



15 April 2020

**Freedom of Information request: FOI2020/00053**

Thank you for your Freedom of Information request received on the 24 February 2020 in which you requested the following:

**Your request:**

*I would like to request the following information about the organisation's Local Area Network (LAN) environment.*

*Please can you send me the organisation's Local Area Network (LAN) contract, which may include the following:*

- *Support and Maintenance- e.g. switches, router, software etc.*
- *Managed- If this includes services than just LAN.*

1. *Contract Type: Managed or Maintenance*
2. *Existing Supplier: Who is the current supplier?*
3. *Annual Spend for each supplier: What is the annual average spending on the supplier above? If there is more than one supplier please split the annual averages spend for each supplier.*
4. *Number of Users: Please can you provide me with the number of users this contract covers. Approximate number of users will also be acceptable.*
5. *Number of Sites: The number of sites, where equipment is supported by each contract.*
6. *Hardware Brand: What is the hardware brand of the LAN equipment?*
7. *Contract Description: Please provide me with a brief description of the overall contract.*
8. *Contract Duration: What is the duration of the contract is and can you please also include any extensions this may include.*
9. *Contract Expiry Date: When does the contract expire?*
10. *Contract Review Date: When will the organisation be planning to review the contract?*
11. *Responsible Officer: Contact details including name, job title, contact number and email address?*

*If the LAN maintenance is included in-house please include the following information:*

1. *Hardware Brand: What is the hardware brand of the LAN equipment?*
2. *Number of Users: Please can you provide me with the number of users this contract covers. Approximate number of users will also be acceptable.*
3. *Number of Sites: Estimated/Actual number of sites the LAN covers.*
4. *Responsible Officer: Who within the organisation is responsible for LAN please provide me with contact details including name, job title, contact number and email address?*

*If the contract is managed by a 3rd party e.g. can you please provide me with:*

1. *Existing Supplier: Who is the current supplier?*
2. *Number of Users: Please can you provide me with the number of users this contract covers. Approximate number of users will also be acceptable.*
3. *Number of Sites: Estimated/Actual number of sites the LAN covers.*
4. *Contract Type: Managed, Maintenance, Installation, Software*
5. *Hardware Brand: What is the hardware brand of the LAN equipment?*

6. *Contract Description: Please provide me with a brief description of the overall contract.*
7. *Contract Duration: What is the duration of the contract is and can you please also include any extensions this may include.*
8. *Contract Expiry Date: When does the contract expire?*
9. *Contract Review Date: When will the organisation is planning to review the contract?*
10. *Responsible Officer: Who within the organisation is responsible for each of these contract(s) please provide me with contact details including name, job title, contact number and email address?*

## Our response

I can confirm UK Research and Innovation hold information relevant to your request.

*Please can you send me the organisation's Local Area Network (LAN) contract...*

UKRI has determined that the organisation's Local Area Network (LAN) contracts contain information commercially sensitive to the suppliers and will therefore not be releasing copies of these documents. Section 43(2) of the Freedom of Information Act, Commercial interests, has therefore been applied. Further explanation of the exemption applied is provided below.

Please note that there has been no change to the LAN contractual information for Vodafone, Daisy, Dell, and CAE as provided to you in our previous response, FOI 2019/0016.

Answers to **questions 1 to 5, and 7 to 10** have been provided on the attached document "**FOI 2020.0053 UKRI Response table**" under tab "LAN Contract".

4. *Hardware Brand: What is the hardware brand of the LAN equipment?*

This information has been withheld under Section 31(1)(a) of the FOIA. Further explanation of the exemption applied is provided below.

11. *Responsible Officer: Contact details including name, job title, contact number and email address?*

This information has been withheld under Section 40(2) of the FOIA. Further explanation of the exemption applied is provided below.

*If the LAN maintenance is included in-house, please include the following information:*

1. *Hardware Brand: What is the hardware brand of the LAN equipment?*

This information has been withheld under Section 31(1)(a) of the FOIA. Further explanation of the exemption applied is provided below.

Answers to **questions 2 and 3** have been provided on the attached document "**FOI 2020.0053 UKRI Response table**" under tab "LAN in-house".

4. *Responsible Officer: Who within the organisation is responsible for LAN please provide me with contact details including name, job title, contact number and email address?*

This information has been withheld under Section 40(2) of the FOIA. Further explanation of the exemption applied is provided below.

