

Date: Wednesday, 17 July 2019
Our Ref: MB/KF FIRM 3901

Sid Watkins Building
Lower Lane
Fazakerley
Liverpool L9 7BB
Tel: 0151-525-3611
Fax: 0151-529-5500
Direct Line: 0151 556 3037

Re: Freedom of Information Request FIRM 3901

We are writing in response to your request submitted under the Freedom of Information Act, received in this office on 20th June 2019.

Your request was received as follows: -

1. Standard Firewall (Network) - Firewall service protects your corporate Network from unauthorised access and other Internet security threats

- Who is the existing supplier for this contract? - [Pinacl Solutions Ltd](#)
- What does the organisation annual spend for each of contract? - **£3063.00**
- What is the description of the services provided for each contract? Please do not just state firewall. - [Support & Maintenance](#).
- Primary Brand (ONLY APPLIES TO CONTRACT 1&2) – [Please see statement regarding section 36](#).
- What is the expiry date of each contract? – **08/04/21**
- What is the start date of each contract? - **08/04/18**
- What is the contract duration of contract? – **3 years**
- The responsible contract officer for each of the contracts above? Full name, job title, contact number and direct email address. - [Justin Griffiths](#)

[The Walton Centre NHS Foundation Trust does not disclose individual staff members contact details. You can write to staff using the address above or alternatively email \[enquiries@thewaltoncentre.nhs.uk\]\(mailto:enquiries@thewaltoncentre.nhs.uk\) asking for your correspondence to be forwarded on.](#)

- Number of Licenses (ONLY APPLIES TO CONTRACT 3) - **N/A**

2. Anti-virus Software Application - Anti-virus software is a program or set of programs that are designed to prevent, search for, detect, and remove software viruses, and other malicious software like worms, trojans, adware, and more.

- Who is the existing supplier for this contract? - [CCS Media Limited](#)
- What does the organisation annual spend for each of contract? - **£4634.00 exVAT per year**
- What is the description of the services provided for each contract? Please do not just state firewall. - [License & Maintenance/Support](#).
- Primary Brand (ONLY APPLIES TO CONTRACT 1&2). – [Please see statement regarding section 36](#).
- What is the expiry date of each contract? - **26/06/2020**
- What is the start date of each contract? - **27/06/2019**
- What is the contract duration of contract? - **12 months**
- The responsible contract officer for each of the contracts above? Full name, job title, contact number and direct email address. - [Justin Griffiths](#)

[The Walton Centre NHS Foundation Trust does not disclose individual staff members contact details. You can write to staff using the address above or alternatively email \[enquiries@thewaltoncentre.nhs.uk\]\(mailto:enquiries@thewaltoncentre.nhs.uk\) asking for your correspondence to be forwarded on.](#)

- Number of Licenses (ONLY APPLIES TO CONTRACT 3) - **N/A**

3. Microsoft Enterprise Agreement - is a volume licensing package offered by Microsoft.
 - Who is the existing supplier for this contract? - Bytes
 - What does the organisation annual spend for each of contract? - £0 (NHS England Central £150m budget)
 - What is the description of the services provided for each contract? Please do not just state firewall. - Licenses.
 - Primary Brand (ONLY APPLIES TO CONTRACT 1&2) – Please see statement regarding section 36.
 - What is the expiry date of each contract? - 30/04/2023
 - What is the start date of each contract? – Please see statement below
 - What is the contract duration of contract? – Please see statement below

Section 21 of the Freedom of Information Act 2000 provides that:“(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.(2) For the purposes of subsection (1)—(a) information may be reasonably accessible to the applicant even though it is accessible only on payment...”

The information you have requested is published in the public domain, please use the following link: <https://www.bytes.co.uk/info/news/nhs-digital-windows-10-microsoft-agreement>As a result, we believe that the information is already reasonably accessible to you.

 - The responsible contract officer for each of the contracts above? Full name, job title, contact number and direct email address. - NHS Digital
 - Number of Licenses (ONLY APPLIES TO CONTRACT 3) - Approx. 1200.

We consider that if the data you have requested were to be combined with other information which may be available in the public domain, there would likely to be an increased risk of a cyber-security attack upon the Trust. If disclosed, such information could be used to identify ways in which our computer systems could be breached. Patient data as well as other confidential information could therefore be accessed. The Trust has a duty to protect such information in line Article 5 (1)(f) (integrity and confidentiality) of the General Data Protection Regulations. As part of the Critical National Infrastructure for the NHS, the Trust has a duty to protect the integrity of our systems. The disclosure of the information requested could expose weaknesses in our systems and lead to breaches, making the UK or its citizens, in this case our patients, more vulnerable to security threat. As such, we consider it to be exempt under Section 36 – Prejudice to effective conduct of Public Affairs (36 (1b)(2c)) of the FOIA, which exempts information where release of the information would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of Public Affairs. Section 36 is a qualified exemption; therefore the public interest in withholding the information should outweigh the public interest in its disclosure.

The Trust has applied the public interest test and believes that disclosure of this information could lead to:

- Breaches in Trust security and is therefore a reasonable threat to the confidential patient data held on our systems.
- Temporary or long term lack of availability of IT systems
- Corruption/loss of patient data which would prevent or interrupt provision of patient care.

There is a strong public interest in protecting the confidentiality of patient data and of ensuring that healthcare services can be provided to the public without increasing the possibility of attack by hackers or malware, or of putting personal or other information held on these systems at risk of corruption or subject to illegal access. For these reasons, the Trust has decided that it is in the public interest to withhold this information at this time.

See our response above in blue.

Re-Use of Public Sector Information

All information supplied by the Trust in answering a request for information (RFI) under the Freedom of Information Act 2000 will be subject to the terms of the Re-use of Public Sector Information Regulations 2005, Statutory Instrument 2005 No. 1515 which came into effect on 1st July 2005.

Under the terms of the Regulations, the Trust will licence the re-use of any or all information supplied if being used in a form and for the purpose other than which it was originally supplied. This license for re-use will be in line with the requirements of the Regulations and the licensing terms and fees as laid down by the Office of Public Sector Information (OPSI). Most licenses will be free; however the Trust reserves the right, in certain circumstances, to charge a fee for the re-use of some information which it deems to be of commercial value.



Further information can be found at www.opsi.gov.uk where a sample license terms and fees can be found with guidance on copyright and publishing notes and a Guide to Best Practice and regulated advice and case studies, at www.opsi.gov.uk/advice/psi-regulations/index.htm

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to the Freedom of Information Office at the address above.

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

Mr Mike Burns, Executive Lead for Freedom of Information

