| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-0058  Responded to: 22 April 2024 |
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Your recent request for information is replicated below, together with our response.

**Who provides your WAN and internet connectivity and the annual spend on each Have you , or do you plan to deploy SD Wan services?**

Wide Area Network Connectivity

Supplier: BT

Contract: National Network

Start Date: 01/11/18

Duration: 5+1+1

Value: £7,210,441

(Contract Ref: PROC-17-0084)

Supplier: Virgin Media Business

Contract: C3 Core Network

Start Date: 19/07/2016

Duration: 5+2

Value: £1,606,250

(Contract Ref: PROC-15-0066)

(Note: presently being extended until 22/12/24)

**Have you got SIP trunks? if so who from and confirm annual spend?**

Yes.

Suppliers: Vodafone & CINOS

In relation to the spend, SIP is bundled with other services and the annual spend therefore cannot be clearly identified. As such, in terms of Section 17 of the Freedom of Information (Scotland) Act 2002, this represents a notice that the spend figure requested is not held by Police Scotland.

**Please confirm who provides your LAN, WIFI and Security infrastructure and can you please confirm your annual spend on each?**

**Please confirm your data centre switching and security infrastructure and have you deployed cloud-based security and threat management?**

In regard to the two questions above, 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.

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.

**Can you provide contact details for your procurement lead / category manager for these services?**

Any request for contact with a Police Scotland can be made via the contact us address provided below, you can record that you require your communication to be directed to the procurement team.

[contactus@scotland.police.uk](mailto:contactus@scotland.police.uk)

**Can you provide names and contact details for the following people within your organisation?**

* **CIO / IT Director**

Andrew Hendry holds the role of Chief Information Officer for Police Scotland.

* **Head of Digital Transformation**

Gordon Downie holds the role of head of Technology Transformation for Police Scotland.

* **Head of IT**
* **Head of Networking**

With respect to the two roles noted above, these are not roles recognised by Police Scotland, as such the information requested is not held by Police Scotland and section 17 of the Act therefore applies.

* **Head of Infrastructure**
* **Information/Cyber Security Manager**

Again, with respect to the two roles noted above, while they are job roles within the organisation, they are not considered to be “head of department roles” as such, in terms of section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information requested.

Section 16 requires Police Scotland when refusing to provide such information because it 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.

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

The exemption that I consider to be applicable to the information requested by you is section 38(1)(b) - Personal Data.

Personal data is defined in Article 4 of the General Data Protection Regulation (GDPR) as:

*‘Information relating to an identified or identifiable natural person (“data subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person’*

Section 38(2A) of the Act provides that personal data is exempt from disclosure where disclosure would contravene any of the data protection principles set out at Article 5(1) of the GDPR which states that:

*‘Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject’*

Article 6 of the GDPR goes on to state that processing shall be lawful only if certain conditions are met.

The only potentially applicable condition is set out at Article 6(1)(f) which states:

*‘Processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child’*

Whilst I accept that you may have a legitimate interest with regards the disclosure of this information I do not accept that disclosure is necessary for that purpose.

Further, I am of the view that any interests are overridden by the interests or fundamental rights and freedoms of the data subject.

On that basis, it is my view that disclosure of the information sought would be unlawful.

If you require any further assistance, please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.