

## DMPC Decision – PCD 1547

**Title: Culture, Diversity & Inclusion Directorate(CD&I) Transformation****Executive Summary:**

This paper seeks approval to go to market for a direct contract award of a maximum value of £900,000 to support the delivery of the CD&I Professional Services, a Baseline Audit of all on going CD&I initiatives across the Metropolitan Police Service (MPS) and to activate the Standards and Values work-stream.

**Recommendation:**

The Deputy Mayor for Policing and Crime is recommended to:

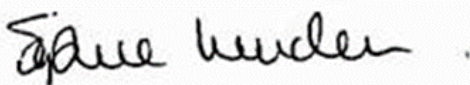
1. Approve the proposal to go to market for a contract value of approximately £900,000 to provide CD&I Professional Services, of which an estimated £300,000 is for the CD&I Baseline Audit and an estimated £600,000 is for the Standards and Values Activation.

**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

12/12/2023

**PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE DMPC****1. Introduction and background**

- 1.1. The MPS is committed to creating a 53- post CD&I Directorate because the current CD&I capabilities are regarded as insufficient to address the issues raised by Baroness Casey and HMICFRS, as well as to fulfil the MPS's reform ambitions.

- 1.2. To assess the success of the Directorate, it is crucial to understand the foundation on which the strategy is being developed. Therefore, the Baseline Audit and Standards and Values Activation activity is essential and forms the CD&I Professional Services offering.
- 1.3. It is vital to understand the basis on which the strategy is being developed in order to assess the directorate's effectiveness. As a result, the CD&I Professional Services offering's Baseline Audit and Standards and Values Activation activities are essential.
- 1.4. The goal of the audit is to improve coherence and coordination within the MPS by thoroughly assessing all existing activity. The identification of good practice with a view to upscaling is another essential requirement. This will support the MPS to understand the baseline and, determine what needs to change.
- 1.5. In addition to the culture exploration study conducted by Ernest&Young (EY) to learn more about how the MPS organisational values and principles can be embedded within the workforce, the MPS has also previously carried out commendable discovery work that discovered an extensive range of activities in the equality, diversity, and inclusion (EDI) space.
- 1.6. The outcomes of the prior studies will be considered in the Baseline Audit as well as the Values and Principles Activation while negotiating with suppliers, to ensure the experience of previous studies can be referenced. What will, however, influence the newly created Directorate's overall Strategy is how the CD&I Professional Services differs from previous studies.
- 1.7. Therefore, external Support is required to deliver the CD&I professional services from a single supplier to;
  - Provide independent facilitators to conduct a Baseline Audit by thoroughly assessing all existing activity within the MPS, collate data, and provide recommendations to improve coherence and coordination as the Directorate develops its own internal resources. This expected to be delivered within 3 months.
  - Provide experts to support the formulation and delivery the Values and Standards Activation by collaborating closely with all stakeholders to ensure effective delivery of the Plan and embedding of the values and standards across the MPS whilst the Directorate develops its own internal resources. This is expected to be delivered within 6 months.
- 1.8. The MPS's plan is to go to market to identify a supplier to work with the Directorate from February 2024 to July 2024 to provide critical additional capacity and capability whilst the MPS builds its internal infrastructure to reduce the need for external support post-delivery from August 2024.

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

- 2.1. The CD&I Programme was formally launched on 21 August 2023.

- 2.2. The standards and values of the MPS will serve as the foundation for all training. As a result, the MPS must establish how to facilitate this effectively and ensure that the approach used in all training is consistent.
- 2.3. The MPS states the new CD&I Directorate is urgently required to deliver the Professional Services which should have been delivered prior to the formation of the Directorate. Therefore, the critical findings from the Professional Services will be incorporated into the Directorate's iterative design.
- 2.4. The new CD&I Directorate will be mobilised at pace recognising the strategic requirement. Therefore, until the Directorate's Strategic Branch is formed between November 2023 and the start of 2024, procurement and delivery will be managed by the CD&I Programme Team which will be responsible for;
- Ensuring that the MPS is collecting appropriate data to measure the benefits of delivery. Third party delivery will be assessed on a weekly basis through participant evaluation so that any drops in quality or service can be promptly escalated.
  - A dedicated Project Manager will be responsible for ensuring an appropriate schedule for delivery activities and that payments are made, ensuring early indication of schedule changes to avoid cancellation fees and they will be supported by a dedicated Superintendent.
- 2.5. The MPS assure that strategic oversight will be provided via the CD&I Programme by meeting with the supplier every two weeks and the Chief Officer Design Authority monthly including senior representatives from all Business Groups, along with the Federation.

