

DMPC Decision – PCD 1265

Title: Establishing London’s Cyber Resilience Centre

Executive Summary:

A Cyber Resilience Centre is being established in London that will focus on cyber crime prevention activity on small and medium sized companies across London. This is a National Police Chiefs Council led programme, funded by the Home Office. The Cyber Resilience Centre model is an existing model already in place across the country. The Metropolitan Police, City of London Police and the British Transport Police (the three Forces) all support this plan. London’s Cyber Resilience Centre will operate through a private company limited by guarantee, recently established for such purpose and known as Cyber Resilience Centre for London Limited (‘the CRCL Company’).

The three Forces have requested that MOPAC own this company directly, and MOPAC acts as the police body through which Home Office funding for London’s Cyber Resilience Centre is channelled. MOPAC will own this company for the foreseeable future by being the sole member of it, no costs will be borne by MOPAC, with all money for operating costs refunded to MOPAC (via the City of London Police) from a Home Office grant for regional Cyber Resilience Centres. The Deputy Mayor for Policing and Crime is required to formally approve the decision for MOPAC to become the sole member of the CRCL Company.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

1. Approve that MOPAC becomes the sole member of Cyber Resilience Centre for London Limited (‘the CRCL Company’) which is a recently established company limited by guarantee and that MOPAC enter into all such necessary documentation, notices and agreements as may be required to implement this.
2. Approve that MOPAC receive (via the City of London Police) funding from Home Office grant for regional Cyber Resilience Centres; and that MOPAC will apply such funding towards the operational costs of the CRCL Company, noting that £75,000 is due to be provided to MOPAC in respect of the year 2021/22 and that £170,000 is due to be provided in respect of the year 2022/23 (both payments to be received by MOPAC retrospectively) and that MOPAC enter into all such necessary documentation, notices and agreements as may be required to implement this.
3. Delegate approval of the final form and execution of all necessary documentation, notices and agreements as may be required under recommendations 1 and 2 to the National Director

Operation Soteria/Bluestone, subject to any required execution by seal requiring authorisation from the Chief Executive of MOPAC.

4. Approve the appointment of the National Director Operation Soteria/Bluestone (or such substitute as he/ she may nominate) (i) to represent and exercise any functions of MOPAC in its capacity as the sole member of the CRCL Company in its general meetings or otherwise under company law and (ii) as a director of the CRCL Company.

5. Approve that once acquired by MOPAC, decisions by the CRCL Company will be made in accordance with the constitutional documents of the CRCL Company.

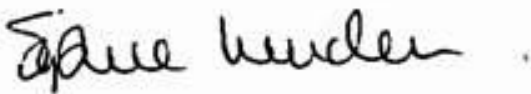
Deputy Mayor for Policing and Crime

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct. Any such interests are recorded below.

The above request has my approval.

Signature

Date 08/09/2022

A handwritten signature in black ink that reads "Paul Under". The signature is written in a cursive style and is positioned on the left side of the signature line.

PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE DMPC

1. Introduction and background

- 1.1. Cyber Resilience Centres ('CRCs') provide targeted advice to small and medium sized companies ('SMEs') in order to prevent cyber crimes and cyber-enabled crimes. The CRC model has become established across the country, with London being the last region to establish such a centre. London previously delivered similar benefits through the Police Digital Security Centre ('PDSC'). The new CRCs model is led by the National Police Chiefs Council ('NPCC'), supported through a central company National CRC Group Limited (previously known as National Cyber Resilience Group Limited) which provides certain services to regional CRCs. Funding to support the establishment of a CRC in London through a company which was recently established for this purpose, Cyber Resilience Centre for London Limited (the CRCL Company), has been secured from Home Office grant funding for regional CRCs (the Home Office grant, see Appendices 1 and 2).

