

DMPC Decision – PCD 1755.

Title: College of Policing - National Police Promotion Framework (NPPF) Single Tender Action.

Executive Summary:

This paper seeks approval for a direct award to the College of Policing to provide services of the legal knowledge exam for Sergeant and Inspector ranks under the National Police Promotions Framework (NPPF) under regulation 32 PCR 2015 for 5 years.

Recommendation:

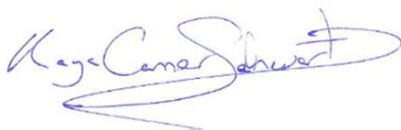
The Deputy Mayor for Policing and Crime is recommended to:

1. Approve a direct award contract, to the College of Policing to provide services of the legal knowledge exam for Sergeant and Inspector ranks under the NPPF framework, at a total value of £2,453,550, based on the estimates set out within the attached Appendix A.

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 12/12/2024

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

1. Introduction and background.

- 1.1. The college of policing is the sole provider of the legal knowledge exam which is a national requirement for all officers wishing to be considered for an in-force promotion process from Constable, Sergeant, and Inspector ranks.

- 1.2. The National Police Promotions Framework (NPPF) exams have been paid from the existing contract, however, the initial provision included in the current contract was for advice and training, not certification and it's not possible to accommodate these exams on the current contract values. Therefore, a new and separate direct award is required from 2025.

2. Issues for consideration.

- 2.1. A successful legal knowledge exam pass is a mandatory pre-requisite for all officers wishing to be considered for promotion from constable to sergeant rank and sergeant to inspector rank, under the national police promotion framework (NPPF).
- 2.2. All candidates for promotion to sergeant and inspector ranks must register to sit the college of policing exam. Therefore, to continue to support promotion to supervisory ranks, the Metropolitan Police Service (MPS) wishes to arrange a direct award contract with the college.
- 2.3. The college have commenced a programme of reform for NPPF. The reform is for both sergeant and inspector ranks and a two-year pilot for the new promotions Sergeant and Inspectors Promotion Programme (SIPP) commenced in spring 2024.
- 2.4. The MPS are engaged with the college reform programme to test elements of the new approach and influence national promotions policy. The reformed approach will continue to include a mandatory legal knowledge exam.

3. Financial Implications.

- 3.1. The total direct contract award of £2,453,550 for 5 years will be funded from the NMfL right sizing budget and is based on annual estimated costs below and does not commit the MPS to any level of spend. Payment is based on the number of candidates who register for each exam and there is no minimum requirement.

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. 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
 - all business cases for revenue or capital expenditure with an original value of £500,000 or above, and;
 - Paragraph 4.13 of the Scheme provides the Deputy Mayor for Policing and Crime has delegated authority to approve all contract exemptions valued at £100,000 or above.

- 4.3. The Directorate of Legal Services assures that on the basis that the College of Policing is acting as a private company and not a public authority then a contract can be directly awarded under Regulation 32(2)(b)(ii) PCR 2015 because the services can only be supplied only by a particular economic operator where competition is absent for technical reasons. Based on the information contained in this report, the contract can be lawfully awarded.

5. Commercial Implications

- 5.1. The exam is a mandatory requirement under the national promotions process for constable to sergeant and sergeant to inspector. The college of policing is the only provider for the legal knowledge exam, therefore a direct award contract under Regulation 32 PCR 2015, is the appropriate commercial strategy for this contract.
- 5.2. The proposal is to establish a separate contract with the college for the provision of the NPPF exams until 2029. Commercial advice to align the end date to the training services contract provides an opportunity to seek efficiencies and value for money under a single contract from 2029.
- 5.3. Assurance has been provided by the MPS that other forces were approached to enquire how they procure college of policing training and certification and to identify opportunities to work in conjunction with each other. However, due to the organisational structure of the college of policing and its mandated training delivery, there is currently, no suitable opportunity to achieve additional economies of scale.

6. GDPR and Data Privacy.

- 6.1. 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.
- 6.2. 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.
- 6.3. 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.
- 6.4. The MPS assure that the project 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 assure that the contract with the college of policing will include provisions of equality and diversity. There are no significant equality or diversity implications arising from the process negating the requirement to present any mitigation.

8. Background/supporting papers

- 8.1. MPS Paper- Direct Award to College of Policing for the National Promotions Exams for Sergeants and Inspectors.

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 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 –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: 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 The proposal is in keeping with the GLA Group Responsible Procurement Policy.	✓
GDPR/Data Privacy <ul style="list-style-type: none"> GDPR compliance issues are covered in the body of the report. A DPIA is not required. 	✓
Drafting Officer Stephen Kalyango has drafted this report in accordance with MOPAC procedures.	✓
Director/Head of Service: The 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



Date 10/12/2024

