



Our Reference:

BY EMAIL ONLY

9 December 2015

Dear

Request for Information

Thank you for your email dated 5 November 2015 requesting Fixed Telephony, Broadband and WAN Information. For ease of reference we have answered each of your questions in turn, below.

Most of the information has been released to you where we have been able to identify the information requested, however information regarding costs has been withheld under s43(2) Freedom of Information Act 2000 (prejudice to commercial interests). A further explanation of this decision is detailed later in this letter.

I want to submit a freedom of information request for the following information relating to Fixed Telecommunications and Internet Services:

If there is more than one supplier for each of the contract information I am requesting below please can you split each contract individually and not combined. Please also separate the expiry data and spend and number of lines for each supplier. An example of this can be viewed at the bottom of this request.

Contract 1

1. **Current Fixed Line (Voice Circuits) Provider- Supplier's name, if there is not information available please can you provide further insight into why?**

The current supplier is BT.

2. **Fixed Line- Contract Renewal Date- please provide day, month and year (month and year is also acceptable). If this is a rolling contract please provide me with the rolling date of the contract. If there is more than one supplier please split the renewal dates up into however many suppliers**

This contract is rolling on a monthly basis.

3. Fixed Line- Contract Duration- the number of years the contract is for each

This contract is rolling monthly, so there is no actual contract duration.

4. Type of Lines- Please can you split the type of lines per each supplier? PSN, Analogue, SIP

We can confirm this contract contains analogue lines.

We interpret PSN to not be a type of line, but rather a standard, and so we cannot confirm the contract contains lines of this type. However, if you wish to reply to this letter with further details regarding the different classification of connections you wish for us to identify, please do so and we will try to respond in light of this further clarification.

5. Number of Lines- Please can you split the number of lines per each supplier? SIP trunks, PSN Lines, Analogue Lines

As mentioned in the above response, we do not consider PSN to be a type of line and so we cannot provide information for this.

We can also confirm we have 9 analogue lines and 60 SIP trunks.

Contract 2

6. Minutes/Landline Provider- Supplier's name (Fixed Voice not Mobiles) if there is not information available please can you provide further insight into why?

The current supplier is BT.

7. Minutes/Landline Contract Renewal Date- please provide day, month and year (month and year is also acceptable). If this is a rolling contract please provide me with the rolling date of the contract.

This contract is rolling on a monthly basis.

8. Minutes Landline Monthly Spend- Monthly average spend. An estimate or average is acceptable.

This information has been withheld under s43(2) Freedom of Information Act 2000. A summary of the Section, reasons why the Section is engaged and the relevant Public Interest Test factors are provided to you below the questions.

9. Minute's Landlines Contract Duration: the number of years the contract is with the supplier.

This contract is rolling monthly, so there is no actual contract duration.

10. Number of Extensions- Please state the number of telephone extensions the organisation currently has. An estimate or average is acceptable.

We can confirm there are approximately 1000 users of telephony.

Contract 3

The table below relates to questions 11-13

Supplier	Renewal Date	Annual average spend
Virgin Media Business	April 2016	Information withheld under s43(2) Freedom of Information Act 2000.
BT	Rolling monthly	Information withheld under s43(2) Freedom of Information Act 2000.

14. VOIP/PBX Installation Date of the organisation's primary telephone system: - please provide day, month and year (month and year is also acceptable).

The HCA does not use a PABX for telephony. Lync 2013 was installed approx. Nov 2013 for Voice / IM / VC use.

Contract 4

15. WAN Provider- please provide me with the main supplier(s) if there is not information available please can you provide further insight into why?

This contract is with Virgin Media Business.

16. WAN Contract Renewal Date- please provide day, month and year (month and year is also acceptable). If this is a rolling contract please provide me with the rolling date of the contract. If there is more than one supplier please split the renewal dates up into however many suppliers

The renewal date for this contract is April 2019.

17. Contract Description: Please can you provide me with a brief description of the contract

Provision of managed WAN service.

18. Number of sites: Please state the number of sites the WAN covers. Approx will do.

12 sites are covered by this contract.

19. WAN Annual Average Spend- Annual average spend for each WAN provider. An estimate or average is acceptable.

This information has been withheld under s43(2) Freedom of Information Act 2000. A summary of the Section, reasons why the Section is engaged and the relevant Public Interest Test factors are provided to you below the questions.

