

REQUEST FOR DEPUTY MAYOR FOR FIRE AND RESILIENCE DECISION – DMFD167

Title: LFB OneRisk Solution – Agreement to Funding

Executive summary:

This report seeks the approval of the Deputy Mayor for Fire and Resilience for the London Fire Commissioner (LFC) to commit further revenue expenditure as set out in Part 2 of this report, necessary to support and maintain the London Fire Brigade (LFB) OneRisk Solution on an ongoing basis, once implemented. The report also seeks authority for one off revenue expenditure for the payment of additional external legal assistance of £40,000 and procurement assistance of £37,500.

This decision is an update to Deputy Mayor for Fire and Resilience Decision (DMFD) 100, which was approved on 22 February 2021. DMFD100 authorised the LFC to commit capital expenditure of up to £2,201,000 for the development and rollout of the LFB OneRisk solution.

The objective of the LFB OneRisk solution is to replace LFB's different systems that collect and manage building risk information with a solution that provides an integrated view of building fire-related risk.

The London Fire Commissioner Governance Direction 2018 sets out a requirement for the LFC to seek the prior approval of the Deputy Mayor before "[a] commitment to expenditure (capital or revenue) of £150,000 or above as identified in accordance with normal accounting practices...".

Decision:

That the Deputy Mayor for Fire and Resilience authorises the LFC to commit revenue expenditure of up to the amount set out in the Part 2 report, for the purposes of supporting and maintaining the LFB OneRisk solution, during its operational life and for the payment of additional external legal assistance of £40,000 and procurement assistance of £37,500.

Deputy Mayor for Fire and Resilience

I confirm that I do not have any disclosable pecuniary interests in the proposed decision.

The above request has my approval.

Signature:



Date:

14/8/22

PART I – NON-CONFIDENTIAL FACTS AND ADVICE TO THE DEPUTY MAYOR

Decision required – supporting report

1. Introduction and background

- 1.1. Report LFC-0689 explains that Deputy Mayor for Fire and Resilience Decision 100 (DMFD100), which was agreed on 21 February 2021, authorised capital expenditure to initiate a procurement in respect of London Fire Brigade's (LFB's) OneRisk solution. All aspects of the LFB OneRisk solution remain as described in report LFC-0461 "LFB OneRisk Solution – Agreement to Funding" to the Fire Commissioner (LFC), which is attached as Appendix 1 to report LFC-0689.
- 1.2. Report LFC-0461 to the LFC included (at paras 3 to 7, and Appendix 1) the recommendations from a peer review of the project undertaken by LFB's Director for Transformation. One recommendation from the review (ref: E in para 6) was to "undertake detailed budgeting exercise including implementation and running costs". The peer review said that this recommendation should be completed "prior to tender award".
- 1.3. This report seeks specific approval for revenue expenditure necessary to support the LFB OneRisk Solution on an ongoing basis once implemented.

2. Objectives and expected outcomes

- 2.1. Paragraph 5.2 of DMFD100 stated that revenue expenditure to provide annual support and maintenance of the proposed LFB OneRisk solution, once implemented, could be contained within existing ICT budgets by repurposing funds currently dedicated to supporting the systems that LFB OneRisk will replace. However, since this earlier report was written, there has been increased scrutiny applied throughout the governance process, particularly in relation to expenditure. Therefore, this update to DMFD100, requests authorisation for the revenue expenditure necessary to support the LFB OneRisk solution from within existing ICT budgets. The support will be provided by the supplier/developer engaged to provide the system in accordance with the procurement decision made in March 2021 (report LFC-0461).
- 2.2. In addition, it has been determined that there is a requirement for external legal and procurement assistance for the project. The legal advice is required in support of the procurement process and providing advice on intellectual property rights relating to the OneRisk project. The external procurement assistance is required to support the project through the procurement stages to counter capacity issues within LFB's procurement department.
- 2.3. The cost of this external legal assistance will be £40,000; and procurement assistance will be £37,500. These revenue expenses will be funded from "protection uplift" grant money that has been provided by the Home Office to LFB's Assistant Commissioner – Fire Safety.

3. Equality comments

- 3.1. The Deputy Mayor for Fire and Resilience is required to have due regard to the Public Sector Equality Duty (section 149 of the Equality Act 2010) when taking decisions. This in broad terms involves understanding the potential impact of policy and decisions on different people, taking this into account, and then evidencing how decisions were reached.

