



University of East Anglia

Information Services Directorate

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27 November 2015

Dear

Freedom of Information Act 2000 – Information request (ref: FOI_15-220)

We have now considered your request of 03 November 2015 for the following:

'Information relating to the University's software contracts which were in place over the past year and have a value of over £50,000. The information should consist of 'total financial cost, the cost per user/license/year as applicable, provider details, the software provided, contract length, contract/purchase details if applicable and anything else relevant'.

Thank you for clarifying on 05 November that we should consider the 'past year' to be the 2013/14 financial year, and that 'contract / purchase details if applicable and anything else relevant' should be interpreted as 'Details on length of contract, total cost of contract, dates it became effective.'

Our response is in the accompanying spreadsheet 'FOI_15-220 Appendix A'. We hope this information meets your requirements, however on this occasion it is not possible to provide all the requested data.

Firstly, in line with your rights under section 1(1)(a) of the Act to be informed whether information is held, we confirm that the University does not hold information on the exact cost per user for four of the relevant software contracts active in 2013/14. Further information is in the accompanying spreadsheet.

Secondly, 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

This exemption applies to the cost breakdown for the University's Microsoft Campus agreement. It is our belief that release of this information would prejudice the commercial interests of our supplier of this product.

This information clearly relates to a commercial activity, namely the purchase of software for the University. This activity is conducted within a competitive

environment: we are aware of several other companies who would vie with our supplier for the University's business.

We have contacted the supplier and they are of the view that the price breakdown information is used to differentiate them from their competitors. Public disclosure of this information would be likely to give their competitors an unfair advantage, as they would then know what they would need to match or undercut when submitting future bids. This would be likely to harm the company's success when bidding for UEA contracts in future.

Application of this exemption requires us to assess not only the harm that would be caused to our supplier by releasing this information but also to consider the public interest in withholding or disclosing this information.

We appreciate there is a general public interest in transparency, and that by disclosing the amount paid by the University for services it enables the public to better understand how we manage our finances. We would consider provision of the total cost of each product meets that aim. We are not aware of a pressing public need for the precise breakdown of the amount, particularly where to do so runs the risk of harming the commercial interests of an external company. Therefore, on balance, we believe the public interest lies in maintaining this exemption for this specific data.

You have the right of appeal against this response. 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

Ellen Paterson
Information Policy and Compliance Manager
University of East Anglia