

20 June 2025

FOI Ref 18009

Request - You asked us the following:

Last June (2024) it was disclosed in the press that any data uploaded to Microsoft cloud services by a customer may be transferred by them to other countries (i.e. outside the UK) and that all their support works under a worldwide follow-the-sun model.

Microsoft also recently confirmed completion of their EU data boundary work. This is an new model where Microsoft say that most data will remain in the EU/EEA for their European customers.

UK customers do not benefit from the Microsoft EU Data Boundary guarantees, and should not therefore expect their data to cross the Microsoft data boundary into the EU. A result of that is that data which may previously have been sent to the EU probably does not go to the EU any more.

I am therefore interested in identifying where the data uploaded to Microsoft Cloud from the UK might now get sent, and to obtain any information held by the UK Government and public sector to understand and perhaps adapt to this changed Microsoft landscape.

A request like this has been sent to several dozen organisations to enable me to collect that information across a range of Government and public bodies in a representative sample; but I wish you to handle this request as being unique to your organisation and respond accordingly with the information that YOU hold please.

Please supply me with any information, documentation, contract clause change or emails, etc. that you have received in the past two years which identify any countries where Microsoft can or actually do process any data you have uploaded to the following services:

1 - Any service operated by or on the Microsoft Azure cloud platform by any of your processors or contracted service providers (including a direct contract with Microsoft)

2 - Any Microsoft M365 service

For the purposes of this request you should consider any offshored administration or direct system support as being "processing", whether this relates to personal data or not - this is not a GDPR specific request.

We received your request on 24/03/2025 and have processed this under the Freedom of Information Act (FOIA).

Staffordshire Police's response to your enquiry is as follows:

In accordance with Section 17(1) of the Freedom of Information Act, this letter represents a refusal notice for this particular request.

The following exemption has been applied:

- Section 12(1) where the cost of compliance exceeds the appropriate limit. Section 12(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 prescribed limit'.

The above information has been withheld for the following reasons:

The information you are requesting is not held in a readily retrievable format. After discussions with several colleagues from various departments within the organisation, it has become clear that gathering the information required for this request cannot be completed within the 18-hour time limit as stipulated by the Freedom of Information Act. Staffordshire Police's use of Microsoft Azure and Microsoft 365 covers a wide range of teams and functions, alongside continuous discussions regarding our Microsoft contract. As such, asking all departments to review supplier agreements, emails, records and other documentation from the past two years would take a significant amount of time.

Whilst we are unable to quantify exactly how long this would take, it would most certainly exceed the 18-hour time and cost limit of the Freedom of Information Act.

Advice and assistance

Section 16 of the Act places an obligation upon the Authority to provide advice and assistance, in order to comply with this obligation please see below.

Unfortunately, we cannot suggest a way in which your request could be simplified or pared down in order to bring it within the confines of the time and cost threshold.

Please be advised that all Freedom of Information request responses are published on the Staffordshire Police website although personal details are not included.

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Staffordshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing within two months of the date of receipt of this email, and should be addressed to:

foi@staffordshire.police.uk

Or by Post to:

Central Disclosure Unit
Staffordshire Police HQ

PO Box 3167
Stafford
ST16 9JZ

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Central Disclosure Unit within two months of the Force's response to the original FOI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing. The review will be conducted by another Decision Maker who is independent from the original Decision Maker. The Central Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within 20 working days. In more complex cases the review may take up to 40 working days.

The independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

4. Conclusion of the Appeal

On completion of the review the Independent Decision maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

ICO Website for complaints link: <https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/>

Freedom of Information
Central Disclosure Unit