

FOI - 790

I write in connection with your request for information dated 6 October 2016 concerning software expenditure, contracts and licences. This response is on behalf of both Wiltshire Police and the Police and Crime Commissioner.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Your request for information has now been considered and I am not obliged to supply the information you have requested.

You wrote:

- 1) Please provide details of expenditure on software for the years 2014/15 and 2015/16 broken down by software supplier.
- 2) Please provide details of software contracts due to expire before 31st December 2017, broken down by supplier and date.
- 3) Please provide details of expenditure on perpetual software licences for the years 2014/15 and 2015/16 broken down by software supplier.

Response:

The type of information concerning the expiry dates for contracts and details of perpetual licences is not easily retrieved. To retrieve the exact data requested for years 2014/15 and 2015/16 would have to involve the manual perusal of each contract in order ascertain the date a contract is due to expire or if it is a perpetual licence.

Under the circumstances I am absolutely confident that to locate, retrieve and extract the information you seek would by far exceed the time obligations upon this authority to comply, and in so doing would exceed the fees limits. This is set at £450 calculated at a flat rate of £25 per hour for those work activities comprising of confirming the information is held, locating it, retrieving it and extracting it. Therefore the whole of the request should fall under the exemption of section 12 of the Freedom of Information Act 2000.

Although excess cost removes the forces obligations under the Freedom of Information Act, as a gesture of goodwill, I have supplied information appertaining to software expenditure, contracts and licences before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request.

Please see below table for details of expenditure on software for the years 2014/15 and 2015/16.

Year	Total software expenditure
2014/15	£5,473,771.79
2015/16	£3,141,219.60

Section 17 of the Freedom of Information Act 2000 requires the Constabulary, 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 that would not otherwise be apparent) why the exemption applies.

The exemption applicable to the information requested is:

Section 12: Exemption where cost of compliance exceeds appropriate limit

(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

In accordance with section 17 of the Act, this letter represents a Refusal Notice for this particular request.