

DMPC Decision – PCD 1076

Title: Vehicle Evaluation Collaboration

Executive Summary:

The Metropolitan Police Service seeks approval to provide vehicle evaluation services to other police forces and vehicle suppliers to support UK policing.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

1. Approve the Mayor's Office for Policing and Crime entering into collaboration agreements under section 22A of the Police Act 1996 with policing bodies and chief officers for vehicle evaluation services.
2. Approve the Mayor's Office for Policing and Crime entering into goods and services agreements under section 15 of the Police Reform and Social Responsibility Act 2011 with vehicle suppliers for vehicle evaluation services to support UK policing.

Deputy Mayor for Policing and Crime

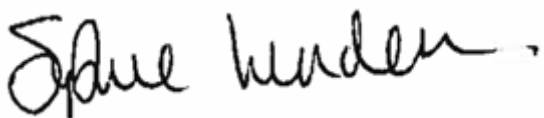
I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct. Any such interests are recorded below.

The above request has my approval.

Signature

Date

10/11/2021



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

1. Introduction and background

- 1.1. Police forces' vehicles are workplaces for officers and staff, carry sophisticated policing equipment, and provide a safe environment for the transport of the public and prisoners. For some time the MPS's evaluation has been requested by police forces considering vehicles for purchase. Fleet Services has redesigned the test with industry experts using the state-of-the-art testing regimes.

2. Issues for consideration

- 2.1. The Metropolitan Police Service will now offer other police forces the opportunity to enter into collaboration agreements for vehicle evaluation services, and vehicle suppliers the opportunity to enter into goods and services agreements for vehicle evaluation services to support UK policing.

3. Financial Comments

- 3.1. Income from police forces and vehicle suppliers will be budgeted to cover the cost of undertaking vehicle evaluation.

4. Legal Comments

- 4.1. Section 15 of the Police Reform and Social Responsibility Act 2011 amends section 1 of the Local Authorities (Goods and Services) Act 1970 ("LAGSA") to the extent that MOPAC may, in relation to any relevant trading operation carried on by MOPAC, enter into an agreement to supply to any person the provision of any administrative, professional or technical services.
- 4.2. Paragraph 4.8 of the MOPAC Scheme of Consent and Delegation ("Scheme") provides that the Deputy Mayor for Policing and Crime ("DMPC") has delegated authority to approve all requests to bid tender or quote for the provision of services to other organisations (including other Greater London Authority functional bodies and local authorities) for £500,000 and above.
- 4.3. Paragraph 7.8 of the Scheme provides that the Director of Commercial and Finance has consent to approve all requests to bid, tender or quote for the provision of services to other organisations (including other GLA functional bodies and local authorities) with a value below £500,000 and their subsequent approval.
- 4.4. Under section 15(3) MOPAC may not enter into an agreement with another local policing body under section 1 of LAGSA in respect of a matter which could be the subject of force collaboration provision in a collaboration agreement under section 22A of the PA. Section 22A of the PA provides a collaboration agreement may be made

by two or more policing bodies or the chief officers of police of one or more police forces and two or more policing bodies.

4.5. Paragraph 4.5 of the Scheme provides that the Deputy Mayor for Policing and Crime (“DMPC”) has delegated authority to approve a collaboration agreement made under section 22A of the PA.

4.6. No significant legal risks have been identified.

5. Commercial Issues

5.1. The agreements will provide a sound legal framework regulating all aspects of the provision of vehicle evaluation services, including cost recovery and liability.

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 2018 (DPA). Both requirements place an obligation on the MPS to process personal data fairly and lawfully in order 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, Data Protection Impact Assessments 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. The Information Assurance and Information Rights Units within the MPS will be consulted when necessary to ensure that compliance requirements are met.

7. Equality Comments

7.1. This business case has undergone an initial equality screening. Due regard has been taken to the Equality Act 2010's Public Sector Equality Duty. Real consideration has been taken to assess equality impact caused by the activity. Evaluation ensures that vehicles purchased are fit for their policing purpose, taking into account the diverse needs of individuals, and that suppliers have rigorous employment practices. No positive or negative impact has been identified to any individual or group safeguarded by a protected characteristic and those who are not.

8. Background/supporting papers

8.1. 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: N/A

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.

✓

Commercial Issues

The proposal is in keeping with the GLA Group Responsible Procurement Policy.

✓

GDPR/Data Privacy

- GDPR compliance issues are covered in the body of the report.
- A DPIA is not required.

✓

Drafting Officer

Craig James has drafted this report in accordance with MOPAC procedures.

✓

Director/Head of Service:

The Chief Finance Officer 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 9/11/2021



Vehicle Evaluation Collaboration

Strategic Fleet Board – Thursday 7 July 2021

Portfolio and Investment Board Delegated Authority – Tuesday 31 August 2021

Portfolio and Investment Board – Tuesday 14 September 2021

MOPAC Investment Advisory and Monitoring Meeting – Thursday 7 October 2021

**Report by Sébastien Fivaz, Commercial Director – Vehicles
on behalf of Robin Wilkinson, Chief of Corporate Services**

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

EXECUTIVE SUMMARY

The Met seeks approval to provide vehicle evaluation services to other police forces and vehicle suppliers to support UK policing.

