

18 May 2018

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██████████  
**By email**  
████████████████████

Dear ██████████,

### **Request under the Freedom of Information Act 2000 (the “FOI Act”)**

I refer to your emails of 15 February, 19 April and 17 May 2018 in which you requested information under the FOI Act from NHS Improvement. Since 1 April 2016, Monitor and the NHS Trust Development Authority have been operating as an integrated organisation known as NHS Improvement. For the purposes of this decision, NHS Improvement means Monitor and the TDA.

### **Your request**

You made the following request:

*“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 users, 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- Can you please provide me with the average annual spend over the 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.*
- 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.*
- 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 on when the organisation plans to review this contract.*
8. *The person within 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.*

*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 current 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?*

## **Decision**

NHS Improvement holds some of the information you have requested and has decided to release all of the information that it holds, subject to the personal information requested.

### **Question 1** – Network Provider(s)

We currently have mobile phones provided by both Telefonica UK (O2) and by Vodafone Ltd and both contracts are under Lot 6: Mobile voice and data services of Crown Commercial Service (CCS) framework RM1045: Network Services.

### **Question 2** – Annual average spend

We are unable to provide a comprehensive breakdown due to the limitations of how the information is recorded.

Please see below the average spend for Monitor and the NHS TDA which covers the total cost for calls and hardware.

	Average spend	Time period covered
Monitor	£77,348.01	This is the average spend from 2015/16 to 2017/18.
NHS TDA	£194,995.05	This is the average spend for 2017/18.

### Question 3 – Number of Connections

Vodafone Mobile / Data Sim / Dongle Connections – 732

O2 Mobile / Data Sims / Dongle Connections – 1273

### Question 4 – Duration of the contract

Vodafone Mobile – This is on a rolling contract as individual connections have separate start and end dates. The minimum term is 24 months.

O2 Mobile – This is on a rolling contract as individual connections have separate start and end dates. The minimum term is 24 months.

### Question 5 – Contract start date

The current framework agreement under which we call-off our requirements commenced on 27/07/2015.

### Question 6 – Contract expiry date

Vodafone Mobile – This is on a rolling contract. as individual connections have separate start and end dates. The minimum term is 24 months.

O2 Mobile – This is on a rolling contract as individual connections have separate start and end dates. The minimum term is 24 months.

### Question 7 – Contract review date

We are currently reviewing our requirements and we are in the process of consolidating all of our mobile devices via a single provider and this will also be as a call-off contract with a supplier under the above referenced CCS framework.

### Question 8 – Contact details

The contract sits within the Technology and Data department. This falls under the remit of the IT Assets & Contracts Administrator.

I consider that the contact name, number and direct email address is exempt from disclosure under section 40(2) of the FOI Act on the grounds that it amounts to personal data and the first condition under section 40(3)(a)(i) is satisfied, namely, that disclosure would amount to a breach of the first data protection principle (personal data should be processed fairly and lawfully) as the individuals concerned would have a reasonable expectation that their information would not be disclosed into the public domain. Section 40 is an absolute exemption and consideration of the public interest test in disclosure is not required.

## **Review rights**

If you consider that your request for information has not been properly handled or if you are otherwise dissatisfied with the outcome of your request, you can try to resolve this informally with the person who dealt with your request. If you remain dissatisfied, you may seek an internal review within NHS Improvement of the issue or the decision. A senior member of NHS Improvement's staff, who has not previously been involved with your request, will undertake that review.

If you are dissatisfied with the outcome of any internal review, you may complain to the Information Commissioner for a decision on whether your request for information has been dealt with in accordance with the FOI Act.

A request for an internal review should be submitted in writing to FOI Request Reviews, NHS Improvement, Wellington House, 133-155 Waterloo Road, London SE1 8UG or by email to [nhsi.foi@nhs.net](mailto:nhsi.foi@nhs.net).

## **Publication**

Please note that this letter will shortly be published on our website. This is because information disclosed in accordance with the FOI Act is disclosed to the public at large. We will, of course, remove your personal information (e.g. your name and contact details) from the version of the letter published on our website to protect your personal information from general disclosure.

Yours sincerely,

**Mark Smith**

Head of IT and Operational Systems