

DMPC Decision – PCD 934

Title: Community Sentence Treatment Requirements – South London Pilot Expansion and Evaluation

Executive Summary:

The national Community Sentence Treatment Requirements (CSTR) programme is being tested in South London. Long Term Plan Funding made available to NHSE/I Health and Justice London provides the opportunity to expand the scope of this pilot.

The expanded South London pilot will be evaluated by the Institute for Public Safety, Crime and Justice at the University of Northampton as part of a multi-site evaluation.

Recommendation:

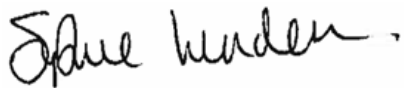
The Deputy Mayor for Policing and Crime is recommended to approve the acceptance of £80,000 funding from NHSE/I Health and Justice London for the expansion of the South London CSTR Pilot, and the provision of £20,000 funding to the University of Northampton for the evaluation of the expanded pilot.

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 19/03/2021

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

1. Introduction and background

- 1.1. The South London CSTR pilot is being delivered for eligible women resident in 6 boroughs: Croydon, Lambeth, Lewisham, Southwark, Sutton and Wandsworth. Delivery began on 17th February 2020 and will continue until 31st March 2022.
- 1.2. Following a competitive tender, the commissioned provider of mental health assessments and treatment is St Andrew's Healthcare.
- 1.3. NHSE/I Health and Justice London have been allocated £80,000 to begin working towards rollout of the national CSTR programme. It has been proposed that this funding be provided to MOPAC to expand the current pilot to a wider geographical area.
- 1.4. The Project Group, consisting of key stakeholders, has agreed to pursue expansion to eligible women in the whole of South London, following consideration of the volumes and cost implications. This would include residents from Bexley, Bromley, Greenwich, Kingston, Merton and Richmond.
- 1.5. This pilot expansion would be delivered for a period of 12 months from April 2021 to March 2022, aligning with the end of the current pilot.
- 1.6. The Institute for Public Safety, Crime and Justice at the University of Northampton are undertaking a multi-site evaluation for regions testing the national CSTR programme and have offered to include the South London pilot at a cost of £20,000.

2. Issues for consideration

- 2.1. The key benefit realised from this extension of the current pilot will be that more women in London are able to access mental health treatment in the community, which evidence has shown has a positive impact not only on wellbeing, but also on reoffending rates.
- 2.2. This expansion would also support any future rollout of the national CSTR programme.
- 2.3. Evaluation by the Institute for Public Safety, Crime and Justice provides a unique opportunity to achieve both consistency of approach in methodology and presentation nationally, as well as economies in cost.

3. Financial Comments

- 3.1. MOPAC requests approval to accept a one-off funding of £80,000 from NHSE/I Health and Justice London through a Memorandum of Understanding. The funding will

support the expansion programme of Community Sentence Treatment Requirements (CSTR) pilot in 2021-22.

- 3.2. The grant award will require a contract variation to the existing CSTR contract with St Andrew's Healthcare, which started on 17th February 2020 and runs until 31st March 2022. Current contract value including set up cost is £290,187; the uplift to this contract is estimated at £79,250 to support staffing resource in 2021-22.
- 3.3. This contract value uplift will be paid directly from NHSE/I Health £80,000 funding contribution for the rollout of the national CSTR programme. Full terms and conditions for contract management and payment will be set out in a contract variation letter to St Andrews Healthcare.
- 3.4. MOPAC budget allocation for CSTR is noted within 2021-22 Mayoral Funds at £142,000 and includes £20,000 for CSTR evaluation reports which is managed under a separate contractual arrangement with the University of Northampton as part of their multi-site evaluation.
- 3.5. There are no budget risks regarding this contract variation for the 12 months to March 2022.

4. Legal Comments

- 4.1. Under MOPAC's general powers are set out in the Police Reform and Social Responsibility Act 2011 (the 2011 Act). Section 3(6) of the 2011 Act provides that MOPAC must "secure the maintenance of the metropolitan police service and secure that the metropolitan police service is efficient and effective." Under Schedule 3, paragraph 7 (1) MOPAC has wide incidental powers to "do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of the Office." Paragraph 7(2) (a) provides that this includes entering into contracts and other agreements.
- 4.2. There are further relevant powers set out in the Crime and Disorder Act 1998 at sections 17(1) (a) to (c) which place MOPAC under a duty to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all it can to prevent, crime and disorder (including anti-social and other behaviour adversely affecting the local environment), reoffending in its area, and the misuse of drugs, alcohol and other substances in its area. The proposed arrangements are consistent with MOPAC's duties in the Crime and Disorder Act 1998.
- 4.3. Further to section 143 of the Anti Social Behaviour, Crime and Policing Act 2014 MOPAC can also provide services that secure, or contribute to securing, crime and disorder reduction in the body's area.
- 4.4. Under MOPAC's Scheme of Delegation, approval of inward MOPAC donations and sponsorship above £50,000 rests with the DMPC, as in paragraph 4.8.

