

Reference: 1-312775071

Xx January 2016

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Information Requests

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Freedom of Information: Right to know request

Thank you for your request for information about Ofcom's Local Area Network (LAN) contract which we have considered under the Freedom of Information Act 2000 ('the Act').

Please find below our response to each of the questions you asked.

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*
- *Installation*
- *Cabling*

1. *Existing Supplier: Who is the current supplier for each contract?*

Our LAN environment requirements form part of a managed ICT services contract with CGI IT UK Limited (formerly Logica, and now part of CGI Group Inc.) Contract Award Notice 2010/S 145 – 223305 dated 26/07/2010 refers.

2. *Annual Average Spend for 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.*

We consider that to separate and provide the figure, in respect of LAN only, would prejudice commercial interests and we are therefore withholding this figure under the exemption in Section 43 of the Act. This part of the Act deals with the exemption of information that would 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. The attached Annex to this letter sets out the exemption in full, as well as the factors Ofcom considered when deciding where the public interest lay.

For further information on section 43 of the Act please visit:

<http://www.legislation.gov.uk/ukpga/2000/36/section/43>.

It is likely that other exemptions will apply.

3. *Number of Users: Please can you provide me with the number of users each contract covers. Approximate number of users will also be acceptable.*

The approximate number of users is 850.

4. *Number of Sites: The number of sites where equipment is supported by these contracts.*

There are 7 Sites

5. *Contract Type: For each contract is the contract Managed, Maintenance, Installation, Software*

The contract type is managed ICT services.

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

The hardware brands of the LAN equipment are Checkpoint, Cisco, F5 Nokia and Nortel.

7. *Contract Description: Please provide me with a brief description of the overall contract.*

Ofcom's contract with CGI IT UK Limited is for managed ICT services and includes LAN. Please refer to 1 above.

8. *Contract Duration: What is the duration of the contract is and can you please also include any extensions this may include for each contract.*

In response to this question and questions 9 and 10 please see the following Contract Definitions:

Definitions clarified

"Term" the period commencing on the Effective Date and ending on the expiry of the Initial Term or any Extension Period or on earlier termination of this Agreement;

"Effective Date" the date on which this Agreement is signed by both parties;

"Initial Term" the period of 48 months from the Commencement Date;

"Extension Period" means the extension period set out in clause 54.2A (being a maximum of 12 (twelve) months);

"Commencement Date" the date on which the Services start, being 1st February 2011.

[54] TERM This Agreement will begin on the Effective Date and, unless terminated at an earlier date by operation of Law or in accordance with any express provision of this Agreement, will terminate at:

[54.1] the end of the Initial Term; or

[54.2] if the Authority elects to extend the Initial Term in accordance with clause 54.2A, at the end of the Extension Period.

[54.2A] The Authority shall have the option to extend the Initial Term of this Agreement for one further period of up to 12 months (such period to be determined by the Authority) on the

same terms as this Agreement. If the Authority intends to exercise this option it must give notice to such effect to the Contractor no later than 6 months prior to the end of the Initial Term and such notice shall include details of the duration of the extension. The agreed pricing for any Extension Period is set out in appendix C of schedule 7.1 (Charging and Invoicing).

Note: Ofcom took up the Contract's extension option. The contract will expire at the end of April 2016.

9. *Contract Expiry Date: When does the contract expire for each contract?*

Please see 8 above.

10. *Contract Review Date: When will the organisation is planning to review the contract?*

Please see 8 above.

11. *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 Director of ICT is David Doherty, whose email address is david.doherty@[ofcom.org.uk](mailto:david.doherty@ofcom.org.uk).

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

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

Not applicable

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.*

Not applicable

3. *Number of Sites: Estimated/Actual number of sites the LAN covers.*

Not applicable

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?*
Not applicable

I hope this information is helpful.

Yours sincerely

Julia Snape

If you are unhappy with the response or level of service you have received in relation to your request from Ofcom, you may ask for an internal review. If you ask us for an internal review of our decision, it will be treated as a formal complaint and will be subject to an independent review within Ofcom. We will acknowledge the complaint and inform you of the date by which you might expect to be told the outcome.

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 undertaking 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:

Graham Howell
The Secretary to the Corporation
Ofcom
Riverside House
2a Southwark Bridge Road
London SE1 9HA

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

Section 43 – where information, if disclosed, would, or would be likely to, prejudice the commercial interests of a company

Factors for disclosure

- Open policy making and public confidence in regulated activities

Factors for withholding

- Specific companies are identifiable and as such their ability to conduct their business activities would be diminished if this data were publicly available at this time. Therefore, commercial interest would be prejudiced.

Reasons why public interest favours withholding information

- Ofcom enjoys a positive relationship with its stakeholders and service providers, and is entrusted with commercially sensitive data provided by those companies. A breakdown as to the element of LAN within the overall contract would provide an insight into CGI IT UK Limited's commercial approach to the contract and is therefore commercially sensitive.
- The release of this information into the public domain would impair both this relationship and Ofcom's ability to carry out its functions in a fair and proportionate manner.