



Homes England

Date: 15 May 2024

Our Ref: RFI4711 and RFI4715

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

[REDACTED]
By Email Only

Dear [REDACTED]

RE: Request for Information – RFI4711 and RFI4715

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:

RFI4711 (request received 15 April 2024)

For 2021, please share the number of authorities to redeem issued by Homes England to borrowers who made redemption request without being able to get a valuation.

Alternatively and for 2021, please share the number of borrowers who made redemption request without being able to get a valuation and made a repayment (partial or complete).

RFI4715 (request received 17 April 2024)

For 2020, please share the number of authorities to redeem issued by Homes England to borrowers who made redemption request without being able to get a valuation.

Alternatively and for 2020, please share the number of borrowers who made redemption request without being able to get a valuation and made a repayment (partial or complete).





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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, exemption where the cost of compliance exceeds the appropriate limit under the FOIA.

You have submitted two requests to Homes England two working days apart, these requests are for substantially similar information but pertaining to a different time period. Section 12(4) of the FOIA permits Public Authorities to aggregate requests for information made by one person when considering the total cost of compliance.

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.





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(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 2.10) and to offer advice and assistance under section 16 of the Freedom of Information Act 2000, you may wish to consider narrowing the scope of your request.

We previously wrote to you on 15 April 2024 providing further advice and assistance in response to your previous request RFI4663. In this advice and assistance, we explained:

“As we do not record the requested information centrally, it would involve the interrogation of all of our records since the inception of the Help to Buy: Equity Loan programme in 2013. Owing to the size of the programme, this would far exceed the cost limit. In our response letter, we advised that you may wish to consider narrowing the scope of your request to a specific period of time. We went on to explain that it would be impossible to produce reliable information from a search of each team’s record for the whole period of time (since 2013), and therefore the only way to reliably gather this information would be to interrogate each individual account. If we were to narrow the timeframe, ie only look at redemptions between a shorter window of time, we may be able to locate and retrieve the information within the cost limit.”

We then went onto clarify further:

“In light of your further email, we have spoken to one of the teams involved in the process and they have further advised that the specificity of your request adds to the cost of compliance. To explain further, your initial request is in three parts:





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- (1) Please share below information in an excel table for borrowers who made redemption request without being able to get a valuation
- (2) But Homes England accepted
- (3) And issued authority for the customer to redeem.

The team have indicated that it is likely to be possible to locate and retrieve the information for part 1 of your request, as outlined above. Furthermore, it is more likely we could locate and retrieve this information within the cost limit if your request was limited to a time period, for example January 2023 – present day.”

The two new requests you have submitted, RFI4711 and RFI4715, represent requests for the same information, but for a set period of time. Whilst this does narrow your request from that refused under RFI4663, it does not allow us to facilitate compliance with this request within the cost limit.

As set out in our previous response, this information is not held centrally and involves interrogation of all customer records to locate the information requested. Furthermore, the three parts of your request, albeit rephrased in RFI4711 and RFI4715, add to the complexity of the request and therefore the cost limit for compliance.

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. 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

Information Governance Team
Homes England
Windsor House
6th Floor

6th Floor
Windsor House
42 - 50 Victoria Street, Westminster
London, SW1H 0TL

0300 1234 500
@HomesEngland
www.gov.uk/homes-england





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42-50 Victoria Street
London
SW1H 0TL
United Kingdom

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

