

Record of Decisions

Contract Award in respect of Cyber Insurance

Decision Taker

Cabinet on 21 November 2023.

Decision

That the Director of Corporate Services be given delegated authority to enter into a contract with the preferred bidder that provides the most suitable terms and conditions of insurance in the event of a cyber attack.

Reason for the Decision

Insuring the Council against possible losses following a cyber attack ensures that the Council has adequate provision for incident response costs:- Legal and Regulatory Costs, IT Security and Forensic costs, Crisis Communication costs, Privacy Breach Management costs, System and Damage Rectification costs, Direct Loss of Profits and Increased Cost of Working, Network Security & Privacy Liability, Management Liability, Regulatory Fines, PCI Fines, Penalties and Assessments, Media Liability, Intellectual Property Rights Infringement and Court Attendance Costs.

Implementation

This decision will come into force and may be implemented on 4 December 2023 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Cabinet's approval was sought for delegated approval to award the contract for the purchase of suitable insurance cover that would cover Cyber attacks against the Council. The Council following competitive market testing via our Insurance Brokers needs to negotiate and agree terms and conditions to insure the Council for Incident Response Costs following a Cyber attack. The terms of possible insurance cover are still being negotiated hence the request for Cabinet to delegate authority.

At the meeting Councillor Tyerman proposed and Councillor Chris Lewis seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

An alternative option would have been to not award a contract to the preferred supplier. However this option was discounted as the Council would be uninsured in the event of a cyber attack which could leave the Council exposed to considerable financial and reputational risk.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

24 November 2023

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet