

**DMPC Decision – PCD 1157****Title: Extension of GPS tagging pilots 2022/23****Executive Summary:**

This decision seeks approval to extend the two current MOPAC GPS pilots, for knife crime offenders and high risk domestic abuse perpetrators, until March 2023. This extension is based on ministerial approval from MoJ, which has now been obtained for this period. During this period MOPAC will also explore with partners how GPS tagging might be used with other groups to reduce serious violence.

This decision seeks agreement to extend the pilots by 12 months to 31st March 2023 at a maximum cost of £1,300,000. This budget is formed of a minimum of £400,000 carried forward from the 21/22 GPS pilot budget, and £900,000 previously approved in PCD 1065.

This will involve extending the contract with the electronic monitoring supplier Buddi Ltd by 12-months to allow for the continuation of this pilot up to the value of £1,140,000. The remaining £160,000 will be used for the funding of police, probation and project support resources, to ensure effective delivery of the GPS pilots.

**Recommendation:**

The Deputy Mayor for Policing and Crime is recommended to:

1. Approve the use of £1,300,000 for the delivery of the two GPS tagging pilots for a further 12 months. This is made up of a minimum of £400,000 carry forward from the 21/22 GPS pilot budget, and £900,000 previously approved in PCD 1065
2. Approve the extension of the contract with Buddi Ltd by 12 months to the value of £1,140,000.
3. It is recommended that the Chief Executive Officer is granted delegated authority for signing future documents in relation to this decision, including contracts and variations. Approval of this decision remains with DMPC as per MOPAC's Scheme of Delegation.

**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****4/4/2022**

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

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

- 1.1. The Police and Crime Plan and the London Knife Crime Strategy contain commitments to pilot the use of GPS tagging with knife crime offenders being released from prison on licence. The MOPAC GPS tagging for knife crime pilot has been running since February 2019 and since April 2020 has been live in all London boroughs. The pilot provides an important risk management tool for probation practitioners and to date over 750 offenders have been given GPS licence conditions as part of this pilot.
- 1.2. Following ministerial approval, a new MOPAC pilot to test the use of GPS tagging with high risk domestic abuse perpetrators was launched in March 2021. This pilot is also available across all London boroughs and to date over 140 high risk offenders have been given GPS licence conditions as part of this pilot.
- 1.3. The aims for the two current GPS pilot are:
  - That GPS data is used to improve the management of the risk posed to the public, children and known adults, including past, current and future intimate partners.
  - That GPS tagging improves the enforcement of licence conditions and increases deterrence from further offending.
  - Offenders subject to GPS have their thinking and behaviour challenged and positively changed through the use of location data in supervision
  - That GPS location data is shared appropriately for enhanced crime detection.
  - Best practice learning is developed around how information on these cases can be shared with police, victim/survivor safety agencies and other professionals, within legal boundaries and ICO guidelines.
- 1.4. The evaluation of MOPAC's GPS pilots is being undertaken by MOPAC Evidence and Insight, using a model that builds on the approach previously employed for the offenders tagged on the Persistent Offender Programme. The interim evaluation report for the GPS for knife crime pilot was published on the MOPAC website in June 2020. In 2021 the final evaluation report for the GPS tagging for Community Sentences pilot was published. Both of these reports detail the value of GPS as a tool to manage risk and offending behaviour in the community and monitoring compliance with conditions.
- 1.5. A final process and performance evaluation of the knife crime pilot will be completed in the summer of 2022. This will also include early impact findings including reoffending and compliance outcomes. A full 12-month reoffending analysis will follow in early 2023. The GPS for domestic abuse perpetrators pilot will also be evaluated by MOPAC Evidence and Insight, with a process and performance evaluation in autumn 2022.

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

- 2.1. The existing contract with the electronic monitoring supplier, Buddi Ltd, was written using the G Cloud 12 Framework from the Crown Commercial Service and ends on 31<sup>st</sup> March 2022. This contract allows for a 12-month extension. This decision seeks approval to activate this contract extension until 31<sup>st</sup> March 2023 and that authority for signing this contract extension is delegated to the Chief Executive Officer.
- 2.2. This decisions also seeks agreement for the extension of the MOPAC GPS tagging pilots, including both knife crime and domestic abuse offenders. During the 12-months to March 2023 it is envisaged that up to 642 offenders will receive a GPS tag on release from prison. This will largely be made up of knife crime and high risk domestic abuse offenders, but other groups may also be included if this is agreed by stakeholders and supports the aims of reducing serious violence.
- 2.3. To support the extension of the pilots there will be a requirement for continued resource, including a dedicated Police Intelligence Analyst to support the crime mapping function. Crime mapping allows for the cross-referencing of eligible offender's movements against the location of reported serious crimes in London. Data is only released when a match is confirmed, and this is triaged to assess significance, before being sent on to local police teams for investigation. Crime mapping will only be carried out for offender assessed as "more likely than not" to reoffend<sup>1</sup>.
- 2.4. The total budget for the project also includes funding for dedicated project support to enable probation and other CJS practitioners to identify, manage and enforce GPS cases. This resource will continue to provide policy development, data analysis, administrative support and staff training expertise within the extended pilots.

### 3. Financial Comments

- 3.1. This decision requests approval to commission the GPS tagging pilots for knife crime and domestic abuse perpetrators over a period of twelve months to March 2023 under a contract extension with a maximum value of £1,140,000.
- 3.2. Funding for the contract is earmarked within 2022/23 as outlined within PCD 1065 at £900,000. Owing to the pilot being expanded during the last financial year and therefore maximum capacity not being in place until the second part of that year, this enables an additional minimum of £400,000 from the 2021/22 budget allocation to be transferred as part of the GPS tagging budget to the new financial year.
- 3.3. The total allocation for GPS Tagging in 2022/23 is confirmed at £1,300,000.
- 3.4. It is noted that there are additional costs to support the project outside of the proposed contract award of £1,140,000. The total cost of the GPS pilots in 2022/23 is £1,300,000 as set out below.

Item	Cost
GPS tagging and electronic monitoring contract	£1,050,000
Lost tags; Missed appointments	£90,000

<sup>1</sup> As defined by having an OGRS (Offender Group Reconviction Scale) score of 50%+, which is an actuarial measure of risk of reoffending.

MPS analyst, Probation and project support	£160,000
Total	£1,300,000

#### 4. Legal Comments

- 4.1. Section 62(2) of the Criminal Justice and Court Services Act 2000 (the 2000 Act) provides that released prisoners may be subject to licence conditions which include electronic monitoring conditions. Sections 62(2B) of the 2000 Act provides that the person who is to be made responsible for the monitoring is of a description specified in an order made by the Secretary of State. The Electronic Monitoring (Responsible Persons) Order 2018 provides a description of the persons who may be made responsible for the monitoring of individuals subject to electronic monitoring whilst on licence. Further organisations, in addition to those listed below, could be added to this list via the parliamentary statutory instrument process, depending on the outcome of procurement processes and whether this addition received support from central government and received parliamentary consent. However, currently only those employed by the following organisations can be responsible for the electronic monitoring of those on licence — (i) Capita Business Services Limited, 71 Victoria Street, Westminster, London SW1H 0XA (Company Number 02299747); (ii) Alcohol Monitoring Systems Limited, Lancashire Gate, 21 Tiviot Dale, Stockport, Cheshire, SK1 1TD (Company Number 07993509); (iii) Buddi Limited, Talbot House, 17 Church Street, Rickmansworth, Hertfordshire, WD3 1DE (Company Number 05308826).
- 4.2. 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." This is a broad power and the extension of the pilot is aimed at deterring further offending, improving rehabilitation and enhancing crime detection all of which would enable the efficiency and effectiveness of the police service. In addition, under Schedule 3, paragraph 7, 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.
- 4.3. Section 143 (1) of the Anti-social Behaviour, Crime and Policing Act 2014 provides an express power for MOPAC, as a local policing body, to provide or arrange for the provision of (a) services that in the opinion of the local policing body will secure, or contribute to securing, crime and disorder reduction in the body's area and (b) services "intended by the local policing body to help victims or witnesses of, or other persons affected by, offences and anti-social behaviour."
- 4.4. MOPAC must in exercising its functions have regard to the police and crime plan issued by MOPAC.
- 4.5. Paragraph 4.8 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime (DMPC) has delegated authority to approve business cases for revenue or capital expenditure of £500,000 or above. The release of funding in accordance with the proposals set out in this decision form is accordingly to

be approved by the DMPC. The delegation of responsibility for the finalisation of planning and contractual/grant arrangements, including relevant terms and the signing of agreements, to the Chief Executive Officer, is in accordance with the general power of delegation in paragraph 1.7, and more specifically paragraphs 5.4, 5.12 and 5.13.

