

DMPC Decision – PCD 1062**Title: Acceptance of Funding for Force Level Cyber Dependent Crime Response****Executive Summary:**

This paper requests the acceptance of £1,099,125 of Home Office Serious and Organised Crime (SOC) and National Police Chiefs Council (NPCC) National Cyber Security Programme (NCSP) funding awarded to address cyber dependent crime for 2021/22.

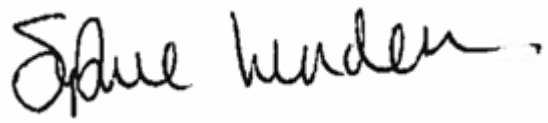
Recommendation:

The Deputy Mayor for Policing and Crime is recommended to approve the acceptance of a Grant of up to £1,099,125 from the NPCC lead for Cyber to support the MPS Force level response for cyber dependent crime in 2021/22.

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****9/11/2021**

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

1. Introduction and background

- 1.1. This paper seeks the authority to accept Home Office funding from the National Police Chiefs Council to tackle cyber dependent crime. Previous funding for this activity has been approved for the period from October 2018 to March 2021.

2. Issues for consideration

- 2.1. The grant will be used to fund up to £1,091,625 for the wage costs for up to 16 officers and 1 staff member, up to £7,500 for travel and accommodation associated with NPCC provided training.
- 2.2. The grant is conditional on MPS matching the funding provided for staffing and ring-fencing the use of the grant to cyber dependent crime. The MPS has assured that both of these conditions are met.
- 2.3. The MPS state that the acceptance of the grant “directly support the MOPAC Police & Crime Plan which states “we will continuously review our approach, skills and capabilities to tackle new and emerging threats and the changes in the types of crime facing Londoners such as social media hate crime, fraud and cybercrime.”

3. Financial Comments

- 3.1. The proposal is for the acceptance of grant funding of £1,099,125 for 2021/22.

4. Legal Comments

- 4.1. The legal powers applicable to the acceptance of this Grant will be under Schedule 3, Paragraph 7 of the Police Reform and Social Responsibility Act 2011 which provides that,

7(1)The Mayor’s Office for Policing and Crime may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of the Office.

(2)That includes—

(a)entering into contracts and other agreements (whether legally binding or not);
- 4.2. Paragraph 4.8 of the MOPAC Scheme of Consent and Delegation provides the DMPC with delegated power to approve all offers made of grant funding.

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 screening questions have been completed and a DPIA is not required because this is not a project or application to change or introduce a new process or function but to deliver business as usual in an investigative capacity.

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 following as equality screening exercise 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

- Appendix 1 MPS Paper “Funding for Force Level Cyber Dependent Crime Response “

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 –NO

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.

✓

Commercial Issues

Commercial issues are not applicable.

✓

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

Sanakulferd.

Date 22/10/2021



MAYOR OF LONDON
OFFICE FOR POLICING AND CRIME

**Funding for Force Level Cyber Dependent Crime Response.
Decision Number 174
MOPAC Investment Advisory & Monitoring meeting 7th October 2021**

Report by Ceri Griffiths 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 report seeks permission to accept extended funding from the Home Office Serious and Organised Crime (SOC) budget and National Cyber Security Programme (NCSP) awarded to National Police Chiefs Council lead for Cyber of up to £1,099,125 for financial year 2021/22. The grant is to build the force level response for cyber dependant crime nationally.

The funding is for officer and staff costs that must be match funded by the organisation, with those paid for by the SOC fund ring-fenced to the role, with training associated costs funded by NSCP. The funding in the MPS's case does not require an uplift in establishment as the organisation already funds a large pursue response.

Recommendations

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

1. Approve the acceptance of a Grant of up to £1,099,125 from the NPCC lead for Cyber to support the MPS Force level response for cyber dependent crime in 2021/22.

Time sensitivity

A decision is required from the Deputy Mayor by 22/10/2021 the offer of funds was not expected and came after the start of the financial year but can be claimed retrospectively.

