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10th June 2024

Dear [REDACTED]

RE: SCCL-FOI-2024/25-027

Thank you for your FOI request received by the FOI office for the following information:

- I now request that you supply me with a copy of SCC's most recent Microsoft Licensing Statement (MLS). I am not requesting this information to generate any business. We are not looking to buy, or, sell software licences, as we are no longer trading. We only want to understand how the organisation's Microsoft portfolio has evolved over the years.

We have reached out to almost every council/public authority/NHS Trust in the country and have requested and received many MLS's. Unless you already have the latest MLS, could you reach out to your IT reseller and obtain it. your reseller will have access to this. A reseller may say they do not have the MLS, but, resellers can source these from Microsoft. If Microsoft were ever to perform an audit, SCC would require an MLS for basic audit requirements. This document is something Microsoft can provide with a minimum of fuss.

Please send me the full MLS which will have the following tabs along the bottom, which, will be, in the form of an Excel document –

C4TC is obligated to source the requested information. Please see information from the Information Commissioner's Office website below.

(2) For the purposes of this Act, information is held by a public authority if—

(a) it is held by the authority, otherwise than on behalf of another person, or

(b) it is held by another person on behalf of the authority.

Furthermore, SCC has a legal right to call for/provide this under the terms of its contract with its software reseller, therefore this information is held by the reseller on behalf of UKCAA under s.3(2) FOIA. It is therefore subject to FOIA. This is well-established in many decisions of the Commissioner and the FTT, see for example *Conscap Ltd v the Information Commissioner and the Department for Regional Development (Northern Ireland)*. Accordingly, the full unredacted MLS is disclosable under FOIA.

<https://www.casemine.com/judgement/uk/5b35bf882c94e01ed25502cd>

Your request has been handled as a request for information under the Freedom of Information Act 2000 and SCCL are able to provide a response in the attached document.

We hope that this response addresses your request. However, if you are dissatisfied with this response, you may request an independent internal review of our handling of your request by submitting a complaint within two months to the postal or e-mail addresses above, quoting the reference number above. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

As part of any internal review the handling of your information request will be reassessed by a member of SCCL staff who was not involved in providing you with this response. If you remain dissatisfied after this internal review, you will have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

If you require any further information do not hesitate to contact the FOI team.

Yours sincerely

FOI Team

Supply Chain Coordination Limited
Management Function of NHS Supply Chain