- 4.6. Officers must ensure that the arrangements comply with the Financial Regulations and the Contracts Regulations. PCD July 2020 5 4.7 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. Commercial Comments**

- 5.1. The contract extension with Buddi Ltd will extend the current contract which was procured using the government Digital Marketplace (G Cloud 12). This extension will be in line with the Digital Marketplace framework and the current contract provisions.
- 5.2. This procurement has taken account and complies with the GLA Group's Responsible Procurement (RP) Policy. As with past MOPAC contracts with GPS suppliers, the tags will be leased rather than purchased to increase the environmental sustainability of the pilot.
- 5.3. Monitoring risks and value for money will be in accordance to the MOPAC contract regulation 2018.

## **6. Public Health Approach**

- 6.1. This pilot has the support of the Violence Reduction Unit as it seeks to test whether GPS can improve the management of the risk posed by prisoners being released following a conviction for knife related or domestic abuse offences. Thus far in the pilot, GPS has been used not only to increase deterrence, enforcement and restrictive conditions to protect known victims and the public, but also to support engagement with relevant services and to specifically challenge individuals to change their lifestyle to move away from behaviour associated with increased risk of violence.

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

- 7.1. For the purposes of this project, MOPAC are a joint data controller with HMPPS.
- 7.2. MOPAC is a joint controller for the purposes of delivering an evaluation of the programme. The evaluation will require access to personally identifiable information (PII). Data will include standard PII covered under Article 6, special category data covered under Article 9 and criminal conviction and/or offence data under Article 10.
- 7.3. A Data Protection Impact Assessment (DPIA) has been produced to identify and minimise risks to data subjects. This document has been updated to reflect the extension of the pilot and the inclusion of domestic abuse perpetrators.

- 7.4. MOPAC also receives, processes and uses personally identifiable information for professional contacts in relation to this project. This is required for the management of the project and is processed under the lawful basis of public task, in the exercise of our official authority.
- 7.5. All providers funded by MOPAC are required to comply with the GDPR and Data Protection Act 2018.
- 7.6. It is a requirement of the G-Cloud procurement process for the GPS monitoring provider to store and process all data within the UK.

## **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 Police and Crime Plan 2017-2021 contains within it a focus on: 'Reducing inequalities in communities' At the heart of our mission is a focus on setting an agreed standard and addressing the disparities we see across the city, making sure that a basic quality of service is there for everyone in London.
- 8.3. The extent to which individuals from the above groups are included in the pilot is monitored through an Equality Impact Analysis document which is reviewed regularly to ensure that any disproportionality can be addressed. The decision as to which case to include is taken by the allocated Probation Practitioners, based on the assessed risk and need of each case. Clear guidance has already been given to staff about the criteria for assessing cases and further guidance and training continues to be provided to mitigate any disproportionate impact of the pilot.

## **9. Background/supporting papers**

- Appendix 1 PCD 948 - GPS pilots 2021/22 contract award
- Appendix 2 PCD 1065 - Criminal Justice System - 2022/23 Commissioning Decisions

**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

**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:**

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. This has been reviewed and supported by a senior manager within the VRU.

✓

**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**

- 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 once an evaluation plan is in place.

✓

**Drafting Officer**

Tom Dodsworth has drafted this report in accordance with MOPAC procedures.

✓

**Director/Head of Service:**

The Head of Service 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**A handwritten signature in dark ink, appearing to read 'Hannah Chadford', written in a cursive style.**Date 30/03/2022**



**DMPC Decision – PCD 948**

**Title: GPS pilots 2021/22 contract award**

**Executive Summary:**

The MOPAC GPS for knife crime pilot has been running successfully for 24 months. A new pilot testing the use of GPS with domestic abuse perpetrators was launched in early March 2021.

This decision seeks agreement to award an eleven month contract for the GPS pilots from 6 May 2021 to Buddi Ltd following a bid evaluation on the government Digital Marketplace. This procurement strategy was approved in PCD 849 and the contract cost of £907,935 will be funded from 2021/22 Mayoral Growth funds as well as from an allocation from the new council tax funding.

**Recommendation:**

The Deputy Mayor for Policing and Crime is recommended to:

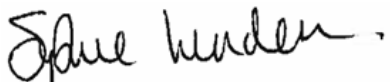
1. Approve the contract award to Buddi Ltd from 6 June 2021 to 31 March 2022 at the value of £907,935
2. It is recommended that the Chief Executive Officer is granted delegated authority for signing future documents in relation to this decision, including contracts and variations. Approval of this decision remains with DMPC as per MOPAC's Scheme of Delegation.

**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 Police and Crime Plan and the London Knife Crime Strategy contain commitments to pilot the use of GPS tagging with knife crime offenders being released from prison on licence. The MOPAC GPS for knife crime pilot has been running since February 2019 and is now live in all London boroughs. The pilot provides a useful risk management tool for probation practitioners and to date over 420 offenders have been given GPS licence conditions as part of the pilot.
- 1.2 Following recent ministerial approval, a new MOPAC pilot to test the use of GPS tagging with domestic abuse perpetrators was launched in early March 2021.
- 1.3 PCD 849 approved the use of £550,000 from the 2021/22 Mayoral Growth fund to extend the MOPAC GPS pilots to 31<sup>st</sup> March 2022 (with monitoring of offenders who were tagged before 31<sup>st</sup> March to continue until of 30<sup>th</sup> September 2022 at the latest).
- 1.4 The evaluation of the GPS for knife crime pilot is being undertaken by MOPAC Evidence and Insight, using a model that builds on the approach previously employed for the offenders tagged on the Persistent Offender Programme. The interim evaluation report for the GPS for knife crime pilot was published on the [MOPAC website](#) in June 2020. A final process and performance evaluation of the pilot will be completed in the summer of 2021. MOPAC will also be publishing an impact evaluation looking at the period on tag, which will be completed towards the end of 2021. A full 12-month reoffending analysis will follow at the end of 2022. The GPS for domestic abuse perpetrators pilot will also be evaluated by MOPAC Evidence and Insight and will include impact analysis if sample size allows.

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

- 2.1. To enable the continuation of the GPS pilot a procurement process is being completed using the government Digital Marketplace, as previously approved in PCD 849. Bid evaluation has been completed, which has confirmed that Buddi Ltd will be the preferred supplier for 2021/22 GPS provision.
- 2.2. During the 11-month contract period it is envisaged that up to 550 offenders will receive a GPS tag on release from prison. This will be made up of both knife crime offenders and high-risk domestic abuse perpetrators.
- 2.3. To support the extension of the pilot there will be a requirement for continued resource, including a dedicated Police Intelligence Analyst to support the crime

mapping function. Crime mapping allows for the cross-referencing of eligible offender's movements against the location of reported serious crimes in London. Data is only released when a match is confirmed, and this is triaged to assess significance, before being sent on to local police teams for investigation. Crime mapping will only be carried out for offender assessed as "more likely than not" to reoffend<sup>1</sup>.

- 2.4. The total budget for the project also includes funding for dedicated probation project support to enable probation practitioners to identify, manage and enforce GPS cases. This resource will continue to provide policy development, data analysis and staff training expertise under the new pilots.

### 3. Financial Comments

- 3.1. This decision requests approval to commission the GPS tagging pilots for knife crime and domestic abuse perpetrators over a period of eleven months to March 2022 under a contract award of £907,935.
- 3.2. Funding for the contract is earmarked within 2021/22 Mayoral Funds as outlined within PCD 849 at £550,000. An additional £350,000 of new council tax funding has also been committed to the GPS pilots along with £280,000 of 2020/21 carry forward monies. Delays with launching the domestic abuse pilot in 2020/21, caused by Covid, will enable £280,000 of 2020/21 budget allocation to be transferred as part of the GPS tagging budget in the new financial year.
- 3.3. The total allocation for GPS Tagging in 2021/22 is confirmed at £1,180,000. There is a further £550,000 of the approved new council tax funding to support planned commitments. The initial draw down of £350,000 from council tax precept will deliver 170 tags on top of current levels, with potential to build more capacity later in 2021/22 with the provider.
- 3.4. It is noted there are additional costs to support the project outside of the proposed contract award of £907,935. The total cost of the GPS pilots in 2021/22 is estimated at £1,117,935 as set out below.

