

Freedom of Information Act 2000

Decision notice

Date: 16 December 2013

Public Authority: Home Office
Address: Seacole Building
2 Marsham Street
London
SW1P 4DF

Decision (including any steps ordered)

1. The complainant requested information concerning immigration. The Commissioner's decision is that the Home Office has provided a response to the complainant's request but as did not provide its response within 20 working days it has breached section 10 of the Freedom of Information Act (the Act). No further action is required.

Request and response

2. On 4 May 2013, the complainant wrote to the Home Office and requested information in the following terms:

"I am seeking from the Home Office for the period 1 April 2012 - 31 March 2013 all information held by the Home Office which provides figures and statistics as to the number of UK Nationals who, during that period, emigrated from the United Kingdom to other European Union countries. I also seek from the Home Office for the same period all information which provides figures and statistics as to the number of nationals from within the European Union that immigrated to the UNited Kingdom.

Also during the period 1 April 2012 - 31 March 2013 I seek all information held by the Home Office which provides figures and statistics as to the number of UK Nationals who emigrated from the UNited Kingdom to countries outside of the European Union. Finally, in relation to immigration, during the same period I seek information as to

the numbers of non-UK nations who immigrated to the UK from outside of the European Union.

I also request from the Home Office the number of applications for each type of working visa during the same period as noted above which were made and the numbers which were rejected along with the reasons for rejection."

3. The Home Office responded on 8 August 2013. It provided links to publications by the Office of National Statistics which contain relevant information. However with regard to the last request it stated that the reasons for rejecting visas were not held centrally and could only be obtained "at disproportionate cost from examination of individual cases".

Scope of the case

4. The complainant contacted the Commissioner on 1 August 2013 to complain that he had not received a response to his request. Following the Home Office's subsequent response, the complainant did not object to the Commissioner about its content. However, he informed the Commissioner that he wished to pursue the matter of the delay in providing him with a response.
5. The Commissioner therefore considers the scope of the case to be whether the Home Office issued a response to the complainant's request within the time limit afforded under the Act.

Reasons for decision

6. Section 10 of the Act states that a public authority must provide a response to a request "promptly and in any event not later than the twentieth working day".
7. The complainant made his request on 4 May 2013 and the Home Office acknowledged the request on 7 May 2013. The complainant wrote to the Home Office on 15 June 2013 to enquire when a response would be provided. The Home Office wrote to the complainant on 28 June 2013 to apologise for the delay, stating that it "is taking longer than expected to coordinate" the requested information.
8. The Home Office provided its response to the complainant's request on 8 August 2013. This is beyond the statutory maximum limit of 20 working days and so the Home Office has breached section 10 of the Act. As the response has now been provided no further action is required.

Right of appeal

9. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0300 1234504

Fax: 0116 249 4253

Email: GRC@hmcts.gsi.gov.uk

Website: <http://www.justice.gov.uk/tribunals/general-regulatory-chamber>

10. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
11. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed

Alexander Ganotis
Group Manager – Complaints Resolution
Information Commissioner’s Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF