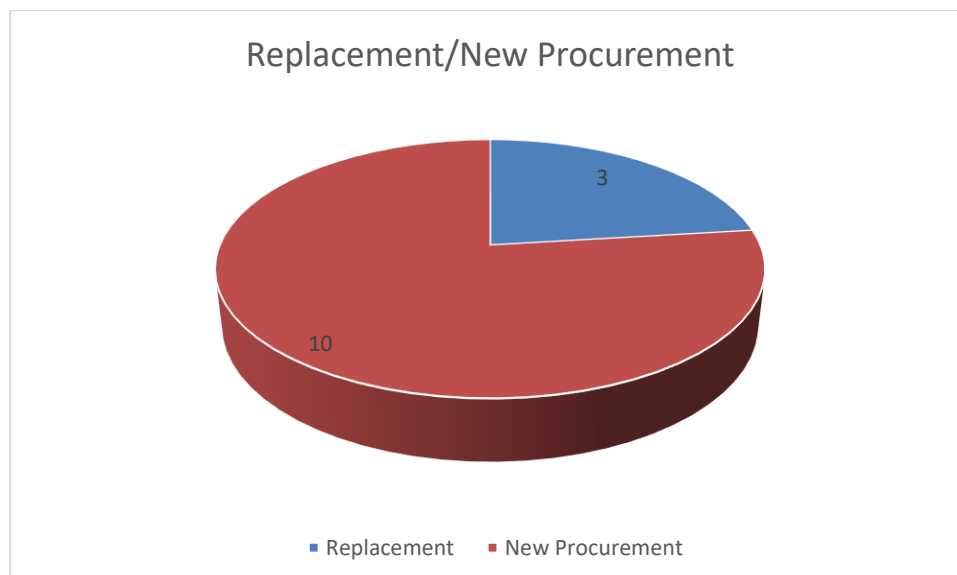


Chart 2 – Split of New Requirement/Re-Procure Existing Contract

### Key Contracts Awarded

<b>Title</b>	<b>Summary</b>	<b>Benefits</b>
Multi-Functional Devices	Re-procurement of the Multi-functional devices led to a new contractor and a full rollout of devices.	New devices with savings achieved. These are not yet reported as awaiting full roll-out to be completed.
NDORS	Re-procurement of the Driver Offender Scheme.	Social Value provided by Local Authority which were the successful bidder.
Victim Needs Assessment	Provider to carry out a needs assessment for the PCC	This contract will provide the PCC with data and information to support his on-going commissioning for victims. It will ensure future contracts have considered all the needs.

During the months between February and August much of the Procurement Teams focus has been on:

- Including Social Value into its contracts – this has involved the introduction of weighted questions for all tenders on what social value bidders can bring. Further work will take place as the roll-out of a new contract management tool takes place.

### Savings

Procurement Savings for 2020/21 are £282,423.54

Procurement Savings Year to Date 2021/22 (April-August) are £106,735

### Social Value

The attached provide a snapshot of Cleveland's supplier engagement in relation to Social Value and in particular Modern Slavery.