

## DMPC Decision – PCD – 1134

**Title: Criminal Justice and Substance Misuse Coordinator Post**

### Executive Summary:

MOPAC is working with health and justice partners to improve pathways to drug treatment from the criminal justice system. It has been identified that in order to achieve the best impact, criminal justice needs to be brought further into the health agenda. This decision seeks approval to fund a coordinator post within public health to bring health and justice together at a local level, and to manage a new strategic Board. The maximum budget for this work is £120,000 for a fixed-term 12-month post from 2022/23 to 2023/24.

This role and Board have been developed in partnership with GLA Health, Association of Directors of Public Health, Office for Health Improvement and Disparities, NHSE/I Health & Justice London, and Metropolitan Police Service.

### Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

1. Approve the provision of £120,000 to a selected Local Authority for the recruitment and management of a fixed-term, 12-month drugs coordinator post.
2. Approve the carry forward of funding of £120,000 from 2021/22 from within the Drug Abuse and Offender Management budget.
3. Delegate approval of the Local Authority selection to the Director of Commissioning and Partnerships, taking into account the views of the Association of Directors of Public Health.

### 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 21/06/2022

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

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

- 1.1. The Offender Substance Misuse Consultancy report, commissioned by MOPAC and written by the Centre for Public Innovation, makes the case that criminal justice pathways remain vital for engaging those misusing substances into treatment, but that a new model and principles are needed.
- 1.2. This was discussed with strategic partners at the Reducing Reoffending Board where it was agreed that in order to make the most effective progress, criminal justice needs to be brought further into the health agenda.
- 1.3. To this end, MOPAC convened a Task & Finish Group comprising officers from key health and justice organisations. This Group developed plans for a coordinator role which will work at a borough level to improve join-up between Community Safety and Public Health, and share good practice, as well as a new time-limited Criminal Justice in Substance Misuse Board.
- 1.4. The Government's new drug strategy also requires Local Authorities and regions to have partnership arrangements in place.

### **2. Issues for Consideration**

- 2.1. The Police and Crime Plan 2022-25 has a significant focus on reducing the harms caused by drugs. It states that MOPAC will continue to work closely with health and local partners to improve pathways to health treatment for those in contact with the criminal justice service, with a focus on drug use which drives crime, helping to reduce reoffending and the wider harms caused by drugs.
- 2.2. The coordinator role will be expected to bring offender substance misuse into the health agenda, at a borough and regional level, by improving the working relationships and information sharing between Local Authority Health & Wellbeing Boards and Community Safety Partnerships.
- 2.3. The coordinator will work with Local Authorities to develop a minimum service offer and/or commissioning guidelines for pathways into treatment, to encourage consistency and good practice across London. This will take into account the new national commissioning standards proposed under the drug strategy.
- 2.4. This role will support the delivery of Mayoral commitments both under the new Police and Crime Plan, and the Heath Inequalities Strategy. It will also support strategic partners to deliver on the consultancy report recommendations and support Local Authorities to deliver against the drug strategy.
- 2.5. The role will also deliver, in partnership, the consultancy recommendation to develop and share learning on ethnic diversity within substance misuse support services.
- 2.6. The coordinator will ensure these duties are undertaken in such a way to make them self-supporting and sustainable after the end of the fixed-term duration. They will organise and run a reflective event at the end of the fixed term which should help to embed the changes made during the year and support sustainable change.

- 2.7. In addition, the role will manage the secretariat for the Criminal Justice in Substance Misuse Board, which will sit within existing health governance structures. This will include developing the agendas, workplan and progress reports.
- 2.8. Ultimately, this work will enable better commissioning of treatment services and pathways from the criminal justice system into treatment, engagement in which has been shown to have a positive impact on both health outcomes and reoffending.
- 2.9. This will support the Mayor's Police and Crime Plan outcomes of: reoffending is reduced in the most violent and risky cohorts, fewer young people and adults are harmed, young people and vulnerable people in the justice system are supported and safe.

### **3. Financial Comments**

- 3.1. The total budget requirement for this work is £120,000. Subject to approval, costs will be met from the carry forward of funding from 2021/22 from within the Drug Abuse and Offender Management budget and spent across the financial years 2022/23 and 2023/24.
- 3.2. This report requests approval from the Deputy Mayor to award a selected Local Authority up to £120,000 for the recruitment and management of a coordinator role as set out above for 12 months, and to fund any associated activities.
- 3.3. This funding will cover 12 months' salary for a full-time senior programme manager level post, which has been identified by partners as the most appropriate level given the scale of work and level of responsibility. It will also cover staff on-costs, recruitment, IT and onboarding, and any associated activities such as travel or hiring of room space for meetings.
- 3.4. The funding will be profiled as follows:

<b>Financial Year</b>	<b>Maximum Budget Allocation</b>
2022/23	£60,000
2023/24	£60,000

### **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, the strategy for grant giving, the award of individual grants, all offers made and the award of grant funding are reserved for the DMPC.
- 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 the provider before any commitment to fund is made. MOPAC makes no commitment to fund the role 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 Issues**

- 5.1. The Association of Directors of Public Health (ADPH) have agreed to support this role, but it must be hosted within a Local Authority on behalf of London. A Local Authority will be selected by MOPAC and ADPH following an expression of interest process once funding is confirmed.
- 5.2. There are no procurement issues to consider in this case.

## **6. Public Health Approach**

- 6.1. This piece of work was suggested by and has been developed in partnership with health agencies in London, including ADPH, the Office for Health Improvement and Disparities, NHS Health & Justice London and GLA Health.
- 6.2. This approach is intended to draw criminal justice further into the public health agenda in London, in order to make progress in improving pathways to substance misuse treatment for those in the criminal justice system.

## **7. GDPR and Data Privacy**

- 7.1. 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.

## **8. Equality Comments**

- 8.1. 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.
- 8.2. The introduction of a coordinator role is intended to improve access to substance misuse treatment from the criminal justice system, working towards consistency in minimum service offers while ensuring that local provision is tailored to the needs of the communities they serve.
- 8.3. This includes a specific consultancy recommendation to engage with a range of existing BAME-specific service providers to understand what works in relation to provision for BAME communities and the evidence-base for the effectiveness of culturally sensitive approaches. This learning should then be distributed to Local Authorities to inform commissioning decisions.
- 8.4. This work is primarily aimed at improving treatment pathways for adults in the criminal justice system as this has been the focus of the consultancy work and the youth landscape is very different. However, improving partnership working between local health and justice partners should also have a positive impact on commissioning for youth substance misuse.

**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	<i>Tick to confirm statement (✓)</i>
<b>Financial Advice</b> The Strategic Finance and Resource Management Team has been consulted on this proposal.	✓
<b>Legal Advice</b> Legal advice is not required.	✓
<b>Equalities Advice</b> Equality and diversity issues are covered in the body of the report.	✓
<b>Public Health Approach</b> Due diligence has been given to determine whether the programme sits within the Violence Reduction Unit's public approach to reducing violence.	✓
<b>Commercial Issues</b> Commercial issues are not applicable.	✓
<b>GDPR and Data Privacy</b> <ul style="list-style-type: none"> <li>GDPR compliance issues are covered in the body of the report and the GDPR Project Manager has been consulted on the GDPR issues within this report.</li> <li>A DPIA is not required.</li> </ul>	✓
<b>Drafting Officer</b> Zoe Hickman has drafted this report in accordance with MOPAC procedures.	✓
<b>Director/Head of Service</b> The Director of Commissioning and Partnerships 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 23/06/2022**A handwritten signature in dark ink, appearing to read "Sean Hutchford", is written over the signature line.