

**DMPC Decision – PCD 1368**

**Title: Catering Contract Award Uplift**

**Executive Summary:**

The paper seeks an uplift for the value of the contract awarded for the supply of catering to include the estimated cost of the hospitality function. The annual uplift is estimated at £190,000 which over the potential 5 year term of the contract is £950,000. This cost will be met from within existing MPS budgets.

**Recommendation:**

The Deputy Mayor for Policing and Crime is recommended to:

1. Approve correction of the contract value to include the additional £950,000 (for 3+1+1 years) to allow spend of up to £190,000 per annum for hospitality services.

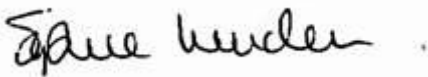
**Deputy Mayor for Policing and Crime**

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 17/02/2023**



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

### **1. Introduction and background**

- 1.1. MOPAC approved the award of contract for the supply of catering services in July 2022, PCD1219. This covered Staff and Officer Dining, Hospitality Services, and Vending services, as well as the Custody Feeding and Operational Feeding services.

### **2. Issues for consideration**

- 2.1. Hospitality services include the provision of catering for training and events for staff, officers and visitors. Due to human error the value of the hospitality services was omitted from the contract award value.

### **3. Financial Comments**

- 3.1. The estimated annual cost of the hospitality services is £190,000 which over a potential 5 year term is £950,000. This cost will be funded from within the existing MPS budget by the respective teams who order the catering.

### **4. Legal Comments**

- 4.1. MPS has confirmed that the procurement process and evaluation included the value of the hospitality service and that there are no procurement law risks arising from this request.
- 4.2. The MOPAC Scheme of Delegation and Consent provides the Deputy Mayor for Policing and Crime ("DMPC") has delegated authority to call in any MPS proposal to award a contract for £500,000 or above (paragraph 4.14).

### **5. GDPR and Data Privacy**

- 5.1. MOPAC will adhere to the Data Protection Act (DPA) 2018 and ensure that any organisations who are commissioned to do work with or on behalf of MOPAC are fully compliant with the policy and understand their GDPR responsibilities.
- 5.2. The MPS assure that this project does not use personally identifiable data of members of the public, so there are no GDPR issues to be considered.

### **6. Equality Comments**

- 6.1. 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.

- 6.2. The MPS assure that there are no significant equality or diversity implications arising from this request to uplift the contract value.

## **7. Background/supporting papers**

- 7.1. Appendix 1 MPS Report – Catering Hospitality

**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:

**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**

*Tick to confirm statement (✓)*

**Financial Advice:**

The Strategic Finance and Resource Management Team has been consulted on this proposal.

✓

**Legal Advice:**

The MPS legal team has been consulted on the proposal.

✓

**Equalities Advice:**

Equality and diversity issues are covered in the body of the report.

✓

**Commercial Issues**

Commercial issues are covered in the body of the report.

✓

**GDPR/Data Privacy**

GDPR compliance issues are covered in the body of the report .

✓

**Drafting Officer**

Alex Anderson has drafted this report in accordance with MOPAC procedures.

✓

**Director/Head of Service:**

The MOPAC Chief Finance Officer and Director of Corporate Services 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 13/02/2023**

Manakuchford.

## Catering Hospitality

MOPAC Investment Advisory & Monitoring meeting 24<sup>th</sup> January 2023

Report by Craig Spencer on behalf of the Marie Heracleous

**Part 1 – This section of the report will be published by MOPAC. It is classified as OFFICIAL – PUBLIC**

### *EXECUTIVE SUMMARY*

To amend the original approval for the catering **Lot 1 contract for provision of Catering and Hospitality** award to accommodate additional contract value of up to £190,000 per annum, £950,000 over a 5 year period.

The correct total value of the contract Lot 1 is £1,380,000 (£950,000 Hospitality + £430,000 Subsidy)

This is not an amendment to the contract but addressing an omission in the original Business Justification Paper (BJP).