Item	Cost
GPS tagging and electronic monitoring contract	£907,935
Lost tags; Missed appointments	£60,000
MPS analyst; Probation project support	£150,000
<b>TOTAL</b>	<b>£1,117,935</b>

### 4. Legal Comments

- 4.1 Section 62(2) of the Criminal Justice and Court Services Act 2000 (the 2000 Act) provides that released prisoners may be subject to licence conditions which may

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<sup>1</sup> As defined by having an OGRS (Offender Group Reconviction Scale) score of 50%+, which is an actuarial measure of risk of reoffending.

include electronic monitoring conditions. Sections 62(2B) of the 2000 Act provides that the person who is to be made responsible for the monitoring is of a description specified in an order made by the Secretary of State. The Electronic Monitoring (Responsible Persons) Order 2018 provides a description of the persons who may be made responsible for the monitoring of individuals subject to electronic monitoring whilst on licence. Further organisations, in addition to those listed below, could be added to this list via the parliamentary statutory instrument process, depending on the outcome of procurement processes and whether this addition received support from central government and received parliamentary consent. However, currently only those employed by the following organisations can be responsible for the electronic monitoring of those on licence — (i) Capita Business Services Limited, 71 Victoria Street, Westminster, London SW1H 0XA (Company Number 02299747); (ii) Alcohol Monitoring Systems Limited, Lancashire Gate, 21 Tiviot Dale, Stockport, Cheshire, SK1 1TD (Company Number 07993509); (iii) Buddi Limited, Talbot House, 17 Church Street, Rickmansworth, Hertfordshire, WD3 1DE (Company Number 05308826).

- 4.2 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." This is a broad power and the extension of the pilot is aimed at deterring further offending, improving rehabilitation and enhancing crime detection all of which would enable the efficiency and effectiveness of the police service. In addition, under Schedule 3, paragraph 7, 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.
- 4.3 Section 143 (1) of the Anti-social Behaviour, Crime and Policing Act 2014 provides an express power for MOPAC, as a local policing body, to provide or arrange for the provision of (a) services that in the opinion of the local policing body will secure, or contribute to securing, crime and disorder reduction in the body's area and (b) services "intended by the local policing body to help victims or witnesses of, or other persons affected by, offences and anti-social behaviour."
- 4.4 MOPAC must in exercising its functions have regard to the police and crime plan issued by MOPAC.
- 4.5 Paragraph 4.8 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime (DMPC) has delegated authority to approve business cases for revenue or capital expenditure of £500,000 or above. The release of funding in accordance with the proposals set out in this decision form is accordingly to be approved by the DMPC. The delegation of responsibility for the finalisation of planning and contractual/grant arrangements, including relevant terms and the signing of agreements, to the Chief Executive Officer, is in accordance with the general power of delegation in paragraph 1.7, and more specifically paragraphs 5.4, 5.12 and 5.13.
- 4.6 Officers must ensure that the arrangements comply with the Financial Regulations and the Contracts Regulations.

- 4.7 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. Commercial Comments**

- 5.1. As approved in PCD 849, the government Digital Marketplace has been used to identify a preferred provider and will be used to finalise contract terms.
- 5.2. The new contract will be dated from 06/05/2021. Provision for all tags to be used before 06/05/2021 is included in the existing contract with Buddi Ltd which ends on 05/05/2021.
- 5.3. This procurement has taken account and complies with the GLA Group's Responsible Procurement (RP) Policy. As with past MOPAC contracts with GPS suppliers, the tags will be leased rather than purchased to increase the environmental sustainability of the pilot.
- 5.4. Monitoring risks and value for money will be in accordance to the MOPAC contract regulation 2018.

## **6. Public Health Approach**

- 6.1 This pilot has the support of the Violence Reduction Unit as it seeks to test whether GPS can improve the management of the risk posed by prisoners being released following a conviction for knife related or domestic abuse offences. Thus far in the pilot, GPS has been used not only to increase deterrence, enforcement and restrictive conditions to protect known victims and the public, but also to support engagement with relevant services and to specifically challenge individuals to change their lifestyle to move away from behaviour associated with increased risk of violence.

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

- 7.1. For the purposes of this project, MOPAC are a joint data controller with HMPPS.
- 7.2. MOPAC is a joint controller for the purposes of delivering an evaluation of the programme. The evaluation will require access to personally identifiable information (PII). Data will include standard PII covered under Article 6, special category data covered under Article 9 and criminal conviction and/or offence data under Article 10.
- 7.3. A Data Protection Impact Assessment (DPIA) has been produced to identify and minimise risks to data subjects. This document will be updated to reflect the extension of the pilot and the inclusion of domestic abuse perpetrators.

- 7.4. MOPAC also receives, processes and uses personally identifiable information for professional contacts in relation to this project. This is required for the management of the project and is processed under the lawful basis of public task, in the exercise of our official authority.
- 7.5. All providers funded by MOPAC are required to comply with the GDPR and Data Protection Act 2018.
- 7.6. It is a requirement of the G-Cloud procurement process for the GPS monitoring provider to store and process all data within the UK.

## **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 Police and Crime Plan 2017-2021 contains within it a focus on: 'Reducing inequalities in communities' At the heart of our mission is a focus on setting an agreed standard and addressing the disparities we see across the city, making sure that a basic quality of service is there for everyone in London.
- 8.3. The extent to which individuals from the above groups are included in the pilot is monitored through an Equality Impact Analysis document which is reviewed regularly to ensure that any disproportionality can be addressed. The decision as to which case to include is taken by the allocated probation Offender Manager, based on the assessed risk and need of each case. Clear guidance has already been given to staff about the criteria for assessing cases and further guidance and training is provided to mitigate any disproportionate impact of the pilot.

## **9. Background/supporting papers**

- Appendix 1 PCD 849 - Criminal Justice System 2021/22 Commissioning Decisions
- Appendix 2 PCD 761 - Continuation of the GPS Tagging for Knife Crime Offenders on Licence Pilot

**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**

*Tick to confirm statement (✓)*

**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. This has been reviewed and supported by a senior manager within the VRU.

✓

**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**

- 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 has been completed

✓

**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 24/02/2021**

**DMPC Decision – PCD 849****Title: Criminal Justice System 2021/22 Commissioning Decisions****Executive Summary:**

Under the Police and Crime Plan and Mayoral priorities funding is provided to key programmes designed to reduce re-offending and improve the effectiveness of the Criminal Justice System in London. In order to provide funding certainty at this time of crisis, and realign commissioning with the postponed Mayoral election and new administration, this decision requests confirmation of funding until the end of March 2022 of the following projects and services relating to the Criminal Justice System:

- **Triage for Female Offenders** – funding for interventions to address root causes of offending for women given a Conditional Caution in police custody.
- **Drug Testing in Police Custody** – funding for drug testing in Police custody
- **MAPPA** – funding contribution for London Executive Office of the MAPPA
- **GPS Tagging**- funding use of GPS tags for knife crime offenders released back to London from prison
- **London Resettlement Partnership** – funding for an evaluation of the LRP which aims to improve resettlement outcomes for young people leaving the secure estate and returning to London

**Cookham Wood Pilot** – funding a new pilot to put in place victim services for young offenders within Cookham Wood YOI and on release. The total financial commitment will be £1,367,400 in 2021/22.

**Recommendation:**

The Deputy Mayor for Policing and Crime is recommended to:

- Approve the funding of projects relating to the Criminal Justice System in 2021/22, at a total financial commitment of £1,367,400.
- Delegate responsibility for agreeing the specific terms relating to individual grants and, or contracts to the Director of Commissioning and Partnerships.

**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

Spue Under

Date

22/10/2020

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

### 1. Introduction and background

- 1.1. The COVID-19 pandemic has had a wide-reaching impact on MOPAC, the MPS and commissioned services. At this time of crisis, it is more important than ever for commissioners and providers to have certainty of funding.
- 1.2. A large proportion of MOPAC's commissioned services and grants, along with funding streams for developing programmes of work are due to expire on 31<sup>st</sup> March 2021. This aligned with the original dates for the Mayoral election and production of the new Police and Crime Plan, however as a result of the pandemic the election has now been postponed until May 2021. This means that these services face a cliff-edge of funding at the end of this financial year.
- 1.3. In order to realign commissioning with the postponed Mayoral election and production of the new Police and Crime Plan, this decision sets out those projects and services which are due to end in March 2021, where performance has been at least satisfactory, and requests that they be extended for a year until the end of March 2022.
- 1.4. In order to expedite the decision process and meet our commitment to give providers and commissioners 6 months' notice of funding for 2021/22, the projects and services for which extension is requested have been grouped into themes. This decision relates to projects in the area of the Criminal Justice System.

