

DMPC Decision – PCD 1752

Title: Superintendents Legal Protection Insurance

Executive Summary:

This paper seeks approval to award a grant for the provision of professional indemnity insurance for MPS Superintendent and Chief Superintendent ranks. The insurance is sourced via the Police Superintendents Association (PSA).

Recommendation:

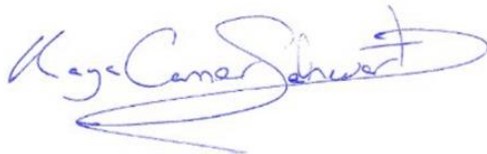
The Deputy Mayor for Policing and Crime is recommended to:

1. Approve the provision of a grant to the Police Superintendents Association (PSA) annually between 2024/25 and 2028/29 to secure the provision of Legal Protection Insurance (LPI) for MPS superintending ranks via a group insurance policy.

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 MPS (and all other forces) has previously paid the Police Superintendents Association (PSA) the shared cost of a national indemnity insurance arrangement.
- 1.2. This paper seeks approval for the continuation of the arrangement for the period 1 April 2024 to 31 March 2029.

2. Issues for consideration

- 2.1. Superintendents and Chief Superintendents pay a membership subscription to the Police Superintendents Association for representation of their interests, including the consideration of matters relating to their conditions of service, and the promotion of their welfare, with police forces paying the legal protection insurance.
- 2.2. The legal protection insurance provides cover for criminal prosecution, misconduct and unsatisfactory performance, cover for statutory enquiries and associated matters arising out of the duties of a superintendent or chief superintendent. It does not provide cover for any off-duty matters.
- 2.3. Further detail is set out in the restricted section of this paper.

3. Financial Comments

- 3.1. The MPS has assured that the estimated cost over the five years is funded from within existing MPS budgets.

4. Legal Comments

- 4.1. This report confirms the PSA is a limited company and so a distinct legal entity from MOPAC. The payment from MOPAC to the PSA is not subject to procurement law, as it does not have as its subject the provision of services from the PSA to MOPAC. Therefore the payment should be categorised a grant conditional upon being used for the specific purpose of obtaining professional indemnity insurance for Police superintending ranks.
- 4.2. Based on legal advice is the PSA was asked and has confirmed that it is able to comply with the conditions of the grant under its Articles of Association and it shall seek to achieve best value.
- 4.3. Paragraph 4.8 of the MOPAC Scheme of Delegation and Consent provides the Deputy Mayor for Policing and Crime has delegated authority for the approval of:
 - All offers made of grant funding and/or where appropriate a strategy for grant giving.
 - The strategy for the award of individual grants and/ or the award of all-individual grants whether to secure or contribute to securing crime reduction in London or for other purposes.

5. GDPR and Data Privacy

5.1. 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.

5.2. The MPS assure that the programme does not use personally identifiable data of members of the public, so there are no GDPR issues to be considered.

6. **Equality Comments**

6.1. 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.

6.2. The MPS assure that there are no equality implications arising from this paper.

7. **Background/supporting papers**

- Appendix 1 MPS Report – SUPERINTENDING RANKS' LEGAL PROTECTION INSURANCE COSTS

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.

✓

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



Date 10/12/2024