Decisions required

Portfolio and Investment Board and the Deputy Mayor for Policing and Crime are asked to:

- 1. Approve the Mayor's Office for Policing and Crime entering into collaboration agreements under section 22A of the Police Act 1996 with policing bodies and chief officers for vehicle evaluation services.**
- 2. Approve the Mayor's Office for Policing and Crime entering into goods and services agreements under section 15 of the Police Reform and Social Responsibility Act 2011 with vehicle suppliers for vehicle evaluation services to support UK policing.**

Time sensitivity

A decision is required from the Deputy Mayor for Policing and Crime by 21 October 2021. This will timely signing of the agreements and provision of vehicle evaluation services.

Background

1. Police forces' vehicles are workplaces for officers and staff, carry sophisticated policing equipment, and provide a safe environment for the transport of the public and prisoners. For some time the Met's evaluation has been requested by police forces considering vehicles for purchase. Fleet Services has redesigned the test with industry experts using the state-of-the-art testing regimes.

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Issues for consideration

2. The Met will now offer other police forces the opportunity to enter into collaboration agreements for vehicle evaluation services, and vehicle suppliers the opportunity to enter into goods and services agreements for vehicle evaluation services to support UK policing.

Financial comments

3. Income from police forces and vehicle suppliers will be budgeted to cover the cost of undertaking vehicle evaluation.

Commercial comments

4. The agreements will provide a sound legal framework regulating all aspects of the provision of vehicle evaluation services, including cost recovery and liability.

Legal comments

5. Section 15 of the Police Reform and Social Responsibility Act 2011 amends section 1 of the Local Authorities (Goods and Services) Act 1970 ("LAGSA") to the extent that MOPAC may, in relation to any relevant trading operation carried on by MOPAC, enter into an agreement to supply to any person the provision of any administrative, professional or technical services.
6. Paragraph 4.8 of the MOPAC Scheme of Consent and Delegation ("Scheme") provides that the Deputy Mayor for Policing and Crime ("DMPC") has delegated authority to approve all requests to bid tender or quote for the provision of services to other organisations (including other Greater London Authority functional bodies and local authorities) for £500,000 and above.
7. Paragraph 7.8 of the Scheme provides that the Director of Commercial and Finance has consent to approve all requests to bid, tender or quote for the provision of services to other organisations (including other GLA functional bodies and local authorities) with a value below £500,000 and their subsequent approval.
8. Under section 15(3) MOPAC may not enter into an agreement with another local policing body under section 1 of LAGSA in respect of a matter which could be the subject of force collaboration provision in a collaboration agreement under section 22A of the PA. Section 22A of the PA provides a collaboration agreement may be made by two or more policing bodies or the chief officers of police of one or more police forces and two or more policing bodies.
9. Paragraph 4.5 of the Scheme provides that the Deputy Mayor for Policing and Crime ("DMPC") has delegated authority to approve a collaboration agreement made under section 22A of the PA.
10. No significant legal risks have been identified.

Equality comments

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11. MOPAC is required to comply with the public sector equality duty 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 between people with different 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.
12. This business case has undergone an initial equality screening. Due regard has been taken to the Equality Act 2010's Public Sector Equality Duty. Real consideration has been taken to assess equality impact. Evaluation ensures that vehicles purchased are fit for their policing purpose, taking into account the diverse needs of individuals, and that suppliers have rigorous employment practices. No positive or negative impact has been identified to any individual or group safeguarded by a protected characteristic and those who are not.

Data privacy comments

13. The Met 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 2018 (DPA). Both requirements place an obligation on the Met to process personal data fairly and lawfully in order to safeguard the rights and freedoms of individuals.
14. Under Article 35 of the General Data Protection Regulation (GDPR) and section 57 of the DPA, Data Protection Impact Assessments become mandatory for organisations with technologies and processes that are likely to result in a high risk to the rights of the data subjects.
15. The Information Assurance and Information Rights Units within the Met will be consulted when necessary to ensure that compliance requirements are met.

Environmental comments

16. HM Government's *Decarbonising Transport: A Better, Greener Britain*, the Mayor's *London Environment Strategy*, the Met's Environment Policy, and the Met's *Environment and Sustainability Strategy 2019–21* have been taken into consideration. Vehicle evaluation supports the entry into service of new environmentally-friendlier police vehicles across the UK.

Supporting papers: Vehicle Evaluation Collaboration Part 2 Business Justification Paper, which is not suitable for MOPAC publication. Disclosure under the Freedom of Information Act 2000 is exempt by section 43(2). Confidentiality should be reviewed after 2031.

Report authors: Jiggs Bharij, Head of Fleet Futures