



FREEDOM OF INFORMATION REQUEST



Request Number: F-2018-02446

Keyword: Organisational Information/Governance

Subject: CCTV Maintenance and Support Contract

Request and Answer:

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act I can confirm that the Police Service of Northern Ireland does hold information to which your request relates and this is being provided to you. We further consider the information you seek in request number 1 is exempt by virtue of section 38 of FOIA and have detailed our rationale as to why this exemption applies. We have also provided you with links to guidance issued by the Information Commissioner's Office which we have followed in responding to your request.

Clarification sought: The PSNI CCTV supply and support contract does not cover council use, therefore is the question in relation to PSNI or Council?

Clarification received: This request was indeed intended for the Police Service of Northern Ireland. I hope this clarifies my mistake.

Request 1

The information I require is to do with the organisation's CCTV maintenance and support contract. Please can you send me the information stated below. Supplier of the contract for CCTV maintenance and support.

Answer

This information is being withheld and our rationale for this decision is provided below.

Section 17(1) of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which:

- (a) states that fact,
- (b) specifies the exemption in question and
- (c) states (if not otherwise apparent) why the exemption applies.

The exemption, as well as the factors the Department considered when deciding where the public interest lies, are listed below:

Section 38 (1)(b) – Health & Safety – Information is exempt information if its disclosure under this Act would, or would be likely to (b) endanger the safety of any individual.

The full text of exemptions can be found at www.legislation.gov.uk and further guidance on how they operate can be located on the Information Commissioners Office website www.ico.org.uk.

Section 38 is a prejudiced based, qualified exemption which means the PSNI must demonstrate harm in disclosure and consider the balance of the public interest in releasing the information.

A summary of the Harm and Public Interest Test for Section 38 is provided below.

Harm

Releasing the name of a supplier to the PSNI would likely highlight their association with PSNI to terrorists. Release of information under FOI is considered a release to the world in general, not just to the individual requesting the information. Disclosure of the company name into the public domain would likely place the business and employees at risk of attack by those seeking to deprive PSNI of essential services or supplies. Terrorism in Northern Ireland remains a severe threat and particularly to the Police Service.

Public Interest Test

Factors Favouring Release - Section 38

Releasing the information would promote openness and transparency. There is always a strong public interest in information that relates to the use of public funds and the procurement of services and suppliers.

Factors Favouring Retention - Section 38

Releasing the name of the supplier into the public domain may assist terrorist groups or criminal elements to carry out attacks on this business or members of staff. The current terrorism threat level in Northern Ireland is rated as 'severe' and dissident republican groups consider those associated with PSNI as viable targets. In the past such attacks have been known to be indiscriminate in nature, therefore endangering members of the general public in addition to their intended target.

Terrorist activity is a real and current threat and the PSNI has a duty of care to protect individuals working for the Service. The PSNI will not disclose any information which may increase the risk of harm to any individual providing a service to the PSNI. To highlight this company could endanger their employees and their families.

Decision

Once information is disclosed by FOI there is no control or limits as to who or how the information is shared with other individuals, therefore a release under FOI is considered a release to the world in general, not just to the individual requesting the information.

Whilst accountability surrounding the use of public funds is always a strong argument in favour of releasing information, the balance will always favour retention where there is a significant risk to the safety of individuals.

At this time, the Service is under severe dissident threat and to release the name of a company providing a service to the PSNI could assist terrorists in targeting their business. The safety of individuals is of paramount importance and the PSNI will not divulge any information which could put lives or property at risk. In this case, therefore the decision must favour not releasing the name of the company.

Request 2

How much the PSNI spend annually with the supplier?

Answer

Spend on CCTV contract in the first year was £1.4m.

Request 3

What is the renewal date of this contract?

Answer

Contract review date is currently, May 2020, with options to extend if appropriate.

Request 4

What is the duration of the contract?

Answer

3 year contract with option to extend annually for a further 2 years (3+1+1).

Request 5

What is the review date of this contract? If possible the likely outcome of this review.

Answer

Currently May 2020.

Request 6

The primary brand of the CCTV equipment. I don't require the model just the brand.

Answer

No primary brand.

Request 7

The description of the services provided under this contract. Please state if this contract includes more than just CCTV services.

Answer

Equipment & Services.

Request 8

Contact details of the employee responsible for the contract between the supplier and the organisation. Can you please provide me with their full contact details.

Answer

Please see contact name and details provided below:

Mr Mark McNaughten

Contact number: 028 90700952

Email address: FSSSecretariat@psni.pnn.police.uk.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a

review. You should do this as soon as possible or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk.

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psni.police.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.