

DMPC Decision – PCD 618

Title: Contract Award for Creative Advertising Services

Executive Summary:

The decision is to obtain agreement to fund the procurement of Creative Advertising services for the MPS and National Counter Terrorism Policing Headquarters. In 2016 the MPS Directorate of Media & Communications participated in a collaborative arrangement with the GLA to establish a creative services framework to ensure a compliant route to market. There is also an element of research to assist in testing creative approaches which is in scope of the GLA framework. The GLA contract is now in place and the MPS are in a position to access the framework. Notwithstanding, the creative services framework doesn't provide access to the range of agencies now required. MPS Directorate of Media and Communications is proposing accessing the Crown Commercial Services Campaign Solutions Framework, which includes 27 appropriately resourced suppliers.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended:

1. That approval to initiate procurement activity is provided to allow MPS Commercial Services to tender against the Crown Commercial Services (CCS) Campaign Solutions framework in early 2020.
2. That approval to award a contract is delegated to Director Commercial Services following the completion of the tendering process.
3. The contract will be for 3 years with a possible 1 year extension, and the maximum value of the call off agreement will be £3.4m inclusive of any extension.

DMPC

I confirm I have considered whether 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

Spivey

Date

6/11/19

PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE DEPUTY MAYOR

1. Introduction and background

- 1.1 The Directorate of Media & Communications (DMC) currently operates a contract with Abbot Mead Vickers (AMV) for the delivery of corporate creative advertising services. The creative services facilitated by AMV enable the MPS to produce advertising campaigns to support organisational priorities such as anti-violence, domestic abuse and the MPS BeSafe crime prevention campaign. The contractor takes a brief from the client to address an organisational issue, recommends a creative route, suggested design, and then produces the assets to deliver the campaign.
- 1.2 In 2016 the DMC participated in a collaborative arrangement with the GLA to establish a creative services framework to ensure a compliant route to market. There is also an element of research to assist in testing creative approaches which is in scope of the GLA framework. The GLA contract is now in place and we are now in a position to access the framework. However, our campaigning activity is now more integrated, delivering activity across all communication disciplines from internal communication, to PR to traditional advertising and the creative services framework doesn't provide access to the range of agencies now required.
- 1.3 The NCTPHQ operates in a similar way to DMC issuing creative briefs to the contractor, who will create the concept and recommend the best route to deliver our objectives. As NCTPHQ is hosted by MPS, they also access the services of AMV BBO and therefore experience a similar issue with limited choice of contractors due to the £50k spending limit. They will like to have access to a range of suppliers who could pitch different creative approaches. Accessing the CCS framework would allow the scope to do this.
- 1.4 DMC is therefore proposing accessing the CCS Campaign Solutions Framework, which includes 27 appropriately resourced suppliers. This framework covers all the services needed to run end-to-end campaigns. Each of the 27 agencies is able to deliver all the tasks required to design, plan and run a campaign internally and externally.

2. Issues for Consideration

- 2.1 The CCS Campaign Solutions framework will be procured through the Crown Commercial Services who oversee a large number of public services frameworks.
- 2.2 The MPS's requirement has changed since the GLA framework was put in place and therefore the CCS framework is more suitable as it provides access to agencies who can supply integrated campaigns solutions. The CCS Campaign Solutions framework will deliver better value for money and increased creativity to MPS.
- 2.3 The frameworks are designed to offer clients an agile route to market and have been assessed by a competitive tendering process
- 2.4 The framework is accessed by MOPAC for individual campaigns.
- 2.5 Access to this framework will enable the DMC to procure integrated communication campaigns to support the Police and Crime Plan 2017-2021.

- 3.1 The contract will be for 3 years with a possible 1 year extension, and the maximum value of the call off agreement will be £3.4m inclusive of any extension.
- 3.2 The contract is a call-off contract which does not commit the MPS HQ or CT Policing to expenditure with the supplier in any particular year.
- 3.3 The available funding for this contract in 2019/20 is £750k from DMC Publicity Budget and £100k from NCTPHQ Publicity budget.

