



Foreign &
Commonwealth
Office

Commercial Procurement Group
Foreign and Commonwealth Office
Old Admiralty Building
London SW1A 2PA

Website: <https://www.gov.uk>

27 November 2014

Dear

FREEDOM OF INFORMATION ACT 2000 - REQUEST REF: 1007-14

Thank you for your email of 13rd November 2014 asking for information under the Freedom of Information Act (FOIA) 2000. You asked the following:

1. *Since 1 January 2013, has any software company exercised their contractual rights to, or otherwise requested, an audit of the use of their software in your organisation?*
2. *Was the request made in 2013 or 2014?*
3. *Did they use an external consultant or license management company to carry out such audit?*
If so, which company:
 - a. *License Management Services*
 - b. *Other (please specify)*
4. *Did the audit result in a demand in respect of:*
 - a. *Under-licensing; and/or*
 - b. *Arrears of support and maintenance?*
5. *Did your organisation negotiate with the software vendor to reduce the figure?*
6. *If so, what %ge reduction was obtained from the vendor's first demand:*
 - a. *None*
 - b. *1-10%;*
 - c. *11-25%*
 - d. *26-50%*
 - e. *More than 50%?*
7. *If any payment was made to regularise the situation, was the amount:*
 - a. *Zero*
 - b. *Less than £50,000*
 - c. *£50,000 to £100,000*
 - d. *£100,00 to £250,000*
 - e. *£250,000 to £500,000*
 - f. *£500,000 to £1m;*
 - g. *£1m to £2m;*
 - h. *£2m to £5m*
 - i. *Above£5m?*

8. Was the software vendor involved:

- a. Oracle
- b. SAP
- c. SAS
- d. PeopleSoft;
- e. IBM
- f. Microsoft;
- g. Sybase
- h. Adobe
- i. Other? (please specify)

9. In dealing with the software vendor, did your organisation rely on:

- a. In-house counsel
- b. External solicitors;
- c. A firm of accountants;
- d. License management specialists
- e. Other consultants
- f. None of the above.

10. What is:

- a. The name of your CTO/CIO; and
- b. The email address of your CTO/CIO?

I am writing to confirm that we have now completed the search for the information which you requested.

I can confirm that the Foreign and Commonwealth Office (FCO) does hold information relevant to your request.

The FCO reviews software assets regularly with its licensing reseller to ensure compliance with product usage. However at no point since January 1st 2013 have any software companies invoked their right to audit their products in our Organisation. We are therefore unable to answer question 2-9.

We are unable to provide the name or email address of the CTO/CIO as this comprises third party personal data and is exempt under Section 40(2) and (3) of the Freedom of Information Act. Our view is that disclosure would breach the first data protection principle. This states that personal data should be processed fairly and lawfully. It is the fairness aspect of this principle, which, in our view, would be breached by disclosure. In such circumstances, s.40 confers an absolute exemption on disclosure and does not require a public interest test to apply.

Yours sincerely

Commercial Procurement Group



We keep and use information in line with the Data Protection Act 1998. We may release this personal information to other UK government departments and public authorities.