

**Report of the Chief Constable to the Chair and Members of the Audit Committee
31st March 2022**

Executive & Presenting Officer: Mr Simon Hart, 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 22nd 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 September 2021 to February 2022 and the Procurement Activity and Performance during the period September 2021 to February 2022.

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 Year to Date 2021/222 (April-February) are £304,125

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. Purchase of Drug Identifier/Forensic Analyser by Project Adder from Bruker Optics at a cost of £22,845.

- 1.1 The Home office have provided funding for Project Adder. As part of the Project it has been identified that a Drug Analyser would assist the investigative process by allowing Officers to identify substances on the day of investigation allowing officers to charge or remand.
- 1.2 The Bruker device is a desktop device and used by almost all Forces in the UK and has been tailored to suit the needs of the Police. This is the only product in the market which can provide identification and purity of substances without the need to send for Forensic Analysis and therefore this is proprietary.

2. Purchase of Rifle Plates for CDSOU at a cost of £17,486.00 from Mehler.

- 2.1 A number of years ago the Firearms Team received 52 sets of Up-Armour Plates which were donated. The warranty of these plates has expired and therefore the plates need replacing.
- 2.2 The male version is kept as a 'pooled' item and used when required, however the female version is a personal issue item.
- 2.3 There are currently no contracts available to purchase Body Armour from (however a National Procurement Exercise is ongoing) and therefore until a new contract is in place the Force will continue to purchase from its existing provider to ensure consistency.

3. Renewal of Dongle by Digital Forensic Unit at a cost of \$27,000 from Magnet Forensics.

- 3.1 Magnet Forensics are the nationally recognised software for carrying out investigation/Triage of Digital Mobile Devices. This software is one of the best tools and is highly respected in the law enforcement community.
- 3.2 This tool is the main tool used within the Digital Forensic unit to investigate digital evidence and provide simple and concise delivery of evidential product.
- 3.3 This is proprietary product.

4. Annual Support of E-Recruitment Platform from People and Development at a cost of £16,000 for 12 months from Engage.

- 4.1 As part of the SopraSteria Contract they engaged on our behalf with a supplier for provision of an E-Recruitment Platform. This was via a 3 year contract. In October 2020 when the SopraSteria contract concluded the contracts novated back to the Force.

- 4.2 The Force is currently working on an Oracle Optimisation project and recruitment system is being considered as part of this project, therefore the final 12 month extension to the contract is required to enable the project to identify whether Oracle can be used or if a separate Procurement Exercise is required.

5. Provision of ICT Contract Services by ICT at a cost of £21,113 for 2 months from Greenwich Contracts.

- 5.1 As part of the Digital Transformation Programme, Cleveland Police engaged SopraSteria to supply technical resource in order to aid the on-site team in delivering the programme.
- 5.2 An exemption reported previously, highlighted the requirement for the resource to be extended to the 31st January 2022 to meet the project deliverables and therefore the resources were transferred to Cleveland Police at the conclusion of the SopraSteria contract. The resources as individuals were proprietary however they were paid for via an Umbrella Organisation.
- 5.3 A further 2 months extension is required as it is imperative that the same resource is utilised to complete the project due to the knowledge and experience already gained through engagement.

6 Renewal of Licences for Centurian Software by Department of Standards and Ethics at a cost of £24,984.86 for 12 months from FIS.

- 6.1 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.
- 6.2 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.
- 6.3 The Force currently has 100 named users. FIS are the sole provider of Centurian Licences and therefore this is proprietary.

7 Annual Support and Maintenance of Cleartone ANPR for Intelligence at a cost of £25,543 for 12 months from Cleartone.

- 7.1 ANPR is a vital tool in crime detection, currently all Cleveland systems are from Cleartone.
- 7.2 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.
- 7.3 Cleartone are the only provider who can support Cleartone equipment and systems and therefore this is proprietary.

8 Annual Support and Maintenance of Computer Monitoring Software by DSE at a cost of £27,600 from CITSL.

- 8.1 The Force introduced a monitoring tool to manage the corruption risk in the Force. The support for this software is vital to ensure that the Force continues to receive support and can manage this risk.
- 8.2 The support is proprietary as it can only be provided by the owners of the Software and a change of software provider would result in loss of valuable data and an unacceptable gap in the ICT Monitoring.

