

## Reference: 2024-029

Thank you for your email in which you requested the following information under the Freedom of Information Act 2000 (FOIA):

### Mobile phones

- Who is your current mobile phone provider?
- How many mobile connections?
- When is the contract up for renewal?
- How long do you contract for (24 or 36 months)?
- The email address of the primary contact for this contract?

### SIP Trunking

- Have you implemented SIP?
- If yes, when does the contract expire?
- Who is your SIP provider?
- The email address of the primary contact for this contract?

### Team Licences

- Which Microsoft 365 Licence do you have e.g. E3, E5 Have you voice enable your Teams Licences?
- If not, is that something you are considering?

### Telephony

- What is your current telephony system?
- How many users of the telephony system?
- When is the contract up for renewal?
- The email address of the primary contact for this contract?

### Connectivity

- What form of WAN do you use e.g. mpls, SDWAN etc.
- When does the contract end?
- How many sites?

## Response

The SFO holds this information. However, it is exempt from release under section of 31(1) and 43(2) of the FOIA.

*Section 31(1)(a),(b)and (c) 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,*

*(b) the apprehension or prosecution of offenders,*

*(c) the administration of justice:*

### How the exemption is engaged

As a law enforcement agency, the SFO holds highly sensitive information which is of interest to others, including those we investigate. Releasing detailed information about the SFO's IT systems and tools could therefore compromise our ability to protect SFO investigative material and information systems, thereby prejudicing the interests at (a) (b) and (c) above.

### Public interest test

Section 31(1) is a qualified exemption and requires consideration of whether, in all the circumstances of the case, the public interest in maintaining the exclusion of the duty to confirm or deny outweighs the public interest in disclosing whether the public authority holds the information. More information about exemptions in general and the public interest test is available on the ICO's website at [www.ico.org.uk](http://www.ico.org.uk).

It is recognised that there is a general public interest in publicising information about the SFO, so that the public knows that serious fraud, bribery and corruption are being investigated and prosecuted effectively, and so that the public can be reassured about the general conduct of our organisation and how public money is spent.

However, following our consideration of the public interest in releasing this information, we consider that the stronger interest lies in maintaining the exemption at section 31(1) of the FOIA. There are multiple factors that have contributed to this conclusion, the primary factor being the risk that this information could pose to the security of the SFO's IT systems. It is critical that the SFO does not put its IT systems at risk because of information released publicly, particularly given the highly sensitive nature of the information it holds as a law enforcement agency. Releasing sensitive information regarding IT software risks compromising the SFO's ability to provide and maintain data security for the cases at pre-investigation, investigation, prosecution stages and beyond.

Having considered the opposing arguments, I believe that the stronger public interest lies in exempting the information from release.

Section 43(2) of the FOIA deals with commercial interests and 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).*

### How the exemption is engaged

The information requested could detriment to the SFO's commercial interests if released by weakening its negotiating position with future suppliers. It could also detriment the commercial interests of the supplier when engaging future clients. As such, this information is exempt from release under section 43(2) of the FOIA.

### Public interest test

Section 43 of FOIA is a qualified exemption. As such, it requires consideration of whether the public interest in exempting the information outweighs the public interest in disclosing whether the public authority holds the information. More information about exemptions in general and the public interest test is available on the ICO's website at [www.ico.org.uk](http://www.ico.org.uk).

We understand the importance of publicising information about the SFO's use of public resource and funding. However, we do not believe that the release of the information which you have requested would add significantly to these factors and therefore feel there is minimal public interest in releasing this material. Further, as outlined above, the SFO is compliant with the reporting requirements across government, which requires the publication of data surrounding procurement processes on the Contracts Finder website.

In addition, I am content that the public interest test strongly favours nondisclosure of the information you have requested for the reasons outlined in the application of the exemption. In unduly releasing information of our infrastructure and suppliers, we harm our reputation as a buyer which could harm future negotiations and procurement exercises.

I have therefore concluded that the balance of the public interest is in favour of not disclosing the information requested as the commercial interests weigh in favour of not sharing this detail externally.