

Decision title

Information Shared Services

Recommendation by
Chief Information Officer

Decision Number
LFC-0128-D

Protective marking: **NOT PROTECTIVELY MARKED**

Publication status: Published with redactions

Summary

LFC-0128 seeks approval to accept a tender for an Information Service which will be delivered as a shared service with the Greater London Authority (GLA).

The GLA agreed to the shared service arrangement whereby the London Fire Commissioner would procure and contract manage an Information Service for the benefit of both organisations. The Mayor approved the arrangement on 13 July 2018 and the London Fire Commissioner approved procurement action on 10 October 2018 [LFC-0078] and delegated to the Director of Corporate Services to initiate procurement action as well as the finalisation and execution of a shared service agreement with the GLA under S401A.

Decision

The London Fire Commissioner accept the successful tender for the provision of a shared Information Service from the supplier [Idox Software Ltd] and for the value set out in the confidential Appendix A to this report.



Tom George
Deputy London Fire Commissioner

Date 27/3/19

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Report title

Information Services – shared service with the GLA – acceptance of tender

Report to

Commissioner's Board
Fire and Resilience Board

Date

30 January 2019
12 February 2019

Report by

Chief Information Officer

Report number

LFC – 0128

Protective marking: **OFFICIAL**

Publication status: Published with redactions

Summary

This report seeks approval to accept a tender for an Information Service which will be delivered as a shared service with the Greater London Authority (GLA).

The GLA agreed to the shared service arrangement whereby the LFC would procure and contract manage an Information Service for the benefit of both organisations. The Mayor approved the arrangement on 13 July 2018 and the London Fire Commissioner approved procurement action on 10 October 2018 [LFC-0078] and delegated to the Director of Corporate Services to initiate procurement action as well as the finalisation and execution of a shared service agreement with the GLA under S401A.

Recommendations

That the London Fire Commissioner (LFC) accept the successful tender for the provision of a shared Information Service from the supplier [REDACTED] and for the value set out in the confidential appendix A to this report.

Background

1. The LFC agreed on 10 October 2018 [LFC0078] to the procurement of a shared services arrangement with the GLA for the provision of information services on a cost recovery basis, under Section 401A of the GLA Act 1999. The LFC also agreed to delegate initiation of procurement action for Information Services to the Director of Corporate Services.
2. The GLA originally outsourced its information services in 2012; the present contract expires on 4 February 2019, with a new contract to be in place on expiry of the current contract. However, it is understood that the GLA are seeking an extension of the existing contract to allow finalisation of the new contract arrangements and shared services agreement.

Governance approvals

3. The GLA sought and secured Mayoral approval to the shared service agreement with the London Fire Commissioner; this is Mayoral Decision MD2294. Under this, the Brigade would lead on the procurement of a contractor to provide the information services to the GLA and LFB for a period of four years, with an option to extend for up to two years. While the Mayor has already approved the arrangement and expenditure for the GLA, it was considered necessary (at the time) for the LFC to separately approve the procurement action to accord with the LFC's scheme of governance.
4. General Counsel says that the Mayoral Decision of July 2018 provides a political mandate for the shared service – but it does not provide the Deputy Mayor's approval for spend (i.e. approval of expenditure in excess of £150,000) required for the Commissioner to accept the tender. The Deputy Mayor has the ability to waive the requirement for her consent and it is proposed to seek her to agreement to such a waiver, based on the Mayoral Decision of July 2018 and the timeframe needed for implementation of the new contract.

Scope of the contract

5. Contracted information services, available to all users within the GLA and which would be extended to LFB, includes:
 - Provision of an enquiry service (covering a range of activities from profiling to literature searching).
 - Access to full text books, journals and newspapers.
 - Training to strengthen information literacy.
 - Production of fortnightly alert bulletins, highlighting new policy announcements, reports, official statistics, publications and research articles across a range of policy subject areas.
 - Supply of a weekly information bulletin covering all policy areas relevant to the GLA.
 - Access to social/urban affairs databases to enable GLA users to carry out their own searches for research articles.
6. The LFB's well-established knowledge management function (within the ICT Business Intelligence Team) will provide contract service management in relation to the provision of information services under a new contract. GLA officers have managed the existing service provision until the end of contract.
7. The Brigade will get full access to the Information Services which shall be extended to include a weekly abstract about fire and rescue, and related matters (like community safety). The abstract would provide a review of magazine and online articles of relevance to the Brigade and its services, and would bring these to the attention of the Brigade's managers and subject matter experts. Access to full articles would be facilitated via the Brigade's magazine/periodicals and book collection.