9 Provision of Drug Driving Training to Project Adder at a cost of £15,000 for 12 months from TTC.

- 9.1 Project Adders has been working with DFT and other agencies to develop a course in relation to offenders who have been convicted of Drug Driving Offences. This is an innovative initiative that has not been undertaken anywhere else in the UK and may inform future best practice.
- 9.2 The aim is to commence a local pilot through Teesside Magistrates Course where those convicted of relevant offences will be provided with the opportunity to attend a course as part of their sentence.
- 9.3 Course Development will be overseen by DFT, who partner with TTC for delivery of other National Courses such as Drink Drive Courses. In order to ensure that DFT own the IPR for the Drug Driving Course and have the ability to roll this out Nationally in the future a nationally recognised delivery partner is required.

10 Extension of Skill Licence for ICT at a cost of £10,000 with QA Training.

- 10.1 ICT currently have a skill licence worth £5,000 with QA Training which provides ICT staff with Technical Training.
- 10.2 QA are a nationally recognised IT skills provider and courses can be tailored to our needs.
- 10.3 In order to extend our existing commitment and maximise the benefits a further £10,000 is to be added.

11 Annual Renewal of iMap Support and Maintenance contract for ICT at a cost of £13,550 for 12 months from Astun Technology.

- 11.1 iMap is a bespoke web-mapping application which was developed by Astun Technology and has been used extensively by the Force since 2008 to self-brief and maintain an up to date understanding of crime and incidents within a geographic area.

- 11.2 In order to ensure that the Force is correctly licenced and the system is maintained and support, annual support and maintenance is required to be purchased. This is proprietary as support can only be provided by Astun Technology.

12 Increase in Circuit Bandwidth for ICT at a cost of £13,200 for 3 years with BT

- 12.1 Cleveland Police currently have their circuits with BT, one of the circuits had insufficient bandwidth for the activity on the site and therefore causing operational issues.
- 12.2 A decision was made to increase the circuit bandwidth to accommodate the activity. This is proprietary as the circuit was already under contract with BT and therefore only BT can increase the circuit capacity.

13 Annual Renewal of Employee Relations System for People Services at a cost of £13,422 for 1 year with Allocate Software

- 13.1 The employee relations team utilise a case tracker system to ensure that the records of all cases requiring the input of the Employee Relations Team are recorded in one place and in a consistent manner.
- 13.2 The Force is currently working on an Oracle Optimisation project and case tracking is being considered as part of this project, therefore a 12 month extension to the contract is required to enable the project to identify whether Oracle can be used or if a separate Procurement Exercise is required.

14 Annual Renewal of Support for Jupiter Recorders for Fleet Management at a cost of £34,266 for 1 year with RSG

- 14.1 Jupiter Recorders are in the majority of the Police Fleet and record journey and accident data. The data held in these boxes is downloaded in the event of a Police vehicle incident to inform the investigation.
- 14.2 In order to ensure that the Jupiter boxes are supported and calibrated in line with the maintenance schedule an annual support charge is required. RSG are the sole provider of the Jupiter Data Recorder and therefore the support is proprietary.

15 CSI Co-ordinators Training for Scenes of Crime at a cost of £26,100 for 6 Courses at the University of Lancashire

- 15.1 The CSI Co-ordinators courses were previously provided by the College of Policing. The College of Policing made a decision to stop delivering this essential training.
- 15.2 The number of providers across the country is small, however Lancashire University have been identified as the most appropriate training due to their offering and the facilities which are accredited and are the chosen provider across the country for this training as a result of this accredited training.

16 Purchase of TruNarc Drug Analyser for Project adder at a cost of £25,804.15 from Hazmat Link

- 16.1 The Home office have provided funding for Project Adder. As part of the Project it has been identified that a Drug Analyser would assist the investigative process by allowing Officers to identify substances on the day of investigation allowing officers to charge or remand.
- 16.2 The TruNark device is a mobile device which can be taken to a scene to analyse substances. This device is the only device on the market which uses technology so that the evidence does not need to be opened or interfered with, therefore reducing contamination or loss of forensic evidence and therefore this is proprietary.

Exceptional Situation – Operational Emergency

17. Purchase of Dog Training Vehicle for Fleet Management at a cost of £16,499 from Lookers Teesside

- 17.1 Following the end of the Dog Section Collaboration with Durham and North Yorkshire a training vehicle was required to transport dogs when training. These vehicles are generally larger vans with the ability to transport multiple dogs. A temporary vehicle was provided to the Dog Support Unit whilst a vehicle was purchased, however this did not fully meet the needs of the unit and therefore was placed on the Strategic Risk Register.
- 17.2 Delays due to Covid on the award of the National contracts for the purchase of vehicles and the International supply chain issues on semi-conductors used in all vehicles has resulting in long lead times for new vehicles. A decision was made to purchase a used vehicle to provide a suitable vehicle quickly and reduce the risk to the organisation.
- 17.3 The Fleet Team made enquiries with local dealers and a suitable vehicle was identified and purchased with a local provider.

