

REQUEST FOR DMPC DECISION – PCD 468

Title: NPCC Home Office Funding – Brexit preparation

Executive Summary:

The Home Office has asked NPCC/NCA to develop plans to prepare for a “no- deal, no implementation period” Brexit. As MOPAC host the NPCC, this paper requests approval to bid for and accept £2.4m of Home Office funding to meet the set up and running costs of officers, accommodation, training, etc. for this dedicated unit. Discussions are continuing with the Home Office for funding in 2019/20. There is no financial exposure to MOPAC.

Recommendation:

The DMPC is requested to approve receipt, on behalf of NPCC, of the 2018 /19 funding of £2.4m provided by the Home Office to develop the policing contingency response to mitigate the risks associated with a potential “no deal, no implementation period” Brexit in March 2019.

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

Sirius Hudson.

Date

24/09/2018

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

Decision required – supporting report

1. Introduction and background

- 1.1. The MPS host the National Police Chief's Council (NPCC), providing business support services, under a nationally agreed collaboration agreement.
- 1.2. The Home Office has asked the NPCC/NCA Brexit Implementation Team to develop proposals for a model to provide policing with mitigations of the potential consequences of "no deal, no implementation period" Brexit.

2. Issues for consideration

- 2.1. The NPCC has estimated the set up and operating costs of such a proposal at £2.4m in 2018/19, and is seeking MOPAC approval to bid for and accept the HO grant funding.

3. Financial Comments

- 3.1. The estimated cost of the unit is £2.4m for 2018/19, which will be fully funded from HO grant. There is no financial exposure for MOPAC.
- 3.2. The NPCC and HO are in discussions on further funding after 31 March 2019.

4. Legal Comments

- 4.1. Under the Police Reform and Social Responsibility Act 2011 police and crime commissioners "must (a) secure the maintenance of the police force for that area, and (b) secure that the police force is efficient and effective". Under paragraph 4.8 of the MOPAC Scheme of Consent and Delegation the DMPC must approve "Bids for grant funding made and all offers made of grant funding; and/or where appropriate a strategy for grant giving".

5. GDPR and Data Privacy

- 5.1. The proposal does not use personally identifiable data of members of the public therefore there are no GDPR issues to be considered.

6. Equality Comments

- 6.1. There are no equality implications arising from bidding for or acceptance of this grant funding.

7. Background/supporting papers

- 7.1. NPCC Report

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

	<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.	✓
GDPR and Data Privacy A DPIA is not required.	✓
Head of Unit: The MOPAC Chief Finance Officer 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

R. Lawrence

Date 24/09/2018



REPORT ON BREXIT SAFETY UNIT

Report by DAC Richard Martin on behalf of the Deputy Commissioner

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

EXECUTIVE SUMMARY

The NPCC Brexit Contingency Planning Team led by DAC Richard Martin (NPCC – International Criminality Portfolio) have submitted contingency proposals to the Home Office in relation to how UK Policing can respond to any loss in capability post the UK's exit from the EU. These include a 'Safety Net' model that is to be implemented in readiness for exit day. The 'safety net' model will sit under the leadership of NPCC International Criminality Lead DAC Martin.

Funding has been agreed with the Home Office for this financial year and discussion are ongoing regarding funding for next year. The Unit will be hosted by the Met Police but will be a national resource under NPCC governance.

A decision is required from MOPAC to receive on behalf of NPCC the 2018 /19 funding of up to £2.4M provided by the Home Office to develop the policing contingency response to mitigate the risks associated with a potential no deal Brexit in March 2019.

Recommendations

The Deputy Mayor for Policing and Crime is asked to approve to receive on behalf of NPCC the 2018/19 funding of up to £2.4M, provided by the Home Office to develop the policing contingency response to mitigate the risks associated with a potential no deal Brexit in March 2019.

Time sensitivity

1. A decision is required from the Deputy Mayor by 24 September 2018. This is because the Brexit Unit must be operationally viable by 29th March 2019. To do so, the process to recruit and set in place the infrastructure to create the model would have to begin immediately as the time it takes to get the resources in place, develop communications, national guidance, and deliver training, will require a significant lead in time.

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

Introduction and background

2. The NPCC Brexit Contingency Planning Team led by DAC Richard Martin (NPCC – International Criminality Portfolio) have submitted contingency proposals to the Home Office in relation to how UK Policing can respond to any loss in capability post the UK's exit from the EU. These include a 'Safety Net' model that is to be implemented in readiness for exit day. The 'safety net' model will sit under the leadership of NPCC International Criminality Lead DAC Martin.
3. Funding has been agreed with the Home Office for this financial year and discussion are ongoing regarding funding for next year.
4. The Unit will be hosted by the Met Police but will be a national resource under NPCC governance.
5. It will be staffed by officers and staff from police forces, the National Crime Agency and the national Criminal Records Office with a central coordination team and a network of regional single points of contacts (SPOCs) who will advise and help forces to use alternative mechanisms.

Issues for consideration

6. On a Brexit No deal Scenario, the UK will lose access to European measures, tools and mechanisms.
7. These instruments are used on a daily basis in operational policing and unless the UK can negotiate continued access to them we will no longer be able to use them. Similarly, EU member states will not be able to use them to work with UK law enforcement to help protect their citizens.
8. The loss of one or more of these measures will have significant implications for policing. Frontline officers will be less connected to alerts from EU partners about suspects they encounter and it will be harder to monitor the movements of sex offenders or terrorist suspects if we lose the Schengen Information System II (SIS II).

Contributes to the MOPAC Police & Crime Plan 2017-2021¹

9. The policing response to Brexit will contribute to MOPAC Police & Crime Plan as it will mitigate the impact of UK losing access to EU Tools. The plan includes keeping Londoners' safe. Access to mechanisms to share intelligence and evidence with international counterparts is a vital component to keep communities safe. The Brexit Unit will provide support to front line officers to respond to foreign or UK national offenders committing criminality domestically or internationally.

Financial, Commercial and Procurement Comments

10. The policing costs associated with the model will be funded by the Home Office with no permanent revenue cost to policing. Financial details are included in Part 2.

Legal Comments

Under the Police Reform and Social Responsibility Act 2011 police and crime commissioners "must (a) secure the maintenance of the police force for that area,

¹ [Police and crime plan: a safer city for all Londoners | London City Hall](#)

and (b) secure that the police force is efficient and effective". Under paragraph 4.8 of the MOPAC Scheme of Consent and Delegation the DMPC must approve "Bids for grant funding made and all offers made of grant funding; and/or where appropriate a strategy for grant giving".

Equality Comments

11. There are not expected to be any equality implications

Privacy Comments

12. The proposal does not use personally identifiable data of members of the public and there are therefore no GDPR issues to be considered.

Real Estate Implications

13. The Brexit Contingency Planning team, supported by MPS Property Service Department is currently looking to find suitable accommodation for the Brexit Unit. Different options are being considered including within MPS estate, other government departments and private sector.

14. Once a suitable location has been selected, the process will follow the Scheme of Consent and Delegation guidelines.

Environmental Implications

15. No Impact

Background/supporting papers

16. Supporting papers are included in Part 2, exempt from publication.

Report author: DAC Richard Martin

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 [OPERATIONAL]

Part 2 is exempt by virtue of Sections 24(2) National Security; 27(4) International relations; 31(3) Law Enforcement, 35 Formulation of Government Policy and 38(2) Health and Safety.

The paper will be exempt until January 2021, when the Implementation period ends. This period may be extended subject to the Brexit negotiations.

