

DMPC Decision – PCD 1009

Title: Continued Authorised Firearms Officer Outsourced Training

Executive Summary:

This paper requests approval for the award of two 2-year contracts to the Civil Nuclear Constabulary (CNC) and Northumbria Constabulary for the provision of Authorised Firearms Officer (AFO) and Continuation Training.

The value of the contracts will be £3,030,016 for CNC and £2,057,600 for Northumbria.

The Metropolitan Police Specialist Training Centre cannot meet the current demand for course places or for continuation training places for existing AFOs. These contracts are therefore required as essential to maintain the Metropolitan Police's Armed Capability.

The previous contracts with both providers expired on the 30th April, and a STA has been approved on a separate paper (PCD 982) to cover the period from the 30th April to the 31st July 2021 pending the approval of this Business Case.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

1. Approve award of a Single Tender Action for a training contract between MPS and the Civil Nuclear Constabulary (CNC), at a maximum cost of £3,030,016 funded from existing budgets in MO19. There will also be an estimated expenditure of £556,000 (£278,000 pa) for travel, accommodation and subsistence for those officers attending training under the CNC contract and £198,480 (£97,240 pa) for training ammunition used under the CNC contract, both funded from existing budgets in MO19.
2. Approve award of a Single Tender Action for a training contract between MPS and Northumbria Constabulary, at a maximum cost of £2,057,600 funded from existing budgets in MO19. There will also be an estimated expenditure of £556,000 (£278,000pa) for travel, accommodation and subsistence for those officers attending training under the Northumbria contract and £81,331 (£40,6650pa) for training ammunition used under the CNC contract, both funded from existing budgets in MO19.

Deputy Mayor for Policing and Crime

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

1. Introduction and background

- 1.1. Demand for Firearms training in the Metropolitan Police Service (MPS) increased by approximately 300% between 2017 and 2020 due to the Government mandated requirement for Armed Uplift.
- 1.2. The MPS Firearms Training estate could not meet the demand to deliver this additional training 'in house' and following consultation with NPCC Firearms Lead (CC Simon Chesterman) the MPS Portfolio and Investment Board (PIB) supported the outsourcing of MPS Firearms training to a number of Home Office approved providers. This would allow the MPS sufficient time to develop the Firearms Training Estate, which was expected to have been completed within 2-4 years. This included an agreement to provide a new build Live Fire Assault Skills House at the Metropolitan Police Specialist Training Centre, and the redevelopment of Limehouse Police Station to provide a 50-metre indoor range and Tactical Training area.
- 1.3. 2 year contracts were agreed with the following providers:
 - Civil Nuclear Constabulary (CNC) to provide permanent Authorised Firearms Officer (AFO) training for 12 Officers per day, to include a mixture of AFO Courses and continuation training.
 - Northwest Training (Cheshire, Durham) to provide 10 AFO courses per year (12 students x 4 weeks)
 - Northumbria Constabulary, to provide 6 AFO Courses per year (16 students x 4 weeks) or alternative training eg Sig conversion courses.

2. Issues for consideration

- 2.1. Due to a number of external factors, including Government Austerity, Brexit and the Coronavirus pandemic, the Estate development project is facing significant delays and increased costs. The consequence has been no increase in MPS Firearms Training Capacity with the situation unlikely to change for at least 24 months.
- 2.2. Whilst the MPS are close to meeting the numbers required in the mandated Uplift, the need to increase training capacity remains essential to allow the MPS to provide sufficient initial course space to cover natural wastage and provide enough space for continuation training to Officers.
- 2.3. The existing contracts with CNC and Northumbria Constabulary allow the MPS to meet their obligations to meet the nationally agreed Armed Uplift. Renewing these contracts will enable both business continuity and the ongoing provision of outsourced firearms training.
- 2.4. A restructuring of course provision and demand has made it possible for the contract with Northwest Training (Cheshire, Durham) to close with a real term saving of approximately £2m over the coming 24 months.

3. Financial Comments

- 3.1. The value of the contract for CNC will be £3,030,016 over 24 months. In addition there will be costs for travel, accommodation and subsistence for those officers attending training under the CNC contract of £556,000 over 24 months and the training ammunition required will cost £194,480 over 24 months.
- 3.2. The value of the contract for Northumbria will be £2,057,600 over 24 months. In addition there will be costs for travel, accommodation and subsistence for those officers attending training under the Northumbria contract of £556,000 over 24 months and the training ammunition required will cost £81,331 over 24 months.
- 3.3. The Finance Business Partner for Met Operations has confirmed funding is available from existing budgets in MO19 for outsourced Firearms Training, Accommodation, Travel, Subsistence and Ammunition costs, which amount to an estimated £6,475,427 over 24 months.