2. Issues for consideration

- 2.1. The existing cyber security work which was carried out by the PDSC, providing advice and guidance to SMEs in relation to digital innovations and how to operate in a secure online environment and how to protect themselves against cyber criminals, will be consumed by the CRCL Company. The CRCL Company will undertake such work going forward using its own staff, initially secondees but with the intention that the CRCL has employees in due course. The CRCL Company will be able to make its own decisions without further recourse to the DMPC. However MOPAC will maintain involvement in the CRCL Company through (i) the proposed appointment of MOPAC's National Director of Operation Soteria/Bluestone (or such substitute as he/ she may nominate) as a new Director of the CRCL Company; and (ii) MOPAC becoming the sole member of the CRCL Company, again with the National Director of Operation Soteria/Bluestone or such substitute as he/ she may nominate) representing and exercising any functions of MOPAC in its capacity as sole member.
- 2.2. The existing CRC model has the expectation that the initial Home Office grant will be for initiating activity, with other money being drawn in from the private sector in due course.
- 2.3. The Home Office grant is provided in arrears and there is an expectation that Policing bodies, that is MOPAC in London, will provide funding for CRCs pending reimbursement from that grant, via the City of London Police who are the initial recipient of the Home Office grant. In the year 2021/22 the costs incurred to establish the CRCL Company have been borne by Police Crime Prevention Initiatives Limited ('PCPI'), PCPI itself being a wholly owned subsidiary of MOPAC and which runs the PDSC, and work to date will in effect transition into the recently established CRCL Company. On receipt of funding from the Home office grant, MOPAC will use this to reimburse PCPI for the CRCL Company establishment costs it has incurred.
- 2.4. The CRCL Company is a private company limited by guarantee, and so MOPAC's liability (as the proposed sole member of the CRCL Company) will be limited to a nominal amount. The CRCL Company was established on 7 February 2022 with assistance from PCPI. The current sole member of the CRCL Company is the Head of Corporate Services & Finance at PCPI, such appointment having been made for administrative purposes. The CRCL Company currently has

two directors: the PCPI Head of Corporate Services & Finance and a non- executive director of the National Cyber Resilience Centre Group. To date the CRCL Company has engaged in preparations to launch targeted crime prevention activities, that is preventing cyber crimes against SMEs. Certain documentation will need to be entered into to transfer the membership of the CRCL Company from PCPI's Head of Corporate Services & Finance to MOPAC, as described further in paragraph 4.4.

- 2.5. The Metropolitan Police, City of London Police and the British Transport Police ('the three Forces') operating in London have agreed to support the establishment of the CRCL Company, and have requested that MOPAC is the local policing body for it. This support will involve staff, intelligence and other resources to support prevention activity.
- 2.6. The City of London Corporation, which is the local policing body for the City of London Police has taken ownership of a central company offering certain administrative services to regional CRCs (and so to which the CRCL Company also has access).

3. Financial Comments

- 3.1. The total budget requirement for this work for the year 2021/22 totalled £75,000. To date this has been incurred by PCPI, the MOPAC owned company that operates the PDSC.
- 3.2. Funding from the Home Office grant in respect of the year 2022/3 is agreed at £170,000.
- 3.3. Using funding from the Home Office grant: the City of London Police will reimburse MOPAC for the £75,000 funding PCPI provided the CRCL Company for 2021/22 (with MOPAC on funding PCPI); and in July 2023 will similarly reimburse MOPAC the £170,000 funding MOPAC is due to provide the CRCL Company for 2022/23.
- 3.4. Attached at Appendix 1 is a letter from the NPCC National Cyber Programme Lead stating the availability of £75,000 for the year 2021/22. At Appendix 2 there is a letter from the Deputy Director, Homeland Security regarding funding to the City of London Police.
- 3.5. Funding in the Financial year 2023/24 is anticipated to be £170,000 payable in July 2024.

4. Legal Comments

- 4.1. Paragraph 4.8 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime (DMPC) has delegated authority to approve all bids for grant funding.
- 4.2. MOPAC has the power to become the sole member of the CRC Company (and enter into any agreements or other documentation required to effect this) by virtue of section 1 of the Local Goods and Services Act 1970 as applied and modified by section 15 of the Police Reform and Social Responsibility Act 2011 (PRSRA) together with the incidental powers in Schedule 3 paragraph 7(1) PRSRA. Additionally, section 3 of the PRSRA provides that MOPAC is responsible for securing that the Metropolitan Police force is both efficient and effective. By MOPAC becoming the sole member of the CRCL Company, this would support its efficiency and effectiveness responsibilities under the PRSRA.

