

Reference: 01568665

Information Requests
information.requests@ofcom.org.uk

6 April 2023

Freedom of Information request: Right to know request

Thank you for your request for information concerning connectivity and network services. Your request was received on 14 February 2023 and we have considered it under the Freedom of Information Act 2000 (the 'FOI Act').

Your request & our response

a. Who provides your WAN and internet connectivity and the annual spend on each

Our managed WAN service and internet connectivity is with Virgin Media Business. We also have a small number of service providers to provide carrier diversity (Colt, BT, Spitfire, Talk Talk, M247 and Andrews & Arnold). Our spend per annum is approximately £306K including V.A.T.

Whilst we do hold information on the breakdown of exact spend, this information is being withheld as we consider that its disclosure is exempt under section 43(2) of the Act. This exemption deals with information that, if disclosed, would, or would be likely to, prejudice the commercial interests of a person or company. In applying this exemption, we have had to balance the public interest in withholding the information against the public interest in disclosing the information. Annex A attached to this letter sets out the exemption in full, as well as the factors Ofcom considered when deciding where the public interest lay.

b. Who provides your SIP trunks and what is the annual spend

Daisy Corporate Services. This is a consolidated contract and the annual cost is approximately £287K including V.A.T. This includes Telephony Services, our Contact Centre and Switchboard.

c. Who provides your WAN services, is this MPLS, SD WAN or Internet, and what is the annual spend

See answer to a) above.

d. Who provides your LAN infrastructure and what is your annual spend

We own our LAN infrastructure.

Management of our LAN infrastructure is included in an IT support contract with Coforge. Please see question L for details on spend relating to Coforge .

e. Who provides your WIFI infrastructure and what is your annual spend

We own our WIFI infrastructure.

Management of our Wifi infrastructure is included in an IT support contract with Coforge. Please see question L for details on spend relating to Coforge .

f. Please confirm the manufacturer(s) of your wired network core and edge switching?

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

g. When was your core network installed?

Around 2017.

h. Has it been updated subsequently?

No.

i. Who maintains your core network?

Management of our core network is included in an IT support contract with Coforge.

Hardware maintenance contract is with CDW Ltd.

j. When is the contract renewal date?

Coforge is Q2, 2027 and CDW Q2, 2023

k. Please confirm value of the initial project?

We have interpreted your question to mean the cost of LAN & WIFI equipment. This figure was £404,380 including V.A.T.

l. Please confirm the value of annual support/maintenance services (in £)?

Maintenance of the network equipment is £50K per year.

Support of our LAN is included in an IT support contract with Coforge.

£44,000,000 is the upper limit of the contract value with Coforge, inclusive of project work and potential growth of the contract. Whilst we do hold information on the exact spend of our LAN and WIFI infrastructure, core network and annual support/maintenance, this information is being withheld as we consider that its disclosure is exempt under section 43(2) of the Act. This exemption deals with information that, if disclosed, would, or would be likely to, prejudice the commercial interests of a person or company. In applying this exemption, we have had to balance the public interest in withholding the information against the public interest in disclosing the information.

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

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

Section 43(2) of the FOI Act provides that:

Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

Factors for disclosure

- Enabling the public to gain a better understanding of the commercial relationships between Ofcom and its suppliers and the nature of the services provided, and thereby increasing public confidence in Ofcom’s work.
- Generally, there is a public interest in transparency of expenditure, especially if public money is involved.

Factors for withholding

- Ofcom contracts with a number of companies and has a financial relationship with them. Companies need to be confident that information relating to their business, such as information about them as an organisation or relating to their products or services, will not be disclosed if it would, or would be likely to, prejudice their commercial interests.
- Ofcom continues to negotiate and require contracts like those related to this request. To release the cost would put Ofcom in a detrimental position for future contract negotiations and would undermine its bargaining position with potential suppliers. In addition, to release the amount Ofcom pays for a service could prejudice the commercial interests of the supplier – in that it would provide details of the supplier’s commercial relationships to its competitors or potential clients. We have disclosed above the spend where either this covers several suppliers or services so the amount can not be attributed to a particular service/supplier, or the services were purchased in the past and there are no current plans to purchase in the near future.

Reasons why public interest favours withholding information

- We consider that, on balance, the public interest in withholding disclosure of the requested information outweighs the public interest in disclosing the information.
- Ofcom enjoys a positive relationship with those companies it contracts with. The release of information which would, or would be likely to, prejudice commercial interests into the public domain would impair both Ofcom's relationship with providers of services, and adversely affect its commercial relationships with other contractors. If contractors could not be confident that such information provided by them to Ofcom would be withheld from disclosure, except in compelling circumstances, commercial activity may be impeded. Similarly, Ofcom's bargaining position, and therefore ability to obtain value for money in services it contracts for, may be undermined in future negotiations if full details about the cost of these services were disclosed. These considerations go against the public interest in disclosing.
- Weighing the issues presented, it is considered that on balance, the factors for withholding the requested information outweigh those for disclosing the information.

Annex B

<p>Section 31 (1) of the FOI Act provides that:</p> <p>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 –</p> <p>(a) the prevention or detection of crime;</p>	
Factors for disclosure	Factors for withholding
<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. 	<p>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>
<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. <ul style="list-style-type: none"> • 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 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. 	