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Our Ref: IM-FOI-2022-2313  
Date: 16<sup>th</sup> November 2022



## **FREEDOM OF INFORMATION (SCOTLAND) ACT 2002**

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

**This is a request for information that relates to the organisation's contracts around ICT contract(s) for Server Hardware Maintenance, Server Virtualisation Licenses and Maintenance and Storage Area Network (SAN) Maintenance/Support, which may include:**

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

**For each of the types of contract described above, please can you provide me with the following data. If there is more than one contract please split the information for each separate supplier this includes annual spend**

- 1. Contract Title: Please provide me with the contract title.**
- 3. Existing/Current Supplier: Please provide me with the supplier name for each contract.**

In response to questions 1 and 3, I must respond in terms of Section 16 of the above Act, when refusing to provide such information because the information is exempt, to provide you with a notice which: (a) states that it holds the information, (b) states that it is claiming an exemption, (c) specifies the exemption in question and (d) states, if that would not be otherwise apparent, why the exemption applies. The exemption applicable to the information is as follows:

### **Section 35(1)(a) – Law Enforcement**

Information is exempt information if its disclosure under this Act, would or would be likely to prejudice substantially the prevention or detection of crime.

It is not exceptional for individuals to enquire as to the information technology in use in Police Scotland. Nonetheless, there is concern that the release of such data could provide attack opportunities.

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The requested information could be used by a hostile party to plan and execute an attack on the Service's systems. Such attacks could take the form of data theft, denial of service or other deliberate disruptions. This could not help but have the effect of reducing the ability of the police to undertake relevant activities.

This is a non-absolute exemption and requires the application of the public interest test.

### **Public Interest Test**

The public interest factors favouring disclosure of the information surround the Service's accountability for public funds in terms of the cost to the public purse.

Those favouring retention of the information surround the adverse effect on the efficiency of the Service. Disclosure would provide those intent on disrupting police activities with enough information to plan and execute a targeted attack. Where systems are compromised, there is also the potential for sensitive information such as personal data, security information and other data to be made public, therefore, in this instance the factors favouring retention of the data outweigh those of disclosure.

In response to the further questions noted below, please see the attached spreadsheet.

- 2. Type of Contracts (ABOVE): Please can you provide me with one or more contract types the contract relates to: Server Hardware, Virtualisation, SAN (Storage Area Network)**
- 4. Brand: Please state the brand of hardware or software**
- 5. Operating System / Software (Platform): (Windows, Linux, Unix, Vsphere, AIX, Solaris etc.) Please state the operating system used by the organisation.**
- 6. Annual Average Spend: Please provide me with the most recent annual spend for this contract?**
- 7. Contract Duration: (Please can you also include notes if the contract includes any contract Extension periods.)**
- 8. Contract Expiry Date: Please can you provide me with the date of when the contract expires.**
- 9. Contract Review Date: (An approximate date of when the organisation is planning to review this particular contract.)**
- 10. Purchase of Servers: Could you please provide me with the month and year in which most/bulk of servers were purchased.**
- 11. Number of Physical Server: Please can you provide me with the number of physical servers.**
- 12. Number of Virtual Servers: Please can you provide me with the number of Virtual servers**
- 13. Brief Contract Description: I require a brief description of the service provided under this contract. Please do not just put maintenance. I need at least a sentence.**
- 14. Contract Owner: (The person from within the organisation that is responsible for reviewing and renewing this particular contract. Please include their full name, job title, direct contact number and direct email address.)**

Should you require any further assistance please contact Information Management quoting the reference number given.

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If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to [foi@scotland.police.uk](mailto:foi@scotland.police.uk) or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision. You can apply [online](#), by email to [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info) or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.