18. Vehicle Conversion Services for Fleet Management at a cost of £11,982.43 from Press Fab

- 18.1 The vehicle mentioned in exemption 19 required conversion into a dog training vehicle which included fitting out with dog cages and air conditioning etc to meet DEFRA guidelines.
- 18.2 Investigation with local Forces whom normally carry out vehicle conversion work identified a lack of capacity to take on additional work due to staff shortages as a result of the COVID Pandemic and the difficulty they are experiencing filling vehicle technician roles when recruiting.

18.3 As a result of the recording of the strategic risk and the urgent need to have this vehicle operationally ready, Fleet Management made further enquiries with converters. Press Fab had a conversion slot available to be able to carry out the work quickly..

19. Purchase of Body Armour for CDOSU at a cost of £21,999.70 from Mehler.

19.1 The National Body Armour Contract expired in 2016 and a decision has been made that it will not be retendered as all future body armour should be procured through the National Uniform Managed Service (NUMS).

19.2 Prior to the end of the Framework investigations were made to purchase body armour through NUMS however the armour currently in use by Cleveland would not be provisioned for under NUMS. Prior to the end of the framework the College of Applied Science and Technology (CAST) announced that they were reviewing the standards for body armour, therefore until the review had been conducted and a new standard of armour is available it is not practical to introduce another armour type into Force.

19.3 As a result Cleveland Police in line with the framework terms raised a blanket order to cover their body armour needs for the next 12 months until the new standards were due to become available.

19.4 Unfortunately CAST delayed the introduction of the new standard and there wasn't any armour quantity left on the blanket order. Whilst the new standards are now available, suppliers in the market are still developing solutions to meet these new standards, due to COVID-19 a number of large national procurements have been put on hold and Cleveland have a requirement to equip Officers with Armour.

19.5 Bluelight Commercial have commenced a procurement exercise for Body Armour and the contract is hoped to be delivered in 2022.

Appendix 2 –Procurement Performance

- The PCC has 310 live contracts
- In the Period September 2021 to February 2022, 46 of these contracts were extended
 - 42 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.
 - 4 were extended via an exception to contract standing orders and have been reported to the Audit Committee in the report submitted in March 22 and Appendix 1 of this report
- 11 Tenders or Further Competitions were carried out during the period September 21 – February 22.

