



Homes
England

Date: 1 November 2024

Our Ref: RFI4826

Tel: 0300 1234 500

Email: infogov@homesengland.gov.uk

[REDACTED]
By Email Only

Dear [REDACTED]

RE: Request for Information – RFI4826

Thank you for your request for information which was processed in accordance with the Freedom of Information Act 2000 (FOIA). Please accept our apologies for the delay in providing this response to you.

You requested the following information:

I request that you supply me with a copy of Homes England's (HE) most recent Microsoft Licensing Statement (MLS). I am not requesting this information to generate any business. We are not looking to buy, or, sell software licences, as we are no longer trading. We only want to understand how HE's Microsoft portfolio has evolved over the years...

Response

We can confirm that we do hold the requested information. Please see **Annex A** attached to this letter to see our Microsoft Licensing Statement (MLS).

We are withholding some parts of the MLS on the grounds that it would prejudice the prevention or detection of crime.

Section 31 – Law Enforcement

Under section 31(1)(a) Homes England is not obliged to disclose information that would, or would be likely to, prejudice the prevention or detection of crime.

Homes England has identified that information contained within RFI4826 engages section 31(1)(a) of the FOIA as release could result in it being fraudulently used by third parties.

2nd Floor
The Lumen
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Newcastle upon Tyne, NE4 5BZ

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Section 31 is a qualified exemption. This means that once we have decided that the exemption is engaged, Homes England must carry out a public interest test to assess whether or not it is in the wider public interest for the information to be disclosed.

Arguments in favour of disclosure:

- Homes England acknowledges there is a general public interest in promoting accountability, transparency, public understanding and involvement in how Homes England undertakes its work and how it spends public money.

Arguments in favour of withholding:

- Releasing information about licence numbers and versions could put Homes England at risk of cyber-attack and put our information and systems at risk. It would not be in the public interest to release this information as Homes England have a legal duty to protect our own information and information regarding third parties that is held in our systems. Homes England would suffer reputational damage and risk of legal ramifications if our security were compromised, and confidential information accessed. This would not be in the public interest as Homes England would not be able to achieve its objectives as set out in our strategic plan; and
- Homes England has been unable to identify a wider public interest in disclosing the information requested.

Therefore, after careful consideration we have concluded that at this time, the balance of the public interest favours the non-disclosure.

The full text of the legislation can be found via the following link:

<https://www.legislation.gov.uk/ukpga/2000/36/section/31>

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.

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Information Governance Team

Homes England

The Lumen

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Newcastle upon Tyne

NE4 5BZ

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

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