The original procurement and contract process included this element of hospitality and costs of £950,000 (£190,000 pa), however the original BJP omitted the value by error. This paper seeks to correct that error.

There are no budgetary implications as any hospitality requirements will be provided through local budgets at the time of requirement.

### **Recommendations**

The Deputy Mayor for Policing and Crime, via the Investment Advisory and Monitoring meeting (IAM), is asked to:

1. **Approve correction of the contract value to include the additional £950,000 (for 3+1+1 years) to allow spend of up to £190,000 per annum for hospitality services. This element was omitted from original Business Justification Paper (BJP) ref. PCD1219 in error.**

### **Time sensitivity**

A decision is required from the Deputy Mayor by 7th February 2023. This is because there are a number of functions and events being undertaken for corporate, training and public relations activities across MPS. The contract increase will ensure that the MPS is able to pay invoices for hospitality services.

### **Non-confidential facts and advice to the Deputy Mayor for Policing and Crime**

## Introduction and background

1. The approval is to allow the alignment of existing internal budget to be used for hospitality catering services because the value of hospitality was omitted from the original BJP submission meaning there could be a shortfall in contract value. This omission was due to an error. The Catering Service is managed by MO11 with hospitality paid for by those that order; it draws-down on existing internal budgets.

## Issues for consideration

1. DMPC is authorising a contract value update to a paper that previously omitted a costing – however that costing was included within the procurement and evaluation process and was included in decision to award.
2. A cost of £0.19m in year 1 is forecast.
3. The additional sums requested were included within the scope of the procurement exercise for the overall contract and therefore there are no procurement risks associated.

## Contributes to the MOPAC Police & Crime Plan 2022-251

4. Supports delivery where hospitality is used to support high profile events both internally and externally or where appropriate for training and events for staff and officers.

## Financial, Commercial and Procurement Comments

5. The cost will be £190,000 per year or £950,000 over 5 years which will be met from within existing MPS budgets.

There are no budgetary implications as any hospitality requirements will be provided through local budgets at the time of requirement.

## Legal Comments

6. This report confirms the terms of the procurement and the subsequent contract include the additional hospitality costings for which this paper requests authority. There are no procurement law risks associated with the request contained in this report.

The previous award report (approved under decision ref PCD1219) cited the below provisions from the Scheme of Delegation:

**Paragraph 7.23 of the MOPAC Scheme of Delegation and Consent provides that the Director of Strategic Procurement has consent for the approval of the award of all contracts, except for those called in through the agreed call-in procedure. Paragraph 4.14 of the Scheme provides the Deputy Mayor for Policing and Crime (“DMPC”) reserves the right to call in any MPS proposal to award a contract for £500,000 or above.**

As the true full contract value may exceed £500,000 it is advised the DMPC be invited to call in the original MPS decision to approve the award.

## MOPAC Scheme of Delegation

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<sup>1</sup> [Police and crime plan: a safer city for all Londoners | London City Hall](#)

7. Paragraph 7.23 of the MOPAC Scheme of Delegation and Consent provides that the Director of Strategic Procurement has consent for the approval of the award of all contracts, except for those called in through the agreed call-in procedure. Paragraph 4.14 of the Scheme provides the Deputy Mayor for Policing and Crime (“DMPC”) reserves the right to call in any MPS proposal to award a contract for £500,000 or above.

### **Equality Comments**

8. This business case (see PCD1219) has undergone 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.

### **Privacy Comments**

9. 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.

Under Article 35 of the General Data Protection Regulation (GDPR) and Section 57 of the DPA 2018, Data Protection Impact Assessments (DPIA) become mandatory for organisations with technologies and processes that are likely to result in a high risk to the rights of the data subjects.

The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure the project meets its compliance requirements.

The programme/project does not use personally identifiable data of members of the public, so there are no GDPR issues to be considered.

### **Real Estate Implications**

10. None

### **Environmental Implications**

11. The MPS Environment Policy and the MPS Environment and Sustainability strategy has been taken into consideration

### **Background/supporting papers**

1. None.