



**IRV 020 2008**

22<sup>nd</sup> July 2008

By email to:

Alex Skene

[Request-630-4d24a50b@whatdotheyknow.com](mailto:Request-630-4d24a50b@whatdotheyknow.com)

Dear Mr. Skene,

## **Re: Freedom of Information Requests – Internal Review**

Further to my colleague Matthew Towey's email to you of 1<sup>st</sup> July 2008, I can confirm that Transport for London ("TfL") has now conducted an internal review of the actions and decisions taken with regard to your requests for information. I was the lead member of the Internal Review Panel, and I can confirm that I had no involvement in the original handling of your requests. Please find TfL's final response to your requests outlined below.

### **Requests**

Your requests for information are as follows:

- 1) Database Schema(s) and/or Entity Relationship Diagram(s) for the database(s) that contain details on types, locations, timings, sequences etc. for traffic signals and traffic signal controllers managed by TfL, including both UTC/SCOOT and those that operate outside central control
- 2) Details of the hardware and software used to run the database(s)
- 3) Technical details on any interfaces between this/ these database(s) and systems managed by 3<sup>rd</sup> parties (e.g. data suppliers or external service providers)

### **Our Response**

*1) Database Schema(s) and/or Entity Relationship Diagram(s) for the database(s) that contain details on types, locations, timings, sequences etc. for traffic signals and traffic signal controllers managed by TfL, including both UTC/SCOOT and those that operate outside central control*

I can confirm that TfL does hold both Database Schemas and Entity Relationship Diagrams for its traffic signals databases. This information is

however exempt from disclosure under the following statutory exemptions from the Freedom of Information Act 2000:

- Section 38 (Health and Safety)
- Section 24 (National Security)

Our reasoning for the application of the exemption contained in section 38 is that to disclose Database Schemas and Entity Relationship Diagrams would constitute a severe information security risk which would in turn lead to a direct risk to the health and safety of members of the public making their way around London. This is because to disclose Database Schemas and Entity Relationship Diagrams to requesters under the Freedom of Information Act would place information into the public domain which would be of real use to those with malicious intent, such as those who wish to hack in to information systems. This would pose a risk to members of the public, as any unauthorised user of the traffic signals database could attempt to manipulate the timings of traffic signals across London. This is a serious risk to the health and safety of individuals, as potential chaos could ensue from mistimed traffic signals, and indeed this could cause panic, anxiety, and could also lead to traffic accidents on the road. It could also cause severe congestion and traffic jams, and in addition to the associated inconvenience this also places the movement of, for example, the emergency services at risk.

The exemption contained in section 38 is subject to a 'public interest test' in its application. After careful consideration, the Review Panel has reached the opinion that the public interest does not favour the disclosure of the Database Schemas or the Entity Relationship Diagrams. In considering the public interest, it was noted that there is a legitimate public interest in the operation of traffic signalling across London. The Review Panel however felt that there is a clear overriding public interest in ensuring the health and safety of the general public in London.

Our reasoning for the application of the exemption contained in section 24 is very similar to our reasoning for the application of section 38 – that is, the disclosure of Database Schemas and Entity Relationship Diagrams that relate to TfL traffic signalling databases places the public at risk. The information security risk of compromising the security of traffic signalling databases is in itself a potential national security risk.

The section 24 exemption is also subject to a public interest test. The outcome of the consideration of the public interest by the Review Panel is that, while there is a general public interest in the operation of TfL traffic signalling, there is a clear overriding public interest in minimising the risk of any national security emergency.

## *2) Details of the hardware and software used to run the database(s)*

SCOOT software is used to run the traffic signalling databases. Specific details regarding the SCOOT software are exempt from disclosure under the following exemptions:

- Section 41 (Information Provided in Confidence)
- Section 43 (Commercial Interests)

Details of the SCOOT software are covered by a confidentiality provision in the Terms and Conditions of Licence. To release any details of the software would therefore constitute an actionable breach of confidence. This is an absolute exemption from disclosure and is therefore not subject to any public interest test.