### 2. Issues for consideration

- 2.1. All projects, services, and funding streams which are due to expire in March 2021 have been considered under their own merits, to ensure that they have demonstrated satisfactory performance and value for money. They have also been considered as part of MOPAC's wider commissioning, budgets and priorities.
- 2.2. The projects and services below are requested for extension to the end of March 2022:
  - **Triage for Female Offenders** – The Adult Female Diversion Pilot, provides gender specific community support when a women is given a conditional caution from being brought into police custody for a minor offence. This pilot aims to reducing repeat offending by addressing the specific complex needs of women offenders, that if left untreated are known as risk factors in causing offending. It forms a key part of the Deputy Mayor's strategy to address women offending and reduce women's imprisonment. It also features prominently in the Blueprint for Women in Contact with the Criminal Justice System and forms part of the development for a Whole Systems Approach.
  - **Drug Testing in Police Custody** – The Metropolitan Police Service deliver drug testing in Police custody and procure drug testing equipment and laboratory services for contested orders. MOPAC funding supports three job roles within the

MPS: A Strategic Drug and DIP lead, A Drug Testing Co-ordinator and an Offender Management Co-ordinator. This funding underpins the delivery of Drug Intervention Programme in London, which is a core element of reducing reoffending by drug using offenders through engaging them in treatment at the earliest possible stage. Work is also underway to review this programme and develop a more consistent approach across London.

- **MAPPA** – Multi Agency Public Protection Arrangements (MAPPA) is the framework which co-ordinates agencies to manage offenders who pose a high or very high risk of serious harm to the public. MOPAC funding supports the London MAPPA Executive Office, which provides vital public protection work and plays an important role in leadership, training and quality assurance in the work of MAPPA in London.
- **GPS Tagging** – The GPS Tagging pilot has led the way on testing the use of GPS tagging for knife crime offenders released from prison. This explores and evaluates the benefits of GPS monitoring for risk management, enforcement and deterrence from weapon related offending. Continued MOPAC funding will allow the benefits of GPS to be tested and evaluated for domestic abuse perpetrators released from prison, as well as on a priority group of moped-enabled offenders.

2.3 In addition to the grant/ contract extensions listed above, there has been significant partnership work undertaken in developing the following two projects. These have now reached the stage where a funding commitment is required to continue this activity. In both cases, the allocated budget will provide match funding in support of work being led by partner agencies. the following two projects are to support the continuation of partnership activity, and require the commitment of funding in 21/22 to do so:

- **London Resettlement Partnership** – The London Resettlement Partnership aims to improve resettlement outcomes for young people leaving the secure estate and returning to London. Resettlement has been identified as a major area for improvement within the youth justice system as outcomes have been poor in recent years, including high reoffending rates and high numbers of young people registered missing persons on release. A programme of work is being established to improve casework between the secure estate and multiple areas such as community services, the use of ROTL, access to accommodation, education and training pathways and continuity of healthcare. MOPAC will support with the evaluation of this work by funding a dedicated analyst or independent researcher. The partnership will also improve strategic co-ordination between youth justice agencies and is funded cross the MoJ, YJB and ALDCS.
- **Addressing victimisation of young offenders - HMYOI Cookham Wood pilot** This new pilot will be delivered in partnership with the Ministry of Justice and Kent PCC to test a new approach to addressing young offenders' past experiences of victimisation to prevent future offending. The pilot will include through-the-gate support and provide access to victims' services for young offenders within Cookham Wood YOI and on release. Procurement and mobilisation will

commence in 2020/21, with delivery in 2021/22. This funding is subject to receiving matched investment from the Ministry of Justice and Kent.

### 3. Financial Comments

- 3.1. This decision requests approval to extend the contracts or grants already in place for the projects and services outlined below, and to allocate budget for two new projects and services (London Resettlement Partnership, and the Cookham Wood Pilot), at a total financial commitment of £1,367,400, from 1<sup>st</sup> April 2021 until 31<sup>st</sup> March 2022.
- 3.2. An overview of the individual allocations and their funding source is set out in the table below.

Service Name	2021/22 Allocation (£)	Funding Source	Original decision number
Triage for Female Offenders	£207,400	Carry forward from 2020/21	PCD 409
Drug Testing in Police Custody	£470,000	Police Grant Core	PCD 628
MAPPA	£40,000	Police Grant Core	DD 17/20
GPS Tagging	£550,000	2021/22 Mayoral Growth	PCD 761
London Resettlement Partnership	£50,000	Carry forward from 2020/21	No existing decision
Addressing victimisation of young offenders - HMYOI Cookham Wood pilot	£50,000	Funding from MOPAC Core Budget to be carried forward from 2020/21	No existing decision
<b>Total</b>	<b>£1,367,400</b>		

- 3.3. These planned expenditures are budgeted from MOPAC core allocations and Mayoral growth funding allocations, as outlined above.
- 3.4. Where existing contracts or grants are being extended, payments will be made in line with current arrangements in the contract or grant, following satisfactory performance and contract or grant management meetings. For new projects and services, suitable arrangements will be agreed and subject to future decisions on grant or contract awards.

### 4. Legal Comments

- 4.1. 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. Section 143 (1) (b) of the Anti-Social, Behaviour Crime and Policing Act 2014 provides for MOPAC to provide or commission services “intended by the local policing body to victims or witnesses of or other persons affected by, offences and anti-social behaviour.” Section 143 (3) specifically allows MOPAC to make grants in connection with such arrangements and any grant may be made subject to any conditions that MOPAC thinks appropriate.
- 4.3. 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.
- 4.4. Under MOPAC’s Scheme of Delegation, the approval of business cases for revenue or capital expenditure of £500,000 and above, are for the DMPC. The strategy for grant giving, the award of individual grants, all offers made and the award of grant funding are also for the DMPC. The decisions in this report can be approved by the DMPC.
- 4.5. Officers must ensure the Financial Regulations and Contract Regulations are complied with.
- 4.6. 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.
- 4.7. Officers confirm that sufficient assurance has been carried out to this decision to determine that the DMPC has legal authority to agree the recommendations on funding and the extension of grants/ contracts.

## **5. Commercial Issues**

- 5.1. This decision requests to extend existing grants and contracts, and to allocate budget to new projects and services, as laid out in 3.1.
- 5.2. Where budget is allocated to new projects and services, further formal decisions will be made relating to tender and grant or contract award, following usual processes.
- 5.3. For the GPS tagging pilot continuation we will use the government Digital Marketplace to identify the successful provider and finalise the contract terms. This procurement will take into account and comply with the GLA Group’s Responsible Procurement (RP) Policy. The GPS tags will be rented from the supplier, not purchased, to increase the environmental sustainability of the pilot. A separate decision will be sought to appoint the provider in line with the finalised value of the contract.

- 5.4. Aside from the above, there are no procurement issues with this decision, as where contracts are in place, the value of these contracts is not being increased by more than 50% of the current value or is in line with the terms of the contract relating to extension.
- 5.5. MOPAC makes no commitment to fund the projects and services listed in 3.1 until grant or contract variation letters have been signed by both parties. These will detail the new performance and payment schedules, in line with previous arrangements.
- 5.6. The modification request to the grant agreement/contract will comply with the MOPAC Scheme of Delegation and Consent.

## **6. Public Health Approach**

- 6.1. A common ambition of most of these projects is to ensure that offenders and those at risk of offending have their needs met in the community. MAPPA and GPS Tagging projects are particularly linked to the public health approach to tackling the causes of violent crime in London. They enable the effective management of potentially harmful offenders, and the gathering and sharing of intelligence to prevent further harm. Drug testing in police custody also provides a pathway for those with substance misuse needs to be referred into treatment.

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

- 7.1. The extension of the projects and services listed in 2.3 will not alter the data protection measures in place for each. Where required, DPIAs will be updated to reflect the extension of the corresponding project or service.

## **8. Equality Comments**

- 8.1. Under s149 of the Equality Act 2010 (the Equality Act), as a public authority the Deputy Mayor/MOPAC must have due regard to the need to eliminate discrimination, harassment and victimisation, and any conduct that is prohibited by or under this Act; and to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. Protected characteristics under the Equality Act are age, disability, gender re-assignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage or civil partnership status (the duty in respect of this last characteristic is to eliminate unlawful discrimination only).
- 8.2. For those projects being extended, due regard has been paid to potential impacts on equality and this is detailed in the previous decisions as recorded in 3.2, and continue to apply. Providers will continue to be required to have due regard to the protected characteristics of the people and communities relevant to their work.
- 8.3. MOPAC are not the sole decision-makers for the pieces of partnership work which are being contributed to, however the lead partners will be held to account to ensure that

due regard to protected characteristics is paid, and that impact on equalities is considered during design and implementation. Both pieces of work have been identified as necessary due to poor outcomes for young people, which the projects aim to address.

