

Our Ref: IM-FOI-2022-0123  
Date: 10 February 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.

**I would like to request information under the Freedom of Information Act. The information that I require relates to a specific telephone maintenance contract.**

**The contract information sent by the organisation previously has now expired please can you provide me with a new update of the telephone maintenance contract:**

**Please can you send me the following contract information with regards to the organisation's telephone system maintenance contract (VOIP or PBX, other) for hardware and Software maintenance and support if all the information is still the same besides the contracts dates please send just the new contract dates. It would be much appreciated.**

**1. Contract Type: Maintenance, Managed, shared (If so, please state orgs).**

Maintenance, Rental and Maintenance, Managed

**2. Existing Supplier: If there is more than one supplier, please split each contract up individually.**

Multiple suppliers BT, Vodafone, Virgin Media Business, Maintel providing multiple services.

**3. Annual Average Spend: The annual average spends for this contract and please provide the average spend over the past 3 years for each provider**

In response to this question, I would advise you that, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002 I am refusing to provide you with the information sought.

Section 16 of the Act requires Police Service of Scotland 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.

I can confirm that Police Scotland holds the information that you have requested.

Where information is considered to be exempt, this letter serves as a Refusal Notice that information is held and an explanation of the appropriate exemption is provided.

### **Section 33(1)(b) - Commercial Interests**

Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice substantially the commercial interests of any person.

By way of explanation, the information requested is a specific part of the contract details with Police Scotland and the service provider. As you may be aware the tendering process is open to competition and if utilised, companies are invited to submit their tender bid with details of the costs and processes they would use for the successful completion of the contract. As a result any company who submits a tender bid is required to give detailed information regarding the capabilities and financial ability of the company to complete a contract. Public disclosure of such information is likely to give competitive advantage to other similar companies and as a result would have a damaging impact on the company concerned.

### **Public Interest Test**

Police Scotland is a publicly funded organisation and therefore the Service has an obligation to obtain best value for money with particular services. Further, in order to do this, it is essential to maintain working relationships with these companies that tender their services.

As such, Police Scotland will not disclose any information that would impact on the ability to do both. The public interest would not be served if it were no longer possible to engage companies in a tender offer if they believed that conducting business with Police Scotland would result in their confidential financial information being released.

### **4. Hardware Brand: The primary hardware brand of the organisation's telephone system.**

Multiple hardware brands provided by multiple suppliers for both PBX and VoIP. BT, Cisco, Avaya/Nortel, Siemens.

### **5. Number of telephone users:**

There are approximately 24,000 users.

### **6. Contract Duration: please include any extension periods.**

### **7. Contract Expiry Date: Please provide me with the day/month/year.**

### **8. Contract Review Date: Please provide me with the day/month/year.**

In relation to questions 6, 7 and 8 there is no overall fixed contract with all services being purchased independently. All fixed line purchases historically have been purchased on an 'as and when' required basis and are generally purchased on an initial 12 month contract.

**9. Application(s) running on PBX/VOIP systems: Applications that run on the actual PBX or VOIP system. E.g., Contact Centre, Communication Manager.**

Communication manager, Voicemail.

**10. Telephone System Type: PBX, VOIP, Lync etc**

PBX, VoIP, Cloud.

**11. Contract Description: Please provide me with a brief description of the overall service provided under this contract.**

Hardware and software maintenance support. Cloud service provision and support.

**12. Go to Market: How where these services procured, please provide me with either the tender notice or the framework reference number. Please specify if procured through other routes.**

Following best practice from Procurement Department, market engagement with full tender process or appropriate framework.

The information requested is publicly available, accordingly, the following exemption is applicable:

**Section 25(1) – Information otherwise accessible**

Please see the link below to Scottish Police Authority's Public Contracts Register.

This is an absolute exemption and does not require consideration of the public interest test.

[https://www.publiccontractsscotland.gov.uk/Contracts/Contracts\\_Search.aspx?AuthID=AA19762](https://www.publiccontractsscotland.gov.uk/Contracts/Contracts_Search.aspx?AuthID=AA19762)

For further information please see the link below to Police Scotland's Annual Procurement Report 2019-20.

<https://www.scotland.police.uk/about-us/procurement>

**13. Contact Detail: Of the person from within the organisation responsible for each contract full Contact details including full name, job title, direct contact number and direct email address.**

The Procurement department specialists are responsible for creating the contract, with responsibility for financial authority for the contract at the appropriate ICT level for example Head of Infrastructure, Chief Technology Officer, Chief Digital and Information Officer.

Initial contact can be made via Police Scotland's Contact Us. Please see the link below for further information.

<https://www.scotland.police.uk/contact-us/>

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**If the contract is a managed service or is a contract that provides more than just telephone maintenance, please can you send me all the information specified above including the person from within the organisation responsible for that particular contract.**

The Procurement department specialist is responsible for creating the contract, with responsibility for financial authority for the contract at the appropriate ICT level ie Head of Infrastructure, Chief Technology Officer, Chief Digital and Information Officer. Initial contact via non-emergency number.

**If the maintenance for telephone systems is maintained in-house, please can you provide me with:**

**1. Number of telephone Users:**

There are approximately 24,000 users.

**2. Hardware Brand: The primary hardware brand of the organisation's telephone system.**

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**3. Application(s) running on PBX/VOIP systems: Applications that run on the actual PBX or VOIP system. E.g., Contact Centre, Communication Manager.**

Communication manager, Voicemail

**4. Contact Detail: Of the person from with the organisation responsible for telephone maintenance full Contact details including full name, job title, direct contact number and direct email address.**

Head of Infrastructure. Initial contact via non-emergency number.

**Also, if the contract is due to expire, please provide me with the likely outcome of the expiring contract.**

**If this is a new contract or a new supplier, please can you provide me with a short list of suppliers that bid on this service/support contract?**

**If the service support area has more than one provider for telephone maintenance, then can you please split each contract up individually for each provider.**

In response to the questions above, I would advise you that, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002 I am refusing to provide you with the information sought.

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Should you require any further assistance concerning this matter please contact Information Management – Glasgow at [foi@scotland.police.uk](mailto:foi@scotland.police.uk) quoting the reference number given.

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.

## OFFICIAL

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.