

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 10 October 2023

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

Decision (including any steps ordered)

1. The complainant requested information from the Home Office (the public authority).
2. The Commissioner's decision is that the public authority breached section 10(1) of FOIA by failing to provide a valid response to the request within the statutory time frame of 20 working days. No steps are required.

Request and response

3. On 8 August 2023, the complainant wrote to the public authority and requested information in the following terms:

"Please provide the number of people who have been sent transfer orders to Bibby Stockholm so far and how many of these have had an NRM decision. Provide totals for each type of NRM decision (eg. '50 - positive conclusive grounds', '2 - negative reasonable grounds' and so on). Do note that 'NRM decision' refers to the latest NRM decision an individual has received at the time of writing."
4. The public authority provided its response on 9 October 2023.

Reasons for decision

5. Section 1(1) of FOIA states that:

“Any person making a request for information to a public authority is entitled –

(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and

(b) if that is the case, to have that information communicated to him.”

6. Section 10(1) of FOIA states that a public authority must respond to a request promptly and “not later than the twentieth working day following the date of receipt”.

7. From the evidence provided to the Commissioner in this case, it is clear that the public authority did not deal with the request for information in accordance with FOIA. The Commissioner finds that the public authority has breached section 10(1) by failing to respond to the request within 20 working days.

Right of appeal

8. 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: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

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

9. 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.
10. 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

Michael Lea
Group Manager
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Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF