

## PART 2 – CONFIDENTIAL FACTS AND ADVICE

**LFC Number 0727y**

**Title: Procurement of a cyber defence system**

*Information may have to be disclosed in the event of a request under the Freedom of Information Act 2000. In the event of a request for confidential facts and advice, please consult the Governance Team for advice.*

### **This information is not for publication because:**

Publication of the information included in this report is deferred as its disclosure would be likely to prejudice the commercial interests of the London Fire Commissioner (LFC).

Date at which Part 2 will cease to be confidential or when confidentiality should be reviewed: TBA – after successful procurement and tender award.

### **Legal recommendation on the grounds of keeping the information confidential:**

In the event the information contained in this Part 2 and/or its appendix is the subject of a request for information under section 1 of the Freedom of Information Act 2000 (the “Act”), it is considered that access can be denied on the basis that such information constitutes exempt information under:

Section 43(2) of the Act on the basis that the information in this report includes information which is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

### **Public Interest Assessment**

At present, on balance, it is considered that the public interest is best served if the information is not disclosed at this point. Disclosure by the LFC would be likely to have a detrimental effect on the LFC’s position and related commercial interest regarding the expenditure incurred for the purchasing of new software licenses.

The eligibility of these exemptions should be reassessed in the event of a request under the Act for this information as the level of sensitivity will change over time and different circumstances may alter the arguments in favour of non-disclosure.

**Legal Adviser** - I make the above recommendations that this information should be considered confidential at this time

**Name:** Tom Davies

**Date:** 15/06/2022

### **Confidential decision and/or advice:**

#### **Introduction and background**

The part 1 report for this decision sets out the background for the request to the Deputy Mayor for Fire and Resilience to authorise the London Fire Commissioner (LFC) to commit revenue expenditure of up to £800,000.00

for the provision of a cyber defence system.

The £800,000.00 figure above also includes the cost of extending the cyber protection to the Microsoft 365 environment. This has been estimated to be £40,000 per annum, £200,000 over the life of the contract (up to 5 years). This £200,000 anticipated additional cost is not contained in existing ICT budgets and will be the subject of a growth bid in the 2023/4 budget process.

### **Financial comments**

This report seeks approval for additional budget of £200,000 and recommends that the LFC agrees to commit revenue expenditure of up to £800,000 over 5 years (i.e. £160,000 per annum), plus annual inflation increases, for the purpose of procuring, installing and maintaining a cyber-defence system for a period of up to five years.

If this report is approved, annual ongoing growth of £200,000 will need to be agreed as part of the 2023/24 budget process. This will increase the £11m current budget gap and require additional savings to be identified.

It is expected that annual inflationary increases will be based around the Retail Price Index (RPI). All LFC contractual inflationary increases are reviewed on an annual basis. The LFC budgets for inflation on an item by item basis, and the LFC will review those assumptions as part of its budget process for 2023/24. If inflation rates are above current assumptions a resulting budget increase will need to be submitted as part of LFC's annual submission to the Mayor's GLA Group budget process and/or the contract will need to be reviewed to assess whether it is possible to reduce the annual cost via a reduction in service

### **Legal Comments**

**Please see Part 1 for legal comments.**

**Confidential Appendices and supporting papers:**