

Date: 25th September 2020
Our Reference: FOIA-2020-105

RE: Your request for information under the Freedom of Information Act 2000

I write in response to your Freedom of Information Act 2000 (or 'FoIA 2000') request dated **04/09/2020**.

Decision

After conducting careful searches for any information relevant to your request, under section 1(1), I can confirm that **there is some information held**. We have dealt with each part of your request separately below:

- 1. Network Provider(s) - Please provide me with the network provider name e.g. EE, Telefonica, Vodafone, Three**

Information held. Vodafone.

- 2. Annual Average Spend for each Network Provider - Can you please provide me with the average annual spend over the last 3 years. If this is a new contract can you please provide the estimated annual spend.**

Information held. The contract value for 2018 to 2020 was £41,904. The contract has been extended for a further year, from 2020-2021, the value of this one year extension is £20,952.

- 3. Number of Connections- Number of connections for each network provider. (number of voice only devices, voice and data devices, data only devices) please provide me with the breakdown and not the overall total.**

Information held. There is only one connection for the Mobile Voice and Data provider, which has 582 users.

- 4. Duration of the contract- please state if the contract also includes contract extensions for each provider.**

Information held. The contract length is 2 years. There is an option to extend the contract for 1 year.

- 5. Contract Start Date- please can you provide me with the start date of the signed agreement. Please do not provide me with the framework contract date I require the contract dates of the signed agreement. (if there are multiple start dates, could you please provide me with the earliest date for each provider)**

Information held. The contract start date for the Mobile Voice and Data provider was 24 July 2018.

- 6. Contract Expiry Date- please can you provide me with the expiry date of the signed agreement. Please do not provide me with the framework contract date I require the contract dates of the signed agreement. If the contract is rolling please state.**

Information held. The initial end date for the contract was 23 July 2020, however, this was extended for one year, until 23 July 2021.

- 7. Contract Review Date- Please can you provide me with a date when the organisation plans to review this contract.**

Information held. The College will review the contract in February 2021.

- 8. The person in the organisation responsible for this particular contract. Can you send me the full contact details Contact Name, Job Title, Contact Number and direct email address for each network provider? If full contact details cannot be provided please send me their actual job title.**

Information held. The IT Infrastructure Services Manager and IT Procurement Procurement & Contract Manager are both responsible for this contract.

All personal details have been withheld in regards to the two managers under the section 40(2) – Personal information exemption. Please find our reasoning below for applying this exemption.

- 9. 9.If the mobile phone contract is provided by a managed contract please provide me with the actual name of the network provider along with the number of connections and the internal contact from within the organisation responsible for this contract.**

No information held.

Please can you provide me with the latest information- If the organisations are currently out to tender please can you also state the approx. date of the award along with the information above.

No information held.

Also if the contract in the response has expired/rolling please can you provide me with further information if available of the organisation's plans going forward with regards to mobiles and the current status?

No information held.

If this contract was awarded within the past three months can you please provide me with a shortlist of suppliers that bid on the contract?

No information held.

Please find an explanation of our decision to apply section 40(2) below; your rights are provided at the end of this letter.

Yours sincerely,

Kate Kaufman | Legal Researcher
Information Management and Legal Team
College of Policing

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Website: www.college.police.uk

Section 40(2) of the Freedom of Information Act 2000 – Personal Information

Section 40(2) FoIA states:

“Any information to which a request for information relates is also exempt information if-
(a) It constitutes personal data which do not fall within subsection (1), and
(b) Either the first or the second condition below is satisfied.”

Essentially, under section 40(2) FoIA (by virtue of section 40(3A)), personal data of a third party can be withheld if any of the data protection principles would be breached by disclosing that data. Personal data is defined in section 3(2) of the Data Protection Act 2018 (DPA) as being:

“Any information relating to an identified or identifiable living individual”.

Section 3(3) DPA defines an identifiable living individual as:

“a living individual who can be identified, directly or indirectly, in particular by reference to –
(a) an identifier such as a name, an identification number, location data or an online identifier, or
(b) one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the individual”.

Under section 40(2), we have withheld personal details in regards to question 8 to prevent personal data from being released into the public domain. Names, telephone numbers, addresses, etc. have not been provided as they would otherwise lead to the direct identification of living individuals.

The data protection principles are provided under Article 5 of the General Data Protection Regulations 2018 (GDPR). Article 5(1)(a) states that personal data shall be: “processed lawfully, fairly and in a transparent manner in relation to the data subject”. We are committed to openness and transparency and recognise the wider public interest in full disclosure of College documents. However, we also have a legal duty to ensure that the rights to privacy of individuals are protected and we do not believe that it would be fair to disclose the requested information.

We consider that the disclosure of the redacted information would not be fair, lawful or transparent and would therefore breach the first data protection principle under Article 5(1) (a) GDPR.

Your right of review

Under the Freedom of Information Act 2000 you have a right to request an internal review if you are dissatisfied with our handling of your request. Review requests should be made in writing (by email or post) within **40 working days** from the date of our original response. We will aim to respond to your review request within **20 working days**.

The Information Commissioner's Office (ICO)

If, after lodging a review request you are still dissatisfied, you may raise the matter with the ICO. For further information you can visit their website at <https://ico.org.uk/for-the-public/official-information/>. Alternatively, you can contact them by phone or write to them at the following address:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Phone: 0303 123 1113