

Freedom of Information Act 2000 - Request Reference Fol/21/061
Telephone Maintenance

Request Details

I would like to request information under the Freedom of Information Act. The information that I require relates to a specific telephone maintenance contract.

Please can you send me the following contract information with regards to the organisation's telephone system maintenance contract (VOIP or PBX, other) for hardware and Software maintenance and support if all the information is still the same besides the contracts dates please send just the new contract dates it would be much appreciated.

1. Contract Type: Maintenance, Managed, Shared (If so please state orgs)

Maintenance

2. Existing Supplier: If there is more than one supplier please split each contract up individually.

Daisy

3. Annual Average Spend: The annual average spend for this contract and please provide the average spend over the past 3 years for each provider

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.

4. Hardware Brand: The primary hardware brand of the organisation's telephone system.

Mitel

5. Number of telephone users:

9,500

6. Contract Duration: please include any extension periods.

3yrs (+1+1)

7. Contract Expiry Date: Please provide me with the day/month/year.

December 2026

8. Contract Review Date: Please provide me with the day/month/year.

2026

9. Application(s) running on PBX/VOIP systems: Applications that run on the actual PBX or VOIP system. E.g. Contact Centre, Communication Manager.

Contact Centre

10. Telephone System Type: PBX, VOIP, Lync etc

PBX/VoIP

11. Contract Description: Please provide me with a brief description of the overall service provided under this contract.

As above

12. Go to Market: How where these services procured, please provide me with either the tender notice or the framework reference number. Please specify if procured through other routes.

PSN

13. Contact Detail: Of the person from with the organisation responsible for each contract full Contact details including full name, job title, direct contact number and direct email address.

If the service support area has more than one provider for telephone maintenance, then can you please split each contract up individually for each provider.

If the contract is a managed service or is a contract that provides more than just telephone maintenance please can you send me all of the information specified above including the person from with the organisation responsible for that particular contract.

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.

To comply with our Section 16 obligation, the duty to provide advice and assistance, the UHB would like to inform you that it publishes contact information via the following page of its website

<https://cavuhb.nhs.wales/contact-us/>

If the maintenance for telephone systems is maintained in-house, please can you provide me with:

- 1. Number of telephone Users:**
- 2. Hardware Brand: The primary hardware brand of the organisation's telephone system.**
- 3. Application(s) running on PBX/VOIP systems: Applications that run on the actual PBX or VOIP system. E.g. Contact Centre, Communication Manager.**
- 4. Contact Detail: Of the person from with the organisation responsible for telephone maintenance full Contact details including full name, job title, direct contact number and direct email address.**

Also, if the contract is due to expire please provide me with the likely outcome of the expiring contract.

If this is a new contract or a new supplier please can you provide me with a short list of suppliers that bid on this service/support contract?

Not applicable