

DMPC Decision – PCD 1619

Title: Request for authorisation to settle a civil claim against the Metropolitan Police Service (MPS)

Executive Summary:

The Deputy Mayor for Policing and Crime (DMPC) is asked to consider a request to settle civil claims.

The Deputy Mayor for Policing and Crime has the discretion to authorise financial settlement of claims where it would be conducive to the maintenance of an efficient and effective police force.

Recommendation:

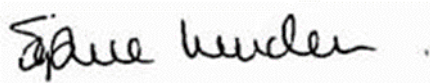
The Deputy Mayor for Policing and Crime is recommended to: authorise settlement of a civil claim for the reasons set out below and in part two.

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 15/02/2024

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

- 1.1. Twenty six police officers performing specialist roles have issued legal proceedings against the Commissioner alleging that they have not received payment for overtime worked pursuant to regulation 25 of the Police Regulations 2003 'the Regulations'. They also claim entitlement to the overnight allowance and hardship allowance for the occasions on which they stayed overnight whilst deployed on operations, together with on call allowance and unsociable hours allowance.
- 1.2. Similar claims have been made nationally (113 issued claims nationally) against most Force's and lead cases have been selected for the litigation, one of which is KCK who brings a claim against the Commissioner.
- 1.3. A three-week trial has been listed for 6 June 2024 and mediation on 6 and 7 February 2024.

2. Issues for consideration

- 2.1. For the DMPC to consider whether to authorise settlement of a civil claim identified in part 2, and whether the settlement will secure an efficient and effective Police Service

3. Financial Comments

- 3.1. The cost of any settlement, if agreed, would be met from the centrally held third party claims provision budget. A reserve was set aside in the 2015/16 accounts to recognize this liability.

4. Legal Comments

- 4.1. The DMPC has delegated authority under section 4.10 of the Scheme of Consent and Delegation 2016, to consider the current application
- 4.2. MOPAC has the power to pay any sum required in connection with the settlement for any claim made against the Commissioner under Section 88 of the Police Act 1996.

5. GDPR and Data Privacy

- 5.1. The processing of personal data has been minimised as part of this decision and is held within Part 2 of the report.

6. Equality Comments

- 6.1. To continue policing with the consent of the population it serves, the police will always seek to treat everyone fairly and openly. Race or equality issues do not appear to have an impact in this matter.

7. Background/supporting papers

- 7.1. None

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? Yes

If yes, for what reason:

Until what date: Annual Review

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>
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. required.	✓
Equalities Advice: Equality and diversity issues are covered in the body of the report. AND The Workforce Development Officer has been consulted on the equalities and diversity issues within this report.	✓
Commercial Issues Commercial issues are not applicable	✓
GDPR/Data Privacy - GDPR compliance issues are covered in the body of the report an - A DPIA is not required.	✓
Director/Head of Service: Judith Mullett has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓

OFFICER APPROVAL**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

Sanakucherd.

Date 05/02/2024