



**The Clatterbridge
Cancer Centre**
NHS Foundation Trust

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Date: 11 February 2021

Re: Freedom of Information Request
Ref: 15-2021

Thank you for your email dated the 15th January 2021, requesting information in relation to Local Area Network (LAN) environment.

The information that you require is as follows:

Please can you send me the organisation's Local Area Network (LAN) contract, which may include the following:

- **Support and Maintenance- e.g. switches, router, software etc**
 - **Managed- If this includes services than just LAN.**
1. **Contract Type: Managed or Maintenance**
This is a maintenance contract.
 2. **Existing Supplier: Who is the current supplier?**
Our existing supplier is CDW Ltd.
 3. **Annual Spend for each supplier: What is the annual average spending on the supplier above? If there is more than one supplier please split the annual average spend for each supplier.**

Section 43(2): Commercial Interests

We have carefully considered your request and although we hold the information we have concluded that we will not be able to provide you with the information you have requested and we will rely on the exemption under Section 43(2) –Prejudice to commercial interests of the Freedom of Information Act 2000 (“the Act”).

Section 43(2) of the Act provides that information is exempt from disclosure if the information would or would be likely to, prejudice the commercial interests of any

person (an individual, a company, the public authority itself or any other legal entity). One of the provisions of Section 43 relates to the disclosure of information where such disclosure might have an adverse effect on procurement and own commercial interests.

The Trust, as a public body is mindful that in order to engage this exemption we must demonstrate that disclosure of the information would, or would be likely to, prejudice or harm the commercial interests of any person (this can include the public authority holding it).

The term “would ...prejudice” has been defined as it is more likely than not to occur whereas “would likely...prejudice” is a lower threshold. The Trust has applied the prejudice test under Section 43 and we are content that the requirements of the test have been met.

Having reached the conclusion that the prejudice test has been met, we have also considered whether the public interest in maintaining the exemption outweighs the public interest in disclosure.

Public Interest Test

Factors in favour of disclosure

- The Trust recognises that there is a public interest in the disclosure of information which facilitates the accountability and transparency of public bodies for decisions.

Factors in favour of non-disclosure

- There is a public interest in the Trust being able to work within competitive markets where that results in a financial or resource benefit.
- The application of the Freedom of Information Act should not prejudice the fair operation of commercial markets and that suppliers should not face undue risks of harm from doing business with the NHS by disclosure of information
- Disclosure of the information would restrict the submission of truly competitive bids in future tender processes and impact on the Trust’s ability to obtain best quality of service through fair competition.
- Releasing the information would potentially create a lack of trust from current and future providers,

**thus restricting future competition for tenders
which would prejudice the Trust's ability to obtain
best value and quality of service**

**Having carefully considered the public interest test we
have concluded that there is a strong public interest in
maintaining the fair and proper operation of commercial
markets for both the suppliers and the Trust.**

**Taking the above into consideration, having applied the
necessary, relevant tests and taking all the current
circumstances into consideration we are content that the
requirements of all necessary and relevant tests have been
met and the application of the exemption under Section
43(2) is appropriate on this occasion.**

- 4. Number of Users: Please can you provide me with the number
of users this contract covers. Approximate number of users
will also be acceptable.
This contract covers approximately 1900 users.**
- 5. Number of Sites: The number of sites, where equipment is
supported by each contract.
There are 3 sites supported by this contract.**
- 6. Hardware Brand: What is the hardware brand of the LAN
equipment?
Our hardware brands are Cisco and Dell.**
- 7. Contract Description: Please provide me with a brief
description of the overall contract.
This contract provides standard support and maintenance.**
- 8. Contract Duration: What is the duration of the contract is and
can you please also include any extensions this may include.
There are various contract durations:**

Type of Contract		Start date	End date	Duration (years)
Support and Maintenance	Infrastructure - LAN	01/07/2019	03/06/2022	3
Support and Maintenance	Infrastructure - Backup	01/07/2020	30/06/2021	1
Support and Maintenance	Infrastructure - LAN	19/02/2020	18/02/2021	1
Support and Maintenance	Infrastructure - Communications	01/04/2019	31/03/2020	1
Renewal of S&M	Infrastructure - Communications	01/04/2020	31/03/2021	1
Support and Maintenance	Infrastructure - LAN	26/05/2019	25/05/2022	3

Support and Maintenance	Infrastructure	19/03/2020	18/03/2023	3
Support and Maintenance	Infrastructure	31/03/2020	30/03/2021	1
Support and Maintenance	Infrastructure	11/08/2020	10/08/2021	1
Infrastructure	Infrastructure - Communications	15/11/2020	18/11/2021	1

9. **Contract Expiry Date: When does the contract expire?**
There are various expiry dates dependent on the duration of each contract. Please see above.
10. **Contract Review Date: When will the organisation be planning to review the contract?**
Review dates will vary depending on the duration and expiration of each contract.
11. **Responsible Officer: Contact details including name, job title, contact number and email address?**
James Crowther
Head of IT Ops
01515565000
jamescrowther@nhs.net

If the LAN maintenance is included in-house please include the following information:

1. **Hardware Brand: What is the hardware brand of the LAN equipment?**
As above

2. **Number of Users:** Please can you provide me with the number of users this contract covers. Approximate number of users will also be acceptable
As above
3. **Number of Sites:** Estimated/Actual number of sites the LAN covers.
As above
4. **Responsible Officer:** Who within the organisation is responsible for LAN please provide me with contact details including name, job title, contact number and email address?
As above

If the contract is managed by a 3rd party e.g. Can you please provide me with

Not applicable

1. **Existing Supplier:** Who is the current supplier?
2. **Number of Users:** Please can you provide me with the number of users this contract covers. Approximate number of users will also be acceptable.
3. **Number of Sites:** Estimated/Actual number of sites the LAN covers.
4. **Contract Type:** Managed, Maintenance, Installation, Software
5. **Hardware Brand:** What is the hardware brand of the LAN equipment?
6. **Contract Description:** Please provide me with a brief description of the overall contract.
7. **Contract Duration:** What is the duration of the contract is and can you please also include any extensions this may include.
8. **Contract Expiry Date:** When does the contract expire?
9. **Contract Review Date:** When will the organisation be planning to review the contract?
10. **Responsible Officer:** Who within the organisation is responsible for each of these contract(s) please provide me with contact details including name, job title, contact number and email address?

Should you require any further information please do not hesitate to contact me on the email address provided below.

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

If you are dissatisfied with the handling of your request, you have the right to ask for this to be investigated internally.

If you are dissatisfied with the information you have received, you have the right to ask for an internal review.

Both processes will be handled in accordance with our Trust's Freedom of Information Policy and the Freedom of Information Act 2000.

Internal investigation and 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: Freedom of Information Review, The Clatterbridge Cancer Centre NHS Foundation Trust, Clatterbridge Road, Bebington, Wirral, CH63 4JY

If you are not satisfied with the outcome of the internal investigation/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.

In order for us to ensure customer satisfaction and to monitor compliance with the Freedom of Information Act 2000, we would be grateful if you could take a couple of minutes to complete a short feedback form via the link below:

<https://www.surveymonkey.co.uk/r/H39RFMM>