- 8.4. The extension of these projects and services will ensure that, at this time of crisis, vulnerable Londoners do not face a reduction in support.

**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**

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**

- GDPR compliance issues are covered in the body of the report.
- A DPIA is not required.

✓

**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**

*Sanakuchford*

**Date 7/10/2020**



## DMPC Decision – PCD 761

### Title: Continuation of the GPS Tagging for Knife Crime Offenders on Licence Pilot

#### Executive Summary:

The Police and Crime Plan and the London Knife Crime Strategy contain commitments to pilot the use of GPS tagging with knife crime offenders being released from prison on licence. The MOPAC GPS for knife crime pilot has been running for 14 months (PCD 570) and to date over 190 offenders have been given GPS licence conditions as part of the pilot.

This decision seeks agreement to extend the pilot by 12 months to 5<sup>th</sup> May 2021 at a maximum cost of £861,532. This budget is formed of £311,532 carried forward from the 19/20 GPS pilot budget, and £550,000 previously approved in PCD 715.

Finally, this decision seeks to approve a contract extension with the electronic monitoring supplier Buddi Ltd by 12-months to allow for the continuation of this pilot up to the value of £693,266.

#### Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

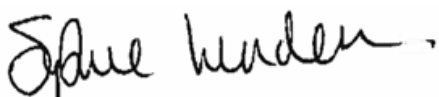
- Approve the use of £861,532 for the delivery of the GPS tagging for knife crime on licence pilot for a further 12 months. This is made up of £311,532 carried forward from the 19/20 GPS pilot budget, and £550,000 previously approved in PCD 715.
- Approve the extension of the contract with Buddi Ltd by 12 months to the value of £693,266.
- It is recommended that the Chief Executive Officer is granted delegated authority for signing future documents in relation to this decision, including contracts and variations. Approval of this decision remains with DMPC as per MOPAC's Scheme of Delegation.

#### 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 29/05/2020



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

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

- 1.1. The current GPS pilot for knife crime offenders on licence has a planned end date of 30th April 2020 (monitoring of tagged offenders will continue until 30th October 2020). In the first 12 months of the pilot 140 offenders had GPS conditions imposed.
- 1.2. The pilot is operational in 24 London boroughs. Under the proposed extension the pilot will remain at its current scale however the intention is to expand the eligibility to new cohorts (domestic abuse and moped-enabled offenders) and to expand the roll-out of the pilot to all London boroughs throughout the next 12 months (where viable as a result of Covid-19).
- 1.3. The evaluation of the GPS knife crime tagging project is being undertaken by MOPAC Evidence and Insight, using a model that builds on the approach previously employed for the offenders tagged on the Persistent Offender Programme. The evaluation employs a mixed-methods approach, combining performance monitoring, process and, if the sample size allows it, impact analysis. An interim evaluation report is due to be published in summer 2020. A final evaluation report will be written following the end date of the pilot.

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

- 2.1. The specific aims for the pilot are:
  - That GPS data is used to improve the management of the risk posed to known adults, children and the public.
  - That GPS improves the enforcement of licence conditions and increases deterrence from further offending.
  - That location data is used to challenge offender's thinking and lifestyle and improves rehabilitation.
  - That GPS location data is shared appropriately for enhanced crime detection.
- 2.2. The existing contract with the electronic monitoring supplier, Buddi Ltd, was written using the G Cloud 10 Framework from the Crown Commercial Service. The procurement process was supported by the Metropolitan Police Service's Commercial Service's team. The existing contract allows for a 12-month extension.
- 2.3. During the 12-months to May 2021 it is envisaged that up to 400 offenders will receive a GPS tag on release from prison. This will largely be made up of knife crime offenders but may also include domestic abuse and moped enabled offenders.
- 2.4. To support the extension of the pilot there will be a requirement for continued resource including a dedicated Police Intelligence Analyst to support the crime mapping function. Crime mapping allows for the cross-referencing of eligible offender's movements against the location of reported crimes in London. Data is only

released when a match is confirmed, and this is triaged to assess significance before being sent on to local police teams for investigation Crime mapping will only be carried out for offender assessed as “more likely than not” to reoffend.<sup>1</sup>

- 2.5. MOPAC continue to have a project delivery team consisting of two probation secondments. These roles are essential in the supporting Probation practitioners identify, manage and enforce GPS cases. The team also provides policy development, governance arrangements and staff training.

### 3. Financial Comments

- 3.1. The maximum approved budget for this extension is £861,532 including the use of £550,000 (as approved in PCD 715) and the carry forward of £311,532 from the 19/20 GPS budget. It is intended that this project is to be funded from the 19/20 carry forward budget.

- 3.2. The breakdown of the costs is as follows:

Item	Cost
GPS tagging and electronic monitoring	£692,816
Lost tags	£20,000
Missed appointments	£18,000
MPS analyst	£42,000
MOPAC Delivery Team	£88,716
<b>TOTAL</b>	<b>£861,532</b>

- 3.3. The contract value for 20/21 with Buddi Ltd for GPS tagging and electronic monitoring (including the cost of lost tags and missed appointments) is £693,266. The remaining £37,550 is covered by PCD 570 and relates to part of the previous contract period, from 1st April to 4th May 2020.

### 4. Legal Comments

- 4.1. Section 62(2) of the Criminal Justice and Court Services Act 2000 (the 2000 Act) provides that released prisoners may be subject to licence conditions which may include electronic monitoring conditions. Sections 62(2B) of the 2000 Act provides that the person who is to be made responsible for the monitoring is of a description specified in an order made by the Secretary of State. The Electronic Monitoring (Responsible Persons) Order 2018 provides a description of the persons who may be made responsible for the monitoring of individuals subject to electronic monitoring whilst on licence. Further organisations, in addition to those listed below, could be added to this list via the parliamentary statutory instrument process, depending on the outcome of procurement processes and whether this addition received support from central government and received parliamentary consent. However, currently only

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<sup>1</sup> As defined by having an OGRS (Offender Group Reconviction Scale) score of 50%+, which is an actuarial measure of risk of reoffending.

those employed by the following organisations can be responsible for the electronic monitoring of those on licence —

(i) Capita Business Services Limited, 71 Victoria Street, Westminster, London SW1H 0XA (Company Number 02299747);

(ii) Alcohol Monitoring Systems Limited, Lancashire Gate, 21 Tiviot Dale, Stockport, Cheshire, SK1 1TD (Company Number 07993509);

(iii) Buddi Limited, Talbot House, 17 Church Street, Rickmansworth, Hertfordshire, WD3 1DE (Company Number 05308826).

- 4.2. 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." This is a broad power and the extension of the pilot is aimed at deterring further offending, improving rehabilitation and enhancing crime detection all of which would enable the efficiency and effectiveness of the police service. In addition, under Schedule 3, paragraph 7, 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.
- 4.3. Section 143 (1) of the Anti-social Behaviour, Crime and Policing Act 2014 provides an express power for MOPAC, as a local policing body, to provide or arrange for the provision of (a) services that in the opinion of the local policing body will secure, or contribute to securing, crime and disorder reduction in the body's area and (b) services "intended by the local policing body to help victims or witnesses of, or other persons affected by, offences and anti-social behaviour."
- 4.4. MOPAC must in exercising its functions have regard to the police and crime plan issued by MOPAC.
- 4.5. Under MOPAC's Scheme of Delegation, approval of the strategy for the award of individual grants and the award of all individual grants (for crime reduction or other purposes) is a matter generally reserved to the DMPC (paragraph 4.8). The release of funding in accordance with the proposals set out in this decision form is accordingly to be approved by the DMPC. The delegation of responsibility for the finalisation of planning and contractual/grant arrangements, including relevant terms and the signing of agreements, to the Chief Executive Officer, is in accordance with the general power of delegation in paragraph 1.7, and more specifically paragraphs 5.4, 5.12 and 5.13.
- 4.6. Officers must ensure that the arrangements comply with the Financial Regulations and the Contracts Regulations.

## **5. Commercial Issues**

- 5.1. The extension requested aligns with the crown commercial G Cloud framework contract that is presently in place with Buddi, the extension option is limited to 12 months only.

- 5.2. This procurement has taken account and complies with the GLA Group's Responsible Procurement (RP) Policy. The GPS tags will continue to be leased from the supplier, not purchased, to increase the environment sustainability of the pilot.

