

ORIGINATOR: ALAN GILBERT

DECISION NO. 20 /2021

REASON FOR SUBMISSION: FOR DECISION

SUBMITTED TO: MARK STOKES, CHIEF EXECUTIVE

SUBJECT: Provision of Forensic Analysis Services under The Next Generation Forensic Framework Agreement

SUMMARY:

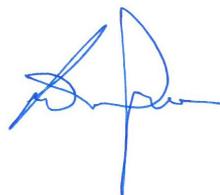
Introduction of 2 stage toxicology process under Lot 211a RTTox for Section 5a drug driving offences.

RECOMMENDATION:

In line with contract standing orders, the PCC for Norfolk should sign and seal the contract change notice implementing a process change under the original contract.

OUTCOME/APPROVAL BY: PCC/CHIEF EXECUTIVE/CHIEF FINANCE OFFICER (Delete as appropriate)

The recommendations as outlined above are approved.



Signature

Date: 22/03/2021

DETAIL OF THE SUBMISSION

1. OBJECTIVE:

- 1.1 To implement a 2- stage toxicology process for Section 5a Drug Driving samples to reduce the current backlog and reduce the risk of Statutory time limits being breached resulting in lost prosecutions.

2. BACKGROUND:

- 2.1 Norfolk Constabulary entered into contract with Key Forensic Services Limited in July 2015 for the provision of Road Traffic Act Toxicology analysis. This contract commenced on a 4 year + 12-month extension period, with the force implementing a further contract extension in May 2020 until January 2022.
- 2.2 The forensic market place has been increasingly unstable in recent years due to the limited number of suppliers and the constant focus on driving costs down. This has resulted in suppliers entering into contracts with unsustainable margins and has resulted in the Home Office, namely the Forensic Capability Network (FCN) having to step in and undertake a market stabilisation exercise. This exercise has seen an uplift in prices across all forensic services between 9% and 35% and further work continues to reduce the backlog of samples that require testing and organisation the police forces nationally so that procurement exercises can be staggered and planned to further ease the capacity issues on the suppliers bid teams.
- 2.3 As part of Operation Talla, a 2-stage toxicology process has been introduced with Key Forensic services. This process will tackle a backlog of drug driving samples obtained under Section 5a of the Road Traffic Act. Until the 1st February 2021, samples provided under this legislation were tested for 16 different narcotics. This is a lengthy process and has resulted in excess of 7000 samples still awaiting testing as of November last year. Under the two-stage process, samples will be tested for Cannabis and Cocaine, as these are most frequent drugs found in this type of offence, and only if there is no result for these substances will the full panel of narcotics be tested for. The eldest samples held are being targeted first as there is a risk that the statutory time limit of 6 months may elapse and result in loss prosecutions.
- 2.4 There is no cost impact to the force with this change in process, but the change control notice requires sealing in line with Contract standing orders.

3. AREAS FOR CONSIDERATION:

- 3.1 The process change has been led by the Home Office and the Forensic Capability Network. As part of the engagement process with the supplier it was requested that the start date for the two-stage process would be 1st February 2021.

4. OTHER OPTIONS CONSIDERED:

- 4.1 No other options have been considered in this circumstance.

5. STRATEGIC AIMS/OBJECTIVE SUPPORTED:

- 5.1 The implementation of the 2-stage process will support the strategic aim of the police by helping to tackle and prevent crime and protect communities by prosecuting and removing drug drivers from the roads of Norfolk.

6. FINANCIAL AND OTHER RESOURCE IMPLICATIONS:

- 6.1 There are no financial or other resource implications which would result from the implementation of the 2-stage process.

7. OTHER IMPLICATIONS AND RISKS:

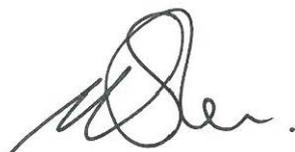
- 7.1 Failure to implement the 2-stage procedure and reduce the back log of testing could result in the loss of prosecution in a large number of cases and will also contribute to the ongoing destabilisation of supplier and the market place.

| ORIGINATOR CHECKLIST (MUST BE COMPLETED) | PLEASE STATE 'YES' OR 'NO' |
|--|----------------------------|
| Has legal advice been sought on this submission? | NO |
| Has the PCC's Chief Finance Officer been consulted? | NO |
| Have equality, diversity and human rights implications been considered including equality analysis, as appropriate? | NO |
| Have human resource implications been considered? | NO |
| Is the recommendation consistent with the objectives in the Police and Crime Plan? | YES |
| Has consultation been undertaken with people or agencies likely to be affected by the recommendation? | YES |
| Has communications advice been sought on areas of likely media interest and how they might be managed? | NO |
| In relation to the above, have all relevant issues been highlighted in the 'other implications and risks' section of the submission? | YES |
| <p data-bbox="188 1384 772 1420">Is this report a Confidential Decision?</p> <div data-bbox="1050 1402 1171 1473" style="display: inline-block; border: 1px solid black; width: 66px; height: 32px; margin-right: 20px;"></div> <div data-bbox="1244 1402 1366 1473" style="display: inline-block; border: 1px solid black; width: 66px; height: 32px; text-align: center; vertical-align: middle;">NO</div> <p data-bbox="188 1496 1417 1532">If Yes, please state reasons below having referred to the PCC Decision Making Policy</p> | |

APPROVAL TO SUBMIT TO THE DECISION-MAKER (this approval is required only for submissions to the PCC).

Chief Executive

I am satisfied that relevant advice has been taken into account in the preparation of the report, that the recommendations have been reviewed and that this is an appropriate request to be submitted to the PCC.



Signature:

Date: 22/03/2021

Chief Finance Officer (Section 151 Officer)

I certify that:

- a) there are no financial consequences as a result of this decision,
OR
- b) the costs identified in this report can be met from existing revenue or capital budgets,
OR
- c) the costs identified in this report can be financed from reserves
AND
- d) the decision can be taken on the basis of my assurance that Financial Regulations have been complied with.

Signature:



Date: 22/03/2021

PUBLIC ACCESS TO INFORMATION: *Information contained within this submission is subject to the Freedom of Information Act 2000 and wherever possible will be made available on the OPCC website. Submissions should be labelled as 'Not Protectively Marked' unless any of the material is 'restricted' or 'confidential'. Where information contained within the submission is 'restricted' or 'confidential' it should be highlighted, along with the reason why.*