National Audit Office

The National Law Enforcement Data Programme

Home Office

REPORT

by the Comptroller and Auditor General

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The National Law Enforcement Data Programme

Home Office

Report by the Comptroller and Auditor General

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Gareth Davies
Comptroller and Auditor General
National Audit Office

20 August 2021

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Key facts

5 years

The Home Office's current forecast of the delay to the full delivery of the new National Law Enforcement Data Service (NLEDS)

68%

The Home Office's estimate of the increase in the total cost of replacing the Police National Computer (PNC) with NLEDS and continuing to run the Police National Database (PND), from £671 million to £1.1 billion

143m

Number of transactions (searches and updates) carried out on the PNC in 2019-20

1974	year the PNC was introduced
99.74%	average availability of the PNC, excluding outages on systems run by the police, between 1 January 2020 and 31 March 2021
172	total number of organisations with access to the PNC
2025-26	date that the Home Office expects NLEDS to come into full service
December 2024	date that the PNC becomes unsupported in its current configuration
£21 million	annual cost of continuing to run the PNC until it is replaced
£17 million	expected annual cost to run NLEDS, once it is ready
£13 million	annual cost of continuing to run the PND that NLEDS is no longer replacing

Summary

1 The Home Office (the Department) manages two police information and communication technology (ICT) systems: the Police National Computer (PNC) and the Police National Database (PND), which both need replacing:

- The PNC is the most important national policing information system in the UK. Since 1974, it has been the main database of criminal records. It is used by front-line officers from all 45 local police forces in the UK to understand who they are interacting with, as well as by 127 other organisations that need to access the data it holds. In 2019-20, the police searched or updated the PNC 133 million times, 93% of the total 143 million searches or updates.
- The PND was introduced in 2011 following the Bichard Inquiry in 2004, which criticised police information-sharing and recommended that a national intelligence-sharing system be created. The PND makes more than 4 billion pieces of police intelligence available to licensed users in police forces and 18 other organisations.

2 The Department's programme to develop the National Law Enforcement Data Service (NLEDS) was launched in 2016 to replace the PNC and the PND, which are reaching the end of their useful lives, and to enable the combined data to be linked to other systems. The programme is run by the Department with support from contractors, which have included BAE Systems, IBM and others.

3 In 2020, following increasing costs, delays and significant police concerns that the programme was not meeting their expectations, the Department decided to reset it. The Department removed the PND from the programme's scope, adopted a new approach to delivering technology and set out its intention for the police to take a greater role in the programme's development. The Department has extended contracts to maintain the PNC and the PND, and expects NLEDS to fully replace the PNC by 2025-26.

4 This report assesses the Department's progress in delivering the NLEDS programme by 2020 (Part One), the need for the 2020 reset of the programme (Part Two) and the way forward (Part Three). Our audit approach and methodology are described in Appendices One and Two.

Key findings

The Department's progress in delivering the NLEDS programme by 2020

5 Five years after the Department established the NLEDS programme in 2016, the programme is already overdue, has yet to deliver the expected services and the total costs to the Department have increased by 68% to £1.1 billion. The Department set up the programme to ensure business continuity by replacing the PNC and the PND, reduce costs, enable more innovative use of data and introduce a flexible system at the cost of £671 million. By 2020, when the Department decided to reset the programme, only part of the technology had been completed and an external review found that the system being constructed would be difficult to maintain and adapt, and included a component that was already obsolete. The Department told us that it had a high degree of confidence that a large proportion of the work produced before the programme reset could be reused. Under current plans, which are yet to be confirmed, the programme is not expected to deliver a service equivalent to the current PNC until 2025-26, more than five years later than its original planned delivery date of 2020. The Department expects that the new system will cost £17 million a year to run, less than the £21 million annual running cost of the PNC (paragraphs 1.6 to 1.7, 2.17, 2.20 to 2.25, Figure 7, 3.2 and 3.13).

6 The PNC, which NLEDS will replace, is vital to the everyday work of the police but is reaching the end of its life. Launched in 1974, the PNC is the primary database of UK criminal records, containing information about some 13 million people, 64 million vehicle records, plus driving licence-holders in England, Scotland and Wales. The police use data from the PNC when responding to an incident or during an investigation. It is considered part of the UK's Critical National Infrastructure and is used by 172 organisations, including police forces. While generally reliable, the PNC is based on obsolescent technology that makes it expensive to operate and difficult to update, with a shortage of staff with the necessary skills (paragraphs 1.2 to 1.4, 1.7, 3.4, 3.7 to 3.8 and Figures 1 and 2).

