

25 January 2005

Dear Ms Brooke,

## REQUEST FOR INFORMATION UNDER THE FREEDOM OF INFORMATION ACT

Thank you for your letter of 2 January 2005 requesting information under the Freedom of Information Act relating to the WiFi contract the Library entered into recently. I address the information you have requested in turn:

- 1 The contract between the British Library and the vendor(s) responsible for providing WiFi access and service

As you know from our previous correspondence, this contract was drawn up and agreed before the implementation date of the Freedom of Information Act and did contain a confidentiality clause whereby each party agreed to keep confidential any confidential information disclosed to it by the other.

However, we and our contractor, Building Zones now agree to release the contract to you and it is enclosed with this letter. You will see that in two places in the contract information is redacted. We are redacting this information under the commercial interest exemption detailed in Section 43(2) of the FoI Act because the release of this information would be prejudicial to the commercial interests of Building Zones.

As you know, the exemption relating to commercial interests is a public interest exemption. We have applied the public interest test to this information and have concluded that it is not in the public interest to disclose this information because financial models

(detailing how the cash flow for the authority and the supplier will be managed over the life of the contract) provide information which enables a detailed picture to be constructed of one part of a supplier's income over the life of the contract. Suppliers have a justifiable expectation that information relating to their cash flow will be protected, as knowledge of their financial risk exposure might prejudice their commercial interests.

As part of the Library's preparations for the implementation of the FoI Act, we no longer agree to blanket confidentiality clauses with contractors such as the one in this contract.

2 Bids to tender for WiFi service

The contract between the BL and Building Zones did not result from a procurement process. As you are probably aware, where no monies are paid to a supplier, a procurement process is not required. Because of the nature of the agreement and the commercial model behind the BL's WiFi service, there was no procurement and therefore there are no bids to tender we can show you.

3 Minutes of meetings where WiFi and WiFi contracts and tenders were discussed

No minutes were taken of meetings where this contract was agreed. A small number of contract-related meetings did take place, and actions were agreed verbally.

4 A financial breakdown of the costs and revenue resulting from WiFi

The information requested here is identical to that redacted from the contract citing Section 43(2) under Question 1. As a result we are not releasing this information for the same reasons as cited in our response to Question 1 (above.)

If you are dissatisfied with our response to your request for information, you may apply for an internal review by contacting the Chief Executive's Office

at the above address and your complaint will be addressed by Library staff. If, following the review, you remain dissatisfied with the outcome, you may complain to the Information Commissioner's Office at:

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire SK9 5AF

We would like to take this opportunity to invite you to visit the British Library at St Pancras to experience the building itself and see the WiFi hotspot in action.

Yours sincerely



John de Lucy  
Head of Estates & Facilities