

DMPC Decision – PCD 1437**Title: Hate Crime Victims Service Contract Extension****Executive Summary:**

In 2021, following a competitive tender process, MOPAC awarded a £1,138,216 contract for the delivery of a pan-London Hate Crime Victims Service to the Community Alliance To Combat Hate (CATCH) consortium of specialist providers. The two-year contracted service commenced on 1 October that year and will expire on 30 September 2023.

The tender offer documentation and subsequent contract both identified the option to extend the contract for any period up to a maximum of two years, with the caveat that any extension would require authorisation via a decision to allocate the requisite budget. The robust monitoring of delivery and the evaluation of the service clearly indicate that the optimal option is to extend the contract with the existing provider for a further two years, the maximum term allowed by the tender documentation and contract.

Recommendation:

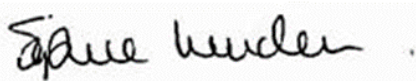
The Deputy Mayor for Policing and Crime is recommended to:

1. Approve the two-year extension of the contract with CATCH to deliver the pan-London Hate Crime Victims Service at a cost of £1,138,216. The two-year contract extension will operate over three financial years, commencing in 2023/24 and concluding in 2025/26 and will be funded from MOPAC budgets.
2. Approve the carry forward of £28,458 from 2023/24 to 2024/25 from the Hate Crime Advocacy budget to ensure the service in 2024/25 is fully funded.

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**

01/08/2023

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

1. Introduction and background

- 1.1. The Police and Crime Plan restates the Mayor's commitment to "ensure that victims of hate crime receive the specialist support that best meets their needs". Hate crime victims often have complex needs which are best served by specialist 'by and for' services.
- 1.2. Hate crime victims service providers report that as well as a long-term trend of an increase in the number of referrals, the complexity of cases supported has increased. This is further compounded by the courts backlog, meaning victims require support for longer. As the Baroness Casey Review highlights, low trust and confidence in the police by marginalised communities is a barrier to reporting and receiving support.
- 1.3. To address these factors, MOPAC commissioned a pan-London Hate Crime Victims Service in 2021. The Community Alliance To Combat Hate (CATCH), a consortium of specialist hate crime victim service providers, was awarded a £1,138,216, two-year contract following a competitive tender process. The contract commenced on 1 October 2021 and expires on 30 September 2023.
- 1.4. Clause 2.2 of the contract (authorised by PCD 904) allows for the extension of the duration of the contract for a further period, or periods up to a total of two years at MOPAC's sole discretion. This decision requests the extension for the maximum two years allowed under the contract.
- 1.5. Baroness Casey's review into the standards of behaviour and internal culture of the MPS found it to be institutionally misogynistic and homophobic, making clear that trust in the Met has fallen significantly amongst the LGBTQ+ community.
- 1.6. The MPS' New Met for London Plan commits to protecting the most vulnerable and those Londoners who are most likely to be at highest risk of harm from crime, focusing resources to protect and remove them from harm.
- 1.7. Providing specialist tailored support to victims of hate crime and those supporting cases through the criminal justice process is crucial to both ensuring they receive the support and/or criminal justice outcomes they deserve and improving the trust and confidence of London's marginalised communities.

2. Issues for consideration

- 2.1. The existing contract includes a set of Key Performance Indicators that measure defined service requirements including outputs, outcomes and the level of client satisfaction with the service. This performance information is reported to MOPAC through a process of monthly and quarterly data and narrative returns and quarterly contract management meetings.

- 2.2. As the service has become embedded in the hate crime sector landscape, the number of referrals has steadily increased. The figure of 3,500 referrals received in the last year is expected to be surpassed in the current year. As the number of referrals and service users has increased, the quality of service has been maintained. The service records very high levels of victim satisfaction and all KPI targets are fully met or (in most cases) exceeded.
- 2.3. The contract also requires the provider to engage with an evaluation of the service undertaken by the MOPAC Evidence and Insight Team. A planned evaluation of the service was undertaken with the full cooperation and engagement of the provider. The finalised evaluation report will not be available until mid to late June, largely due to challenges in capturing the views of service users and survey responses from external partners that the provider works with. However, emerging findings from the evaluation suggest that the provider delivers an effective service that achieves high levels of victim satisfaction, despite a very busy and demanding caseload. While the evaluation report will identify some areas where delivery of the service could be strengthened, it is highly unlikely to identify any serious risks.
- 2.4. Alongside this the hate crime victim sector is still comparatively fragmented, comprising largely small, local services. Most of those service providers with a regional profile (and commensurate capacity and resources) are already members of the CATCH consortium. As there are no guarantees that a newly commissioned service, requiring another major procurement exercise, would demonstrate significant improvements in the support for victims of hate crime, the extension of the contract with CATCH, with development and improvement informed by the evaluation, is the optimum option for a hate crime victims service at this time.

