



Homes  
England

Date: 28 October 2021

Our Ref: RFI3638

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

Making homes happen

By Email Only

Information Governance Team  
Homes England  
Windsor House – 6<sup>th</sup> Floor  
50 Victoria Street  
London  
SW1H 0TL

Dear [REDACTED]

**RE: Request for Information – RFI3638**

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

You requested the following information:

- 1] *Please state the effective date (day and month) of your organisation's 2021/22 pay review.*
- 2] *If the 2021/22 pay review has yet to be finalised please state the month in which you anticipate it will be concluded.*
- 3] *Please state the employee group/s covered by the 2021/22 pay review.*
- 4] *Please state the total number of employees covered by the 2021/22 pay review.*
- 5] *Please provide a copy of your 2021/22 pay agreement (if applicable) or generic pay circular sent to employees (that is one that does not identify any individual employee) outlining the outcome of the latest pay review if there are no collective negotiations.*
- 6] *Please state the % consolidated basic pay rise received by the lowest-paid adult (aged 18 and over) employee as a result of the 2021/22 pay review\* excluding the effect of any incremental progression, merit pay or bonuses.*
- 7] *If an employee's annual pay award is determined solely according to an assessment of their individual performance (commonly known as a merit increase) as opposed to an across-the-board pay rises (where all employees generally receive the same increase irrespective of their individual performance) please state the percentage of the paybill allocated to fund these awards, the range of increases and whether or not the awards are consolidated.*
- 8] *If any employees were eligible for individual performance-related payments or bonuses over and above the general pay rise please state the range of increases (either as a percentage of their base salary or a cash amount as applicable), whether or not they were consolidated into basic pay and please state the overall % of the paybill allocated to fund these awards.*
- 9] *Please state the overall paybill increase as a result of the latest pay review expressed as a percentage of the paybill.*
- 10] *Please state the name of the union/unions party to your main collective agreement covering pay and conditions if there are collective negotiations.*

OFFICIAL



Date: 28 October 2021

Our Ref: RFI3638

Tel: 0300 1234 500

Email: [infogov@homesengland.gov.uk](mailto:infogov@homesengland.gov.uk)

*11] Please provide the name and contact details of the person/s responsible for overseeing your organisation's annual pay review.*

### **Response**

We can confirm that Homes England does not hold the information detailed in your request from Questions 1 to 10. This is because the 2021/22 pay review has not yet begun.

To conclude that the information is not held, we have searched with our HR team who would have the requested information if held.

The FOIA does not oblige a public authority to create information to answer a request if the requested information is not held. The duty under section 1(1) is only to provide the recorded information held.

The full text of section 1 in the legislation can be found here:

<https://www.legislation.gov.uk/ukpga/2000/36/section/1>

### **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 confirm that we currently anticipate to have the review concluded prior to Christmas (December 2021). We are also still awaiting approval from the Secretary of State regarding the 2021/22 pay award.

*11] Please provide the name and contact details of the person/s responsible for overseeing your organisation's annual pay review.*

We are able to inform you that we do hold the information that you have requested. 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 names, contact details, addresses, email addresses and personal opinions could 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>



Homes  
England

Making homes happen

Date: 28 October 2021

Our Ref: RFI3638

Tel: 0300 1234 500

Email: [infogov@homesengland.gov.uk](mailto:infogov@homesengland.gov.uk)

### **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 confirm that the responsible department is the Human Resources department. Correspondence to Homes England departments can be directed through our enquiries team via the following:

Email

[enquiries@homesengland.gov.uk](mailto:enquiries@homesengland.gov.uk)

Telephone

0300 1234 500

### **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. You can request an internal review by writing to Homes England via the details below, quoting the reference number at the top of this letter.

Email: [infogov@homesengland.gov.uk](mailto:infogov@homesengland.gov.uk)

The Information Governance Team  
Homes England – 6<sup>th</sup> Floor  
Windsor House  
50 Victoria Street  
London  
SW1H 0TL

Your request for review must be made in writing, explain why you wish to appeal, and be received within 40 working days of the date of this response. Failure to meet this criteria may lead to your request being refused.

Upon receipt, your request for review will be passed to an independent party not involved in your original request. We aim to issue a response within 20 working days.

You may also complain to the Information Commissioner's Office (ICO) 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