

### Requests likely to exceed the appropriate limit

FOI/EIR [ref]	Date request received	Date of refusal	Service requesting a refusal	FOI Representative
1462	2 November 2011		Legal	

In order for Information Governance to advise as to whether this request may be refused under section 12(2) FOI or Regulation 12(4)b EIR, please ensure that you read and understand the guidance below in full and supply all information requested. Please bear in mind that this does only need to be an estimate but **must be reasonable** in all the circumstances. The appropriate limit for FOI requests is 18 hours (£450 of officer time @ £25 p/h). There is no specified limit under EIR, however, it is widely accepted that the same limit applies.

Points to consider	Information Governance guidance	What is involved (please provide as much detail as possible i.e. number of files etc)	Estimate of time (hrs & mins)
*Does CCC hold the information?	<p>How long will it take to establish whether info is held?</p> <p>How is the information held? i.e. is it electronic, hard copy, can it be retrieved from email archive etc.</p> <p>Are there searches that can be done easily?</p> <p>Are manual searches required?</p>	<p>Yes we do hold the information.</p> <p>Held via paper files mostly in Archives warehouses.</p>	
Location and retrieval of the information.	<p>Please advise of the processes required to locate and retrieve information.</p> <p>If it's electronic, is there a report that could be run?</p> <p>If the records are hard copy, will they need to be searched manually?</p> <p>How many are there to search?</p>	<p>Paper files would need to be located and collected from Archives warehouses.</p> <p>We would have to employ a courier and the Archives staff to collect the files from off-site warehouses in various locations.</p> <p>There are 3517 closed cases in archives from 2007-2011. It could take 10 minutes to retrieve each file so 10x3517 minutes in total.</p> <p>We would have to look at each file to determine whether the case contains</p>	<p><b>586 hours to retrieve files</b></p> <p><b>293 hours to check if file is relevant</b></p>

	<p>How many minutes might it take to establish whether each record contains relevant information?</p> <p><b>Bad records management is not an acceptable reason to refuse the request</b></p>	court work. This could take 5 minutes per file so 5x3517 in total.	
**Extraction of the information.	<p>Is the information electronic or manual?</p> <p>Is it contained in multiple documents? If so, will it need to be extracted from those documents in order to be released?</p>	<p>Information stored in paper files which need to be looked at manually. Cannot release entire documents – need to extract relevant info manually.</p> <p>Could take 20 minutes to copy relevant info per file. Number of files with relevant info unknown – would take over 18 hours to determine this.</p>	<b>Significant but unknown</b>
Advising and assisting	<p>Both FOI and EIR contain a requirement to advise and assist requestors.</p> <p>Is there any advice that could be included in our refusal to help the requestor refine the request so we could answer it within 18 hours?</p>	The requestor is asking for too much detail, which can only be retrieved and written out manually.	
How could the customer refine their request so that it can be answered within the appropriate limit.	This will help us to provide assistance to the requestor in our refusal	<p>An examination of the paper files will always require more than 18 hours work.</p> <p>We may be able to provide the number of cases of a particular category of proceedings electronically, but not the detail.</p>	
<p><b>Total time estimate (hrs &amp; mins) <i>Minimum 18 hours</i></b></p> <p><b><i>Where the cost of compliance does not exceed the appropriate limit, the request must be complied with and the information released, unless an exemption applies.</i></b></p>			<b>879 hours at a minimum</b>

\* There may be instances where the search for the information alone will exceed the appropriate limit. It is not essential for an estimate to be provided before the search is commenced. It will often be necessary to commence the search before an estimate can be provided. It is also possible to search up to the appropriate limit and then refuse to continue the search.

\*\* Extraction of the information refers only to the extraction of the information that has been requested out of a document which contains other information, not to the extraction of exempt material from the information that has been requested. Once the information has been located and retrieved, you cannot take into account the time taken, or likely to be taken, to consider whether any of the requested information is exempt. Nor can it take into account the time taken, or likely to be taken, to remove the exempt information in order to leave the information that is to be disclosed in response to the request.