

**Date:** 12<sup>th</sup> August 2021

**Our Reference:** FOIA-2021-075

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

I write in response to your Freedom of Information Act 2000 ('FoIA 2000') request, dated 23/07/2021.

**Decision**

When a request for information is made under FoIA 2000, a public authority has a general duty under section 1(1) of the Act to inform an applicant whether the requested information is held. There is then a general obligation to communicate that information to the applicant. If a public authority decides that the information should not be disclosed because an exemption applies, it must, under section 17(1) cite the appropriate section or exemption of the Act and provide an explanation for relying upon it.

In line with section 1(1) of the FoIA, I can confirm the College **holds some information** relevant to your request. Please find the answers to your questions below:

**1. Network Provider(s) - Please provide me with the network provider name e.g. EE, Telefonica, Vodafone, Three - 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. - £34,000**

**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. – 955 connections.**

All devices are on the same, single tariff for voice and data.

**4. Duration of the contract- please state if the contract also includes contract extensions for each provider. – 3 year contract which does not include extensions.**

**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) –23<sup>rd</sup> 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. –22<sup>nd</sup> July 2021**

**7. Contract Review Date- Please can you provide me with a date when the organisation plans to review this contract.** – 6-9 months before contract expiry date.

**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.** –

The details of the individual responsible for this contract have been withheld under the section 40(2) – personal information exemption.

**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.** – We have a contract with Vodafone who provide us with the provision detailed in the response to question 3 above.

**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?** – There is a rolling contract which will be finalised. We have reached an agreement with Vodafone and are currently in the process of agreeing the contract.

**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?** – This was a direct award through the Network Services 2 Framework.

Your rights can be found at the end of this letter. Please find an explanation of our decision to apply section 40(2) below.

Yours sincerely,

**Kate Kaufman | Legal Advisor**  
**Information Management and Legal Team**  
**College of Policing**  
Email: [FOI@college.pnn.police.uk](mailto:FOI@college.pnn.police.uk)  
Website: [www.college.police.uk](http://www.college.police.uk)

## **Section 40(2) – Personal information**

Section 40(2) states that:

“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”.

As is stated above, the two main elements of personal data are: that the information must ‘relate’ to a living person and that the person must be identifiable. Information will relate to a person if it is: about them, linked to them, has some biographical significance for them, is used to inform decisions affecting them, and has them as its main focus or impacts on them in any way.

We consider that releasing the name of the individual involved in managing the contract may lead to the identification of a living individual, and would therefore breach data protection principles laid out in the Data Protection Act 2018.

We are committed to openness and transparency, and recognise the wider public interest in the details of College employees being made available. However, we also have a legal duty to ensure that the right to privacy is protected. Consequently, we do not believe that it would be fair to provide the name requested.

## **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**