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

Introduction and background

1. In July 2018, the then NPCC lead Chief Constable Goodman (Derbyshire Police) offered all forces the opportunity to bid for funds to create dedicated units to respond to cyber dependant victims and investigations, led and coordinated by the regional cybercrime units, however, The MPS has already invested in a significant cybercrime unit and any short term uplift would likely cause vacancies within that very unit, as a result the MPS did not bid.
2. In February 2019, Chief Constable Goodman (Derbyshire Police) made another conditional Grant offer to the MPS to ensure that the MPS was able to benefit from the PTF funding available for cybercrime between October 2018 and March 2020 totaling £1,582,000. This was conditional upon,
 - a. The staff costs recovered being match funded by the MPS
 - b. Staff being ring-fenced for cyber dependent work only
3. The acceptance of this funding was approved by MOPAC on 27/03/2019, reference DMPC Decision – PCD 557 (Appendix A)
4. Further Grant funding totalling £1,116,625 was offered on the same basis, with the inclusion of funds for equipment and training, for 2020/21 which was approved by MOPAC, PCD 895 refers (Appendix B)
5. On 21/06/2021 the MPS received and Grant offer letter dated 9th June for the London Region Grants for FY 2021/22 (Appendix C) with an appendix of the amounts for the MPS and the City of London Police (Appendix D). The MPS offer is £1,091,625 SOC funding for staffing resources and £7,500 NCSP funding for training associated costs.
6. The funding will be provided and overseen by the NPCC lead and lead force for cyber (City of London Police) and reporting will be required monthly with invoicing approved based on reports. The reports will require information on the number of officers in post and the amount to be claimed in the period.
7. The funding on offer is not linked to the current National Cyber Security Programme and Home Office Serious and Organised Crime Funding for the London Regional response 21/22, which was approved by MOPAC on 19/03/2021, reference DMPC Decision – PCD 955 (Appendix E).

Issues for consideration

8. Funding is provided for Financial Year 2021/22 only.
9. Caveat of the funding is that the officers who are paid for are ring fenced to cyber dependant crime and match funded (which will be met from existing staffing levels).

Contributes to the MOPAC Police & Crime Plan 2017-2021¹

10. The money received in this bid will directly support the MOPAC Police & Crime Plan which states “we will continuously review our approach, skills and capabilities to tackle new and emerging threats and the changes in the types of crime facing Londoners such as social media hate crime, fraud and cybercrime. Many traditional investigations for example, missing persons or harassment, now include online and digital elements”
11. “Make London’s residents and business feel safer from the threat of cybercrime by supporting them to protect themselves and investigating when crime happens”
12. “Continue to increase the judicial outcome rate in the pursuit of cybercrime, fraud and online offences, while safeguarding young people from being drawn into hacking and cybercrime”
13. This also supports the relevant milestone of;
“Respond to the emerging and increasing threats of fraud and cyber-crime, maintaining focus on pursuing those involved in this criminality as well as developing prevent and protect measures to reduce the number of London victims of fraud and cybercrime”

Financial, Commercial and Procurement Comments

14. This paper seeks MOPAC approval to accept funds offered by NPCC Lead for Cyber Commissioner Dyson City of London Police from the Home Office Serious and Organised Crime budget to support the MPS Force level response for cyber dependant crime in 2021/22 totalling £1,099,125 (£1,091,625 Officer and Staff costs + £7,500 training)
15. The re-claim processes for the recovery of the Grant will be unchanged from previous years.
16. This paper is for wage costs and training associated costs only.
17. This funding is for FY 2021/22, further funding beyond this is not guaranteed.
18. As an extension to an existing service this work does not change any aspects relating to responsible procurement.

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

Legal Comments

19. Para 4.8 of the MOPAC Scheme of Consent and Delegation provides the DMPC with delegated power to approve all offers made of grant funding.
20. The legal powers applicable to the acceptance of this Grant will be under Schedule 3, Paragraph 7 of the Police Reform and Social Responsibility Act 2011 which provides that,
7(1) The Mayor's Office for Policing and Crime may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of the Office.
(2) That includes—
(a) entering into contracts and other agreements (whether legally binding or not);
21. There are no legal reasons as to why this offer of additional grant funding cannot be accepted.

Equality Comments

22. This business case has undergone an 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

23. 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.
24. 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.
25. The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure the programme/project meets its compliance requirements.
26. The screening questions have been completed and a DPIA is not required because this is not a project or application to change or introduce a new process or function but to deliver business as usual in an investigative capacity.

Real Estate Implications

27. There is no change in the estate requirements as a result of this paper.

Environmental Implications

28. There is no impact in relation to delivering the Mayor's London Environment Strategy².

Background/supporting papers

Appendix A PCD 557 Funding for Force Build Cyber Dependant Crime

Appendix B PCD 895 Funding for Force Build Cyber Dependant Crime

Appendix C Grant Letter for London dated 9th June

Appendix D Break down of funds offered for London for FY 2021/22

Appendix E PCD 955 Home Office Funding for Regional and Force Cyber Dependant Crime Response 2021/22

Report author: Ceri Griffiths, Band C, Prevention, Performance and Governance Manager, 0207 230 8116

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

There is no part 2 submitted with this paper.

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