4. Legal Comments

- 4.1. The Mayor's Office for Policing and Crime ("MOPAC") 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 £189,330 or above shall be procured in accordance with the Regulations. This report confirms the value of the proposed contract exceeds this threshold.
- 4.2. This report confirms the MOPAC intends to award contracts to two external police forces to deliver Firearms Training. The request for award via Single Tender Action (STA) is made with reference to Regulation 32 2 (b)(ii) which allows for direct awards where the works, supplies or services can be supplied only by a particular economic operator where competition is absent for technical reasons. On this basis the MOPAC's route to market is compliant with the Regulations.
- 4.3. The MOPAC Scheme of Delegation and Consent provides the Deputy Mayor for Policing and Crime ("DMPC") has delegated authority to approve:
 - Business cases for revenue or capital expenditure of £500,000 and above (paragraph 4.8); and
 - All contract exemptions for £100,000 or above (paragraph 4.13).
- 4.4. Paragraph 7.23 of the Scheme provides that the Director of Strategic Procurement has consent for the approval of the award of all contracts, with the exception of those called in through the agreed call in procedure. Paragraph 4.14 of the Scheme provides the DMPC reserves the right to call in any MPS proposal to award a contract for £500,000 or above.

5. Commercial Issues

- 5.1. In 2017 The Armed Uplift Team contacted every licensed UK police firearms training establishment (including Police Scotland and PSNI). CNC, Cheshire and Northumbria were the only training providers identified who were able to deliver AFO training in numbers sufficient to significantly impact on the MPS requirement.
- 5.2. The Armed uplift team have confirmed via NPCC Armed Policing Lead (CC Simon Chesterman) that this position remains unchanged and that Northumbria and CNC are the only Home Office approved forces with the capability and capacity to provide MPS training.
- 5.3. Non-police commercial options have been investigated for the provision of AFO training to the MPS but to date no commercial suppliers have been identified. It should also be noted that the College of Policing are not supportive of police forces obtaining firearms training from non-police training providers.
- 5.4. The provision of firearms training to MPS officers by military organisations (i.e. British Army) is considered to be potentially contentious in terms of public perception and is not supported by the College of Policing.
- 5.5. The route to market is therefore restricted to licensed UK police firearms training establishments and as such is exempt from following the full OJEU public procurement regulations in accordance with Public Contract Regulations 2015 Regulation 32(2)(b)(ii), i.e. for technical reasons there is no competition because the MPS can only use other police forces to provide the services.
- 5.6. DLS have previously been fully engaged and drafted the contracts for this requirement and have confirmed that the terms of the agreement are reasonable.

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 (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.
- 6.2. 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.
- 6.3. The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure the project meets its compliance requirements.

6.4. The project does not use personally identifiable data of members of the public, so there are no GDPR issues to be considered.

7. Equality Comments

7.1. This business case has undergone an initial equality screening. Due regard has been taken to ensure the MPS has complied with the Public Sector Equality Duty within the Equality Act 2010.

7.2. Real consideration has been taken to assess equality impact caused by the proposed business case and as a result no negative impact has been identified to any individual and/or group safeguarded by a protected characteristic and those who are not. This is a continued 'business as usual' approach with the exception of the financial increase to support the function, therefore there is no real organisational change.

8. Background/supporting papers

8.1. DMPC decision PCD 982 (AFO Training Contract Single Tender Action) approved interim contracts until these 24-month contracts can be put in place.

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	<i>Tick to confirm statement (✓)</i>
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 <ul style="list-style-type: none"> GDPR compliance issues are covered in the body of the report. A DPIA is not required. 	✓
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 13/07/2021



MOPAC

MAYOR OF LONDON
OFFICE FOR POLICING AND CRIME

AFO Outsourced Training

MOPAC Investment Advisory & Monitoring meeting

Report by Commander Kyle Gordon 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 paper requests approval for the award of two 2-year contracts to the Civil Nuclear Constabulary (CNC) and Northumbria Constabulary for the provision of AFO and Continuation Training.

The value of the contracts will be **£3,030,016** for CNC and **£2,057,600** for Northumbria.

Metropolitan Police Specialist Training Centre (MPSTC) cannot meet the current demand for course places or for continuation training places for existing AFO's. These contracts are therefore required as essential to maintain the Met's Armed Capability.