8. In accordance with normal practice, the GLA will enter into a 'working arrangement' and an 'arrangement for delegation' document with LFC to cover the services to be provided. The shared service arrangement would commence as soon as practical and would be for the duration of the Information Service supplier agreement. The shared services documentation will cover issues such as payments for the services to be provided, and review and termination arrangements and liabilities.
9. The finalisation of the terms of the proposed arrangements was delegated by the Mayor to the GLA Executive Director of Resources under the Mayoral Decision Making in the GLA document. The LFC has already delegated to the Director of Corporate Services finalisation of the proposed arrangements so far as the Brigade is concerned.

Procurement action

10. The Director of Corporate Services initiated the tendering process which has been carried out by LFB Procurement, with TfL procurement staff, supported by officers from the LFB Information Management team and GLA Intelligence Unit.
11. As set out in the report/decision LFC0078, it was agreed an OJEU tendering exercise would be undertaken. This was initiated on 25 September 2018 with a call for expressions of interest by 25 October 2018. A tendering exercise commenced on 7 November 2018 with tender receipt by 3 December 2018. Details of the companies responding to the selection questionnaire (SQ), those selected to tender and the outcome of the tendering exercise is set out in the confidential appendix.
12. The procurement process has involved the GLA whose officers jointly assessed tenders received. GLA officers have confirmed that the proposed outcome of the tendering exercise meets the GLA's requirements and this will be confirmed in writing in advance of consideration by the Deputy Mayor.

Budget provision

13. A shared service agreement between the LFB and GLA will be entered into for the provision of information services for both organisations, based on the anticipated cost of the contract. The estimated annual cost to the GLA is set out in the confidential appendix A and will be funded from the GLA's Information Services budget in the Intelligence Unit. Where the LFB or GLA draw off additional services from within the contract, these will be met directly by the LFB or GLA (respectively) from existing budgets (e.g. for books, publications and journals).
14. The LFB will have responsibility for managing the contract and for administering the day-to-day services for the benefit of both the LFB and GLA. The LFB will not be making any money from providing this service.

Finance comments

15. This report requests approval to introduce a shared information service with the GLA, with the Brigade acting as the contract manager. The cost of the contract will be met by the LFC and reimbursed by the GLA, along with the cost of any additional services that they request. The cost incurred by the LFC to manage the contract and any additional services that are requested will be contained within existing resources.
16. The cost in staff time for the management of the contract by the LFC is equivalent to the estimated value of the additional services received from the service. LFC officers will work with the GLA to ensure the accounting treatment for this is presented correctly.

Workforce comments

17. No staff side consultation is proposed on this report.

Legal comments

18. Section 401A of the GLA Act 1999 permits the GLA and the functional bodies to provide professional technical and administrative services to one another, or for them to delegate the discharge of such functions between themselves. The Information Service described in this report fall within the ambit of s 401A.
19. The Mayor must consult with the London Assembly before entering into any such arrangement involving the GLA; this role has been delegated to the GLA Scrutiny Committee, as permitted under section 54(a) of the GLA Act and paragraph 1.9 of LFC-0078 indicates that this consultation has taken place.
20. Administrative arrangements between public bodies that are in the public interest and that do not involve the placing at a competitive advantage or disadvantage of any particular private sector commercial supplier generally fall outside EU public procurement rules, particularly if the activity in question is performed on a cost recovery basis, as is the case here in respect of the shared service agreement between the LFB and GLA.
21. If there were any employees wholly or mainly assigned to the Information Service currently performed at the GLA those employees would automatically transfer to the LFC under the Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE") upon delegation of those functions to the LFC. GLA have informed LFC that there are no employees wholly or mainly assigned to the functions/services transferring so it is considered that TUPE will not apply.
22. General Counsel notes that the proposed appointment of the supplier named in Annex 1 is consistent with the GLA's and the LFB's public procurement obligations and EU procurement law.

Sustainability implications

23. There are no specific sustainability implications arising from this proposal.

Equalities implications

24. The Public Sector Equality Duty applies to the London Fire Brigade when it makes decisions. The duty requires us to have regard to the need to:
 - a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful.
 - b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
25. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
26. The equality impact assessment indicates that the proposals in this report will not have a disproportionately adverse effect on any persons with a particular characteristic.

Consultation

Name/role	Method consulted
CS Directorate Board	22 January 2018
General Counsel	By email
Assistant Director, Finance	By email
Assistant Director, Technical and Commercial	By email

NOT FOR PUBLICATION

Freedom of Information Act 2000: 43 Commercial interests

(2) Information 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).

1. [REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]