## **6. Public Health Approach**

- 6.1. This pilot has the support of the Violence Reduction Unit as it seeks to test whether GPS can improve the management of the risk posed by prisoners being released following a conviction for knife related offences. Thus far in the pilot, GPS has been used not only to increase deterrence, enforcement and restrictive conditions to protect known victims and the public, but also to support engagement with relevant services and to specifically challenge individuals to change their lifestyle to move away from behaviour associated with increased risk of violence.

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

- 7.1. For the purposes of this project, MOPAC are a joint controller with HMPPS.
- 7.2. MOPAC is a joint controller for the purposes of delivering an evaluation of the programme. The evaluation will require access to personally identifiable information (PII). Data will include standard PII covered under Article 6, special category data covered under Article 9 and criminal conviction and/or offence data under Article 10.
- 7.3. A Data Protection Impact Assessment (DPIA) has been produced to identify and minimise risks to data subjects. This document will be updated to reflect the extension of the pilot.
- 7.4. MOPAC also receives, processes and uses personally identifiable information for professional contacts in relation to this project. This is required for the management of the project and is processed under the lawful basis of public task, in the exercise of our official authority.
- 7.5. All providers funded by MOPAC are required to comply with the GDPR and Data Protection Act 2018.
- 7.6. It is a requirement of the G-Cloud procurement process for the GPS monitoring provider to store and process all data within the UK.

## **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 Police and Crime Plan 2017-2021 contains within it a focus on: 'Reducing inequalities in communities' At the heart of our mission is a focus on setting an agreed standard and addressing the disparities we see across the city, making sure that a basic quality of service is there for everyone in London.
- 8.3. MOPAC is aware that young adult males are disproportionately represented in the cohort of those imprisoned for knife crime offences. Probation caseload data also shows that black or minority ethnic (BAME) groups are over-represented in the cohort of those serving a custodial sentence for knife crime offences. As a result of the disproportionate representation of all these groups within the group of those convicted of knife crime, it is envisaged that percentages of the groups included in the pilot will be broadly similar to the percentages of these same groups in the cohort of those given a prison sentence for knife crime offences.
- 8.4. The extent to which individuals from the above groups are included in the pilot will be monitored as part of the evaluation and continue to be reviewed, to ensure that any disproportionality can be addressed. The decision as to which case to include is taken by the allocated probation Offender Manager, based on the assessed risk and need of each case. Clear guidance has already been given to staff about the criteria for assessing cases and further guidance or training can be provided to mitigate any disproportionate impact of the pilot.

## **9. Background/supporting papers**

- 9.1. PCD 715.

**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**

*Tick to confirm statement (✓)*

**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**

- GDPR compliance issues are covered in the body of the report and the GDPR Project Manager/Data Protection Officer] has been consulted on the GDPR issues within this report.
- A DPIA has been completed.

✓

**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** 20/05/20





**DMPC Decision – PCD 715****Title: Uplift and Continuation of Funding to Tackle the Complex Causes of Violent Crime****Executive Summary:**

The Mayor announced in February 2020 that he is investing a further £55.5 million in funding via City Hall from April 2020 to tackle the complex underlying causes of violent crime in London. Of this funding, £2.65 million will be used in 2020/21 to continue funding and uplift key existing services which take a preventative approach to young people involved in crime or at risk of criminal exploitation; programmes addressing hate crime and extremism and innovative GPS monitoring pilots.

**Recommendation:**

The Deputy Mayor for Policing and Crime is recommended to:

1. Approve a budget of up to £2.65 million in funding which will be used to:
  - vary a grant to uplift funding to the Rescue and Response pan-London county lines service in 2020/21 for the amount of £750,000;
  - vary a contract for the GPS Tagging monitoring pilot in 2020/21 for the amount of £550,000;
  - fund a piece of Evidence & Insight led research into group and gang violence for the amount of £150,000;
  - award grants to the For Jimmy Foundation and Ben Kinsella Trust in 2020/21 to continue early youth intervention work for the amount of £150,000; and
  - continue funding the Countering Violent Extremism Programme in 2020/21 for the amount of £750,000 in addition to a grant variation to uplift support services for victims of hate crime in 2020/21 for the amount of £300,000.
2. Delegate authority to sign the associated grant agreements and contracts and agree the specific funding amounts related to the work described to the Chief Executive Officer.

**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** 9/4/20

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

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

On 12 February 2020 the Mayor announced that he is directing a further £55.5 million to tackle the complex underlying causes of violent crime in the capital. Of this, £2.65 million will be used to continue funding and uplift key existing services which take a preventative approach to young people involved in crime or at risk of criminal exploitation, programmes addressing hate crime and extremism and expansion of innovative GPS monitoring pilots. The existing services have been successful in demonstrating an impact on addressing victimisation, exploitation and re-offending. Continuing and uplifting these services helps to deliver on the Mayor's vision of tackling violent crime in the capital and putting victims at the heart of the criminal justice service.

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

- 2.1. The following is an overview of the projects that will be funded by this decision.

#### **Rescue and Response**

- 2.2. An uplift in funding will be made available to the Rescue and Response pan-London county lines service to sustain and build on the 'rescue' element of the service, supporting young Londoners arrested out of London who are caught up in county lines activity, and add extra casework capacity sufficient to address the holding list of young people waiting to receive a service. This will fund 6 additional frontline posts, working with up to 150 young people a year, a housing advocacy specialist and a post working with boroughs to help them improve their identification of girls and young women involved in county lines.

#### **GPS Tagging**

- 2.3. Funding will be used to continue innovative GPS tagging pilots in London, targeting offenders of knife crime, Domestic Abuse and moped-enabled crime, building on the success of Mayoral investment in this area and enabling impact evaluation to influence national funding for future provision. Pending ministerial agreement of the extension, the existing contract for GPS monitoring will be extended by a further 12 months with the current supplier to enable this extension. This will use the Digital Marketplace, which is a government framework to enable procurement between public sector organisations and approved suppliers.

#### **Research into group and gang violence and child criminal exploitation**

- 2.4. Funding for a piece of Evidence & Insight led research into group and gang violence and child criminal exploitation. The aim of this work is to refresh our evidence base through:
- an analytical assessment of need, harm and risk across the MPS, local authorities and other partner agencies data
  - research to understand shifts in and current perceptions and experiences of practitioners working with children and young people
  - A consolidation of recent learning and reviews to identify principles of 'what works'.
- The funding will provide additional temporary capacity to the Evidence & Insight team to enable it to be completed.

## Early Intervention Funding

- 2.5. Funding is being made available to sustain promising voluntary and community sector-led Home office Early Intervention Youth Fund projects aimed at children and young people at risk of involvement in youth violence. The Ben Kinsella Trust will build on their work to date, running behavioural change workshops with young people who are involved with youth offending teams, based in a Pupil Referral Unit or at serious risk of exclusion from a mainstream school. For Jimmy Foundation will work with schools to support young people and families, helping young people to identify and understand their personality traits and how they interact with others. They will develop interventions directly with young people and support young people to become peer mentors.
- 2.6. **Countering Violent Extremism Programme and Standing up to Hatred and Intolerance**

To maintain funding levels for the CVE Programme (following Mayoral uplift in 19/20) in light of a continued heightened pace and scale of terrorist activity and rise in hate and intolerance. This will include the continuation of the newly launched Shared Endeavour Fund and Network which provides small grants and capacity building for civil society groups standing up to hate, intolerance and extremism and which received matched funding of £400k from Google.org in 19/20. It also includes continued funding for support services for victims of hate crime at current levels (again following Mayoral uplift in 19/20) throughout 2020/21.

## 3. Financial Comments

- 3.1. This decision seeks DMPC approval for a budget of up to £2.65m from April 2020 to March 2021 for key existing services which take a preventative approach to young people involved in crime or at risk of criminal exploitation, hate crime and extremism programmes and expansion of innovative GPS monitoring pilots. This will be funded from MOPAC's budget for 2020/21 using funding allocated from the Mayoral funding announcement of £55.5m on 12 February 2020 to tackle the complex underlying causes of violent crime in the capital. A breakdown of the budget is provided in the table below.