The existing contracts with both providers expire on the 30th April, and a STA has been requested on a separate paper to cover the period from the 30th April to the 31st July 2021 pending the approval of this Business Case.

Recommendations

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

1. Approve award of a Single Tender Action for a training contract between MPS and the Civil Nuclear Constabulary (CNC), at a maximum cost of **£3,030,016** funded from existing budgets in MO19. Note that there will also be an estimated expenditure of **£556,000 (£278,000pa)** for travel, accommodation and subsistence for those officers attending training under the CNC contract and **£198,480 (£97,240pa)** for training ammunition used under the CNC contract, both funded from existing budgets in MO19.
2. Approve award of a Single Tender Action for a training contract between MPS and Northumbria Constabulary, at a maximum cost of **£2,057,600** funded from existing budgets in MO19. Note that there will also be an estimated expenditure of **£556,000**

(£278,000pa) for travel, accommodation and subsistence for those officers attending training under the Northumbria contract and £81,331 (£40,6650pa) for training ammunition used under the CNC contract, both funded from existing budgets in MO19.

3. Note that this outsourced provision is concurrent with previous contracts already in place with Northumbria, and CNC.

Time sensitivity

A decision is required from the Deputy Mayor by 15th July 2021. The current contracts with both providers expire on the 30th April and a STA to cover the period from the 30th April to the 31st of July has been submitted and will act as abridging contract until this 2 year contract is approved.

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

Introduction and background

1. Demand for Firearms training in the MPS increased by approximately 300% between 2017 and 2020 due to the Government mandated requirement for Armed Uplift.
2. The MPS Firearms Training estate could not meet the demand to deliver this additional training 'in house' and following consultation with NPCC Firearms Lead (CC Simon Chesterman) PIB supported the outsourcing of MPS Firearms training to a number of HO approved providers. This would allow the MPS sufficient time to develop the Firearms Training Estate, which was expected to have been completed within 2-4 years. This included an agreement to provide a new build Live Fire Assault Skills House (LFASH) at MPSTC, and the redevelopment of Limehouse Police Station to provide a 50-metre indoor range and Tactical Training area.
3. 2 year contracts were agreed with the following providers;
 - Civil Nuclear Constabulary (CNC) to provide permanent Authorised Firearms Officer training for 12 Officers per day, to include a mixture of AFO Courses and continuation training.
 - Northwest Training (Cheshire, Durham) to provide 10 AFO courses per year (12 students x 4 weeks)
 - Northumbria Constabulary, to provide 6 AFO Courses per year (16 students x 4 weeks) or alternative training eg Sig conversion courses.

Issues for consideration

4. Due to a number of external factors, including Government Austerity, Brexit and the Coronavirus pandemic, the Estate development project is facing significant delays and increased costs. The consequence has been no increase in MPS Firearms Training Capacity with the situation unlikely to change for at least 24 months.
5. Whilst the MPS are close to meeting the numbers required in the mandated Uplift, the need to increase training capacity remains essential to allow the MPS to provide sufficient initial course space to cover natural wastage and provide enough space for continuation training to Officers.
6. The existing contracts with CNC and Northumbria Constabulary allow the MPS to meet their obligations to meet the nationally agreed Armed Uplift. Renewing these contracts will enable both business continuity and the ongoing provision of outsourced firearms training.
7. A restructuring of course provision and demand has made it possible for the contract with Northwest Training (Cheshire, Durham) to close with a real term saving of approximately £2m over the coming 24 months.

Contributes to the MOPAC Police & Crime Plan 2017-2021¹

8. Awarding these contracts supports the delivery of the MOPAC Police & Crime Plan 2017-2021 by maintaining the resilience of the Met's armed policing capacity and capability when dealing with the threat of terrorism and responding to gun crime.

Financial, Commercial and Procurement Comments

9. In 2017 The Armed Uplift Team contacted every licensed UK police firearms training establishment (including Police Scotland and PSNI). CNC, Cheshire and Northumbria were the only training providers identified who were able to deliver AFO training in numbers sufficient to significantly to impact on the MPS requirement.
10. The Armed uplift team have confirmed via NPCC Armed Policing Lead (CC Simon Chesterman) that this position remains unchanged and that Northumbria and CNC are the only HO approved forces with the capability and capacity to provide MPS training.
11. Non-police commercial options have been investigated for the provision of AFO training to the MPS - to date no commercial suppliers have been identified. It should also be noted that the College of Policing are not supportive of police forces obtaining firearms training from non-police training providers.