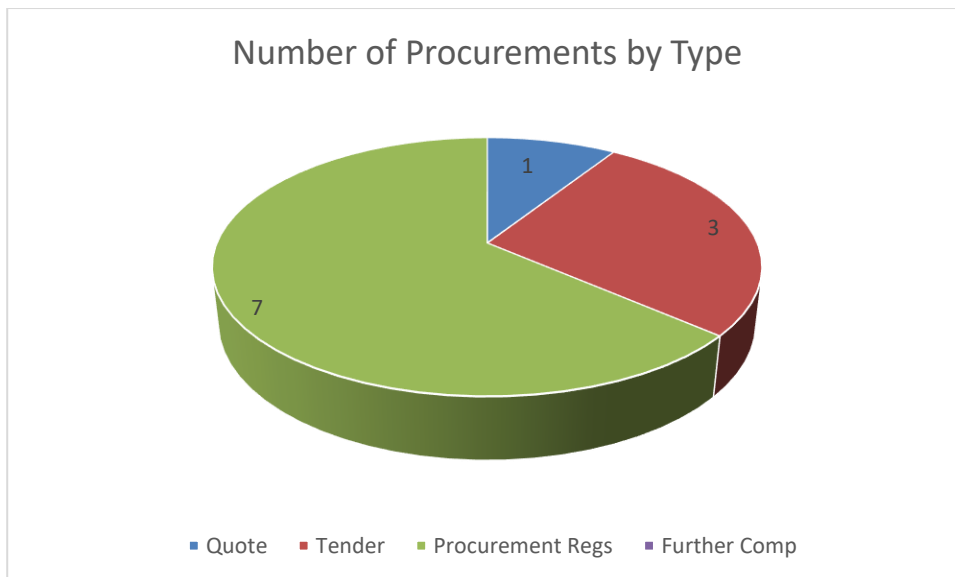


Chart 1 – Split of Procedure Type

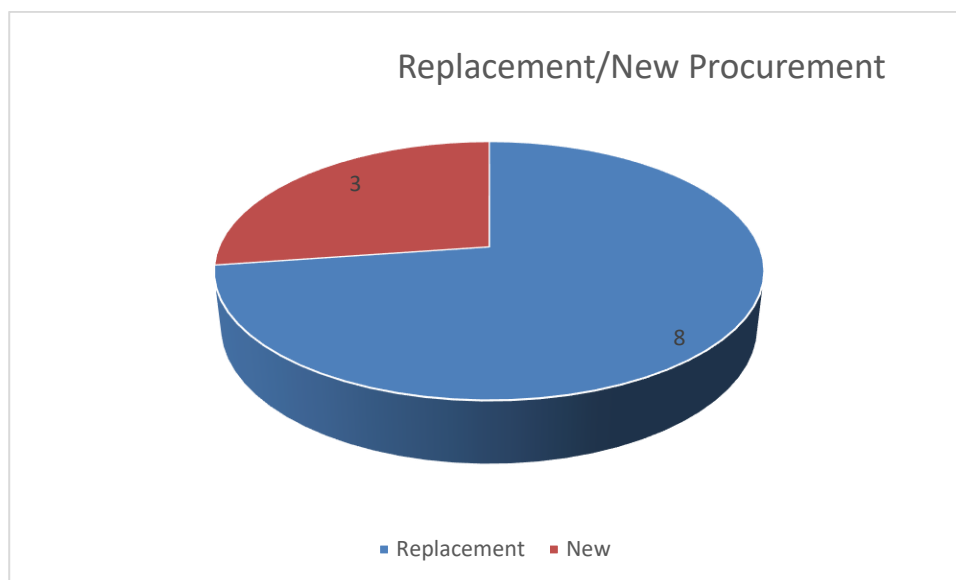


Chart 2 – Split of New Requirement/Re-Procure Existing Contract

Key Contracts Awarded

Title	Summary	Benefits
Reporting Application	One of the PCC's main deliverables within his manifesto was to deliver a reporting application.	Additional route for members of the community to report crime etc. Following a procurement exercise a Local SME was awarded the contract.
Employee Engagement Services	Services and a tool to enable the Force to engage with staff	This tool will enable the Force to engage with staff on a regular basis and improve the engagement.
Youth Services	Provision of Targeted Detach Youth Services	This contract formalises the previous Youth Services grants. Each Local Authority area has a dedicated contract which targets youth services in areas of need.

Savings

Procurement Savings Year to Date 2021/222 (April-February) are £304,125

Social Value

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



This infographic provides an overview of the commitments and actions being taken by our suppliers to deliver social value at an organisational level. As a force we have provided suppliers with a free Social Value Action Planning Tool, which helps plan and communicate their progress on a number of critical social value considerations.

Number of action plans: 159

82%

of businesses are SMEs

30%

have a named person responsible for Social Value

2%

are classed as a VCSE

71%

are aware of the Sustainable Development Goals

36%

are committed to responding to the climate emergency

44%

have undertaken a carbon footprint

Climate Emergency and the Pathway to Net Zero

40%

have committed to achieving carbon reduction certification

26%

have committed to producing a pathway to Net Zero

33%

are committed to supporting crime reduction activities

33%

are committed to supporting the homeless within the community

Community Contribution

33%

are committed to supporting the vulnerable in the community

35%

are committed to developing a volunteering programme

99%

are aware of modern slavery

65%

have made a public commitment to respond to modern slavery in their supply chains

Modern Slavery

36%

have selected modern slavery as an issue they need to manage

36%

have committed to providing Modern Slavery training to staff

15%

of businesses are female owned or led

26%

report on board or senior level diversity

Equality and Diversity

16%

publish pay gap information

43%

are committed to employing people from disadvantaged groups

Quotes from suppliers

We have recently opened an on-site Gym as well as run a successful health & wellbeing programme that includes nutrition advice, fitness classes, exercise competitions etc.

We currently offer staff a working from home allowance to encourage remote working and reduce the need to travel into the office. We have invested in laptops and our IT infrastructure to ensure our data is secure and our staff can work remotely from any location. We offer a cycle to work and discount on technology scheme.

Top 5 issues selected

Issue	Selection Rate
Improving staff wellbeing and mental health is important to us	65%
We are keen to communicate with our customers	65%
Our goods (or our people) travel	63%
We keep up to date with new technology or approaches to working so we can identify innovation or gains in efficiencies	63%
We are always looking for ways to win new business	61%
Understand the travel impacts of your business	16%

Top 5 completed actions

- 1** Publish a Modern Slavery statement
- 2** Offer sustainable travel options
- 3** Develop an environmental or sustainability policy
- 4** Provide access to resources which support wellness and strong mental health
- 5** Guarantee suppliers a payment date (within 30 days)