

Ref: FOIA Reference 229-2021a

**Data, Security and Protection**  
Newcastle Road  
Stoke-on-Trent  
Staffordshire  
ST4 6QG

Date: 30<sup>th</sup> November 2020

Email [foi@uhnm.nhs.uk](mailto:foi@uhnm.nhs.uk)

Andrew Smith  
[aandrewpaulsmith007@gmail.com](mailto:aandrewpaulsmith007@gmail.com)

Dear Mr Smith

I am writing in response to your Email on 28<sup>th</sup> October 2020 and the subsequent request for an internal review on your FOI request reference 229-2021 regarding information on the Trusts firewall.

You asked:

*“Regarding the section 31 exemption, I don't believe a security threat to be valid from the information requested. Much more detailed information would be considered to increase vulnerability I'm sure, such as product serial numbers, usernames and passwords, etc; but I fail to see how disclosing the information I've requested could pose a threat to the cyber security of the organisation.*

*I would like to submit an internal review as I don't believe that this information could pose a threat to the organisation's security and I believe that the exemption has been applied incorrectly. How does contract dates and annual spend come under this exemption, I'm just trying to understand the seriousness of this exemption as other organisations are providing this information. What procedures does the organisation have in place if a member of staff was to disclose this information?*

*In order to exempt this information you must be able to show how the release of this information could be a detriment to the security of the organisation”*

In accordance with the Freedom of Information Act (2000) our Head of Data, Security & Protection/ Data Protection Officer conducted the internal review, who examined all the information in relation to this request and found that the section sections 31(1)(a) the prevention or detection of a crime and 38(1)(b) of the FOI Act was incorrectly applied, however upon review of this request as a whole the Trust is applying the following exemption on question 4, please note that this exemption has been upheld at internal review.

Release of this information potentially puts the Trust at risk and therefore is exempted under section 24(1) which states “Information which does not fall within section 23(1) is exempt information if the exemption from section 1(1) (b) 2 is required for the purpose of safeguarding national security.” Furthermore withholding this information is also supported by the Freedom of Information Amendment (Terrorism and Criminal Intelligence) Act 2004

and therefore supported the Trusts decision to withhold this information based on the reasons given in the response sent to you on 26<sup>th</sup> October 2020.

**Q1 I am currently embarking on a research project around Cyber Security and was hoping you could provide me with some contract information relating to following information:**

- 1. Standard Firewall (Network) - Firewall service protects your corporate Network from unauthorised access and other Internet security threats**
- 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.**
- 3. Microsoft Enterprise Agreement - is a volume licensing package offered by Microsoft.**

**The information I require is around the procurement side and we do not require any specifics (serial numbers, models, location) that could bring threat/harm to the organisation.**

**For each of the different types of cyber security services can you please provide me with?**

**1. Who is the existing supplier for this contract?**

A4 Release of this information potentially puts the Trust at risk and therefore is exempted under sections 31(1)(a) *the prevention or detection of a crime* and 38(1)(b) of the FOI Act. This section states: (1) Information is exempt information if its disclosure under this Act would, or would be likely to— (b) *endanger the safety of any individual.*

The Trust determines that to disclose this information would prejudice the Trust's ability to prevent and react to any cyber-attack. Cyber-attacks present a real risk of harm to members of staff and patients.

Please see our amended response:

#		Standard Firewall (Network)	Anti-virus Software Application	Microsoft Enterprise Agreement
1	Who is the existing supplier for this contract?	SCC	CDW	NA
2	What does the organisation annually spend for each of the contracts?	£3,865	£58225.522	NA
3	What is the description of the services provided for each contract?	Maintenance and Support	Maintenance and Support	NA

4	Primary Brand (ONLY APPLIES TO CONTRACT 1&2)	Exemption up held- see above	Exemption up held- see above	NA
5	What is the expiry date of each contract?	31/03/21	31/03/2025	NA
6	What is the start date of each contract?	01/04/20	01/04/2020	NA
7	What is the contract duration of contract?	1 year	5 years	NA
8	The responsible contract officer for each of the contracts above? Full name, job title, contact number and direct email address.	David Tudor Head of Service Delivery 01782 671134 <a href="mailto:David.Tudor@uhnms.nhs.uk">David.Tudor@uhnms.nhs.uk</a>	David Tudor Head of Service Delivery 01782 671134 <a href="mailto:David.Tudor@uhnms.nhs.uk">David.Tudor@uhnms.nhs.uk</a>	NA
9	Number of Licenses (ONLY APPLIES TO CONTRACT 3)	NA	NA	NA

This letter confirms the completion of this request for an internal review. A log of this review and a copy of this letter will be held by the Trust.

If you have any further queries related to the response provided please contact my office in the first instance.

If having exhausted the Trust's FOIA complaints process you are still not satisfied, you are entitled to approach the Information Commissioner's Office (ICO) and request an assessment of the manner in which the Trust has managed your request.

The Information Commissioner may be contacted at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or via [www.ico.org.uk](http://www.ico.org.uk).

If following review of the responses I can be of any further assistance please contact my secretary on 01782 676474.

Yours,



University Hospitals  
of North Midlands  
NHS Trust

Jean Lehnert  
**Data, Security & Protection Manager**