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

12. The provision of firearms training to MPS officers by military organisations (i.e. British Army) is considered to be potentially contentious in terms of public perception and is not supported by the College of Policing.
13. The route to market is therefore restricted to licensed UK police firearms training establishments and as such is exempt by from following the full OJEU public procurement regulations in accordance with Public Contract Regulations 2015 Regulation 32(2)(b)(ii), i.e. for technical reasons there is no competition because we can only use other police forces to provide the services.
14. DLS have previously been fully engaged and drafted the contracts for this requirement and have confirmed that the terms of the agreement are reasonable.
15. The value of the contract for CNC will be **£3,030,016** over 24 months
16. The value of the contract for Northumbria will be **£2,057,600** over 24 months.
17. The value of travel, accommodation and subsistence for those officers attending training under the CNC contract will be £556,000 over 24 months.
18. The value of travel, accommodation and subsistence for those officers attending training under the Northumbria contract will be £556,000 over 24 months.
19. The cost of ammunition for those officers attending training under the CNC contract will be £194,480 over 24 months.
20. The cost of ammunition for those officers attending training under the Northumbria contract will be £81,331 over 24 months.
21. The Finance Business Partner for Met Operations has confirmed funding is available from existing budgets in MO19 for outsourced Firearms Training, Accommodation, Travel, Subsistence and Ammunition contained in points 15-20, which amounts to an estimated £6,475,427 over 24 months.

Legal Comments

22. The Mayor's Office for Policing and Crime ("MOPAC") 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 £189,330 or above shall be procured in accordance with the Regulations.
23. This report confirms the value of the proposed contract exceeds this threshold.
24. This report confirms the MOPAC intends to award contracts to two external police forces to deliver Firearms Training. The request for award via Single Tender Action (STA) is made with reference to Regulation 32 2 (b)(ii) which allows for direct awards where the works, supplies or services can be supplied only by a particular economic operator where competition is absent for technical reasons. On this basis the MOPAC's route to market is compliant with the Regulations.

25. The MOPAC Scheme of Delegation and Consent provides the Deputy Mayor for Policing and Crime (“DMPC”) has delegated authority to approve:
- a. Business cases for revenue or capital expenditure of £500,000 and above (paragraph 4.8); and
 - b. All contract exemptions for £100,000 or above (paragraph 4.13).
26. Paragraph 7.23 of the Scheme provides that the Director of Strategic Procurement has consent for the approval of the award of all contracts, with the exception of those called in through the agreed call in procedure. Paragraph 4.14 of the Scheme provides the DMPC reserves the right to call in any MPS proposal to award a contract for £500,000 or above.

Equality Comments

27. This business case has undergone an initial equality screening. Due regard has been taken to ensure the MPS has complied with the Public Sector Equality Duty within the Equality Act 2010.

Real consideration has been taken to assess equality impact caused by the proposed business case and as a result no negative impact has been identified to any individual and/or group safeguarded by a protected characteristic and those who are not. This is a continued ‘business as usual’ approach with the exception of the financial increase to support the function therefore there is no real organisational change.

Privacy Comments

28. 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.
29. 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.
30. The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure the project meets its compliance requirements.
31. The project does not use personally identifiable data of members of the public, so there are no GDPR issues to be considered.

Real Estate Implications

32. The MPS Firearms Training estate cannot meet the demand to deliver the current capacity of firearms training. A development programme has been agreed which includes a new build Live Fire Assault Skills House (LFASH) at MPSTC, and the redevelopment of Limehouse Police Station to provide a 50-metre indoor range and Tactical Training area.

33. Due to a number of external factors, including Government Austerity, Brexit and the Coronavirus pandemic, the Estate development project has faced significant delays and increased costs. The consequence has been no increase in MPS Firearms Training Capacity with the situation unlikely to change for at least 24 months.

34. MPS Firearms Estate Expansion is expected to be complete by April 2025 at which point the MPS will have the capacity to facilitate all MPS Firearms Training and the requirement for outsourcing will be removed or reduced accordingly.

Environmental Implications

35. There are no Environmental Implications associated with the award of these contracts.

Background/supporting papers

36. None

Report author; Derek Brook, A/Inspector MO19 Specialist Firearms Training

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: AFO Outsourced Training is exempt from publication for the following reasons:

- Part 2 is exempt from publication under Article 2(2)(a) of the Elected Local Policing Bodies (Specified Information) Order 2011. The relevant section under the FOIA that would exempt this information from disclosure is Commercial Interest Section 43.

The paper will cease to be exempt on 1st July 2027