4. Legal Comments

- 4.1 Using the CCS Campaign Solutions framework is a legally compliant method of procuring creative advertising services for the MPS and NCTP HQ.
- 4.2 The Mayor's Officer 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.
- 4.3 Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime has delegated authority to approve all requests to go out to tender for contracts valued at £500,000 or above.

5. GDPR and Data Privacy (General Data Protection Regulations)

- 5.1 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 in order to safeguard the rights and freedoms of individuals.
- 5.2 The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure the project meets its compliance requirements.

6 Equality Comments

- 6.1 This business case has undergone initial equality screening. Due regard has been taken to the Equality Act's Public Sector Equality Duty.
- 6.2 Real consideration has been taken to assess equality impact caused by the proposed business changes. As a result, no positive or negative impact has been identified to any individual and/or group safeguarded by a protected characteristic and those who are not

7 Background/supporting papers

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? NO

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.

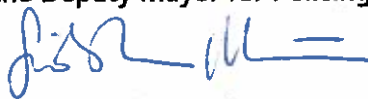
Is there a **Part 2** form – YES

Originating Officer Declaration	Tick to confirm statement (✓)
Financial Advice: The Strategic Finance and Resource Management Team has been consulted on this proposal.	✓
Legal Advice: Legal information is contained within this report.	✓
Equalities Advice: Equality and diversity are contained within this report.	✓
GDPR and Data Privacy <ul style="list-style-type: none">GDPR compliance issues are covered in the body of the report and the GDPR Data Protection Officer has been consulted on the GDPR issues within this report.A DPIA is not required.	✓
Head of Unit: The CFO has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓

Interim 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

6/11/2019



Contract Award for Creative Advertising Services

MOPAC Investment Advisory & Monitoring meeting

Report by James Helm on behalf of the Chief of Corporate Services

Part 1 – This section of the report will be published by MOPAC. It is classified as OFFICIAL – PUBLIC

EXECUTIVE SUMMARY

This Business Justification concerns the procurement of Creative Advertising services for the Metropolitan Police Service (MPS) and National Counter Terrorism Policing Headquarters (NCTPHQ).

Recommendations

The Deputy Mayor for Policing and Crime, via the Investment Advisory and Monitoring meeting (IAM), is asked to approve the following recommendations:

1. That approval to initiate procurement activity is provided to allow MPS Commercial Services to tender against the Crown Commercial Services (CCS) Campaign Solutions framework.
2. That approval to award a contract is delegated to the Director of Commercial Services following completion of the tendering process.
3. The contract will be for 3 years with a possible 1 year extension, and the maximum value of the call off agreement will be £3.4m inclusive of any extension.

Time scale

A decision is required from the Deputy Mayor in order to commence the procurement process in early 2020.

Non-confidential facts and advice to the Deputy Mayor for Policing and Crime

Introduction and background

1. The Directorate of Media & Communications (DMC) currently operates a contract with Abbott Mead Vickers (AMV) for the delivery of corporate creative advertising services. The creative services facilitated by AMV enable the MPS to produce advertising campaigns to support organisational priorities such as anti-violence, domestic abuse and the MPS BeSafe crime prevention campaign. The contractor takes a brief from the client to address an