3. Financial Comments

- 3.1. The total budget requirement for this two-year contract extension is £1,138,216. The contract will operate over three financial years, commencing in 2023/24 and concluding in 2025/26:

FY	Service Description	Cost (£)
2023/24	Extended contract	284,554
2024/25		569,108
2025/26		284,554
Totals		£1,138,216

- 3.2. The service will be funded from the Hate Crime Advocacy Service budget. There is sufficient budget to cover the extension, however the budget will need to be reprofiled to ensure sufficient funding is in the appropriate year. This paper seeks approval for a carry forward from 2023/24 to 2024/25 of £28,458 to ensure the service in 2024/25 is fully funded.
- 3.3. MOJ funding is committed until 2024/25. A further DMPC decision will be required to accept MoJ funding in 2025/26. It is assumed that funding will continue at similar

levels; however, should the funding levels from the MoJ change then MOPAC's grant and contract terms allow for changes to be made to the contract value to accommodate these changes.

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."
- 4.3. 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.
- 4.4. Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime (DMPC) has delegated authority to approve all unforeseen variations and extensions to contracts with an original value of £500,000 or above, when the variation or extension is greater than 10% of the original value and/or is for a period of more than 12 months.
- 4.5. These recommendations are in line with the MOPAC Scheme of Delegation and Consent.
- 4.6. Officers must ensure the Financial Regulations and Contract Regulations are complied with.
- 4.7. Officers confirm that sufficient assurance has been carried out on this decision to determine that the DMPC has legal authority to agree the recommendations on funding and the extension of the contract.

5. Commercial Issues

- 5.1. This decision requests to extend an existing contract, as laid out in paragraph 1.4. There are no procurement issues with this decision, as this decision relates to activating the relevant clauses in an existing contract only.

- 5.2. MOPAC makes no commitment to fund the provider until the contract extension has been signed by both parties. This will detail the new performance and payment schedules, in line with previous arrangements.
- 5.3. Further details on the commercial issues can be found in decision PCD 904.
- 5.4. The extension to the contract is compliant with the MOPAC Scheme of Delegation and Consent and Contract Regulations.

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 in London which will much align with and support the VRU's public health approach to tackling the causes of violent crime in London.
- 6.2. Further details on the public health approaches of each project or service can be found in decision PCD 904.

7. GDPR and Data Privacy

- 7.1. MOPAC does not have access to any data related to LVWS which is personally identifiable and 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.
- 7.2. Further details on the data protection considerations can be found in decision PCD 904

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. Hate crime victims have higher levels of depression, stress and anger, and for longer, than victims of all crime. The service provider will comprise partners who work with and support victims of all strands of hate crime whether it be motivated by race, faith, sexual orientation, disability or transgender status or an intersection of two or more of these personal characteristics. This decision will enable the Hate Crime Victim Service to continue to play a valuable role in supporting the MPS to address some of the findings of the Baroness Casey Review.

- 8.3. Equality monitoring will form part of the contract management of the service, ensuring equitable access to services and pro-actively addressing any barriers to the service.

9. Background/supporting papers

PCD 904

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOIA) and will be made available on the MOPAC website following approval.

If immediate publication risks compromising the implementation of the decision it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.

Part 1 Deferral:

Is the publication of Part 1 of this approval to be deferred? **NO**

If yes, for what reason:

Until what date:

Part 2 Confidentiality: Only the facts or advice considered as likely to be exempt from disclosure under the FOIA should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a **Part 2** form – **NO**

ORIGINATING OFFICER DECLARATION	<i>Tick to confirm statement (✓)</i>
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 Commercial issues are not applicable	✓
GDPR/Data Privacy A DPIA is not required.	✓
Drafting Officer James Tate 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.

SignatureA handwritten signature in dark ink, appearing to read 'Hannah Clifford'.**Date** 01/08/2023