

29 January 2024

Freedom of Information: Right to know request.

Thank you for your request for information about ICT contracts.

We received this request on 11 December 2023 and have considered it under the Freedom of Information Act 2000 ("the FOI Act"). We contacted you on 10 January 2024 to say we needed more time to consider the public interest in releasing or withholding the information requested - we have now concluded our consideration.

Your request and our response

This is a request for information that relates to the organisation's contracts around ICT contract(s) for Server Hardware Maintenance, Server Virtualisation Licences and Maintenance and Storage Area Network (SAN) Maintenance/Support, which may include:

- *Server Hardware Maintenance- contracts relating to the support and maintenance of the organisation's physical servers.*
- *Virtualisation Maintenance/Support/ Licensing (VMware, Solaris, Unix, Linux, Windows Server)*
- *Storage Area Network Maintenance/Support (EMC, NetApp etc)*

For each of the types of contract described above, please can you provide me with the following data. If there is more than one contract please split the information for each separate supplier this includes annual spend

1. Contract Title: Please provide me with the contract title.-

Server Hardware Maintenance Agreement.

Server Virtualisation Licences – Licence Agreement for Virtualisation software.

SAN Maintenance and Support Agreement - we do not have one.

2. Type of Contracts (ABOVE): Please can you provide me with one or more contract types the contract relates to:

Server Hardware, Virtualisation, SAN (Storage Area Network)

Server Hardware Maintenance and Software Agreement.

3. Existing/Current Supplier: Please provide me with the supplier name for each contract.

Specialist Computer Centres PLC – Server Hardware Maintenance Agreement

CDW Ltd - Licence for Virtualisation software.

4. Brand: Please state the brand of hardware or software –

The information you requested is being withheld as we consider that it is exempt from disclosure under section 31(1)(a) of the FOI Act. This part of the act deals with information that, if disclosed, would, or would be likely to, prejudice the prevention or detection of crime.

Section 31(1)(a) of the FOI Act is a qualified exemption which means that we have had to consider whether or not the public interest in disclosing the information you have requested outweighs the public interest in withholding the information. In this case, we consider the public interest favours withholding the information.

The attached Annex A to this letter sets out the exemption in full, as well as the factors Ofcom considered when deciding where the public interest lay.

5. Operating System / Software (Platform): (Windows, Linux, Unix, Vsphere, AIX, Solaris etc.) Please state the operating system used by the organisation.

We consider that this information is exempt from disclosure as above - section 31(1)(a) of the FOI Act.

6. Annual Average Spend: Please provide me with the most recent annual spend for this contract?

The 12 month cost of Server Hardware maintenance contract is £7,675 including VAT.

The 12 month cost for Server Virtualisation Licences is £39,868 including VAT.

7. Contract Duration: (Please can you also include notes if the contract includes any contract Extension periods.)
12 months.

8. Contract Expiry Date: Please can you provide me with the date of when the contract expires.

In respect of calendar quarters:

Q2 2024 – Server Hardware.

Q1 2024 - Server Virtualisation Licences.

9. Contract Review Date: (An approximate date of when the organisation is planning to review this particular contract.)

Prior to renewal to establish whether this is required.

10. Purchase of Servers: Could you please provide me with the month and year in which most/bulk of servers were purchased.

Servers have been purchased at various times as and when required. The bulk being purchased before 2016.

11. Number of Physical Server: Please can you provide me with the number of physical servers.

24.

12. Number of Virtual Servers: Please can you provide me with the number of Virtual servers

There are 90 Virtual servers running on our physical servers.

13. Brief Contract Description: I require a brief description of the service provided under this contract. Please do not just put maintenance. I need at least a sentence.

The server maintenance contract covers hardware replacement/break fix only.

Server Virtualisation Licences – software licence agreement.

*14. Contract Owner: (The person from within the organisation that is responsible for reviewing and renewing this particular contract. Please include their full name, job title, direct contact number and **direct email address.**)*

procurement@ofcom.org.uk

I hope this information is helpful. If you have any further queries, then please send them to information.requests@ofcom.org.uk quoting the reference number above in any future communications.

Yours sincerely,

Information requests

If you are unhappy with the response you have received in relation to your request for information and/or consider that your request was refused without a reason valid under the law you may ask for an internal review. If you ask us for an internal review of our decision, it will be subject to an independent review within Ofcom.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for responding to internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact information.requests@ofcom.org.uk.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Further information about this, and the internal review process can be found on the Information Commissioner's Office [here](#). Alternatively, the Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Annex A

<p>Section 31 (1) of the FOI Act provides that: Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice – (a) the prevention or detection of crime;</p>	
<p>Factors for disclosure</p>	<p>Factors for withholding</p>
<ul style="list-style-type: none"> • Disclosure would promote general transparency with the public in relation to the products/services Ofcom use, especially since these relate to ICT, and thereby increasing public confidence in how Ofcom carries out its work. 	<ul style="list-style-type: none"> • Disclosure of detailed information about Ofcom’s IT systems may aid malicious parties to attack the systems concerned. Release of this information will prejudice the prevention of crime by facilitating the possibility of a criminal offence being carried out. Hacking into an IT system is a criminal offence.
<p>Reasons why public interest favours withholding information</p>	
<ul style="list-style-type: none"> • We consider that, on balance, the public interest in withholding disclosure of the requested information outweighs the public interest in disclosing the information. • Disclosure of detailed information about Ofcom’s IT systems could be used by offenders to hack into our systems. It is in the public interest for this not to happen to protect Ofcom against a potential cyber-attack so that Ofcom can carry on its work. The more specific any information is, the more useful it may be to an attacker. • The consequences of any successful attack on Ofcom’s systems are significant. They include loss of personal information and confidential and commercially sensitive stakeholder and government information and access to it by third parties. This would also impair trust and confidence in Ofcom as a regulator and impact our ability to carry out our functions. 	