



University of East Anglia

Information Compliance (ITCS)

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26 September 2018

Dear

Freedom of Information Act 2000 – Information request (ref: FOI_18-209)

We have now considered your request of 29 August 2018 for information relating to ICT contracts for Server Hardware Maintenance, Server Virtualisation Licenses and Maintenance and Storage Area Network (SAN)

Our response is on pages 3 and 4 of this letter together with a copy of your request. We note that we received on 04 September a request exactly identical to this one and therefore this response should be taken to apply to both requests. For future reference, we are not obliged to respond to repeat requests.

On this occasion, it is not possible to provide all the requested information. The Act contains a number of exemptions that allow public authorities to withhold certain information from release. We have applied the following exemption to part of your request.

Exemption	Reason
s.43(2), Prejudice to commercial interests	Disclosure of information would, or would be likely, to prejudice the commercial interests of a person as defined by the Act

Exemption explanation

We have applied this exemption to question 6 of your request relating to Annual Average spend.

Within our published information we provide detailed information on make, model and numbers of our equipment. To also provide recent annual spend for the contract would contravene the ‘commercial in confidence’ section of our maintenance agreements.

The purchase of IT hardware and the associated support and maintenance of that hardware is undoubtedly a commercial activity, conducted in a competitive environment. The University must obtain the best deal for its IT-related products and services, and there are many companies seeking to provide those products and services who are required to compete against one another to win the University’s business.

In this environment, disclosure of the annual average spend for each contract would, in combination with the information provided in the aforementioned document, enable organisations to estimate the providers' pricing structure and how much the University currently spends on the hardware itself and also its maintenance. The maintenance aspect of the contract is particularly sensitive as it represents a less easily quantified figure that would undoubtedly be helpful to competitor companies looking to bid for specific contracts. If competitor companies knew this information it would be likely to affect the University's ability to achieve the best price, as the tendering process would inevitably become less competitive.

A 'public interest test' must be applied to the exemption for prejudice to commercial interests.

We acknowledge there is a legitimate public interest in knowing the amount and way in which public funds are spent, both to further the transparency and accountability of public spending. However there is also a clear public interest in ensuring there is fair competition for public sector contracts. Any distortion of what is currently a blind tendering process has the potential effect of raising costs to the public sector which would not be in the public interest. In addition, we do not feel that disclosure would increase access to information about the tendering process nor encourage more potential suppliers to enter the market. Revealing the pricing structure for certain contracts will not increase understanding of the tendering process, nor will it lead to improved bids being submitted in the future. On balance, we believe the public interest lies in maintaining in the current blind tendering process for these IT contracts.

We hope this response will meet your requirements, however if you are not satisfied you have the right of appeal. If you wish to appeal, please set out in writing your reasons for appealing and send to the above address. You must appeal within 60 calendar days of the date of this letter. Any appeal received after that date will not be considered nor acknowledged. This policy has been reviewed and approved by the Information Commissioner's Office.

You also have a subsequent right of appeal to the Information Commissioner's Office. Further information is available on their website:

https://ico.org.uk/Global/contact_us, or by telephone on 0303 123 1113.

Please note that any material over which UEA has copyright is released on the understanding that you will comply with all relevant copyright rules regarding reproduction and/or transmission of the information provided.

Please quote our reference given at the head of this letter in all correspondence.

Yours sincerely

Paul Cutting
Information Compliance Specialist
University of East Anglia

Response to Freedom of Information Act 2000 request (FOI_18-209)

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 type 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.*
- 2. Type of Contracts (ABOVE): Please can you provide me with one or more contract types the contract relate to: Server Hardware, Virtualisation, SAN (Storage Area Network)*
- 3. Existing/Current Supplier: Please provide me with the supplier name for each contract.*
- 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 where 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' 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.)*

*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**

Details of contracts for IT services used by the University of East Anglia's IT and Computing Service Systems (ITCS) Networking and Data Centre teams can be found on the following page of our website:

<https://portal.uea.ac.uk/information-services/strategy-planning-and-compliance/regulations-and-policies/information-regulations-and-policies/freedom-of-information/disclosure-log/it-and-provision-use>

*Please note, the following questions are not answered within the document referenced above.

6. *Annual Average Spend: Please provide me with the most recent annual spend for this contract?*

[Information exempted pursuant to s.43(2), Freedom of Information Act]

This information is exempted from release for the reasons noted in the above letter.

10. *Purchase of Servers: Could you please provide me with the month and year in which most/bulk of servers were purchased.*

Our response is within the following table:

<i>Year</i>	<i>Month/Year of Purchase</i>
2017 - 2018	February 2018
2016 – 2017	March 2017
2015 – 2016	January 2016
2014 – 2015	November 2014
2013 – 2014	December 2013

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

Not applicable as this service is not part of a managed contract service.