Projects	£m
Rescue and Response pan-London county lines service	0.75
GPS Tagging	0.55
Research into group and gang violence	0.15
Early Intervention Funding	0.15
CVE Programme	0.75
Standing up to Hatred and Intolerance	0.3
<b>Total</b>	<b>2.65</b>

## 4. Legal Comments

- 4.1. 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 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. Section 143 (1) (b) of the Anti-Social Behaviour Crime and Policing Act 2014 provides an express power for MOPAC, as a local policing body, to provide or commission services “intended by the local policing body to help victims or witnesses of, or other persons affected by, offences and anti-social behaviour.” Section 143(3) specifically allows MOPAC to make grants in connection with such arrangements and any grant may be made subject to any conditions that MOPAC thinks appropriate.
- 4.3. The recommendations in this decision are in line with the legislation and in line with MOPAC’s Scheme of Delegation as set out below.
- 4.4. In line with section 4 of MOPAC’s Scheme of Consent and Delegation, the DMPC has authority for the:
  - approval of business cases for revenue expenditure above £500,000 and for the strategy for the award of grants (section 4.8); and
  - approval of the strategy for the award of individual grants and the award of all individual grants (section 4.8).
- 4.5. In line with section 5.22 of MOPAC’s Scheme of Delegation, the Chief Executive Officer has authority for the finalisation of planning and contractual/grant arrangements, including relevant terms and the signing of contracts and grant agreements.

## **5. Commercial Issues**

- 5.1. £2.35m will be distributed as variations to existing grant agreements and contracts to extend the capacity of key existing services supporting young people at risk of criminal exploitation, victims of hate crime and to support the expansion of innovative GPS monitoring pilots.
- 5.2. £150,000 will be allocated to MOPAC’s Evidence and Insight team to provide additional temporary capacity to the team to enable them to complete this work in the required timescales. It is anticipated that a proportion of this allocation is likely to be commissioned externally which would be subject to an open and competitive process delivered in line with MOPAC’s Contract Regulations.
- 5.3. £150,000 will be allocated via a direct award of grant to existing providers as this funding is being made available to sustain promising voluntary and community sector-led Home Office Early Intervention Youth Fund projects.
- 5.4. Delivery outcomes and spend profile will be bound by the terms of the grant agreement negotiated with the providers before any commitment to fund is made.

## **6. Public Health Approach**

- 6.1. This decision provides the funding to enable a better informed and more cohesive partnership approach to improving outcomes for victims, supporting young people at risk of criminal exploitation and becoming involved in crime and reducing re-offending in London. It will take a public health approach to tackling violence, which means looking at violence not as isolated incidents or solely a police enforcement problem. Instead, this

approach looks at violence as a preventable consequence of a range of factors, such as adverse early-life experiences, or harmful social or community experiences and influences.

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

- 7.1. All grant agreements include clear provisions relating to expected compliance in this area, and in relation to the processing of personal data, therefore all grant agreements and contracts will specify MOPAC's requirements of the suppliers in this area.

## **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. Each of the existing services have separate decisions and impact assessments where appropriate which set out the implications in more detail. For more details see the background and supporting papers.
- 8.3. The research into group and gang violence will be a new piece of work and so does not yet have a separate decision or impact assessment. One of the drivers for this work is to better understand the current picture of need, harm and risk in relation to group and gang violence. Through this work MOPAC and the VRU will be able to better understand the demographics – age, gender, ethnicity, location – of those involved or affected by violence and the way in which local authorities and other agencies are framing their response to gangs. This information will enable us to commission better services to meet that need.

## **9. Background/supporting papers**

- [PCD570](#)
- [PCD310](#)
- [PCD623](#)
- [PCD631](#)
- [PCD522](#)

**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:**

Legal advice is not required.

✓

**Equalities Advice:**

The Workforce Development Officer has been consulted on the equalities and diversity issues within this 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. This has been reviewed and supported by a senior manager within the VRU.

✓

**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**

- 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.

✓

**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.

✓

**Interim 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** 07/04/2020

## DMPC Decision – PCD 1065

**Title: Criminal Justice System - 2022/23 Commissioning Decisions**

### Executive Summary:

Recognising that repeat offenders are responsible for a disproportionate level crime and violence, the Mayor has committed to funding key programmes designed to break the cycle of re-offending, address violence, and improve the effectiveness of the Criminal Justice System in London. This decision requests confirmation of funding until the end of March 2023 (and March 2025 in respect of the Wraparound service for female offenders) of the following projects and services relating to the Criminal Justice System:

- Drug Testing in Police Custody – funding for drug testing in Police custody
- MAPPA – funding contribution for London Executive Office of the MAPPA
- GPS Tagging – funding use of GPS tags for violent and weapon offenders released back to London from prison
- Female offender wrap around services – funding to co-commission services with HMPPS for women in touch with the criminal justice in London.

The financial commitment in 2022/23 for Drug testing, MAPPA and GPS tagging will be £1,410,000 for a year, and for Female offender wrap around services is £2,330,000 between 2022-2025. For a total financial commitment of £3,740,000.

### Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

1. Approve the one-year funding of three Criminal Justice System projects in 2022/23, at a total financial commitment of £1,410,000.
2. Approve a three-year budget for the Female Offenders wraparound service from 2022/23 -2024/25 at a total financial commitment of £2,330,000
3. Delegate responsibility for agreeing the specific terms and amounts relating to individual grants, contracts or extensions to the Director of Commissioning and Partnerships.

### 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 26-11-21

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

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

- 1.1. Reducing and preventing violence in London is the Mayor's top priority. This means continuing the combination of police enforcement, effective interventions to help offenders leave crime behind and better support for victims alongside the public health approach to prevention being led by London's Violence Reduction Unit (VRU) to identify the underlying causes of violence and work with communities, young people and partners to intervene early. The Mayor's, 'tough on crime, tough on the causes of crime' approach recognises that protecting Londoners is not just about policing.
- 1.2. The COVID-19 pandemic has had a wide-reaching impact on MOPAC, the MPS and commissioned services, requiring delivery models to significantly adapt and flex. The funding outlined below takes into consideration the compounding effects of the COVID-19 pandemic has had.
- 1.3. In order to expedite the decision process and meet our commitment to give providers and commissioners 6 months' notice of funding for 2022/23, the projects and services for which extension is requested have been grouped into themes. This decision relates to projects in the area of the Criminal Justice System.

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

- 2.1. All funding arrangements for projects and services which are due to expire in March 2022 have been considered under their own merits; how these contribute towards the Mayor's aims of reducing violent offending, reducing re-offending, and improving the effectiveness of the criminal justice system; and to ensure that they have demonstrated satisfactory performance and value for money. The work encompassed within this decision focuses on addressing violent offending, substance misuse and the specific needs of women in the criminal justice system. The projects and services below are requested for extension to the end of March 2023, and to the end of March 2025 in respect of the Women's service (to support longer term co-commissioning with probation).
- 2.2. Drug Testing in Police Custody – The Metropolitan Police Service deliver drug testing in Police custody and procure drug testing equipment and laboratory services for contested orders. MOPAC funding supports three job roles within the MPS: A Strategic Drug and DIP lead, A Drug Testing Co-ordinator and an Offender Management Co-ordinator. This funding underpins the delivery of Drug Intervention Programme in London, which is a core element of reducing reoffending by drug using offenders through engaging them in treatment at the earliest possible stage. Work is also underway to review this programme and develop a more consistent approach across London.

- 2.3. MAPPA – Multi Agency Public Protection Arrangements (MAPPA) is the framework which co-ordinates agencies to manage offenders who pose a high or very high risk of serious harm to the public. MOPAC funding supports the London MAPPA Executive Office, which provides vital public protection work and plays an important role in leadership, training and quality assurance in the work of MAPPA in London.
- 2.4. GPS Tagging – The GPS Tagging pilots have led the way on testing the use of GPS tagging for knife crime offenders, and more recently domestic abuse offenders, after their release from prison. This explores and evaluates the benefits of GPS monitoring for risk management, enforcement and deterrence from harmful offending. Extended MOPAC funding will allow the benefits of GPS to be continued for knife crime and domestic abuse offenders as well as potential expansion to more violent offenders, providing greater public protection.
- 2.5. Wrap around services for female offenders – Since 2018 MOPAC have been commissioning services for London women in touch with the criminal justice system as part of an innovative, holistic service to reduce reoffending. From June this year these services have been co-commissioned across London with HMPPS and London Probation as part of the new probation model, also including women not on probation but with complex needs and at risk of offending.

### 3. Financial Comments

- 3.1. This decision requests approval to fund and extend service contracts or grants detailed in in section 2.2 to 2.4, at a total financial commitment of £1,410,000 from 1st April 2022 until 31st March 2023.
- 3.2. This decision also requests approval to fund and jointly co-commission the Female Offender's Wrap around service (set out on 2.5), with HMPPS and London Probation. MOPAC's total financial commitment to the co-commissioned service is set at £2,330,000 until March 2025. MOPAC funding is dependent on MoJ funding commitments to this service.
- 3.3. An overview of the individual allocations and their funding source is set out in the table below.

