

DMPC Decision – PCD 1380

Title: Creative Advertising – Initiate Procurement

Executive Summary:

This paper seek approval to initiate procurement for the supply of creative advertising services. The service covers a range of creative design services such as print, radio, TV and online content to support recruitment, and strategic crime prevention and internal campaigns. The proposed contract is for an initial term of 2 years with two 1-year optional extensions. The estimated 4-year contract value is £8,000,000. The proposed contract is a call-off contract, which does not commit the MPS to expenditure with the supplier in any particular year, and costs will be met from within existing or to be approved MPS budgets.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

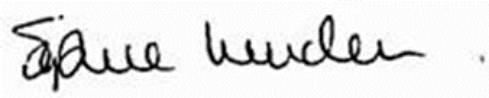
1. approve to initiate procurement activity to allow MPS Commercial Services to tender against Crown Commercial Services (CCS) Campaign Solutions framework 2 (RM6125). The maximum value of the call off agreement will be £2m per year over a 2 year + 1+1 year arrangement, with a lifetime budget estimate of up to £8m.
2. Approve award of contract be delegated to the Director of Commercial Services following completion of the tendering process.
3. Approve MPS Commercial Services to go to market directly via an Open Procedure if the preferred option to procure via the CCS Campaign Solutions 2 Framework failed to yield any responses.

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

22/05/2023

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

1. Introduction and background

- 1.1. The service covered by this proposal include a range of creative design services such as print, radio, TV and online content to support the MPS' Police Constable volume recruitment, strategic crime prevention and internal campaigns, as well as the MPS' wider business group creative requirements for ad hoc projects.

2. Issues for consideration

- 2.1. MOPAC approved a decision to initiate procurement for this service in 2019 (PCD618) but this did not progress due to the COVID pandemic, and organisational and resourcing constraints.
- 2.2. The procurement will support external campaigns such as Police Constable volume and diversity recruitment, anti-violence, domestic abuse, crime prevention and behavioural change campaigns around topics such as robbery and burglary, whilst internal campaigns include standards campaigns, criminal justice outcomes, Covid 19, and safeguarding.
- 2.3. MPS advertising campaigns contribute to all of the MOPAC's priorities, particularly increasing trust and confidence and reducing and preventing violence by supporting victims of crime.

3. Financial Comments

- 3.1. The proposed contract value for the creative advertising service is £2,000,000 per annum, which over 4 years would be £8,000,000. The MPS Directorate of Media & Communications holds an annual budget in relation to this activity of up to £600,000. The contract value allows for the call-off of services where additional funding streams from, for example, the Home Office, MOPAC or other parts of the MPS require the service.
- 3.2. The contract is a call-off contract, which does not commit the MPS to expenditure with the supplier in any particular year.

4. Legal Comments

- 4.1. MOPAC 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 £213,477 (inclusive of VAT) or above must be procured in accordance with the Regulations. This report confirms the proposed contract exceeds this value. Accordingly, the Regulations will be engaged.
- 4.2. DLS assure that the use of a competitive process from the Crown Commercial Services (CCS) Framework Agreement will constitute a compliant process, and that the

alternative to procure via an open tender process if the CCS process does not deliver a compliant bid is also compliant.

- 4.3. Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides the Deputy Mayor for Policing and Crime has delegated authority to approve all requests to go out to tender for contracts valued at £500,000 or above.
- 4.4. Paragraph 7.23 of the Scheme provides that the Director of Strategic Procurement has consent for the approval of the award of all contracts, with the exception of those called in through the agreed call in procedure

5. Commercial Issues

- 5.1. This proposed procurement exercise seeks to acquire the provision of a service that involves creative partners taking a brief from MPS to address an organisational issue. They recommend a creative route, suggested design, and then produce the assets to deliver the campaign.
- 5.2. The proposed procurement route is to carry out tender activity by running a competition among 12 suppliers to select a new strategic partner for creative solutions via the Crown Commercial Services (CCS) Campaign Solutions Framework 2 RM6125, which was made available to buyers in 2021.
- 5.3. If the CCS route does not provide a successful outcome the MPS also seek the approval to carry out a open market tender process.
- 5.4. The proposed term of the contract is up to four years with an initial two-year term with two 12-month optional extensions. The contract is a call-off contract, which does not commit the MPS to expenditure with the supplier in any particular year. The proposed contract value is upto £8,000,000 to allow for both known and unforeseen demand.
- 5.5. Value for Money will be achieved by competitive process involved in the establishment of the CCS framework and the further competitive tender process to be undertaken.
- 5.6. The MPS assure that a minimum of 10% of the evaluation criteria will be allocated to Social Value factors. For the creative media and communications category, this is likely to include initiatives such as supporting jobs in communities, apprenticeships and promoting workforce equality through diverse contributors on creative campaigns. The MPS will ensure this contract contributes to the MPS Small and Medium Enterprise (SME) agenda by building requirements to report on SME contributions on campaigns, and will look for benefits from the suppliers on the framework that will support the London Anchor Institution Charter working alongside other public sector and government agencies to give greater leverage
- 5.7. The most recent GLA framework expires in April 2023 and is being extended to March 2025. The MPS state that having already been granted authority to initiate their own bespoke procurement route in 2019, the MPS were not approached by TfL to

collaborate on the specifications of the revised Framework. As such the requirement will not have been tested against the full range of specific MPS requirements in particular volume recruitment marketing required for the attraction of police constables. Coupled with the limited amount of time left to run on this Framework this would provide MPS with insufficient time to effectively on board the right agency, it has been discounted as a viable route for the MPS to pursue.

6. GDPR and Data Privacy

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

7. Equality Comments

- 7.1. MOPAC is required to comply with the public sector equality duty set out in section 149(1) of the Equality Act 2010. This requires MOPAC to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations by reference to people with protected characteristics. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.2. The MPS consider there to be no negative equality or diversity implications arising from this process negating the requirement to present any mitigation. Any approved suppliers will be evaluated for acceptable equality and diversity statements, as well as their ability to meet the MPS requirements under the Equality Act 2010 as suppliers to MOPAC.

8. Background/supporting papers

- Appendix 1 MPS Report - INITIATE PROCUREMENT FOR CREATIVE ADVERTISING SERVICES

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 – YES

ORIGINATING OFFICER DECLARATION

Tick to confirm statement (✓)

Financial Advice:

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

✓

Legal Advice:

The MPS legal team has been consulted on the proposal.

✓

Equalities Advice:

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

✓

Commercial Issues

Commercial issues are covered in the body of the report.

✓

GDPR/Data Privacy

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

✓

Drafting Officer

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

✓

Director/Head of Service:

The MOPAC Chief Finance Officer and Director of Corporate Services has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.

✓

Chief Executive Officer

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Deputy Mayor for Policing and Crime.

Signature

Manakuchford.

Date

22/05/2023