



Homes
England

Date: 12 November 2021

Our Ref: RFI3627

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

Making homes happen

[REDACTED]
By Email Only

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

Dear [REDACTED]

RE: Request for Information – RFI3627

We write regarding your request for information which we have processed in accordance with the Freedom of Information Act 2000 (FoIA).

On 28 September 2021 you submitted a request for information to Homes England, the wording of your request is copied below for ease.

"To disclose all documents (including electronic communications and materials stored on electronic and/or computer systems) relating to the current job evaluation exercise being undertaken on behalf of Homes England by Korn Ferry, and the related pay and grading review. The disclosure requirement is for the materials provided to include all forms of report, evidence gathered, job evaluation outcomes and job descriptions, concerning all work roles within Homes England which are part of the exercise referred to."

On 15 October 2021 Homes England wrote to you to seek clarification regarding the wording and scope of your request. On 20 October 2021 correspondence from [REDACTED] addressed to [REDACTED] was received and although it was not addressed to Information Governance as we had requested in our letter of 15 October seeking clarification, we treated it as your response to our request for clarification and considered it accordingly. The clarification we received from you is copied below for ease.

"You have asked for clarification of the request, and for me to confirm a definition of "all documents" so that you can understand the scope of the request. I have reviewed the text you have provided, and I accept that the request is to disclose all documents, but you have identified that this relates to the job evaluation exercise being undertaken, and I have actually defined the disclosure requirement within the text on the following basis:-

"The disclosure requirement is for the materials provided to include all forms of report, evidence gathered, job evaluation outcomes, and job descriptions, concerning all work roles within Homes England which are part of the exercise referred to."

Receipt of this clarification enabled Homes England to continue to process your request with a revised response deadline of 17 November 2021. We are now able to issue our response to your request.

OFFICIAL



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Response

We can 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 of the FoIA which is an exemption where the cost of compliance exceeds the appropriate limit.

Section 1(1) contained within section 12 of the FoIA 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.

The full text of the legislation can be found on the following link and we have relevant section of the FoIA below.

<https://www.legislation.gov.uk/ukpga/2000/36/section/12>

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 and scope of your request and we have established that to determine if information is held and to locate, extract and collate the information it would exceed the appropriate limit.

The appropriate cost limit is set at £450 and is based on work being carried out at a rate of £25 per hour, this represents 18 hours of work. The appropriate limit calculation is determined by the FoIA and further support by guidance from the Information Commissioner's Office (ICO).

In accordance with the FoIA we are not obliged to provide any information compiled during our searches prior to concluding that section 12 is engaged.



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Advice and Assistance

In compliance with the Section 45 Code of Practice (Paragraph 2.10) and to offer advice and assistance under section 16 of the FoIA, you may wish to consider narrowing the scope of your request.

To provide context, to determine that section 12 of the FoIA is engaged Homes England has estimated calculations to support the exemption. To comply with just one area of your request (surrounding job descriptions) it would take approximately 90 hours of staff time to provide you with the information held.

You may wish to concentrate on a specific area or piece of documentation surrounding the Pay and Grading project rather than requesting all material held by Homes England.

Please note that due to the broad scope of your request we cannot confirm that any further request you may submit would not also exceed the section 12 cost limit at this time. We will consider each request on that basis.

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

The Information Governance Team
Homes England – 6th 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.



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Yours sincerely,

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For Homes England

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