- 4.3. A due diligence questionnaire was provided to the CRCL Company which MOPAC has considered the CRCL Company's responses to, including noting that the CRCL Company does not currently have any employees, with two secondees from PCPI currently working for the CRCL Company. Various recommendations will be taken forward post completion to formalise certain additional structural arrangements, documentation and policies.
- 4.4. MOPAC's accession to and the Head of Governance at PCPI's resignation from, sole membership of the CRCL Company will be effected concurrently and will require resignation and accession notices respectively and MOPAC's accession also being approved by the CRCL Company's board of directors, such processes being required pursuant to the CRCL Company's articles of association. Neither the accession or resignation notices require the payment of any fees. An investment agreement is also proposed between MOPAC, PCPI and the CRCL Company. It is proposed that this is executed as a deed and therefore a requirement to use the MOPAC seal has been determined, the application of which may be authorised by the Chief Executive.

5. Commercial Issues

- 5.1. The CRCL Company is a newly established company, which will provide advice and guidance to SMEs in relation to cyber security protection, with its establishment supported by the three Forces. As mentioned above, the CRCL Company model follows the CRCs model proposed by the NPCC and the CRCL Company will be supported through a central company providing certain administrative services to regional CRCs. The CRCL Company operating costs will be funded indirectly by the Home Office as part of this NPCC-led initiative. It will operate in a undeveloped section of the market, assisting SMEs who at present cannot afford to engage with providers of cyber attack prevention services. This would include providing advice and assistance to support SMEs take steps to better protect themselves from the risk of cyber crime. This could include offering penetration testing.

6. GDPR and Data Privacy

- 6.1. MOPAC will not hold any personal data in relation to the CRCL Company. MOPAC will require that the CRCL Company is fully compliant with relevant legislation and understands its General Data Protection Regulation ('GDPR') and data privacy responsibilities.

7. Equality Comments

- 7.1. MOPAC will require that the CRCL Company conducts any necessary Equalities Impact Assessment ('EIA').
- 7.2. MOPAC is subject to the Public Sector Equality Duty as set out in section 149 of the Equality Act 2010 ('the Act'). This requires MOPAC, when carrying out its functions, to have due regard to the need to:
 - eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - advance equality of opportunity between people who share a protected characteristic and those who do not; and
 - foster good relations between people who share a protected characteristic and those who do not.

No adverse impact on any protected group has been identified as arising from this decision.

8. Background/supporting papers

- Appendix 1 Letter of request to MOPAC from Andrew Gould, Detective Chief Superintendent.
- Appendix 2 Letter from Homeland Security to the City of London Police setting out overall funding for the Cyber Security Programme.

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOIA) and will be made available on the MOPAC website following approval.

If immediate publication risks compromising the implementation of the decision it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.

Part 1 Deferral:

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

Part 2 Confidentiality: Only the facts or advice considered as likely to be exempt from disclosure under the FOIA should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a **Part 2** form – ~~YES~~/NO

ORIGINATING OFFICER DECLARATION	<i>Tick to confirm statement (✓)</i>
Financial Advice: The Strategic Finance and Resource Management Team has been consulted on this proposal.	✓
Legal Advice: The TfL Legal team has been consulted on the proposal	✓
Equalities Advice: Equality and diversity issues are covered in the body of the report.	✓
Commercial Issues Commercial issues are addressed in this Report. The proposal is in keeping with the GLA Group Responsible Procurement Policy.	✓
GDPR/Data Privacy <ul style="list-style-type: none"> • GDPR compliance issues are covered in the body of the report • A DPIA is not required. 	✓
Drafting Officer National Director Operation Soteria/Bluestone has drafted this report in accordance with MOPAC procedures.	✓
Director/Head of Service: The Director of Strategy has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓

Chief Executive Officer

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Deputy Mayor for Policing and Crime.

Signature



Date 08/09/2022