



Homes
England

Date: 25 November 2020

Our Ref: RFI3189

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

Making homes happen

██████████
By Email Only

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

Dear ██████████

RE: Request for Information – RFI3189

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

How many correspondence cases did the Homes England receive in the financial year ending March 2020 split across the various types (complaints, FOI, DPR, etc.)? Please also include stats on compliance (timeliness of response) where relevant.

We wrote to you to ask for clarification regarding the types of correspondence you were requesting this information for and you advised as follows:

Requests under FOI/EIR

Data Rights requests

MP Correspondence

Ministerial questions

Response

We can confirm that we do hold the requested information.

Requests under FOI/EIR

- For the financial year 2019-2020 we received 269 requests for information that were processed under the FOIA or the EIR.
- 98.51% percent of these requests were answered within the timeframe for compliance under FOIA/EIR.

Data Rights requests

- For the financial year 2019-2020 we received 30 data rights requests that were processed under the General Data Protection Regulations (GDPR) and in accordance with Data Protection Act 2018 (DPA).
- 93.33% percent of these requests were answered within the timeframe for compliance under GDPR/DPA.

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MP Correspondence

and

Ministerial questions

We are able to inform you that we do hold the information that you have requested. However, to comply with your request would exceed the appropriate limit for the cost of compliance. We therefore rely on section 12, exemption where the cost of compliance exceeds the appropriate limit under the FOIA.

The full text of the legislation can be found on the following link and we have quoted section 12 below for ease.

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

Section 12 - 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:

(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 have considered the current wording of your request and in its current scope we have determined that to establish where all elements of the information is held, to locate the information, retrieving the information and extracting the information would exceed the appropriate limit in terms of timeframes.

Under the terms of the Act we are not obliged to provide any information compiled in the course of our searches prior to concluding section 12 is engaged.

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 MP Correspondence and Ministerial Question correspondence is not recorded or logged on a centralised system, nor dealt with by any one department within Homes England.



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Whilst we do have dedicated Communications and Government Relations teams who deal with MP Correspondence and Ministerial Questions, this type of correspondence is also received directly by various Homes England departments and individuals. Therefore to locate, retrieve and extract this information from all Homes England departments and individuals would not be possible within the time frame for compliance. We can advise that you may wish to narrow the scope of this part 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.

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 Governance 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

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