

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 14 August 2012

Public Authority: Sheffield Hallam University
Address: City Campus
Howard Street
Sheffield
S1 1WB

Decision (including any steps ordered)

1. The complainant has requested information relating to Common Purpose and for specific invoices. Sheffield Hallam University (the University) provided the complainant with some of the requested information but made redactions under section 40(2) of the Freedom of Information Act 2000 (FOIA). It refused to provide some of the requested information under section 12 FOIA as it said it would exceed the cost limit to do so. The redactions made under section 40(2) are being considered in a separate decision notice under case reference FS50438587.
2. The Commissioner's decision is that the University has correctly applied section 12 in this case.
3. The Commissioner requires no steps to be taken.

Request and response

4. On 23 September 2011, the complainant wrote to the University and requested information in the following terms:

"Please provide a list of all those within your organisation who are associated in any way with Common Purpose, as members, supporters, associates, alumni, graduates, etc.

Please provide details of any Declarations of Interest of any member of the University, whether staff, managers, committee members etc, with respect to their association with Common Purpose.

Please demonstrate the value to your organisation accrued consequent upon the expenditure upon Common Purpose for each of the invoices provided.

For invoice BU0368 please detail what constituted 'Design and Delivery' of the UG and PG Frontrunner courses and please say how many attended the courses, and when, and who were the attendees.

For invoices BU0365 BU 0349 and BU0316 please detail what constituted 'Design and Delivery' of the courses and please say how many attended the courses and who were the attendees. (Note the point above, attendees are expected to be public leaders, so their names must be disclosed.)

For invoice BU0330:

- please provide clarification of '2 customised SBS courses' and break down the costs*
- please provide the details of the agreement between the University and Common Purpose upon which the invoice was predicated, along with the associated correspondence leading up to the agreement.*

For invoice AT0126 the named recipient is the Executive Assistant to the Pro-Vice Chancellor.

This is clearly a senior position and therefore the name should have been disclosed.

It also appears that the name of the Pro-Vice Chancellor has also been redacted.

Please provide that name by way of resending the unredacted invoice.

Please detail any association of the pro-vice chancellor with Common Purpose and provide an explanation as to why Common Purpose sought to send their invoice via that department, i.e. what was the agreement in place - please provide the correspondence.

On Purchase order EC054622, under 'Special Instructions', the purchase order says 'FAO' which is then redacted.

Please provide this name (as well as the name of the course recipient) and the details of the agreement between that person and Common Purpose.

Please apply this same principle to all Purchase orders.

For the copies of communication provided, please resend these unredacted, as there is no need whatsoever for withholding any names.

On email 6 April at 1216, the request was made:

*"What payment terms were originally discussed was there some sort of verbal agreement as to when it would be paid."
Please provide the details of the payment terms, copies of the preceding communications, and the details of the agreement."*

5. The University responded on 20 October 2011. It stated that it would exceed the cost limit under section 12 FOIA to comply with this request.
6. On 21 October 2011 the complainant asked the University to carry out an internal review. On 8 November 2011 the University provided the complainant with the information requested (with redactions made under section 40(2) FOIA) apart from the information relevant to the first part of the request for, "a list of all those within your organisation who are associated in any way with Common Purpose, as members, supporters, associates, alumni, graduates, etc." On 24 November 2011 the University wrote to the complainant with the internal review it had carried out in relation to the first part of the request. It upheld the application of section 12.

Scope of the case

7. The complainant contacted the Commissioner to complain about the way his request for information had been handled.
8. The Commissioner has considered the redactions made under section 40(2) FOIA to the information provided under a separate case, reference number FS50438587. The Commissioner has therefore focused upon the application of section 12 to the first part of this request in this Notice.

Reasons for decision

Section 12

9. Section 12 FOIA states that:

"Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit."

10. The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the "Regulations") sets the appropriate limit at £450 for the public authority in question. A public authority can charge a maximum of £25 per hour for work undertaken to comply with a request which amounts to 18 hours work in accordance with the

appropriate limit set out above. If an authority estimates that complying with a request may cost more than the cost limit, it can consider the time taken in:

- (a) determining whether it holds the information,
 - (b) locating the information, or a document which may contain the information,
 - (c) retrieving the information, or a document which may contain the information, and
 - (d) extracting the information from a document containing it.
11. To determine whether the University applied section 12 of the FOIA correctly the Commissioner has considered the submissions provided by the University on 26 June 2012 as well as the response and internal review which was sent to the complainant.
 12. The University explained that it does not hold a list of affiliations with organisations such as Common Purpose in a central database. It said that although relevant affiliations and connections of members of the Board of Governors and the University's Executives are listed in the Register of Interests, this is not the case for all staff. It therefore sought to determine which records held by the University would contain this information. It said that it became clear that some information about such affiliations might be held in training records held centrally by Human Resources.
 13. The University explained that it has a central HR system called Resourcelink. It said that the first training record was entered onto Resourcelink in October/November 2008. It explained that training records have gradually been added to Resourcelink which mainly covers internal training, although the provider field can be set up for external providers. It clarified that at the time of the request Common Purpose was not set up on the system as a training provider although other external companies which had been used had been. The information could not therefore be found here. It said that prior to 2008 training records were held on spreadsheets. Prior to that a data base was used, it said that it does still have an archived copy of the database, however it is very difficult to extract data from it.
 14. As well as the central training records, the University explained that it became apparent that it would need to look at individual appraisal, training requests, development plan documents as well as CVs and application forms. It explained that personal files for all current staff are held in the HR Directorate office. It said that former staff files are archived. It said that looking for applications and CVs would involve

manually going through each staff personal file. It explained that other records which would provide this information, such as appraisal records would be held by local line managers.

15. The University went on to explain that the request asked for this information in relation to "all those within your organisation". At the time of the request the University had approximately 35,500 students and 4360 staff, including part- time staff. In addition there are thousands of alumni records held on the alumni database. It said that to search all relevant records (some of which are manual) for this number of individuals would vastly exceed the costs threshold.
16. The complainant suggested sending a global email to all staff. The University explained that although it would only take a few minutes for it to send the email, it would entail each of the 4360 members of staff opening and reading the email, checking their records, and responding. Even in cases where staff had no association and were just opening and reading a short email explaining which information was required, why, and when, it estimated that this would take approximately 20 seconds each. When multiplied by 4360 this gives a total time of approximately 24 hours which still exceeds the 18 hours/£450 cost limit associated with Section 12.
17. Upon considering the arguments put forward by the University the Commissioner considers that due to the significant numbers of staff and students coupled with the fact that many of the records that would need to be searched are only held manually, it would exceed the cost limit under section 12 to comply with this part of the request. Furthermore again due to the aggregate time implications of all staff responding to a global email, the Commissioner considers it would exceed the cost limit to gather the requested information in this way as well. The Commissioner therefore considers that section 12 was correctly applied to the first part of this request.

Right of appeal

18. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0300 1234504

Fax: 0116 249 4253

Email: informationtribunal@hmcts.gsi.gov.uk

Website: www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm

19. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
20. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed

Pamela Clements
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Information Commissioner's Office
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SK9 5AF