### **3. Financial Comments.**

- 3.1. The CD&I Professional Services will be funded from the New Met for London (NMFL) Plan at an estimated total cost of £900,000.
- 3.2. The NMfL outlines three key priorities to reform; one of the three key priorities is embedding the culture of policing by consent which is underpinned by the CD&I Programme and supported by the CD&I Directorate.

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

- 4.1. The Mayor's Office for Policing and Crime ("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 or above shall be procured in accordance with the Regulations.

- 4.2. The MOPAC Scheme of Delegation and Consent provides the Deputy Mayor for Policing and Crime (“DMPC”) has delegated authority to approve:
- a. Business cases for revenue or capital expenditure of £500,000 and above (paragraph 4.8); and
  - b. All requests to go out to tender for contracts of £500,000 or above, or where there is a particular public interest (paragraph 4.13).
- 4.3. Paragraph 7.23 of the Scheme provides that the Director of Strategic Procurement has consent for the approval of the award of all contracts, except for those called in through the agreed call-in procedure. Paragraph 4.14 of the Scheme provides the DMPC reserves the right to call in any MPS proposals to award a contract for £500,000 or above. This paper seeks approval from the DMPC for the Director of Strategic Procurement to approve the eventual award.
- 4.4. The MPS assure that the route to market is compliant because it's based on a valid framework agreement as such, there are no legal issues.

## **5. Commercial Issues.**

- 5.1. There is a requirement to secure external resource to deliver the CD&I Baseline Audit and complete the Standards and Values work. The current commercial frameworks will be used to evaluate suppliers for acceptable equality and diversity statements, as well as their ability to meet the MPS’s requirements under the Equality Act 2010 as suppliers to MOPAC.
- 5.2. The evaluation exercise will consider the supplier ability to act as a responsible employer and meet employment obligations deemed commensurate with wider GLA objectives.
- 5.3. In addition, it should be noted that the MPS supports the Mayor’s Responsible Procurement Policy including Enhancing Social Value, Encouraging Equality and Diversity, embedding fair employment practices, enabling skills, training and employment opportunities, promoting ethical sourcing practices and improving environmental sustainability.
- 5.4. The operating model design has been approved and all stakeholders and enabling functions to have been involved in the development of the transition and implementation plan. The successful supplier of this competitive process will provide the infrastructure and resources to deliver the programme’s outcomes thereby enabling the benefits to be achieved.
- 5.5. The goal is to secure a dedicated CD&I Directorate team focused on transition and implementation. The approach will avoid re-work and additional mobilisation costs and remove the pressure on the MPS to fill emerging vacancies in order to keep the momentum during a time bound implementation period. This is the most cost-effective option to ensure the work is completed and it is assumed that commercial engagement will not be required to deliver the Directorate.

## **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 is subject to the requirements and conditions placed on it as a 'State' body to comply with the European Convention of Human Rights and the Data Protection Act (DPA) 2018. Both legislative requirements place an obligation on the MPS to process personal data fairly and lawfully to safeguard the rights and freedoms of individuals.
- 6.3. Under Article 35 of the General Data Protection Regulation (GDPR) and Section 57 of the DPA 2018, Data Protection Impact Assessments (DPIA) become mandatory for organisations with technologies and processes that are likely to result in a high risk to the rights of the data subjects.
- 6.4. The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure the project meets its compliance requirements.
- 6.5. There are no apparent data protection issues at this early stage of the project. The project will ensure a privacy by design approach, which will allow the MPS to find and fix problems at the early stages of any project, ensuring compliance with GDPR. DPIAs support the accountability principle, as they will ensure the MPS complies with the requirements of GDPR, and they demonstrate that appropriate measures have been taken to ensure compliance.
- 6.6. Whilst it is not expected to impact Data an initial DPIA will be raised on DAPIAN (535) and this will develop further once the delivery team is in place.

## **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. There are no known negative equality or diversity implications arising from this process negating the requirement to present any mitigation.

## **8. Background/supporting papers**

- 8.1. MPS Report Part 1 Culture, Diversity & Inclusion Directorate Transformation programme.

<b>Public access to information</b>
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Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOIA) and will be made available on the MOPAC MPS 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	<i>Tick to confirm statement (✓)</i>
<b>Financial Advice:</b> The Strategic Finance and Resource Management Team has been consulted on this proposal.	✓
<b>Legal Advice:</b> The MPS legal team has been consulted on the proposal.	✓
<b>Equalities Advice:</b> Equality and diversity issues are covered in the body of the report.	✓
<b>Commercial Issues</b> The proposal is in keeping with the GLA Group Responsible Procurement Policy.	✓
<b>GDPR/Data Privacy</b> <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>	✓
<b>Drafting Officer</b> Stephen Kalyango has drafted this report in accordance with MOPAC procedures.	✓
<b>Director/Head of Service:</b> The Interim Chief Finance Officer and the 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 have 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**

*Hanahuchford.*

**Date.** 30/11/2023

