

Date: 05/11/2019
Our Ref: RFI2807
Your Ref: FOI Request – Help to Buy Data
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 – RFI2807

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

What I would like to see is the number of help to buy loans by district and month, then on top of this the average loan amount and average property value of properties with loans attached, at this same breakdown level.

Response

We can confirm that Homes England holds the information that you have requested however we are withholding some of the information held as it is exempt from disclosure under section 40 of the FOIA. Information held is enclosed with Annex A, which is attached to this response.

It may be helpful to know that Homes England publishes figures on the performance of the Help to Buy scheme. This information is available on the gov.uk website here:

<https://www.gov.uk/government/collections/help-to-buy-equity-loan-and-newbuy-statistics>

Section 40 – Personal information

As stated above we are withholding some information from disclosure. We are not obliged, under section 40(2) of the FOIA, to provide information that is the personal information of another person if releasing would contravene any of the data protection principles as defined in section 40(7) of the FOIA.

Homes England have determined that providing the breakdown of loan information in the manner requested is personal data of a third party, and to release the information requested would breach the first data protection principle.

When assessing whether disclosure would be fair under the first data protection principle, we have taken into consideration what individuals were told when providing information and their expectation on how that information will be processed.

The requested information could lead to individual identification of purchasers who received a Help to Buy Equity loan to purchase their property. This data could be used by the wider public to identify the financial details of individual purchasers. Provision of numbers covering areas of low incidence (together with additional breakdowns) would allow for identification of purchasers together with their financial details. The consequence of providing this information could lead to the identification of a Help to Buy Purchaser and as such, the release of this personal data would breach data protection principles.

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Section 40(2) is an absolute exemption. This means that we do not have 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 of section 40 in the legislation can be found here:

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

Annex A, which is enclosed to this response is a table showing the average equity loan, purchase price and number of schemes by postcode for the whole of the Help to Buy Scheme to date (April 2013 – March 2019).

We believe that providing this information will not allow for individual identification of purchasers and therefore will not contravene the data protection principles as outlined above. Please note that where there are fewer than ten schemes in any given postcode we have not provided individual numbers as we believe that to do so would lead to identification as previously explained.

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