- organisational issue, recommends a creative route, suggested design, and then produces the assets to deliver the campaign.
2. In 2016 the DMC participated in a collaborative arrangement with the GLA to establish a creative services framework to ensure a compliant route to market. There is also an element of research to assist in testing creative approaches which is in scope of the GLA framework. The GLA Contract is now in place and in accordance with the MPS' strategic commitment to access collaborative arrangements wherever possible we are now in a position to access the framework.
 3. The DMC have recently successfully bid for additional funding for the financial year 19/20 which will allow us to run more campaigns to support the organisations corporate priorities around violence and domestic abuse as well as continue to produce BeSafe campaigns around burglary, moped theft and keyless car theft (electronic compromise).
 4. Strategically our campaigning activity is now more integrated, delivering activity across all communication disciplines from internal communication, to PR to traditional advertising and the creative services framework doesn't provide access to the range of agencies now required.
 5. We therefore propose accessing the CCS Campaign Solutions Framework, which includes 27 appropriately resourced suppliers. This framework covers all the services needed to run end-to-end campaigns. It is a single lot agreement. Each of the 27 agencies is able to deliver all the tasks required to design, plan and run a campaign externally and internally.
 6. NCTPHQ operates in a similar way to DMC issuing creative briefs to the contractor, who will create the concept and recommend the best route to deliver our objectives. For example, the development of ACT (ACTION Counters Terrorism) branding platform created in 2017 as an umbrella brand which enables all the Counter Terrorism (CT) campaigns to operate under one unified banner.
 7. NCTPHQ would like to have access to a range of suppliers who could pitch different creative approaches. Accessing the GCS framework would allow the scope to do this. Given the behavioural change aspect of many of their campaigns, they consider this important to address.

Issues for consideration

1. The key issues the Board need to take account of are:
 - This requirement was procured through the Crown Commercial Services who oversee a large number of public service frameworks.
 - The framework will deliver better value for money and increased creativity
 - The frameworks are designed to offer clients an agile route to market and have been assessed by a competitive tendering process.
 - The framework is accessed by OPAC for individual campaigns

Contributes to the MOPAC Police & Crime Plan 2017-2021¹

1. Access to this framework will enable the DMC to procure integrated communication campaigns to support the Police and Crime Plan

Financial, Commercial and Procurement Comments

1. This information is contained in the restricted section of the report.

Legal Comments

1. The provision of Approval to Initiate Procurement Activity is a MOPAC Governance decision and does not, at this stage, commit the MPS to any binding contractual arrangements. The proposed route to market is via the Crown Commercial Services Framework which is an OJEU compliant framework of which the MOPAC are an eligible authority to be able to access. This paper requests that, following a competitive tendering process authority to award the contract is delegated to the Director of Commercial Services which is within the MOPAC's authority to delegate.

Equality Comments

1. This business case has undergone initial equality screening. Due regard has been taken to the Equality Act's Public Sector Equality Duty. Real consideration has been taken to assess equality impact caused by the proposed business changes. As a result, no positive or negative impact has been identified to any individual and/or group safeguarded by a protected characteristic and those who are not.

Privacy Comments

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 in order to safeguard the rights and freedoms of individuals.
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.
3. The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure the proposal meets its compliance requirements.
4. The proposal does not use personally identifiable data of members of the public, so there are no GDPR issues to be considered.

Real Estate Implications

¹ Police and crime plan: a safer city for all Londoners | London City Hall

2. There are no changes to the estate associated with this report.

Environmental Implications

3. There is no impact to the Mayor's London Environment Strategy² arising from this proposal.

Background/supporting papers

4. There are no supporting papers associated with this report.

Report author: Stephanie Day, Assistant Director of Media and Communication

Part 2 – This section refers to the details of the Part 2 business case which is NOT SUITABLE for MOPAC Publication.

The Government Security Classification marking for Part 2 is:
OFFICIAL-SENSITIVE [COMMERCIAL]

Part 2 of Contract Award for Creative Advertising Services is exempt from publication for the following reasons:

- Exempt under Article 2(2)(a) of the Elected Local Policing Bodies (Specified Information) Order 2011 (Data Protection Section 43 – Commercial Interests).
- The relevant sections under the FOIA that would exempt this information from disclosure, for example:
 - Commercial Interest Section 43

The paper will cease to be exempt in August 2026. Any request for information under FOIA would need to be assessed on a case by case basis, no matter what or when the original decision was made, as the circumstances may have changed eg information no longer commercially sensitive. Use a suitable timescale that has a reasonable justification, ie after the contract has been awarded or at the completion of the contract, or retain for a minimum of 6 years according to the MPS Records Management Policy.

² <https://www.london.gov.uk/WHAT-WE-DO/environment/environment-publications/draft-london-environment-strategy>