- 4.5. The delegation of responsibility for the finalisation of planning and contractual/grant arrangements, including relevant terms and the signing of agreements, to the Chief Operating Officer is in accordance with the general power of delegation in paragraph 1.7.
- 4.6. Officers must ensure the Financial Regulations and Contract Regulations are complied with.
- 4.7. Officers should ensure that the funding agreements are put in place with and executed by MOPAC and each of the providers before any commitment to fund is made. MOPAC makes no commitment to fund the pilot expansion or evaluation until this time, and these agreements will detail the performance and payment schedules.
- 4.8. Officers confirm that sufficient assurance has been carried out to this decision to determine that the DMPC has legal authority to agree the recommendations.

5. Commercial Comments

- 5.1. There are no procurement issues with the recommendation to extend the current pilot, as the value of the contract with St Andrew's Healthcare is not being increased by more than 50% of the current value.
- 5.2. Furthermore, besides the scope expansion, the only change to the service specification will be regarding data reporting, which has been required by the national CSTR Board and is not locally determined.
- 5.3. MOPAC has not undertaken a competitive tender for evaluation. The allocated evaluation budget was assigned to the Evidence & Insight Team for delivery, however the multi-site evaluation provided by the University of Northampton presents a unique opportunity which cannot be offered by any other provider.
- 5.4. Should MOPAC not make use of this opportunity, the primary risk would be inconsistency of evaluation methodology and presentation with other sites, which could make it more difficult to evidence effectiveness and compare delivery models. There would also be no ability to deliver rolling 6-monthly reports.

6. GDPR and Data Privacy

- 6.1. The South London CSTR pilot uses personally identifiable data for members of the public. St Andrew's Healthcare remains the primary data controller. MOPAC is the commissioner and controller for evaluation purposes only.
- 6.2. The contract with St Andrew's Healthcare contains standard clauses regarding GDPR compliance.

- 6.3. The University of Northampton confirms that processing of personal data, including special category data, will be handled in a lawful manner. Such processing of data as required by the research, including criminal conviction data, is confirmed as being lawful under GDPR Article 89(1).
- 6.4. The processing is in the public interest, has due regard for the rights and freedoms of data subjects and will be stored and processed in a secure manner. Where possible data minimisation and pseudonymisation of data will be used to stop identification of individuals in any reports and during the construction of any such documents.
- 6.5. Additionally, the processing is lawful under The Data Protection Act 2018 Section 19(1)(b) and (c) as it is highly unlikely to cause a data subject substantial damage or distress. The lawfulness of the processing is further confirmed by DPA 2018 Schedule 1 Part 1 paragraph 4.
- 6.6. A Data Protection Impact Assessment will be completed as regards the evaluation.

7. Equality Comments

- 7.1. MOPAC is required to comply with the public sector equality duty set out in section 149(1) of the Equality Act 2010. This requires MOPAC to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations by reference to people with protected characteristics. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.2. An equalities impact assessment has been undertaken for this pilot, and will be reviewed and refreshed at the next partnership meeting.

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: N/A

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 – NO

ORIGINATING OFFICER DECLARATION	<i>Tick to confirm statement (✓)</i>
Financial Advice The Strategic Finance and Resource Management Team has been consulted on this proposal.	✓
Legal Advice Legal advice is not required.	✓
Equalities Advice: Equality and diversity issues are covered in the body of the report.	✓
Public Health Approach Due diligence has been given to determine whether the programme sits within the Violence Reduction Unit's public approach to reducing violence.	✓
Commercial Issues The Contract Management Team has been consulted on the commercial issues within this report. The proposal is in keeping with the GLA Group Responsible Procurement Policy.	✓
GDPR/Data Privacy <ul style="list-style-type: none"> • GDPR compliance issues are covered in the body of the report and the Data Protection Officer has been consulted on the GDPR issues within this report. • A DPIA will be completed before delivery of the evaluation. 	✓
Director/Head of Service The Head of Policy and Commissioning 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 18/03/2021