- 3.2. It is important to note that consideration of the Public Sector Equality Duty is not a one-off task. The duty must be fulfilled before taking a decision, at the time of taking a decision, and after the decision has been taken.
- 3.3. The protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership (but only in respect of the requirements to have due regard to the need to eliminate discrimination), race (ethnic or national origins, colour or nationality), religion or belief (including lack of belief), sex, and sexual orientation.
- 3.4. The Public Sector Equality Duty requires decision-takers in the exercise of all their functions, to have due regard to the need to:
- eliminate discrimination, harassment and victimisation and other prohibited conduct
 - advance equality of opportunity between people who share a relevant protected characteristic and persons who do not share it
 - foster good relations between people who share a relevant protected characteristic and persons who do not share it.
- 3.5. Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic where those disadvantages are connected to that characteristic
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
 - encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 3.6. The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- 3.7. Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- tackle prejudice
 - promote understanding.
- 3.8. This additional expenditure will not have a negative impact on any groups at LFB.

4. Other considerations

Workforce comments

- 4.1. There are no direct workforce implications arising from the recommendations within this report.

Sustainability comments

- 4.2. There are no direct sustainability implications arising from the recommendations within this report.

Procurement comments

- 4.3. There are no direct procurement implications arising from the recommendations within this report.

Conflicts of interest

- 4.4. There are no conflicts of interest to declare from those involved in the drafting or clearance of this decision.

5. Financial comments

- 5.1. This report recommends that the LFC agrees to commit revenue expenditure of up to the amount set out in part 2 of this report. The financial implications of this are also set out in the part 2 report.
- 5.2. This report also states that there is a requirement of external legal assistance at a cost of £40,000 and procurement assistance as a cost of £37,500. This cost will be met from the “protection uplift” grant money provided by the Home Office. This has been transferred into the Fire Safety and Youth Engagement earmarked reserve, which had a balance of £6,512,000 as at the end of the 2021-22 financial year, with a forecast reserve use of £1,677,500 for the 2022-23 financial year including the proposals in this report.

6. Legal comments

- 6.1. This report seeks the approval of additional revenue funding for a new ICT system, LFB’s OneRisk Solution.
- 6.2. Under section 9 of the Policing and Crime Act 2017, the LFC is established as a corporation sole with the Mayor appointing the occupant of that office. Section 1 of the Fire and Rescue Services Act 2004 (the 2004 Act) states the LFC is the fire and rescue authority for Greater London.
- 6.3. Under section 327D of the GLA Act 1999, as amended by the Policing and Crime Act 2017, the Mayor may issue to the LFC specific or general directions as to the manner in which the holder of that office is to exercise his or her functions.

- 6.4. By direction dated 1 April 2018, the Mayor set out those matters for which the LFC would require the prior approval of either the Mayor or the Deputy Mayor for Fire and Resilience (the Deputy Mayor). In particular, paragraph (b) of Part 2 of the said direction requires the LFC to seek the prior approval of the Deputy Mayor before “[a] commitment to expenditure (capital or revenue) of £150,000 or above as identified in accordance with normal accounting practices...”. The decision to procure the additional services as set out in the recommendation of this report exceeds this value; therefore, this report to the Deputy Mayor fulfils the aforementioned requirement in the direction.
- 6.5. The previous report (LFC-0461) confirmed that the Procurement Department will be engaged in the Project Team and in the tender process from start to end to ensure compliance with the requirements set out in the Public Contract Regulations (PCR) 2015; the GLA responsible procurement policy; and LFC standing orders. The Project team will also ensure the specification and end product is compliant with other requirements, including and not limited to the Data Protection Act/the General Data Protection Regulation. Additionally, the external legal advice will be procured by the LFC’s General Counsel’s Department in accordance with the requirements set out in this paragraph by way of a call-off from an extant PCR-compliant framework, the London Boroughs’ Legal Alliance.
- 6.6. Section 5A of the 2004 Act enables the LFC to “do anything it considers appropriate for the purposes of the carrying out of its functions”.
- 6.7. The LFC is also a “best value” authority under the Local Government Act 1999 and must make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- 6.8. These comments have been adopted from those provided by the LFC’s General Counsel Department in report LFC-0689 to the LFC.

Appendices and supporting papers:

- Part 2 of the report.
- LFC- 0689 – LFB OneRisk Solution – Agreement to Funding (amended)
- LFC- 0461 – LFB OneRisk Solution – Agreement to Funding

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOI Act) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will either be published within one working day after approval or on the defer date.

Part 1 Deferral:

Is the publication of Part 1 of this approval to be deferred? NO

Part 2 Confidentiality: Only the facts or advice considered to be exempt from disclosure under the FOI Act 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:

Drafting officer to confirm the following (✓)

Drafting officer

Soeli Dayus has drafted this report with input from the LFC and in accordance with GLA procedures and confirms the following:

✓

Assistant Director/Head of Service

Niran Mothada has reviewed the documentation and is satisfied for it to be referred to the Deputy Mayor for Fire and Resilience for approval.

✓

Advice

The Finance and Legal teams have commented on this proposal.

✓

Corporate Investment Board

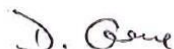
A summary of this decision was reviewed by the Corporate Investment Board on 4 July 2022.

✓

EXECUTIVE DIRECTOR, RESOURCES:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature



Date

16/8/22