



Foreign & Commonwealth Office

FCO Services

Foreign and Commonwealth Office
King Charles Street
London SW1A 2AH

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

.....
11 March 2015

Dear

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: FOI Request Ref 0154-15

Thank you for your email of 10th Feb 2015 asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

"I would like to submit a Freedom of Information Request relating to specific ICT contract(s) for Server Hardware Maintenance, Server Virtualisation License and Maintenance and Storage Area Network Maintenance/Support which may include:

- *Server Hardware Maintenance- contract relating to the support and maintenance of the's organisations servers.*
- *Virtualisation Licensing (VMware, Solaris, Unix, Linux, Windows Server)-*
- *Virtualisation Maintenance/Support (VMware, Solaris, Unix, Linux, Windows Server)*
- *Storage Area Network Maintenance/Support (EMC, NetApp etc)*

For each of the types of server ICT contracts above can you please send me the following data types:

1. **Contract Title:**
2. **Contract Type: Please input one the type of contract from above e.g. Hardware Maintenance, Virtualisation Licensing, Virtualisation Maintenance/Support, Storage Area Network Maintenance**
3. **Existing/Current Supplier:**
4. **Hardware Brand:** Please state the hardware or software brand related to the contract with supplier e.g. Hardware Maintenance could be Dell, IBM etc
5. **Operating System / Software(Platform): (Windows, Linux, Unix, VMWare etc.)** the brand name relating to the contract.
6. **Annual Average Spend: (For the whole duration of the contract, if the total value sent is per annum please state this in the response)**
7. **Contract Duration: (Please can you also include notes if the contract includes any contract extension periods.)**
8. **Contract Expiry Date:**
9. **Contract Review Date: (An approximate date of when the organisation is planning to review this particular contract.)**
10. **Brief Contract Description:** I require a brief description of the service provided under this contract.
11. **Internal Contact:** (The person from within the organisation that is responsible for reviewing and renewing this particular contract. Please include there full name, job title, direct contact number and direct email address.)

If there is more than one supplier for these contract can you please split the contract individually for each supplier. So the information above which I am requesting is for each supplier.

If this service is part of a managed contract please can you send me the contract information for this managed service including Hardware Brand, Number of Users, Operating System, and contact details of the internal contact responsible for this contract".

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

FCO Services holds a Framework Agreement with Microsoft. The contract title is Premier Support Agreement which covers our internal core infrastructure. Additional Maintenance contracts are in place with:

- CISCO
- NettApp
- VMWare

These are individual maintenance agreement linked to the initial product purchases, and are on 1 or 2 year contracts with an option to extend. Additional support is carried out in-house.

FCO Services uses a number of key brands including, but not limited to Dell, HP and CISCO.

The operating systems used by FCO Services are withheld under section 24(1) (National Security) and section 31(1) (a) (law enforcement). Please see below for additional information

The value of these contracts is withheld under Section 43 (commercial interests) of the FOIA. Section 43 has been used to withhold information which is commercially sensitive.

The details of any internal contacts are withheld under Section 40 of the Freedom of Information Act which relates to personal information. The information you have requested is personal data relating to third parties, the disclosure of which would contravene one of the data protection principles. In such circumstances sections 40(2) and (3) of the Freedom of Information Act apply. In this case, 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 section 40 confers an absolute exemption on disclosure. There is, therefore, no public interest test to apply.

Section 24

We acknowledge the public interest in openness and transparency, but we consider that there is also a public interest in the Foreign and Commonwealth Office (FCO) Services protecting national security.

Section 24 is a qualified exemption, which means that it is subject to a public interest test. We acknowledge the public interest in openness and transparency, but we consider that there is also a public interest in the FCO Services protecting national security. Having reviewed the requested material, we are concerned that disclosure of details about the architecture and infrastructure of our IT systems could allow individuals to assess the strength of our defences and undermine the confidentiality and integrity of departmental systems and consequently adversely impact on the UK's security. We have therefore concluded that the exemption applies and that non-disclosure serves the public interest better than release in this instance.

For these reasons, we consider that the public interest in maintaining this exemption outweighs the public interest in disclosure.

Section 31

The exemption in section 31 (1) (a) is designed to cover all aspects of the prevention and detection of crime.

Section 31 is a qualified exemption, which means that it is subject to a public interest test. We acknowledge the public interest in openness and transparency and we recognise that releasing this information would provide the public with assurance that we are protecting our IT infrastructure. However, disclosure of the information requested could aid a criminal who was intent on launching an attack on the Department's ICT systems and could expose the FCO Services to potential threats such as targeted e-crime and expose the FCO Services to potential threats of a criminal nature. The FCO Services takes the protection of its IT infrastructure very seriously.

For the reasons set out above, we have assessed that the public interest in maintaining this exemption outweighs the public interest in disclosure.

Section 43

Section 43(2) of FOIA exempts from disclosure information which would be likely to prejudice the commercial interests of any person. Section 43(2) is a prejudice-based exemption, so the test for exemption is whether or not the individual's commercial interests would be prejudiced by disclosure and again, it is subject to balancing the public interest. It is recognised that there is a general public interest in the disclosure of commercial information to ensure, for example: transparency in the accountability of public funds; proper scrutiny of government action; and the effective use of public money.

However, where disclosure would make it less likely that companies or individuals would provide the department with information in the future or where disclosure would make it more difficult for individuals to be able to conduct commercial transactions, or have future dealings with public bodies, without fear of suffering commercially as a result, these are factors that may weigh in favour of non-disclosure.

We considered the commercial interests of third parties and the benefit to the public for the release of this information. We also considered the impact that this may also have on our future business relationships. In considering this case and the details required, we consider that the public interest in favour of disclosing such information is outweighed by the obligation to protect the commercial interests of third parties. We have therefore taken the decision to withhold the information.

In keeping with the spirit and effect of the Freedom of Information Act, all information is assumed to be releasable to the public unless it is exempt. The information we have supplied to you may now be published on our website together with any related information that will provide a key to its wider context.

The copies of information being supplied to you continue to be protected by the Copyright, Designs and Patents Act 1988. You are free to use it for your own purposes, including any non-commercial research you are doing and for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder. Most documents supplied by the FCO will have been produced by government officials and will be protected by Crown Copyright. To re-use Crown Copyright documents please consult the [Open Government Licence v3](#) on the National Archives website.

Information you receive which is not subject to Crown Copyright continues to be protected by the copyright of the person, or organisation, from which the information originated. You must ensure that you gain their permission before reproducing any third party (non-Crown Copyright) information.

Yours sincerely,



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.