

REQUEST FOR DMPC DECISION – DMPCD 2014- 13

Title: Request for authorisation to settle a claim against the Metropolitan Police Service (MPS)

Executive Summary:

The DMPC agree the settlement of a claim for “victimisation” to be heard at a Judicial Mediation meeting details of which are set out in part 2 of this report.

The Deputy Mayor for Policing and Crime has the discretion to authorise the settlement of legal proceedings where it would be conducive to the maintenance of an efficient and effective police force.

Recommendation:

The DMPC approves the settlement of a claim as identified in part 2 of this report, identifying the amount as the maximum settlement as a result of mediation.

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

6/2/2015

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

Decision required – supporting report

1 Introduction and background

- 1.1 DMPC has received a request from DLS seeking approval to settle a claim identified in the exempt part of this report.
- 1.2 The Claimant, a serving police officer, has been successful before the Employment Tribunal in respect of a number of allegations of race and sex discrimination and in respect of a number of complaints of victimisation.
- 1.3 Two new claims were lodged in September and October 2014. It was decided at a pre-hearing that these matters could be settled at a mediation meeting. At this meeting it is proposed to discuss the matter of how future claims can be managed by the MPS.

2 Issues for consideration

- 2.1 A remedy hearing to determine the amount of compensation to be awarded to the Claimant has commenced.

3 Financial Comments

- 3.1 The cost will be paid by DLS against a MPS delegated budget. The MPS has established that there is sufficient funding available to support the application.

4 Legal Comments

- 4.1 Pursuant to the MOPAC Scheme of Consent and Delegation dated April 2014, DMPC must authorise settlements above £50,000 or those claims that are otherwise high profile or sensitive, according to the criteria set out in section 4.10 of the Scheme.
- 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 This decision relates to an individual who was successful before an Employment Tribunal in respect of a number of allegations of race and sex discrimination and in respect of a number of complaints of victimisation. The Employment Tribunal raised a number of challenging issues in relation to the way the Met deals with allegations of discrimination and went on to make a series of recommendations to which the MPS is in the process of complying. To continue policing with the consent of the population it serves, the police must always seek to treat everyone, including its own officers, fairly and openly. Lessons from this case must be learnt and disseminated appropriately.

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? NO

If yes, for what reason:

Until what date (if known):

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:

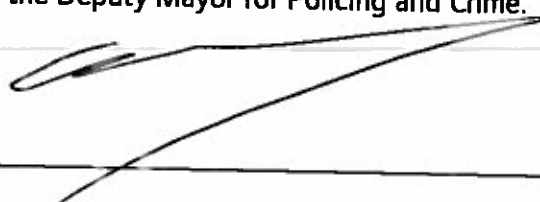
	<i>Tick to confirm statement (✓)</i>
Head of Unit: The Professional Standards Manger has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓
Legal Advice: The MPS legal team has been consulted on the proposal.	✓
Financial Advice: The Head of Strategic Finance and Resource Management has been consulted on this proposal.	✓
Equalities Advice: Equality and diversity issues are covered in the body of the report and 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 06/12/2015