7 The Department intended that the NLEDS programme would combine the PNC with the PND, which was over-optimistic given the time originally available, but has now decided that NLEDS will focus on replacing the PNC alone. The PND enables police forces to share intelligence that they have gathered locally. It was created in 2011 following the 2004 Bichard Inquiry prompted by the murder of two girls in Soham, Cambridgeshire, which criticised police information-sharing. In December 2020, the Department removed the PND from the scope of the NLEDS programme and it will now be maintained as a standalone system until 2031. The Department currently estimates that a refresh of the most critical elements of the PND will cost at least £13 million between 2021 and 2025 (paragraphs 1.5, 1.7, 1.13, 2.21 and 3.10 to 3.11).

The need for the 2020 reset of the programme

8 There have been multiple causes for the NLEDS programme's poor performance in its first five years. An external programme review commissioned by the Department in 2020 found that, if the programme continued as it was, it would be late, difficult and costly to roll out and maintain, and it would not meet the needs of the police. The causes of delay have included uncertainty around the scope of the requirements, de-prioritisation of funding relative to other programmes, changes in technical approach, lack of commercial strategy and shortcomings in programme management and governance (paragraphs 1.12 to 1.15 and 2.2 to 2.22).

9 The Department and the police have not had a consistent shared understanding of the intended outcomes of the NLEDS programme. It has not been clear whether the programme aims to replace the functions of current ageing systems or to introduce enhanced capabilities for police and other users. The focus of the programme has changed several times (paragraphs 2.2 to 2.3).

10 Despite NLEDS' importance to front-line police, the Department has not prioritised its funding relative to other law enforcement ICT programmes. The Department chose to prioritise for funding in preference to NLEDS, other major police programmes which were also delayed and increasing in cost. In 2019, the NLEDS business case noted that the larger Emergency Services Network programme and the smaller National Automatic Number Plate Recognition Service programme were both being prioritised over NLEDS. In every annual business case (2016 to 2019) the programme reported short-term funding shortfalls of up to £57 million. As a result of NLEDS delays, the police and other users will be required to fund £443 million (97%) of the increase in cost of the NLEDS programme and the extension of existing systems until NLEDS is delivered (paragraphs 2.5 to 2.7, 2.25 and Figure 3).

11 The Department changed several fundamental aspects of the NLEDS technology as the programme progressed, resulting in additional work and expenditure. The programme has switched its focus from replacing the PND and then the PNC to only replacing the PNC. Some suppliers and programme staff told us that there had been multiple changes of technical design, driven by differing advice as to what was state of the art. The Department's decision to put data into the cloud meant that 82 security controls had to be designed and agreed, which took nine months. The programme found it harder than expected to transform data from the PNC to fit the data model used in the PND and proposed for the new system (paragraphs 2.17 to 2.22 and Figures 5 and 6).

12 The Department's management of the NLEDS programme team, including multiple contractual relationships, produced a bureaucratic culture and inefficient development process. The 2020 external programme review concluded that the programme was oversized, poorly structured and inefficient. It found that the Department was not taking ownership of the technical development work and was overly dependent on contractors filling leadership roles, reducing its own control of the programme. The use of contracts based on fixed daily rates for most work exposed the Department to increased risks and did not incentivise improved supplier performance (paragraphs 2.10 and 2.14 to 2.16).

13 As a result of this delivery failure, during 2019 and early 2020, the Department attempted to reset the programme and commissioned several independent reviews. The Department began its first reset of NLEDS in early 2019. It also carried out reviews of the technical scope in 2019 and July 2020, and commissioned the external programme review of the programme's overall deliverability in November 2020 (paragraphs 1.13 to 1.15, 2.4 and 2.13).

14 By autumn 2020, the police had lost confidence in the programme and, in response, the Department began a second 'reset', which is still being implemented. Senior policing stakeholders lost confidence in the Department's ability to deliver a range of law enforcement technology programmes, including NLEDS, formally raising their concerns with the Department's Permanent Secretary. In response, the Department appointed a new Senior Responsible Owner, restructured the programme team and developed a new business case and delivery approach for the programme. In 2021, the Department provided the programme with interim funding to start implementing the reset, but this funding only lasts until March 2022 (paragraphs 1.14 to 1.15, 2.4, 2.7 to 2.8, 3.12 to 3.14 and 3.18).

