

REQUEST FOR DMPC DECISION – DMPCD 2014- 100

Title: Request for authorisation to settle two claims against the Metropolitan Police Service (MPS)

Executive Summary:

The DMPC agree to the settlement of two claims against the MPS as set out in part 2 of this report.

Recommendation:

The DMPC approves the settlement of the claim as identified in part 2 of this report.

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**

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

Decision required – supporting report

1 Introduction and background

- 1.1 MOPAC has received a request from DLS seeking approval to settle the claims identified in the exempt part of this report.
- 1.2 The settlement claims relate to two of three potential claimants in a connected civil claim. Please see the exempt report for further details.
- 1.3 A claim form will be served by 26 September following authorisation from MOPAC.

2 Issues for consideration

- 2.1 The first claimant (Officer 2) seeks damages for loss of earnings/overtime, stress and depression caused by a lengthy misconduct investigation.
- 2.2 The second claimant (Officer 3) seeks damages for stress and depression caused by a lengthy misconduct investigation.
- 2.3 More detail on the background to this case and potential liabilities are outlined in Part 2 of this report.

3 Financial Comments

- 3.1 The proposed cost of the settlement can be met from within the DLS against a MPS delegated budget.

4 Legal Comments

- 4.1 Pursuant to the MOPAC Scheme of Delegation dated September 2013, The DMPC must authorise the settlement because it fulfils the criteria set out in section 5.7 of the Scheme including the financial level.
- 4.2 The DMPC has the power to pay any sum required in connection with the settlement for any claim made against the Commissioner under Section 88 of the Police Act 1996.
- 4.3 There is an open and exempt report as some of the information relates to data protection, is commercially sensitive and is legal professional privileged.

5 Equality Comments

- 5.1 To continue policing with the consent of the population it serves, the police will always seek to treat everyone fairly and openly. Race or equality issues do not appear to have an impact in this matter.

6 Background/supporting papers

- 6.1 Attached part 2 report.

Public access to information

Information in this form is subject to the Freedom of Information Act 2000 (FOIA) and other legislation. Part 1 of this form will be made available on the MOPAC website within 1 working day of approval. Any facts/advice/recommendations that should not be made automatically available on request should not be included in Part 1 but instead on the separate Part 2 form. Deferment is only applicable where release before that date would compromise the implementation of the decision being approved.

Is the publication of **this** form to be deferred? Yes

If yes, for what reason: This case has a further claim to follow for another officer and it should be deferred until such time the whole matter has been finalised.

Until what date (if known): Court date 26 September

Is there a **part 2** form – YES

If yes, for what reason: Information contained in the Part 2 falls under the following FoIA Exemptions: There is an open and exempt report as some of the information relates to data protection, is commercially sensitive and is legal professional privileged

ORIGINATING OFFICER DECLARATION:

	<i>Tick to confirm statement (✓)</i>
Head of Unit: Sue Leffers has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓
Legal Advice: The MPS legal team has been consulted on the proposal.	✓
Financial Advice: The Head of Strategic Finance and Resource Management has been consulted on this proposal.	✓
Equalities Advice: The Workforce Development Officer has been consulted on the equalities and diversity issues within this report.	✓

OFFICER APPROVAL**Chief Operating 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