

<b>WEST MIDLANDS POLICE AND CRIME COMMISSIONER</b>		<b>NON-CONFIDENTIAL</b>  <b>NOTICE OF DECISION</b>  <b>006/2013</b>
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<b>Title   Impact of Technology Task Force decision 005/2013 on existing contracts and procurements</b>		
<b><u>EXECUTIVE SUMMARY</u></b>		
<p>This Report considers the impact of the decision (WMPCC 005/2013) taken by the Commissioner on the recommendations of the Technology Task Force on whether the decision results in the selected option falling outside of the legal parameters of the Notice in the Official Journal of the European Union (OJEU number 2012/S 15-024070) requiring the notice to be abandoned. In addition whether there is an associated consequence that the contractual arrangements with external legal advisers are also ended to coincide with the ending of any procurement activities associated with the Notice.</p>		
<b><u>DECISION</u></b>		
<ol style="list-style-type: none"> <li>1.       That the current procurement (OJEU Notice number: 2012/S 15-024070) will be abandoned with immediate effect in accordance with paragraph 1.1 of the pre-qualification questionnaire.</li> <li>2.       That a notice shall be submitted to the Official Journal of the European Union confirming such abandonment.</li> <li>3.       That notice is given under the contractual arrangements with the external legal advisers to take effect from the ending of any procurement activities associated with the abandonment of the Notice.</li> </ol>		
<b>West Midlands Police and Crime Commissioner</b>		
<p>I confirm that I do not have any disclosable pecuniary interests in this decision and take the decision in compliance with the Code of Conduct for the West Midlands Office for Policing and Crime. Any interests are indicated below.</p>		
<p>Signature.....</p> <p>Date.....</p>		

**NON - CONFIDENTIAL FACTS AND ADVICE TO THE POLICE AND CRIME COMMISSIONER**

Following decision WMPCC 001/2012 of the Commissioner to cease the Business Partnering Programme and establish a Task Force (22 November 2012), the appointed Technology Task Force has considered a range of options including options which would continue with the current OJEU procedure.

Given the strategic importance of the decision a full review has been carried out by the Technology Task Force in accordance with the terms of reference dated 14 December 2012 and agreed by the Commissioner in decision WMPCC 007 2012. .

The Technology Task Force has presented a detailed report to the Commissioner setting out a range of options and a recommendation. Following receipt of the Technology Task Force's report, a decision (WMPCC 005/2013) has been taken to explore further the recommended option arising from such review (Innovation and Integration Partner).

As set out in the Commissioner's previous decision, the Commissioner has decided to explore further the recommended option because it provides:-

- a more focused approach which delivers on a technology driven solution. This reflects the policy of the Commissioner which was that the priority for action should be a technology driven solution which enables police officers and staff to work smarter and achieve radical improvement in service delivered to those at live and work in the West Midlands;
- a solution which ultimately can provide for a wider spread of potential providers (including, public, third and voluntary sector) which will assist in contributing to the economic well-being of the locality;
- the ability to consider on a case by case the areas for development and the manner in which they are developed giving the Commissioner the ability to deliver incremental improvements under an ongoing review process. This will maximise the success of the changes delivered;
- a solution which makes the best use of the skills and expertise of the existing workforce with the West Midlands Police force;
- an affordable solution which, in light of recent Comprehensive Spending Review announcements, will provide increased certainty as the project moves forward; and
- a solution which capitalises on the learning to date of the Commissioner and the West Midlands Police force from the current procurement process and the issues considered by the Technology Task Force.

This reflects the change in policy following the Commissioner's appointment to office in November 2012 and the subsequent Technology Task Force report.

This selected option will not fall within the legal parameters (ie scope and value) of the current OJEU procedure so the current OJEU procedure will be abandoned in accordance with paragraph 1.1 of the pre-qualification questionnaire ("PQQ").

All bidders that satisfied the PQQ requirements of the current procurement will be notified of

the decision to abandon the procurement as soon as reasonably practicable following the Commissioner's decision and a notice will be published in the OJEU.

**FINANCIAL IMPLICATIONS**

There will be a small cost associated with the publication of the notice of abandonment in the European Journal. Payments will be made to the external legal advisers in accordance with the contractual arrangements.

**LEGAL IMPLICATIONS**

The Commissioner has been provided with legal advice relating to the options explored in the Technology Task Force Report and advice in relation to the abandonment of the OJEU notice. This advice is legally privileged.

**EQUALITY IMPLICATIONS**

There are no direct equalities implications in the making of this decision.

**Schedule of Background Papers**

Report of the Technology Task Force as contained in WMPCC 005/2013

**Public Access to Information**

Information contained in this decision is subject to the Freedom of Information Act 2000 and other legislation. This decision will be made available on the Commissioner's website.