

Freedom of Information Act 2000 - Request Reference Fol/21/020
Telephony Contracts

Request Details

Contract 1

- 1. Current Lines/Voice Services (Analogue, ISDN VOIP, SIP etc) Provider- Please can you provide me with the name of the supplier for the contract.**

Virgin Media.

- 2. Fixed Line- Contract Renewal Date- please provide day, month and year (month and year are also acceptable). If this is a rolling contract please provide me with the rolling date of the contract. If there is more than one supplier please split the renewal dates up into however many suppliers**

Tendered via PSN.

- 3. Fixed Line- Contract Duration- the number of years the contract is for each provider**

Cardiff and Vale University Health Board does not hold this data.

- 4. Type of Lines- Please can you split the type of lines per each supplier? PSTN, Analogue, SIP**

Approx 100 Analogue, and 400 iSDN. Both line types provided by Virgin Media & BT. About 90% of analogue BT provided. iSDN split about 50/50.

- 5. Number of Lines- Please can you split the number of lines per each supplier? SIP trunks, PSN Lines, Analogue Lines**

Please refer to the above question.

Contract 2

- 6. Minutes/Landline Provider- Supplier's name (NOT Mobiles) if there is no information available please can you provide further insight into why?**

Virgin Media carries the vast majority of our outgoing traffic.

- 7. Minutes/Landline Contract Renewal Date- please provide day, month and year (month and year is also acceptable). If this is a rolling contract please provide me with the rolling date of the contract.**

Please refer to the above question.

8. Minutes Landline Monthly Spend- Monthly average spend on calls for each provider. An estimate or average is acceptable.

VM approx.10K. BT approx. £1K

9. Minute's Landlines Contract Duration: the number of years the contract is with the supplier.

Please refer to the above question.

10. Number of Extensions- Please state the number of telephone extensions the organisation currently has. An estimate or average is acceptable.

10,000

Contract 3

11. Fixed Broadband Provider- Supplier's name if there is not information available please can you provide further insight into why?

Cardiff and Vale University Health Board (the UHB) is withholding this information, relying on Section 31 (1) (a) of the Freedom of Information Act 2000 (prevention and detection of crime). Specifically, the UHB believes that disclosing details regarding its ICT infrastructure, or support of that infrastructure, would be likely to prejudice the prevention of crime, particularly cyber-crime. As this is a qualified exemption, the UHB is required to complete a public interest test in deciding whether it is in the public's interest to withhold or disclose the information.

Public Interest Test:

In favour of disclosure: The UHB recognises there is a public interest in transparency and in public authorities demonstrating that their systems effectively protect personal data.

Against disclosure: There is a very strong public interest in protecting the extremely sensitive data held by the UHB. Cyber Security and the associated Cyber-Risk / Cyber-Attacks represent a rapidly evolving arena that becomes more complex and dangerous with time. Releasing details of the UHB's ICT infrastructure into the public domain significantly reduces its capacity to manage this threat to the stated public interest by exposing potential vulnerabilities.

Decision: The UHB considers that the public interest in withholding the information is significantly greater than any interest there may be in disclosing it and potentially exposing sensitive personal data to an increased level of risk. The UHB strongly believes that posing additional unnecessary risk to the UHB, and consequently patient care and safety, would be viewed as an unacceptable risk by the public. Whilst the UHB acknowledges a public interest in providing assurances of effective protection of personal data, it believes the most

effective means of increasing public confidence in data protection is to successfully protect the data itself. The UHB considers its responsibility to protect the personal data of patients and staff to be of the highest importance. It was therefore decided that it was not in the public's interest to disclose this information.

12. Fixed Broadband Renewal Date- please provide day, month and year (month and year is also acceptable). If this is a rolling contract please provide me with the rolling date of the contract. If there is more than one supplier please split the renewal dates up into however many suppliers

Please refer to Question 11.

13. Fixed Broadband Annual Average Spend- Annual average spend for each broadband provider. An estimate or average is acceptable.

After considering your request, Cardiff and Vale University Health Board (the UHB) considers this information to be exempt from disclosure under the Freedom of Information Act 2000 (Section 43) Commercial Interests. This section of the Act sets out an exemption from the right to know if:

- the information requested is a trade secret, or
- release of the information is likely to prejudice the commercial interests of any person. (A person may be an individual, a company, the public authority itself or any other legal entity).

This exemption was considered by the UHB when deciding whether to disclose information because it considered that in doing so there could be a significant risk in prejudicing the commercial interests of the company in question. As this is a qualified exemption, the UHB is required to complete a public interest test in deciding whether it is in the public's interest to withhold or disclose the information.

