



National Audit Office

The UK's independent public spending  
watchdog

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Reference FOI-1586

Date 10 February 2023

## THE NATIONAL AUDIT OFFICE'S MOBILE PHONE CONTRACTS.

Thank you for your request of 16 January 2023 for information about the National Audit Office's (NAO)'s Mobile Phones contracts.

Your request is being handled under the terms of the Freedom of Information Act 2000 (FOIA).

We can confirm that we hold information in scope of your request. Your specific request is set out at **Annex A** and we have supplied our responses to each point in an excel spreadsheet enclosed with this letter.

**Annex B** provides details of the exemption we have applied to your request. We hope you find this response helpful.

**Annex C** sets out the steps you may wish to take if you are not satisfied with the way we have handled your request for information under the FOIA.

Yours sincerely,

**NAO FOI Team**

## **Annex A**

### **Request for information about NAO's Mobile Phones Contracts**

*I want to make a Freedom of Information request, could you please send me the following information with regards to the organisation's Mobile Phones contract. You may have received the same request in the past and this information sent has now expired and I require an update as soon as possible for the following information: If there is more than one provider, please split all the information including the annual average spend, number of connections, duration, contract dates and internal contact details.*

- 1. Network Provider(s) - Please provide me with the network provider name e.g., EE, Telefonica, Vodafone, Three*
- 2. Annual Average Spend for each Network Provider - Can you please provide me with the average annual spend over the last 3 years. If this is a new contract, can you please provide the estimated annual spend.*
- 3. Number of Connections- Number of connections for each network provider. (Number of voices only devices, voice and data devices, data only devices) please provide me with the breakdown and not the overall total.*
- 4. Duration of the contract- please state if the contract also includes contract extensions for each provider.*
- 5. Contract Start Date- please can you provide me with the start date of the signed agreement. Please do not provide me with the framework contract date I require the contract dates of the signed agreement. (if there are multiple start dates, could you please provide me with the earliest date for each provider)*
- 6. Contract Expiry Date- please can you provide me with the expiry date of the signed agreement. Please do not provide me with the framework contract date. I require the contract dates of the signed agreement. If the contract is rolling, please state.*
- 7. Contract Review Date- Please can you provide me with a date when the organisation plans to review this contract.*
- 8. The person in the organisation responsible for this particular contract. Can you send me the full contact details Contact Name, Job Title, Contact Number and direct email address for each network provider? If full contact details cannot be provided, please send me their actual job title.*
- 9. If the mobile phone contract is provided by a managed contract, please provide me with the actual name of the network provider along with the number of connections and the internal contact from within the organisation responsible for this contract.*

*Please can you provide me with the latest information- If the organisations are currently out to tender, please can you also state the approx. date of the award along with the information above. Also, if the contract in the response has expired/rolling please can you provide me with further information if available of the organisation's plans going forward with regards to mobiles and the contract status?*

*If this contract was awarded within the past three months, can you please provide me with a shortlist of suppliers that bid on the contract?*

## Annex B

**This annex sets out the exemption that we have applied to your request.**

### **Section 40, Freedom of Information Act 2000 – Personal information**

Section 40, paragraphs 1-4, of the Freedom of Information Act 2000 (FOIA) provides that:

- (1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.*
- (2) Any information to which a request for information relates is also exempt information if—*
- (a) it constitutes personal data which does not fall within subsection (1), and*
  - (b) the first, second or third condition below is satisfied.*
- (3A) The first condition is that the disclosure of the information to a member of the public otherwise than under this Act—*
- (a) would contravene any of the data protection principles, or*
  - (b) would do so if the exemptions in section 24(1) of the Data Protection Act 2018 (manual unstructured data held by public authorities) were disregarded.*
- (3B) The second condition is that the disclosure of the information to a member of the public otherwise than under this Act would contravene Article 21 of the GDPR (general processing: right to object to processing).*
- (4A) The third condition is that—*
- (a) on a request under Article 15(1) of the GDPR (general processing: right of access by the data subject) for access to personal data, the information would be withheld in reliance on provision made by or under section 15, 16 or 26 of, or Schedule 2, 3 or 4 to, the Data Protection Act 2018, or*
  - (b) on a request under section 45(1)(b) of that Act (law enforcement processing: right of access by the data subject), the information would be withheld in reliance on subsection (4) of that section.*

### **Reasons why we have applied this exemption**

We are not obliged, under Section 40(2) of the FOIA to provide personal information that is the personal information of another person if releasing it would contravene any of the provisions of the Data Protection Act 2018. In this instance we believe the release of the direct contact details of the National Audit Office officer would contravene the first data protection principle which is that the processing of personal data must be lawful, fair and transparent.

Processing in this context includes disclosure and therefore we consider section 40(2) is engaged. We do not believe it would be fair to the individual officers to disclose this personal information and so this information has been withheld. This exemption is absolute and is not subject to the public interest test.

## **Annex C**

### **Statement of Policy**

Our policy is to respond to requests made under the Freedom of Information Act 2000 as helpfully and promptly as possible, having regard to the principles set out in the Act. I therefore hope you are happy with the way we have handled your request. If you are not, then you should take the following steps.

In the first instance, within 40 working days, write to the National Audit Office Freedom of Information (FOI) Team at [FOI.requests@nao.org.uk](mailto:FOI.requests@nao.org.uk) or by post to:

FOI Team, Green 2, National Audit Office, 157-197 Buckingham Palace Road, London, SW1W 9SP

The Head of FOI will arrange a review, which will be conducted by a senior member of staff who was not involved in decisions relating to your original request. Once the review has been completed, we will write informing you of the outcome.

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: <https://ico.org.uk/> or Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF.