

30 August 2023

IC-246846-X8M9

Request

You asked us:

- 1. Does your organisation use Customer Relationship Management (CRM) software? (Example: HubSpot, Salesforce, Dynamics, Other, etc.)*
- 2. =If yes, please specify which CRM(s) are used by your organisation:
HubSpot
Salesforce
Dynamics
Other (Please specify)*
- 3. What license level/subscription does your organisation have?*
- 4. What is the annual cost of your CRM system(s)?*
- 5. List any job roles by (job title) within your organisation that communicate with contacts via the CRM(s) system?*
- 6. Does your organisation work with any external agencies to manage the CRM?*
- 7. Does your CRM integrate with other systems within your organisation? (Example: finance systems, Other CRM Systems, etc.)*
- 8. If yes, please specify which other systems your CRM(s) are integrated with:*

We received your request on 21 July 2023.

We have handled your request under the Freedom of Information Act 2000 (the FOIA).

Section 10(3) of the FOIA enables an authority to extend the 20-working day limit up to a 'reasonable' time where it requires more time to determine whether or not the balance of the public interest lies in maintaining an exemption. We contacted you on 21 August 2023 to explain that we would be extending the time limit by an additional 20-working days, the new time limit to respond to your request was therefore 19 September 2023. Additional time was required to consider whether the public interest lies in disclosure for the information requested in question 4.

Our response

We confirm that we hold information in scope of your request. Please see the answers to your questions below:

1. Yes
2. Microsoft Dynamics CRM
3. Dynamics 365 Customer Service: Enterprise
4. We consider the annual cost for the CRM system exempt from disclosure pursuant to section 43 of the FOIA. Disclosure would reveal agreed rates for service which would likely prejudice the commercial interests of Microsoft and the ICO. A more detailed explanation is provided below.
5. The list of job titles within the ICO that use CRM is:
 - Case Officer
 - Criminal Investigations Officer
 - Customer Services Officer
 - Group Manager Business Advice Services
 - Group Manager Data Protection Complaints & Advice
 - Group Manager DP Fees
 - Group Manager FOI Complaints & Advice
 - Group Manager Information Access
 - Group Manager Personal Data Breach Services
 - Head of Business Services
 - Head of Data Protection Complaints & Advice
 - Head of FOI Complaints and Appeals
 - Head of Investigations
 - Head of Investigations Cyber
 - Head of Public Advice Services
 - Lawyer

- Lead Case Officer
- Lead Fees Officer
- Lead Information Access Officer
- Lead Recovery Officer
- Principal Cyber Investigations Officer
- Regional Manager
- Registration Officer
- Senior Case Officer
- Senior Information Access Officer
- Support Officer
- Support Officer Information Access
- Team Manager
- Team Manager FOI
- Team Manager Information Access
- Team Manager PDB Service

6. Yes

7. Yes

8. Microsoft 365, SendGrid Bulk Emailer and Data-8 Postcode Lookup.

Exemption engaged – section 43 (commercial interests)

The information in scope of question 4 engages section 43 of the FOIA which exempts information which could prejudice commercial interests. We consider that the disclosure of the cost of our CRM system would be likely to prejudice the commercial interests of both us and Microsoft.

The ICO's guidance on what constitutes a commercial interest states that:

"A commercial interest relates to a person's ability to participate competitively in a commercial activity."

FOIA Section 43 states:

"Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it)."

This is a qualified exemption and requires that we carry out a public interest test.

In this particular case we consider that the factors in favour of disclosing this information are:

- Promoting accountability and transparency in the spending of public money and the way the ICO conducts its business.

The factors for maintaining the exemption and withholding the information are:

- Prejudice to Microsoft's ability to negotiate fairly with other clients about fees;
- Prejudice to the ICO's freedom to negotiate in confidence to secure arrangements that provide the best value for money;
- The risk that other suppliers may be reluctant to offer favourable rates to the ICO in future if they know that such information could be made public; and
- Prejudice to the ICO's ability to negotiate with Microsoft in the future if they are discouraged from tendering due to fears of confidential information about payment for services being revealed.

We consider that in these circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing this information.

This concludes our response to your request.

Next steps

You can ask us to review our response. Please let us know in writing if you want us to carry out a review. Please do so within 40 working days.

You can read a copy of our full review procedure [here](#).

If we perform a review but you are still dissatisfied, you can complain to the ICO as regulator of the FOIA. This complaint will be handled just like a complaint made to the ICO about any other public authority.

You can [raise a complaint through our website](#).

Your information



Our [Privacy notice](#) explains what we do with the personal data you provide to us, and set out your rights. Our retention schedule can be found [here](#).

Yours sincerely,



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