



Date: 21/02/20
Our Ref: RFI2899
Tel: 0300 1234 500
Email: infogov@homesengland.gov.uk

██████████
By Email Only

Windsor House
Homes England – 6th Floor
50 Victoria Street
London
SW1H 0TL

Dear ██████████

RE: Request for Information – RFI2899

Thank you for your request for information, we have processed your request in accordance with the Freedom of Information Act 2000 (FOIA).

You requested the following information:

Can I please see Homes England's internal guidelines/policy/procedures/framework or similar covering information access and FOI/EIR requests?

Response

We can confirm that we do hold the information that falls within the scope of your request. However, to comply with your request would exceed the appropriate limit as defined in Section 12 of the FOIA, which is an exemption where the cost of compliance exceeds the appropriate limit.

The link below contains the full text of the legislation;
<https://www.legislation.gov.uk/ukpga/2000/36/contents>

s12 FOIA - Exemption where cost of compliance exceeds appropriate limit

(1) 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.

(2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.

(3) In subsections (1) and (2) "the appropriate limit" means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.

(4) The Minister for the Cabinet Office may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority:



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(a) by one person, or

(b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.

(5) The Minister for the Cabinet Office may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.

We are withholding the information held in accordance with s12(4) of the FOIA. When determining the cost of compliance, in order to provide a response to this request, we also considered the cost of compliance for the following requests that you have previously/subsequently submitted to Homes England:

- RFI2890;
- RFI2907; and
- RFI2908.

We have determined that the aggregation of these requests and the cost of complying with this request (RFI2899) would exceed the appropriate limit.

The appropriate cost limit for Homes England is set at £450 and is based on work being carried out at a rate of £25 per hour. This represents 18 hours of work to:

- determining whether the information is held;
- locating the information, or a document containing it;
- retrieving the information, or a document containing it; and
- extracting the information from a document containing it.

Under the terms of the FOIA we are not obliged to provide any information compiled in the course of our searches prior to concluding s12 is engaged.

Advice and Assistance

In compliance with the s45 Code of Practice and to offer advice and assistance under s16 of the Freedom of Information Act 2000, you may wish to consider narrowing the scope of your request.

Please note that due to the broad scope of your request we cannot confirm that any further request would not also exceed the section 12 cost limit at this time. Furthermore, we should inform you that requests can be aggregated when received within 60 consecutive working days.

Right to Appeal

If you are not happy with the information that has been provided or the way in which your request has been handled you may request an internal review by writing to;



Homes
England

Making homes happen

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The Information Access Team
Homes England – 6th Floor
Windsor House
50 Victoria Street
London
SW1H 0TL

Or by email to infogov@homesengland.gov.uk

You may also complain to the Information Commissioner however, the Information Commissioner does usually expect the internal review procedure to be exhausted in the first instance.

The Information Commissioner's details can be found via the following link;
<https://ico.org.uk/>

Please note that the contents of your request and this response are also subject to the Freedom of Information Act 2000. Homes England may be required to disclose your request and our response accordingly.

Yours sincerely,
The Information Governance Team
For Homes England

OFFICIAL