Service Name	22/23 Allocation	Funding Source
Drug Testing in Police Custody	£470,000	Police Grant
MAPPA	£40,000	Police Grant
GPS Tagging	£900,000	Core funding
Total	<b>£1,410,000</b>	

Service Name/Allocations	22/23	23/24	24/25	Funding Source
Women's wrap around service	<b>£920,000</b>	<b>£760,000</b>	<b>£650,000</b>	Police Grant

- 3.4. Payments will be made in line with current arrangements in the contract or grant, following satisfactory performance and contract or grant management meetings.
- 3.5. Funding sources are provisional only and subject to change. Confirmation of funding sources will be finalised as part of the final budget submission.

#### **4. Legal Comments**

- 4.1. 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. Section 143 (1) (b) of the Anti-Social, Behaviour Crime and Policing Act 2014 provides for MOPAC to provide or commission services "intended by the local policing body to victims or witnesses of or other persons affected by, offences and anti-social behaviour." Section 143 (3) specifically allows MOPAC to make grants in connection with such arrangements and any grant may be made subject to any conditions that MOPAC thinks appropriate.
- 4.3. 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.
- 4.4. Under MOPAC's Scheme of Delegation, the approval of business cases for revenue or capital expenditure of £500,000 and above, are for the DMPC. The strategy for grant giving, the award of individual grants, all offers made and the award of grant funding are also for the DMPC. The decisions in this report can be approved by the DMPC.
- 4.5. Officers must ensure the Financial Regulations and Contract Regulations are complied with.
- 4.6. 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.
- 4.7. Officers confirm that sufficient assurance has been carried out to this decision to determine that the DMPC has legal authority to agree the recommendations on funding and the extension of grants and contracts.

#### **5. Commercial Issues**

- 5.1. This decision requests to extend existing grants and contracts, as laid out in 2.2 to 2.5, or create new grants where needed.
- 5.2. There are no procurement issues with this decision, as where contracts are in place, the value of these contracts is not being increased by more than 50% of the current value, and is in line with the terms and conditions of the contract variations, framework and grant agreement amendments, as relates to extensions.

- 5.3. MOPAC makes no commitment to fund the organisations listed in 2.2 to 2.5 above until grant amendment or contract variation letters been signed by both parties. These will detail the new performance and payment schedules, in line with previous arrangements.
- 5.4. The modification request to the grant agreement/contract will comply with the MOPAC Scheme of Consent and Delegation.
- 5.5. Further details on the commercial issues for each project or service can be found in this decision referenced in 2.2 to 2.5.
- 5.6. For the GPS tagging pilot continuation, we will extend the current contract which was procured using the government Digital Marketplace. This extension will be in line with the Digital Marketplace framework and the current contract provisions. This procurement takes into account and complies with the GLA Group's Responsible Procurement (RP) Policy. The GPS tags will be rented from the supplier, not purchased, to increase the environmental sustainability of the pilot.
- 5.7. For the continuation of the Female Offender wrap around service this will be co-commissioned with the London Probation Service using the Ministry of Justice's Dynamic Framework. This is an approved framework that allows criminal justice partners to procure services from pre-approved suppliers and the collaboration in this area is underpinned by a Memorandum of Understanding between MOPAC, London Probation Service and the Ministry of Justice. As part of this arrangement MOPAC will provide grant funding to the Ministry of Justice for the amounts specified above, so that the combined funding can be used through the Dynamic Framework to appoint a provider.

## **6. Public Health Approach**

- 6.1. A common ambition of most of these projects is to ensure that offenders and those at risk of offending have their needs met in the community. MAPPA and GPS Tagging projects are particularly linked to the public health approach to tackling the causes of violent crime in London. They enable the effective management of potentially harmful offenders, and the gathering and sharing of intelligence to prevent further harm. Drug testing in police custody also provides a pathway for those with substance misuse needs to be referred into treatment. The Female Offender wrap around service is a holistic intervention to reduce reoffending and violence, promote the well-being of service users and address their victimisation. It also acknowledges the social relationships and care responsibilities of these service users, and as such promotes a public health approach to reducing offending and violence.

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

- 7.1. The extension of the projects and services listed in 2.2 to 2.5 will not alter the data protection measures in place for each. Where required, DPIAs will be updated to reflect the extension of the corresponding project or service.
- 7.2. Further details on the data protection considerations for each project or service can be found in this decision referenced in 2.2 to 2.5.

## 8. Equality Comments

- 8.1. Under s149 of the Equality Act 2010 (the Equality Act), as a public authority the Deputy Mayor/MOPAC must have due regard to the need to eliminate discrimination, harassment and victimisation, and any conduct that is prohibited by or under this Act; and to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. Protected characteristics under the Equality Act are age, disability, gender re-assignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage or civil partnership status (the duty in respect of this last characteristic is to eliminate unlawful discrimination only).
- 8.2. The providers listed in 2.2 to 2.5 will be required to have due regard to the protected characteristics of the people and communities relevant to this piece of work.
- 8.3. As part of the quarterly performance monitoring of each service we collect demographics information, which helps us to understand who is accessing each service and how any barriers to accessing may be overcome.
- 8.4. Drug Testing - Substance misuse impacts people across all demographics, but there is particular crossover with mental ill health, where people may self-medicate with illegal substances. Drug testing on arrest is not undertaken for children under 18 years old. Testing will be undertaken for those who have committed a trigger offence regardless of any other protected characteristics, so the throughput is determined by arrests made. Where Inspector's Authority is used, there is clear guidance to mitigate against the introduction of disproportionality.
- 8.5. MAPPA- MAPPA is a framework which co-ordinates agencies to manage offenders who pose a high or very high risk of serious harm to the public. This framework is used for all offenders who meet a threshold of risk dependant on their offending and behaviour regardless of any protected characteristic.
- 8.6. GPS- Inclusion in the pilot and the length and exact nature of the enforceable licence conditions depends on the already existing process for deciding licence conditions, which are proposed by probation staff, based on individualised risk assessments, and considered for approval by prison Governors. Equality Impact Assessments are in place to assess the impact of the programme on all protected characteristics.
- 8.7. Female offender wrap around- Although the proportion of women in the criminal justice system is small – approximately 5% of the prison population and 15% of offenders in the community – the positive impact of addressing their needs is significant. The Equality Act 2010 allows women only or women-specific services where the circumstances and needs of women and men are different in order to achieve equitable outcomes.

## 9. Background/supporting papers

- 9.1. PCD 849 was signed in October 2020, and approved funding in 2021/22 for all of the services continued within this decision.
- 9.2. PCD 948 was signed on the [Pan-London Female Offender Co-Commissioned service 2021/22](#) in March 2021.

9.3. PCD 498 for the [GPS pilots 2021/22 contract award | London City Hall](#) was signed in March 2021.

<p><b>Public access to information</b></p> <p>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.</p> <p>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.</p>
<p><b>Part 1 Deferral:</b></p> <p>Is the publication of Part 1 of this approval to be deferred? NO</p> <p>If yes, for what reason:</p> <p>Until what date:</p>
<p><b>Part 2 Confidentiality:</b> 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.</p> <p>Is there a <b>Part 2</b> form –NO</p>

ORIGINATING OFFICER DECLARATION	Tick to confirm statement (✓)
<p><b>Financial Advice</b></p> <p>The Strategic Finance and Resource Management Team has been consulted on this proposal.</p>	✓.
<p><b>Legal Advice</b></p> <p>Legal advice is not required.</p>	✓.
<p><b>Equalities Advice:</b></p> <p>Equality and diversity issues are covered in the body of the report.</p>	✓.
<p><b>Public Health Approach</b></p> <p>Due diligence has been given to determine whether the programme sits within the Violence Reduction Unit's public approach to reducing violence. This has been reviewed and supported by a senior manager within the VRU.</p>	✓.
<p><b>Commercial Issues</b></p> <p>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.</p>	✓.
<p><b>GDPR/Data Privacy</b></p> <ul style="list-style-type: none"> <li>GDPR compliance issues are covered in the body of the report.</li> <li>A DPIA is not required.</li> </ul>	✓.
<p><b>Drafting Officer</b></p> <p>Ruth Bloomfield has drafted this report in accordance with MOPAC procedures.</p>	✓.
<p><b>Director/Head of Service</b></p> <p>The Director of Commissioning &amp; Partnerships has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.</p>	✓.

**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 26-11-21**A handwritten signature in dark ink, appearing to read 'Hannah Clifford', is written over the signature line.