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Directorate

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Luke Steele

Via email only to [request-178177-0aa17284@whatdotheyknow.com](mailto:request-178177-0aa17284@whatdotheyknow.com)

Monday, 21 October 2013

Dear Mr Steele,

**Freedom of Information Act 2000 request – Photographs and footage of Primates from 2009 to date.**

In response to your request for information dated 23 September 2013, made under section 1(1) of the Freedom of Information Act 2000 ("the Act"), I am writing to confirm that some of the information which you request exists but the College is refusing your request under section 12 of the Act 'appropriate limit'. An explanation is given below

*"1. Photographs, footage or any visual data taken or captured of primates within the animal house(s) of King's College London (KCL) from 2009 hitherto."*

You have asked for a significant amount of information and the College believes that providing this would exceed the 'appropriate limit' set by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 ('the Regulations').

The Regulations specify that a public authority does not have to comply with a request for information where the cost of complying with the request would exceed the 'appropriate limit', which is set for universities at £450 or the equivalent of 18 hours of staff time. As per appendix 2 of our FoI Policy (Information Access Fees), where the cost of responding to a request in full exceeds the £450 limit, the College will not provide the information requested.

I refer you to *Roberts v Information Commissioner*<sup>1</sup> in which the Tribunal held:

- (1) Only an estimate is required;*
- (2) The costs estimate must be reasonable and only based on those activities described in Regulation 4(3);*
- (3) The determination of a reasonable estimate can only be considered on a case by case basis.*

The College occasionally takes photographs and make short videos of the animals. However there is large huge amount of data in this format from 2009 to date (five

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<sup>1</sup> *Alasdair Roberts v Information Commissioner* (EA/2008/0050), 4 December 2008

years) some of which forms part of ongoing studies analysed and all of which are not published.

It is unclear to us how your request could be narrowed to one that would be within the appropriate limit, although we would welcome any suggestions which you may have in this regard.

This completes your request for information.

If you feel your request has not been properly handled or you are otherwise dissatisfied with the outcome of your request, you have the right to complain. Details of how to make a complaint can be found in our FoI Policy, a copy of which is available on our web site at:

<http://www.kcl.ac.uk/college/policyzone/index.php?id=209>.

Further information is also available from the Information Commissioner at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Tel: 01625 545 700  
[www.ico.gov.uk](http://www.ico.gov.uk)

Yours sincerely

A handwritten signature in black ink that reads "Anne Cameron". The signature is written in a cursive style with a large initial 'A'.

Anne Cameron  
Legal Compliance Manager