

Date: 03/07/2019
Our Ref: RFI2709
Your Ref: FOI Request – Rochdale Borough Council Help to Buy
Tel: 0300 1234 500
Email: foi@homesengland.gov.uk



Homes
England

[REDACTED]
By Email Only

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

Dear [REDACTED],

RE: Request for Information – RFI2709

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

So can you provide me with a list of:

- *All addresses and corresponding clients supported by the Help to Buy scheme in the Rochdale Borough Council area from April 2016 to date.*

Response

We can inform you that we do hold the recorded information that falls within the scope of your request. However, we rely on Section 40(2) of the FOIA to withhold the information from disclosure.

Section 40 – Personal information

We are withholding information on the grounds that it constitutes third party personal data and therefore engages section 40(2) of the FOIA.

To disclose personal data, such as addresses of properties that have received funding via the Help to Buy Programme could in turn lead to the identification of third parties and would breach one or more of the data protection principles.

Section 40 is an absolute exemption which means that we do not need to consider the public interest in disclosure. Once it is established that the information is personal data of a third party and release would breach one or more of the data protection principles, then the exemption is engaged.

The full text in the legislation can be found on the following link;

<https://www.legislation.gov.uk/ukpga/2000/36/section/40>

Advice and Assistance

We have a duty to provide advice and assistance in accordance with Section 16 of the FOIA. To comply with this duty we are able to advise that you may want to reconsider the scope of your request. To clarify, a request that seeks disclosure of recorded information that contains the number of help to buy applications within a specific geographical area / ward would not include any personal information..

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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

Or by email to foi@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,

Information Access Team
For Homes England