



Information Governance Team

Postal Address:
Coventry City Council
PO Box 15
Council House
Coventry
CV1 5RR

www.coventry.gov.uk

E-mail: infogov@coventry.gov.uk

Phone: 024 7697 5408

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Dear Sir/Madam

Freedom of Information Act 2000 (FOIA)
Request ID: FOI345266583

Thank you for your request for information relating to Mobile telephony services.

You have requested the following information:

1. How many employees are at your organisation?

Core Council (i.e. not school-based) 4,849 (as at 01/07/2021).

2. How many mobile phone and mobile broadband (data only) connections do you currently have?

2,869 connections, 90 SIM only – 2,779 Mobiles.

3. What is the split between mobile phone and mobile broadband connections?

97% vs 3%.

4. Who is your mobile phone network provider?

EE.

5. Did you switch providers on your last renewal?

No.

6. Please provide a monthly breakdown of your total mobile phone contract costs for the past 12 months, and state whether VAT has been included in the numbers given.

See below.

7. Does your contract include a hardware, tech or transformation fund?

See below.

8. If the answer to question 7 is yes, what was the value of the fund upon the signing of the current contract?

With regards to Questions 6, 7 and 8 this information is commercially sensitive. If disclosed and therefore exempt from disclosure under the exemption at Section 43(2) (commercially sensitive information) FOIA.

Section 43(2) exempts information from disclosure where disclosure of that 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).

The exemption at s 43(2) is qualified, and therefore subject to a public interest test. Even where a qualified exemption is engaged it can only be applied where the public interest in withholding information outweighs that in favour of releasing it. In applying the public interest test the Council have given careful consideration to the arguments for and against disclosure.

Arguments in Favour of Disclosure

1. Promote accountability and transparency for the Council's decisions and in its spending of public money
2. Assist the public to understand and challenge our decisions
3. Inform the public of the activities carried out on their behalf, allowing for more user involvement and collaborative decision making
4. Enable the public to better scrutinise the public monies spent
5. Help to ensure clarity around fairness, equity, value for money and quality of care in the overall tender process

Arguments Against Disclosure

1. There is a public interest in allowing public authorities to withhold information which if disclosed, would reduce providers' ability to compete in a commercial environment, for the reasons given above
2. The bidders who were shortlisted to tender operate in a competitive market. If prejudicing the commercial interests of the bidders who were shortlisted to tender would distort competition in that market, this in itself would not be in the public interest
3. There is a public interest in protecting the commercial interests of individual companies and ensuring they are able to compete fairly: "If the commercial secrets of one of the players in the

market were revealed then its competitive position would be eroded and the whole market would be less competitive with the result that the public benefit of having an efficient competitive market would be to some extent eroded” (taken from the decision of the (then) Information Tribunal in Visser v ICO EA/2011/0188 at paragraph 20)

4. Disclosure of information may cause unwarranted reputational damage or loss of confidence in the Council

5. Revealing information such as pricing can be detrimental to a provider’s commercial interest. If another organisation has knowledge of a provider or potential provider’s business model, it can exploit this for its own commercial interest. This would also have a detrimental impact on the Council on other contracts and procurements by distorting the market, for the reasons stated above

The Balancing Exercise

Having taken into account the arguments for and against disclosure, the Council has decided that the public interest in this case is best served by maintaining the exemption under section 43(2) FOIA and by not disclosing the information requested.

9. How have you sourced the contract?

Coventry City Council has a standard procurement process for sourcing suppliers and contracts. Further information is accessible using the following link:

https://www.coventry.gov.uk/info/17/doing_business_with_the_council/198/how_we_decide

10. What is the contract term length?

We can confirm that we hold this information and it is accessible to you via the Council website, please use the following link:-

https://www.coventry.gov.uk/downloads/file/35170/contract_register_-_january_2021

We therefore do not have to provide the information as per Section 21 of the FOIA.

11. How long do you have remaining on your current contract?

Please refer to response given for Question 10 above.

12. Who is the primary contact for this contract?

Jas Sandu – Operations Lead.

The supply of information in response to a Freedom of Information request does not confer an automatic right to re-use the information. You can use any information supplied for the purposes of private study and non-commercial research without requiring further permission. Similarly, information supplied can also be re-used for the purposes of news reporting. An exception to this is photographs. Please contact us if you wish to use the information for any other purpose.

For information, we publish a variety of information such as: [FOI/EIR Disclosure Log](#), [Publication Scheme](#), [Facts about Coventry](#) and [Open Data](#) that you may find of useful if you are looking for information in the future.

If you are unhappy with the handling of your request, you can ask us to review our response.

Requests for reviews should be submitted within 40 days of the date of receipt of our response to your original request – email: infogov@coventry.gov.uk

If you are unhappy with the outcome of our review, you can write to the Information Commissioner, who can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or email icocasework@ico.org.uk.

Please remember to quote the reference number above in your response.

Yours faithfully

Information Governance