In favour of disclosure: There is a public interest in transparency and in the accountability of spending of public funds. Furthermore, it is in the public's interest that public funds be used effectively and that public sector bodies obtain the best value for money when contracting for the provision of services.

Against disclosure: There is a risk of disclosure prejudicing the commercial interests of the UHB by affecting its bargaining position with agencies. This in turn could lead to less effective use of public funds in future. It has been established above that releasing the information under the Freedom of Information Act, to which the UHB is subject, will give an unfair advantage to the supplier's competitors. The UHB believes that there is wider established public interest in companies not being prejudiced merely because they have contracted with a public sector body (as upheld in ICO decision notice FS50473543 ICO v Royal Marsden Hospital Trust).

Decision: The UHB considers that the public interest in withholding the information is greater than the interests in disclosing it and thereby giving unfair commercial advantage to competitors of the supplier to which this information concerns. The UHB believes that disclosure of information in a manner which fails to protect the interests and relationships arising in a commercial context could have the effect of discouraging companies from dealing with the Health Board because of fears that the disclosure of information could damage them commercially. In turn this could then jeopardise the Health Board's ability to compete fairly and pursue its function to bring forward development in the area and obtain value for money. It was therefore decided that it was not in the public's interest to disclose this information.

Contract 4

14. WAN Provider- please provide me with the main supplier(s) if there is no information available please can you provide further insight into why?

Please refer to Question 11.

15. WAN Contract Renewal Date- please provide day, month and year (month and year are also acceptable). If this is a rolling contract please provide me with the rolling date of the contract. If there is more than one supplier please split the renewal dates up into however many suppliers

Please refer to Question 11.

16. Contract Description: Please can you provide me with a brief description of the contract

Please refer to Question 11.

17. The number of sites: Please state the number of sites the WAN covers. Approx. will do.

Please refer to Question 11.

18. WAN Annual Average Spend- Annual average spend for each WAN provider. An estimate or average is acceptable.

After considering your request, Cardiff and Vale University Health Board (the UHB) considers this information to be exempt from disclosure under the Freedom of Information Act 2000 (Section 43) Commercial Interests. This section of the Act sets out an exemption from the right to know if:

- the information requested is a trade secret, or

- release of the information is likely to prejudice the commercial interests of any person. (A person may be an individual, a company, the public authority itself or any other legal entity).

This exemption was considered by the UHB when deciding whether to disclose information because it considered that in doing so there could be a significant risk in prejudicing the commercial interests of the company in question. As this is a qualified exemption, the UHB is required to complete a public interest test in deciding whether it is in the public's interest to withhold or disclose the information.

In favour of disclosure: There is a public interest in transparency and in the accountability of spending of public funds. Furthermore, it is in the public's interest that public funds be used effectively and that public sector bodies obtain the best value for money when contracting for the provision of services.

Against disclosure: There is a risk of disclosure prejudicing the commercial interests of the UHB by affecting its bargaining position with agencies. This in turn could lead to less effective use of public funds in future. It has been established above that releasing the information under the Freedom of Information Act, to which the UHB is subject, will give an unfair advantage to the supplier's competitors. The UHB believes that there is wider established public interest in companies not being prejudiced merely because they have contracted with a public sector body (as upheld in ICO decision notice FS50473543 ICO v Royal Marsden Hospital Trust).

Decision: The UHB considers that the public interest in withholding the information is greater than the interests in disclosing it and thereby giving unfair commercial advantage to competitors of the supplier to which this information concerns. The UHB believes that disclosure of information in a manner which fails to protect the interests and relationships arising in a commercial context could have the effect of discouraging companies from dealing with the Health Board because of fears that the disclosure of information could damage them commercially. In turn this could then jeopardise the Health Board's ability to compete fairly and pursue its function to bring forward development in the area and obtain value for money. It was therefore decided that it was not in the public's interest to disclose this information.

19. For each WAN contract can you please provide me with information on how this was procured, especially around those procurement that used frameworks, please provide me with the framework reference.

All contracts for circuits are procured via the usual PSBA Framework.

20. Internal Contact: please can you send me there full contact details including contact number and email and job title for all the contracts above.

After considering your request, the UHB believes that the data requested is classed as personal data as defined under the General Data Protection Regulation (GDPR) and Data Protection Act 2018 and its disclosure would be contrary to the data protection principles and constitute unfair and unlawful processing in regard to Articles 5, 6, and 9 of GDPR. We are therefore withholding this detail under Section 40(2) of the Freedom of Information Act 2000. This exemption is absolute and therefore there is no requirement to apply the public interest test.