

DMPC Decision – PCD 1015

Title: Approval to award a contract to conduct Police Complaint Reviews

Executive Summary:

The MOPAC Police Complaint Reviews Team (CRT) are responsible for the assessment of reviews submitted by members of the public dissatisfied at the outcome of the complaints made against the Metropolitan Police Service (MPS).

The CRT was modelled on the existing demand previously received by the MPS. The workload for the team was impossible to predict due to the role and legislation being new in 2020. The recent workload has exceeded expectations and an intervention is necessary to keep pace with the large volume of work. The increase in the volume of complaints and subsequent reviews has been experienced across the country.

It is a statutory requirement for MOPAC to conduct reviews of complaints against the Metropolitan Police. Entering into this contract will enable those reviews to be completed more efficiently and effectively without recruiting more permanent staff.

Approval is sought to spend up to £150,000 in 2021/22 from MOPAC Strategy approved budget and to enter into a contract with Sancus Solutions, the only provider of this service nationally to complete police complaint reviews.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

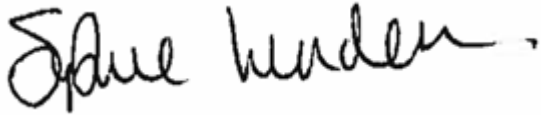
1. Approve the investment of up to £150,000 in 2021/22 to respond to the increase in demand of Police Complaint Reviews, from agreed MOPAC Strategy budget.
2. Approve the direct award of a contract, up to a value of £150,000, to Sancus Solutions to conduct Police Complaint Reviews.

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

A handwritten signature in black ink that reads "Edue Henderson". The signature is written in a cursive style with a horizontal line underneath the name.

Date

7/10/2021

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

1. Introduction and background

- 1.1. The MOPAC Police Complaint Reviews Team (CRT) are responsible for the assessment of reviews submitted by members of the public dissatisfied at the outcome of the complaints made against the Metropolitan Police Service (MPS).
- 1.2. The CRT was modelled on the existing 'appeals' demand previously received by the MPS. There are a total of seven members of MOPAC staff within the CRT. The workload for the team was impossible to predict due to the role and legislation being new in 2020. However, the volume has exceeded expectations and therefore further support is required. The increase in the volume of complaints and reviews has been experienced across the country.

2. Issues for consideration

- 2.1. Since October 2020 the team the CRT are consistently receiving 70 - 85 review requests per month. Initially it was felt this may reduce, as there are historically peaks in demand following significant events e.g. Protests. However, this trend has maintained. Whilst the CRT has been able to improve the completion of reviews following planned recruitment in January 2021, it is not sufficient to meet demand. Working at full strength, the CRT complete approximately 35 – 50 per month of legislatively compliant reviews.
- 2.2. It is a statutory requirement for MOPAC to conduct reviews of complaints against the Metropolitan Police. There is no statutory time limit to review a complaint and therefore MOPAC is currently meeting its statutory obligations, however, the delay in responses is not felt acceptable to meet MOPAC's commitment to deliver an effective service to the public.
- 2.3. Appointing this National provider, utilising their specialist knowledge and expertise to immediately clear the backlog, with payment on a per review basis, will ensure strong control of the costs. Entering into this contract will enable those reviews to be completed more efficiently and effectively without recruiting more permanent staff.
- 2.4. It is envisaged to take six to nine months to reduce the backlog to an acceptable level, recognising that reviews will continue to be received. This contract will be reviewed before the end of 2021/22, to consider whether an ongoing call off contract is required or further recruitment to the CRT is more appropriate or reviews demand has reduced sufficiently.

3. Financial Comments

- 3.1. MOPAC Strategy budget has made provision for £150,000 in 2021/22 to deal with the backlog of complaint reviews.

- 3.2. Approval is sought for a maximum spend of £150,000. The contract is based on payment for complete reviews only, therefore Sancus Solutions will only be paid for the reviews they complete to MOPAC required standard. This will be paid on a monthly basis, therefore spend can be closely monitored.
- 3.3. It is planned to take six to nine months to clear the backlog, within the total financial spend of £150,000.
- 3.4. Further detail on contract arrangements is outlined within the restricted report.

4. Legal Comments

- 4.1. Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime (DMPC) has delegated authority to approve all contract exemptions for £100,000 or above.
- 4.2. The Police and Crime Act 2017 gave Police and Crime Commissioners the statutory responsibility to conduct complaint reviews, the specific provisions were commenced in February 2020.

5. Commercial Issues

- 5.1. The Mayor's Office for Policing Crime is a contracting authority as defined in the Public Contracts Regulations 2015 ("the Regulations"). All awards of public contracts for goods and/or services valued at £181,302 or above will be procured in accordance with the Regulations.
- 5.2. This contract is awarded as a direct award to Sancus Solutions as the only provider of this specialist service within the UK. Sancus Solutions conduct complaint reviews for a number of Police and Crime Commissioner's across the country.
- 5.3. The direct award of this contract has been approved by MOPAC's Procurement, Contracts and Grants Oversight Board.

6. GDPR and Data Privacy

- 6.1. The MPS is subject to the requirements and conditions placed on it as a 'State' body to comply with the European Convention of Human Rights and the Data Protection Act (DPA) 2018. Both legislative requirements place an obligation on the MPS to process personal data fairly and lawfully in order to safeguard the rights and freedoms of individuals.

- 6.2. The Data Sharing Agreement between the MPS and MOPAC will be amended to allow this contract arrangement. All GDPR and Data Privacy issues will be addressed within the contract. A DPIA is being completed.

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 the 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. This decision has undergone an initial equality screening. Due regard has been taken to the Equality Act's Public Sector Equality Duty. Real consideration has been taken to assess equality impact caused by the proposed business changes. As a result no positive or negative impact has been identified to any individual and/or group safeguarded by a protected characteristic and those who are not.

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 – YES

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: The legal implications are covered within this report. Specific legal advice has not been sought.	
Equalities Advice: Equality and diversity issues are covered in the body of the report.	
Commercial Issues MOPAC’s Procurement Contracts and Grants Oversight Board have provided advice regarding 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 • A DPIA is not required. 	
Director/Head of Service: The Head of MPS Oversight – Governance & Professionalism 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 3/9/2021**