In addition, details of both the software and the hardware used for TfL's traffic signalling databases are exempt from disclosure under section 43 (commercial interests). Firstly, specific details regarding the SCOOT software constitute a trade secret (exempt from disclosure under s43 (1)). This is because details of the software are the intellectual property of the supplier and, if disclosed to a competitor, this would seriously harm the supplier's commercial interests. Indeed, because of the commercial value of the SCOOT software, the owner of the intellectual property has taken steps to prevent the dissemination of information about the software, by making use of the confidentiality provision referred to above.

Details of the software and hardware used to run TfL's traffic signalling databases are also exempt from disclosure under s43 (2) of the Freedom of Information Act 2000. Section 43 (2) exempts information where the disclosure of that information would prejudice the commercial interests of any person. In this case disclosure would prejudice the commercial interests of TfL's traffic signalling hardware and software supplier, by placing details of the software and hardware that gives them a competitive edge into the hands of their competitors.

Section 43 is a qualified exemption subject to a public interest test. After careful consideration, the Review Panel has reached the decision that the public interest does not favour disclosure of any details of the hardware and software used to run TfL traffic signalling databases. In considering the public interest, the Panel again noted that there is a legitimate public interest in the operating of TfL traffic signalling systems. The Panel felt that there is an overriding public interest in not damaging the commercial interests of TfL's supplier, as fair and competitive trade is in the public interest generally, as is the need to ensure competitive procurement exercises for public sector organisations.

*3) Technical details on any interfaces between this/ these database(s) and systems managed by 3<sup>rd</sup> parties (e.g. data suppliers or external service providers)*

TfL does hold technical details of interfaces between its traffic signalling databases and systems managed by third parties. Such details are exempt from disclosure under section 38 (Health and Safety) of the Freedom of Information Act 2000. To disclose technical details of interfaces between databases and systems that control traffic signalling in London would constitute an information security risk and, for exactly the same reasons as those given to the application of section 38 to request 1 above, this constitutes an unnecessary risk to the health and safety of the general public in London.

To disclose technical details of interfaces between traffic signalling databases and systems managed by third parties to requesters under the Freedom of Information Act would place information into the public domain which would be of real use to those with malicious intent, such as those who wish to hack in to information systems. This would pose a risk to members of the public, as any unauthorised user of the traffic signals database could attempt to manipulate the timings of traffic signals across London. This is a serious risk to the health and safety of individuals, as potential chaos could ensue from mistimed traffic signals, and indeed this could cause panic, anxiety, and could also lead to traffic accidents on the road. It could also cause severe congestion and traffic jams, and in addition to the associated inconvenience this also places the movement of, for example, the emergency services at risk.

The exemption contained in section 38 is subject to a 'public interest test' in its application. After careful consideration, the Review Panel has reached the opinion that the public interest does not favour the disclosure of the technical details requested. In considering the public interest, it was again noted that there is a legitimate public interest in the operation of traffic signalling across London. The Review Panel however felt that there is a clear overriding public interest in ensuring the health and safety of the general public in London.

This concludes the Internal Review of the actions and decisions taken with regard to these requests.

I have noted that in your response to TfL's initial refusal notice, you quote the DCA guidance which states: "if you refuse any part of a request for information....you must explain which exemption you are relying on and why." This is absolutely correct, and the Review Panel also noted that each of the three parts of your request should have been addressed individually and in turn, as has been done above, in the original handling of your request. On behalf of TfL I apologise that the original response you received did not do this.

## **Right of Appeal**

Should you remain dissatisfied with the handling of your requests for information, you are entitled to complain to the Information Commissioner's Office. The Information Commissioner can be contacted by writing to the following address:

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Yours sincerely

Angela McKane  
Senior Compliance Adviser