



Your reference:

Our reference: FOI_24_303

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 13/05/2024

Dear

Gloucestershire Constabulary Freedom of Information request FOI_24_0303

On 12/03/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

I am writing to request information under the Freedom of Information Act 2000.

Specifically, I am seeking information regarding your secure communication.

s43(1) applies to trade secrets - it *cannot* be used to refuse this request.

s43(2) deals with prejudice to commercial interests, and similarly cannot apply either - how can giving the name of a supplier be prejudicial?

FOIA - which takes a neutral approach to requests (i.e. there is no "purpose" clause or provisions) - can be a driver to economic growth and competition, and that it is absolutely acceptable for businesses to request information like this, and disclosure should be made.

Please provide me with the following information:

1. What is your current email provider (e.g. Outlook or G-suite)?
2. Do you have a solution for secure email in place (Y/N)?
3. Who is your current email security provider (e.g. Egress)?
4. When is the contract up for renewal?
5. Typically what is the chosen duration of these contracts 12, 24, or 36 Months?
6. Name and contact details of the person responsible?
7. Current annual spend for this contract?

8. Current number of licenses for this contract?

9. Did you purchase via a reseller, or partner (if yes, please specify who e.g. Phoenix, Softcat etc.)?

10. Are you planning on assigning specific budgets for securing email communication in 2024?

11. Do you procure through the G-Cloud framework (if not, how do you procure & plan to procure secure email in the future)?

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary holds some relevant information.

1 – 3 Exempt S31 as below

4. September 2024

5. 12 Months

6. No Information held - the contract is not handled internally at Gloucestershire Constabulary.

7. £66,031.25

8. Up to 4000

9. Phoenix

10. No.

11. Standard procurement activity will be undertaken at the end of the current contract period. Method used depends on spend, and other forces related activities

Section 17 of the Freedom of Information Act 2000 requires Gloucestershire Constabulary, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states the fact, (b) specifies the exemption in question and (c) states (if not otherwise apparent) why the exemption applies.

The exemption applied to the above is as follow:

- Section 31(1)(a)(b) – Law Enforcement

Section 31 is a qualified and prejudice-based exemption and as such, subject to a harm and public interest test which can be seen below:

Harm

Release via the Freedom of Information Act is deemed a release into the public domain. Therefore, information that would allow criminals to accurately evaluate the capability of Gloucestershire Police and the systems we use will not be disclosed. Such detailed knowledge would allow criminals to make a judgement regarding the systems we use and therefore take measures to target the force and undermine the Police service's ability to serve the public in preventing and detecting crime, which can only be considered as being harmful to the public.

Public Interest Test

Considerations Favouring Disclosure

Disclosing information about systems which are used by police would provide a greater transparency in their actions and ensure that they operate effectively and efficiently. It is clear that there is a public interest in public authorities operating in as transparent a

manner as possible, as this should allow the public to understand how the force spends public money.

Disclosing systems that are employed by the Constabulary should provide the necessary safeguards and satisfy the public interest regarding the use of systems by the police.

Considerations Favouring Non-Disclosure

Where the current or future law enforcement role of the force may be compromised by the release of information, disclosure is unlikely to be in the interest of the public. Providing information regarding our network and security systems may be more harmful as it would reveal a picture of force capability and capacity in a highly sensitive area. If disclosed, information about such systems could identify potential vulnerabilities which could be exploited by criminals, leaving the force more susceptible to cyber-attack and hacking. Infiltration of police systems by hackers would significantly undermine the force ability to prevent and detect crime and apprehend offenders.

Balance Test

For a public interest test, issues that favour disclosure need to be measured against issues that favour non-disclosure. The public interest is not what interests the public, or a particular individual, but what will be the greater good, if released, to the community as a whole. We recognise that the public interest in being open and transparent is of great importance to all and the release of information may assist in the public being more aware of the work the police are carrying out.

However, it is my view that the public safety from non-disclosure is of greater importance than the advantage of public confidence from the disclosure of this information.

Gloucestershire Police will not disclose information that could compromise the future law enforcement role of the force.

Having considered all the factors for and against disclosure, the reason against disclosure outweighs the reason for disclosure and so the decision at this time is to maintain the above exemption and withhold the information from disclosure.

If you are not satisfied with this response or any actions taken in dealing with your request, you have the right to ask that we review your case under our internal procedure. Please note that a request for an internal review must be made within 20 working days of the response to your original request.

If you decide to request that such a review is undertaken and following this process you are still unsatisfied, you then have the right to direct your complaint to the Information Commissioner for consideration.

The Information Commissioner can be contacted via the following means:

Website - <https://ico.org.uk/>

Call their helpline - 0303 123 1113

Email - casework@ico.org.uk

Post –

Information Commissioner's Office
Wycliffe House

Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

Disclosure Officer
Gloucestershire Constabulary