

Freedom of Information Act 2000 (FOIA) Decision notice

Date: 3 March 2023

Public Authority: The Council of University College London
Address: Gower Street
London
WC1E 6BT

Decision (including any steps ordered)

1. The complainant has requested information relating to live email accounts held between April 2019 and August 2021 inclusive.
2. The Commissioner's decision is that:
 - University College London (UCL) is entitled to rely on section 12(1) to refuse to provide the requested information as the cost of doing so would exceed the appropriate limit.
 - The Commissioner also finds that UCL failed to respond within 20 working days and therefore breached section 17(5) FOIA.
 - UCL complied with its obligations under section 16 FOIA to offer advice and assistance.
3. The Commissioner does not require UCL to take any steps as a result of this decision notice.

Request and response

4. On 8 April 2022, the complainant wrote to the public authority and requested information in the following terms:

'In tabular form, please provide a breakdown of the numbers of UCL email accounts live and held by individuals, between the months of April 2019 and August 2021 inclusive. The names and email addresses of individuals are not required. Please provide the total number of email accounts for each of these months, broken down into categories of user; e.g. the number of email accounts held by directly employed staff

member; contractors; post graduate students; honorary appointments; etc. Please also provide the total number of live email accounts (removing any duplicates which would occur in a month-by-month snapshot) thereby providing a more accurate total for a part or full year. Thus, the total number of live addresses held on the UCL domain between April to December 2019; January to December 2020; and January to August 2021. For the avoidance of doubt, this enquiry relates only to individuals with an email address ending '@ucl.ac.uk'. From 01/04/2019 to 31/08/2021."

5. UCL responded on 27 June 2022 and confirmed that it held the information, but that it would exceed the appropriate limit to provide it. Therefore it considered section 12(1) FOIA applied. It maintained its position at internal review.

Reasons for decision

Section 12 – cost of compliance

6. This reasoning covers whether the public authority is correct to apply section 12(1) (cost limit) of FOIA to the request¹. The appropriate limit² for the public authority in this case is £450.
7. UCL considered section 12(1) because it estimated that to determine whether the requested information was held would exceed the appropriate limit. It offered the complainant alternative information it was able to provide, as that would take under 18 hours to process. However, the complainant did not respond to advise whether they would accept the proposed alternative to reduce the scope of the request, nor did they request an internal review or complain about UCL's response.
8. UCL explained that when the request was received, it consulted with its Information Services Division (ISD) to assess whether it could obtain the information. It was advised that the Identity Team held the information about identities with a start and end date and the association within UCL, UCL did not have the detail of information that was requested. It was also advised UCL did not have the processes and queries in place to pull this data out to the requested detail, and to develop these processes would take over 18 hours.

¹ <https://www.legislation.gov.uk/ukpga/2000/36/section/12>

² <https://www.legislation.gov.uk/uksi/2004/3244/regulation/4/made>

9. UCL initially advised the complainant that the information specifically described was not held, but estimated that compliance with the request would exceed the appropriate costs limit under section 12 of FOIA.
10. As a result of the complaint to the Commissioner, UCL requested more detailed analysis by ISD, and clarified that it does not have the information specifically requested, however it does have alternative data that would allow it to approximate the figures.
11. Nevertheless, UCL explained that pulling that information together in a way that is close to meeting the request would exceed the appropriate costs limit.
12. In particular, ISD noted it does not store the requested data and specifically:
 - It doesn't have statistics for the number of mail accounts in use over time. This data is not recorded.
 - It doesn't distinguish mail accounts by user type, so would be unable to accurately distinguish the type of person who has an active account at a given point in time (even if it recorded the number of accounts)
 - It has no means of distinguishing if an e-mail account was "live" or disabled at a given point in time.
 - It doesn't have information about people and their associations with the University but could only provide best-efforts to produce estimates of the point-in-time information requested.
 - People can have multiple associations at the same time (e.g., student and honorary staff, student and paid staff, etc.).
 - Not all people have user accounts/e-mail accounts.
 - It cannot tell, from the data it has whether an account was actually created/in use at a given point, only that the user has had an account whilst at UCL.
 - Data about people is separate from both user account information and e-mail account details, and all of this data would be needed to fulfil the request, requiring effort to source, extract, and combine the data. To even approximate the data requested from what UCL has would involve writing special queries against multiple data sources as the data is not currently stored in a single source. This would require data to be extracted from multiple locations and combined into a useable dataset before any analysis could take place, before work to compile

into the convenient tabular format aggregated across months and years.

13. UCL concluded specific information is not stored. Information to approximate the request is stored in multiple but unconnected data sources and would therefore require effort to identify, extract and analyse.
14. The fact that data is spread across systems would require effort from multiple support teams to identify and extract the data, and time/effort from the person designated to compile the data to join what data is available together and perform the analysis. This would still only achieve an estimate of the requested numbers.
15. No sampling has been performed, because UCL is aware that the requested information is not kept by UCL and it could only provide estimates on people numbers (rather than accounts) with substantial effort.
16. The Commissioner is satisfied that section 12 is engaged and that UCL are entitled to refuse the request as the cost of compliance would exceed the appropriate limit,

Section 16(1) – The duty to provide advice and assistance

17. Section 16(1) of FOIA provides that a public authority should give advice and assistance to any person making an information request. Section 16(2) clarifies that, providing an authority conforms to the recommendations as to good practice contained within the section 45 code of practice in providing advice and assistance, it will have complied with section 16(1).
18. The Commissioner notes that UCL advised the complainant that it may be able to provide some information relating to email accounts, namely, a list of all categories of users it has as account holders at UCL.
19. The Commissioner is therefore satisfied UCL has met its obligations under section 16.

Procedural matters

20. Section 17(5) of FOIA provides that "A public authority which, in relation to any request for information, is relying on a claim that section 12 or 14 applies must, within the time for complying with section 1(1), give the applicant a notice stating that fact." Section 10 of FOIA requires that a public authority must comply with section 1(1) promptly and in any

event not later than the twentieth working day following the date of receipt.

21. The complainant made their request on 8 April 2022 and UCL responded on 27 June 2022. Clearly this falls outside of the period of 20 working days required by section 10 FOIA. The Commissioner therefore finds that UCL did not comply with the requirements of section 17(5) in this instance.
22. In its response to the complainant UCL acknowledged its response was overdue and apologised. No further action is required.

Right of appeal

23. 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: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

24. 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.
25. 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

Susan Duffy
Senior Case Officer
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF