

Date: 03/06/2019
Our Ref: RF12695
Your Ref: FOI Request – Spend/Transparency Data
Tel: 0300 1234 500
Email: foi@homesengland.gov.uk



Homes
England

██████████
By Email Only

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

Dear ██████████

RE: Request for Information – RF12695

Thank you for your recent email, which was processed under the Freedom of Information Act 2000 (FOIA). For clarification, you requested the following information:

I am looking for some assistance with your organisation's Spend/Transparency data, available on the following weblink:

<https://www.gov.uk/government/publications/homes-england-spend-for-transactions-over-250>

There appears to be no file available for the month of Jul'15 - May'17 and Mar'19 - May'19. Could you advise when the file will be made available to view online? Would it be possible for you to email me a copy of the Jul'15 - May'17 and Mar'19 - May'19 file?

Response

With regard to the data for July 2015- May 2017:

We are able to inform you that we do hold the information that you have requested. However, we rely on section 21, exemption where information is reasonable accessible to the applicant elsewhere.

The full text of the legislation can be found on the following link and we have quoted section 21 below for ease.

<https://www.legislation.gov.uk/ukpga/2000/36/section/21>

Section 21 - Information accessible to applicant by other means.

(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

(2) For the purposes of subsection (1)—

(a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and

(b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

(3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2)(b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made available in accordance with the

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authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.

With regard to the data for March 2019- May 2019:

We are able to inform you that we do hold the information that you have requested. However, we rely on section 22, exemption where information is intended for future publication under the FOIA.

The full text of the legislation can be found on the following link and we have quoted section 22 below for ease.

<https://www.legislation.gov.uk/ukpga/2000/36/section/22>

Section 22 - Information intended for future publication.

(1) Information is exempt information if:

- (a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),
- (b) the information was already held with a view to such publication at the time when the request for information was made, and
- (c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).

(2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which falls within subsection (1).

Advice and Assistance

In compliance with the Section 45 Code of Practice (Paragraph 14) and to offer advice and assistance under section 16 of the Freedom of Information Act 2000 we can advise that the data for **July 2015-May 2017** is available on the .gov.uk website under our predecessor name of Homes and Communities Agency and can be found on the following link: https://www.gov.uk/search/transparency-and-freedom-of-information-releases?order=updated-newest&organisations%5B%5D=homes-and-communities-agency&page=1&parent=homes-and-communities-agency&public_timestamp%5Bfrom%5D=&public_timestamp%5Bto%5D= .

For the data relating to **March 2019- May 2019** we can advise that these documents will be uploaded to the link in your original request by the end of June 2019.

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;

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

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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,

Information Access Team
For Homes England