



Home Office

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Nick Heath  
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27e53826@whatdotheyknow.com](mailto:request-266710-27e53826@whatdotheyknow.com)

18 May 2015

Dear Mr Heath,

**Freedom of Information request (our reference: 35285)**

Thank you for your e-mail of 5 May 2015. Your request has been handled as a request for information under Freedom of Information Act 2000.

The FOI asks

1. How many computers are still running Windows XP?
2. When do you anticipate you will transition all of these XP machines to a new operating system? Which operating system are you switching these machines to?
3. What parts of the department are these machines mainly used in?
4. How are you securing the XP machines in the interim period before their operating system is replaced?
5. Have you taken out an Extended Support deal with Microsoft to update these XP machines?
6. What is the cost of this Extended Support deal?
7. When does this Extended Support deal expire?

After careful consideration we have decided that the requested information is exempt from disclosure under section 24 (1) and 31(1)(a) of the Freedom of Information Act. This provides that information can be withheld where disclosure would prejudice the national security of the UK or that release would or would be likely to, prejudice the prevention and detection of crime and the public interest falls in favour of applying the exemption.

Sections 24(1) and 31(1) (a) of the Act are both qualified exemptions and require the consideration of the public interest test. These arguments are set out at **Annex A**.

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 address below, quoting reference 35285. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

Information Rights Team  
Home Office  
3<sup>rd</sup> Floor, Peel  
2 Marsham Street  
London  
SW1P 4DF

E-mail: [FOIRequests@homeoffice.gsi.gov.uk](mailto:FOIRequests@homeoffice.gsi.gov.uk)

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

Yours sincerely

R Patel  
Information Rights Team

## **Annex A**

### **Public interest test**

Some of the exemptions in the FOI Act, referred to as 'qualified exemptions', are subject to a public interest test (PIT). This test is used to balance the public interest in disclosure against the public interest in favour of withholding the information, or the considerations for and against the requirement to say whether the information requested is held or not. We must carry out a PIT where we are considering using any of the qualified exemptions in response to a request for information.

The 'public interest' is not the same as what interests the public. In carrying out a PIT we consider the greater good or benefit to the community as a whole if the information is released or not. The 'right to know' must be balanced against the need to enable effective government and to serve the best interests of the public.

The FOI Act is 'applicant blind'. This means that we cannot, and do not, ask about the motives of anyone who asks for information. In providing a response to one person, we are expressing a willingness to provide the same response to anyone, including those who might represent a threat to the UK.

#### **Section 24(1) of the Act**

The Home Office considers information you have requested to be exempt from disclosure on the grounds that release would prejudice national security. The information is thereby withheld under the exemption at section 24(1) of the Act. This exemption is defined in the Act as follows:

24(1) Information which does not fall within subsection 23(1) is exempt information if exemption from section 1(1)(b) is required for the purpose of safeguarding national security.

#### **Section 31(1)(a) of the Act**

The Home Office considers information you have requested to be exempt from disclosure on the grounds that release would or would be likely to, prejudice the prevention and detection of crime. The information is thereby withheld under the exemption at section 31(1)(a). This exemption is defined in the Act as follows:

31 (1) Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice:

- (1) The prevention or detection of crime

**Public interest arguments in favour of disclosing information under sections 24(1) and 31(1)(a)**

The Home Office recognizes that there is a general public interest in openness and transparency in all aspects of Government. The release of this information would indicate versions of IT software in operation at the Home Office. Transparency in this matter would enhance the public's knowledge of systems and processes in place, and to some limiting degree, how public money and resource is used.

**Public interest arguments in favour of withholding information under sections 24(1) and 31(1)(a)**

Disclosure of information would not be in the interest of the UK's national security. It is considered that to provide details about Windows would provide useful information to those who might seek to commit crime by allowing them to potentially hack into and attack Home Office IT systems – this is clearly not in the public interest. Furthermore, disclosure would also undermine the HO's key role in the infrastructure of the UK and its ability to safeguard national security. There is clearly a strong public interest in doing everything we can to detect and prevent crime, and protect the public at large. It is considered that disclosure of the requested information would prejudice both the prevention of crime, and national security.

We conclude that the balance of the public interest lies in withholding the information.