The way forward for the NLEDS programme

15 The Department's failure to deliver NLEDS to date means that the increasingly fragile PNC system has not been replaced, bringing greater risks for police operations and requiring the police to bear more cost. Delays to NLEDS mean that the Department must continue to run existing systems, at a cost of £21 million per year for the PNC and £13 million for the PND. Between 1 January 2020 and 31 March 2021, excluding outages on systems run by the police, the PNC's availability was 99.74%, exceeding the Department's target of 99.65%. However, in January 2021, the PNC experienced a data loss affecting 112,697 person records. The Department's efforts to recover the data lost were made more difficult by the ageing technology on which the PNC is based. Continuing to run the PNC also creates regulatory risk, because current police policy is to retain some data in the PNC until the person it relates to is 100 years old. The Information Commissioner's Office (ICO) views the blanket application of a 100-year retention policy as risking being disproportionate in some instances (paragraphs 1.2 to 1.3, 2.24 and 3.2 to 3.9 and Figure 8).

16 The Department cannot yet guarantee to the police that a replacement system will be in place in December 2024, when the PNC's current technology will no longer be supported. As of April 2021, the Department had only 'moderate confidence' in its new plans and did not have a programme plan assuring delivery by 2025-26. The Department told us that it had decided to accept the risk of running the PNC without support for the database after 2024. If there are further delays to the NLEDS programme, the Department may also need to migrate the PNC to a new operating system, which could take three years and cost at least £30 million. The Department told us in June 2021 that it had increased confidence in the deliverability of the programme (paragraphs 3.5, 3.13 and 3.18).

17 The operational independence of UK police forces is a key challenge for the Department's implementation of national law enforcement programmes such as NLEDS. UK police forces are independent of central government, which means that the Department does not generally direct the police to accept a particular ICT system or way of working. Each police force is responsible for establishing what local ICT systems it requires, and then procuring and maintaining them. There are no police bodies that can run major national programmes on behalf of all forces. The police ICT landscape is complex, and transition to NLEDS cannot be achieved just through deploying new technology. It will require the police to adapt their systems and business practices (paragraphs 1.8 to 1.10 and 3.23 to 3.26).

18 The Department recognises the importance of regaining the confidence of the police but it is too early to assess the results of its new approach. The programme team has sought to rebuild stakeholder confidence that it can deliver and to work more collaboratively with the police. To better align the programme with police requirements, a new 'product owner' approach has been adopted, which embeds a police representative within a development team to agree on priorities and make decisions on behalf of police users. The programme's senior police stakeholders expressed increasing confidence in the programme's developing delivery plans (paragraphs 3.15 to 3.18).

Conclusion on value for money

19 Between 2016 and 2020, the Department did not achieve value for money against its plans to deliver NLEDS. The Department did not deliver the programme by its original timetable of 2020. This meant that the police and other public organisations had to continue to use legacy systems, which limits their ability to deliver crucial national requirements, including aspects of public safety. The delay has meant additional costs for the Department, the police and other users, to maintain legacy systems alongside the development of the new service. It is not yet clear how much of the work done prior to 2020 can be reused under the programme's new approach and how much has been wasted.

20 The Department believes that its decision in 2020 to reset the programme will provide a more realistic approach to delivery. The Department is still developing its plans and these do not yet set out the full range of services that will be delivered for the police or when they will be available. The Department has not yet demonstrated that the NLEDS programme will be able to replace the PNC's capabilities by December 2024 and it now plans to run this part of the Critical National Infrastructure using a database without full support for at least a year. The Department, therefore, still faces significant risks in delivering the reduced scope, particularly around police engagement, and many practical challenges remain.

Recommendations

21 The Department should:

a Clarify immediately the respective roles and responsibilities of the Home Office and the police for delivery of the new service, particularly on decision-making authority at key stages.

b Agree a revised business case for the programme that covers its whole lifecycle, with central government stakeholders and funders including the police.

c Set out a clear programme plan, including delivering the first product to the police during 2021, and outline plans beyond that which demonstrate how NLEDS will replace the PNC's capabilities in the time required (by 2025-26). It should also include the key dependencies for the programme's delivery, particularly how police forces will transition from the PNC to NLEDS.

d Produce plans setting out how it will guarantee a continuing PNC service that the police can rely on until NLEDS is ready, including a full assessment of the risks of continuing to run the PNC and contingency plans for failure. This plan should include a review point at which the decision to replace the PNC's operating system can be taken promptly.

e Monitor its technical capability and skills to deliver the programme, and urgently address any shortfalls.

f In procuring new suppliers, consider carefully the balance of risks and incentives between the Department and suppliers, and how it will integrate the work of different suppliers, in order to deliver the new services to an assured timetable.