BUSINESS PARTNERING FOR POLICE PROGRAMME

Report of the Chief Constable and Chief Executive

PURPOSE OF THE REPORT
1. To provide an update to West Midlands Police Authority members on the Business Partnering for Police (BPP) Programme.

CONTEXT AND BACKGROUND
2. At the Police Authority meeting held on 12 July 2012, the Authority approved the BPP Business Case and determined that the Authority would take no further gateway decisions on the BPP programme. The Authority also requested the Programme to undertake a review of the plan and key milestones and any potential impact caused to the procurement as a result of the decision by Surrey Police Authority, also on 12 July 2012, that they were minded to withdraw from the Programme. Surrey Police Authority has subsequently confirmed its withdrawal from the Programme at its meeting held on 6 September 2012. This review is in the context of the Authority’s wish to place the police and crime commissioner (PCC) for West Midlands, when they are elected on 15 November 2012, in the best position to allow them to make informed choices about the programme in a timely manner, acknowledging the significant the demands that will be placed on them as they take up office.

3. In keeping with previous gateway decision points, where the Programme sought to provide the Authority with a balanced assessment of status, options and direction of travel; the re-profiled plan will provide the PCC with information that should enable him/her to take an informed decision regarding the procurement scope and timescales.

4. The Authority is reminded that its last Gateway decision on 24 May 2012 released funds for the work to prepare for the invitation to submit outline proposals. In line with this decision of the Authority that work has continued.

PREPARATION FOR PCC TRANSITION
5. Building on the contents of the Business Case approved by the Authority in July, the Force is now preparing an options paper for the incoming Police and Crime Commissioner. This paper will build on the detail of the agreed Business Case and beyond in order to set out the range of opportunities available to the Force within the context of current financial constraint. The options paper will include the Force’s financial context for the medium to long term and potential options for service improvement and cost reduction. The Authority is asked to note that the indicative financial settlement figures for the Force are not expected to be issued until early December.
SURREY POLICE AND SURREY POLICE AUTHORITY POSITION

6. As stated in paragraph 2, Surrey Police Authority met on 6 September 2012 and voted to withdraw from the BPP Programme. They have asked to remain as potential beneficiaries of the procurement process, but will no longer participate in the procurement on a joint basis with West Midlands. This has no legal impact on the procurement given the OJEU Notice created flexibility for either a multi-force or single-force procurement.

7. Agreement has been reached between the two Authorities and Forces about the total contribution Surrey should make to the costs incurred up until Surrey took the decision to withdraw. The Home Office will continue to support the Programme.

PROGRAMME FINANCE

8. At the May authority meeting, the Programme reported an under-spend and was allocated additional budget to support the completion of the pre-ISOP stage which at that juncture, was scheduled to be September 2012.

9. At the subsequent July Authority meeting, it was decided to defer ISOP stage until after the election of the PCC and following the re-profiling exercise, the current anticipated milestone for completing the pre-ISOP stage is scheduled to be January 2013. A direct consequence of extending pre-ISOP from two to four months is that more time can be devoted to planning subsequent phases of the BPP Programme.

10. Taking into account the year-to-date expenditure and forecast expenditure for consultants, the Programme is forecasting an under-spend by the time pre-ISOP is scheduled to finish and therefore, is not seeking to request further budget. The Programme team and Finance department will continue to review expenditure and forecast data on a monthly basis.

BIDDER UPDATE

11. The Force and Authority were served a ‘pre-action letter’ dated 17 August 2012 by Public Interest Lawyers (PIL) on behalf of their claimant, Ms Robina Khan. The basis of the letter was that the Force and Authority should exclude one of the bidders on the grounds that they failed to disclose key information that would have led to their exclusion at PQQ stage. After careful consideration, the Force and Authority responded to the pre-action letter by the deadline of 24 August 2012 and to date neither have received any further contact or correspondence from PIL. The BPP Programme has obtained advice from its legal consultants and based on current information they advise that there are no grounds for mandatory exclusion of any of the short-listed bidders.

12. The BPP team is aware of commercial acquisitions (Logica has been bought by CGI) and divestments (BT has sold Reliance to Capita) and again further information is being sought from all parties to understand the impact, if any, that this may have on their bid status.

13. In general terms and in keeping with the current plan, the next phase of pre-ISOP will be an informal bidder engagement process scheduled to take place between 15 and 17 October 2012. This stage of the process will not form part of formal evaluation; however this engagement will start to articulate the potential value a private sector partner could bring in the form of transformation and will help inform the options paper for the incoming PCC.

FINANCIAL IMPLICATIONS

14. The total costs of the Programme up to the end of the pre-ISOP stage can be met from sums previously approved by the Authority.
LEGAL IMPLICATIONS
15. The BPP procurement is being conducted in accordance with EU Legislation. Other legal issues are covered in the body of this report.

EQUALITIES IMPLICATIONS
16. Decisions emanating from BPP will be considered for any equality implications for both our communities and our workforce and equality impact assessments will be undertaken where any issues are identified.

RECOMMENDATION
17. That members note this update.

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BACKGROUND DOCUMENTS
None