

Reference: 635496

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Information Rights Adviser
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30 November 2018

Freedom of Information: Right to know request

Thank you for your request for information about Telephony and Network Information.

This was received by Ofcom on 6 November and it has been considered under the Freedom of Information Act 2000 ("the Act").

Please see below our responses to your 6 November request:

If there is more than one supplier for each of the contracts below, please can you provide me with the contract data for each of the supplier including, spend, contract dates, type of lines and number of sites.

Contract 1

1. *Current Lines (Analogue, ISDN VOIP, SIP etc) Provider- Please can you provide me with the name of the supplier for the contract.*

Our current provider is BT Global Services.

2. *Fixed Line- Contract Renewal Date- please provide day, month and year (month and year are 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*

There are many rolling contracts with end dates throughout the year.

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

There are many rolling contracts with end dates throughout the year.

4. *Type of Telephone/Networks Lines- Please can you split the type of lines per each supplier? PSTN, Analogue, SIP*

All of our lines are PSTN from BT as the supplier.

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

PSTN lines all with BT.

Contract 2

6. *Minutes/Landline Provider- Supplier's name (NOT Mobiles) if there is no information available please can you provide further insight into why?*

Our current supplier is BT Global Services.

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 terminates in Q2 2019.

8. *Minutes Landline Monthly Spend- Monthly average spend for each provider. An estimate or average is acceptable.*

The information you requested is being withheld as it falls under the exemption in section 43(2) of the Act. This 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. Annex A to this letter sets out the exemption in full, as well as the factors Ofcom considered when deciding where the public interest lay.

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

The contract between Ofcom and BT commenced in April 2016 and the duration is 3 years.

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

Ofcom currently has 1127 telephone extensions.

Contract 3

11. *Fixed Broadband Provider- Please can you provide me with the name of the supplier for the contract.*

See Annex B below.

12. *Fixed Broadband Renewal Date- please provide day, month and year (month and year are 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*

See Annex B below.

13. *Fixed Broadband Annual Average Spend- Annual average spend for each broadband provider. An estimate or average is acceptable.*

We are unable to provide the annual average spend for each broadband supplier as this is exempt from disclosure under section 43(2) of the Act – please see our response under question 8.

Contract 4

14. WAN Provider- please provide me with the supplier for each contract if there is no information available please can you provide further insight into why?

Our main supplier is BT Global Services.

15. WAN Contract Renewal Date- please provide day, month and year (month and year are 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 provide me with the renewal date for each supplier.

This contract terminates in Q2 2019.

16. Contract Description: Please can you provide me with a brief description of each contract.

The contract provides WAN connectivity between Ofcom, its data centres and its nations and regions local sites.

17. The number of sites: Please state the number of sites the WAN covers for each contract. Approx. will do.

There are 7 Ofcom sites and 1 data centre.

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

We are unable to provide the annual average spend for each WAN provider as this is exempt from disclosure under section 43(2) of the Act – please see our response under question 8.

19. If the above WAN contract is not in relation to N3/HSCN can you please provide me with details on when the Trust is planning to migrate to the HSCN contract.

We have interpreted “the Trust” to mean a National Health Service Trust. Ofcom is a communications regulator and we do not hold information in response to this question.

20. Internal Contact: please can you send me their full contact details including contact number and email and job title for all the contract above.

For more information on any of this, please contact Andrew Curtois, Head of Vendor Management, on 020 7981 3000.

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.

We responded to a request on 12 January which asked similar questions to this 6 November request save for that this request asks one additional question. Our 12 January response can be found here: https://www.ofcom.org.uk/data/assets/pdf_file/0023/109535/Telephony-and-Network-Information.pdf.

If you have any queries, please contact information.requests@ofcom.org.uk. Please remember to quote the reference number above in any future communications.

Yours sincerely,

Jerin John

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:

Corporation Secretary
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

Annex A

<p>Section 43(2) – where information, if disclosed, would, or would be likely to, prejudice the commercial interests of a company</p>	
<p>Factors for disclosure</p>	<p>Factors for withholding</p>
<ul style="list-style-type: none"> • 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 large sums of public money are involved. 	<ul style="list-style-type: none"> • 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. • The average spend is not significant that it warrants disclosure. • 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 contractors.
<p>Reasons why public interest favours withholding information</p>	
<ul style="list-style-type: none"> • 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.

- The weight attached to the public interest in disclosing is fairly limited, in comparison to the weight attached to avoiding the prejudice which would be caused by disclosure, in view of the limited expenditure/contract value and the limited contribution that the information would make to enabling the public to understanding how Ofcom performs its functions in this context.

Annex B

Location	Contract Length	Contract renewal Date	Business Broadband
Belfast	36 months	Q4 2019	Rainbow Communications
Birmingham	36 months	Q4 2019	Talk Talk
Cardiff	24 months	Q2 2019	Virgin Media
Edinburgh	24 months	Q4 2019	Virgin Media
London	36 months	Q3 2019	Luminet
Warrington	36 months	Q4 2019	Spitfire Communications