*If the contract is managed by a 3rd party e.g. can you please provide me with...*

Answers to **questions 1 to 4, and 6 to 9** have been provided on the attached document "**FOI 2020.0053 UKRI Response table**" under tab "LAN Managed by 3<sup>rd</sup> Party".

5. *Hardware Brand: What is the hardware brand of the LAN equipment?*

This information has been withheld under Section 31(1)(a) of the FOIA. Further explanation of the exemption applied is provided below.

10. *Responsible Officer: Who within the organisation is responsible for each of these contract(s) please provide me with contact details including name, job title, contact number and email address?*

This information has been withheld under Section 40(2) of the FOIA. Further explanation of the exemption applied is provided below.

## **Application of exemptions**

### **Section 40(2)**

We are not obliged, under section 40(2) of the FOIA, to provide information that is the personal data of another person if releasing would contravene any of the provisions of the General Data Protection Regulation and the Data Protection Act 2018. In this instance we believe that the release of information would contravene the first data protection principle and therefore section 40(2) has been applied. The individuals concerned would not have an expectation that this information would be made publicly available. Section 40(2) is an absolute exemption and therefore a public interest test is not required.

### **Section 31(1)(a)**

Releasing the information requested regarding Local Area Networks for UKRI as noted above, would prejudice the prevention or detection of crime as per Section 31(1)(a) Freedom of Information Act. Section 31(1)(a) is a qualified exemption and therefore subject to a public interest test.

UKRI applied the Public Interest Test to this request as set out below;

#### **Public interest in favour of disclosure:**

- There is a public interest in favour of release of the information, to uphold the principles of transparency and accountability, in disclosing information about government or public authority infrastructure and contracts.

#### **Public interest test in favour of withholding the information:**

- The release of this information would make UKRI vulnerable to crime, such as malicious attacks on UKRI's computer infrastructure and/or systems.
- The release of this information would be seen to prejudice the prevention or detection of crime, by making UKRI's computer systems more vulnerable to hacking and therefore facilitate the possibility of a criminal offence being carried out.
- There is an overwhelming public interest in keeping public authority computer systems secure, which would be best served by non-disclosure.

UKRI has therefore reached the conclusion that, on balance, the public interest is better served by withholding the selected information under Section 31(1)(a).

Please note that our application of this exemption was challenged in our previous response to you (FOI 2019/0016) and was consequently upheld following an internal review.

### **Section 43(2)**

Releasing UKRI's Local Area Network (LAN) contracts or disclosing expenditure on individual suppliers would constitute the disclosure of commercially sensitive information. Section 43 is a qualified exemption and therefore subject to a Public Interest Test.

Our arguments are set out below:

**Public interest in favour of disclosure:**

- There is a general public interest in the disclosure of this information to ensure transparency and openness of a public organisation.
- There is also a public interest in the transparency in order to ensure accountability of public organisations and how they spend public money.

**Public interest test in favour of withholding the information:**

- Releasing information provided in confidence to UKRI is likely to damage the possibility of ongoing relationships with other organisations. Relationships may become untenable if third parties cannot be certain that their commercial information will remain confidential if it is held by UKRI
- Breaching the commercial interests may also adversely affect future negotiation opportunities for UKRI. UKRI may be seen as a 'confidentiality' risk if it routinely releases information relating to business arrangements into the public domain, particularly where this is third party information.
- Contracts contain information commercially sensitive to the supplier, which if released may harm future commercial opportunities.
- Contracts contain information that the supplier would not anticipate UKRI releasing.

UKRI has reached the view that, on balance, the public interest is better served by withholding the selected information under section 43(2) of the FOI Act, Prejudice to Commercial Interests.

If you have any queries regarding our response or you are unhappy with the outcome of your request and wish to seek an internal review of the decision, please contact:

Head of Information Governance

Email: [foi@ukri.org](mailto:foi@ukri.org) or [infogovernance@ukri.org](mailto:infogovernance@ukri.org)

Please quote the reference number above in any future communications.

If you are still not content with the outcome of the internal review, you may apply to refer the matter to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the review procedure provided by UKRI. The Information Commissioner can be contacted at: <http://www.ico.gov.uk/>

If you wish to raise a complaint regarding the service you have received or the conduct of any UKRI staff in relation to your request, please see UKRI's complaints policy: <https://www.ukri.org/about-us/policies-and-standards/complaints-policy/>

Yours sincerely,

  
Information Governance  
Information Rights Team  
UK Research and Innovation  
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