20. Internal Contact: please can you send me there full contact details including contact number and email and job title.

The internal contact is Steve Duchar (IT Operations Manager),

Email: Steve.Duchar@hca.gsi.gov.uk

Tel: 01914977567

Additional question

If your organisation has a managed services contract which includes all or two out of three of the services stated above please state which of these is included with the contract. It would also be for me to if there are any other service support areas that are included within these contracts.

Managed Service Contract

- *Number of Extensions*
- *Type of Lines*
- *Number of Lines*
- *Minutes Landline Monthly Average Spend*
- *Fixed Broadband Average Annual Spend*
- *WAN Average Annual Spend*
- *Internal Contact: please can you send me there full contact details including contact number and email and job title.*

If there is more than one supplier for each contract please can you separate the contract dates and spend for each supplier. Also if no information can be provided for each of the key data types please explain why there is no information.

This question is not applicable for the HCA.

As mentioned at the start of this letter, whilst we have been able to provide the majority of the information to you, we have determined that disclosing the annual spend figures would cause harm to both the Homes and Communities Agency (HCA) and the third parties who have entered into a contract with us, therefore this information has been withheld under Section 43(2) of the Freedom of Information Act 2000 (FOIA).

Section 43(2) – Prejudice to commercial interests

Section 43(2) of the Act permits a public authority to withhold information where disclosure “would, or would be likely to, prejudice the commercial interests of any party,” including the public authority holding the information.

The HCA determines that harm would arise from disclosure of the withheld information as it would compromise the interests of both the HCA and the third parties involved in these specific contracts (namely BT and Virgin Media Business). Disclosure would harm the HCA's interests by undermining our ability to effectively negotiate contract values to ensure the best value for money and/or best contractor to fulfil the contracts in the future as it would reveal what terms the HCA have previously agreed to. Similarly, if disclosed, this information would be prejudicial to the third parties in the market place as price transparency would disadvantage them commercially by giving competitors additional information about their pricing. We have concluded that Section 43(2) is engaged for the information that would cause this type of prejudice if released (namely the information in response to Questions 8 and 16 above).

Section 43(2) is a qualified exemption, which means a Public Interest Test is request in order for it to be maintained. A Public Interest test involves balancing the weight of arguments for and against disclosure.

Public Interest Test – Factors in favour of disclosure

Disclosing the requested information would promote the accountability and transparency of the HCA as well as providing increased information about the application of public funds. This in turn provides a basis for a more informed public debate about the value of money being obtained by the HCA.

Public Interest Test – Factors in favour of non-disclosure

Disclosure of the information would be likely to effect the HCA's ability to operate effectively in a competitive market as it would disclose how much value we put on a contract, therefore creating a disadvantage the next we time we do a tender exercise for the same contract. Potential bidders could base their proposed costs on the current value which would diminish our ability to negotiate.

Further, disclosure of the contract value would impact on the third parties ability to compete in a marketplace, placing them at a commercial disadvantage as other bidders would be able to under bid them when competing for a contract with the HCA. It would also affect their negotiations with other companies they currently work with/may wish to work with to work with as pricing information which is released could prejudice any future contracts they compete for.

It is not in the public interest to diminish a public authority's ability to be competitive in a commercial market by releasing information as the result of an FOIA request when it is seeking to achieve best value for the public purse. It is also not in the public interest for disclosure to harm the interests of third parties as this would also affect who and how the HCA works with contractors in the future.

We have, therefore, concluded that the balance of the public interest favours non-disclosure of this information at this time. We would, however, stress that the public interest is as ever changing concept and the arguments may change over time.

If you have any questions regarding this response or any further queries you can contact us at the following addresses and quote your unique reference number found at the top of this letter:

Email: mail@homesandcommunities.co.uk

Mail: Information Access Officer

Homes and Communities Agency

Fry Building

2 Marsham Street

London

SW1P 4DF

If you are unhappy with the way Homes and Communities Agency has handled your request you may ask for an internal review. You should contact

Head of Legal Services

Homes and Communities Agency

Fry Building

2 Marsham Street

London

SW1P 4DF

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. The Information Commissioner can be contacted at

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Yours sincerely

Naomi McMaster

Information Access Officer

Homes and Communities Agency