

John Kelly
request-200009-e0bcf31f@whatdotheyknow.com

17 June 2014
Our Reference: 31758

Dear Mr Kelly

Thank you for your email of 20 April in which you ask for information relating to the criteria used in various EEA decisions. Your request has been handled as a request for information under the Freedom of Information Act 2000.

I apologise for the delay in responding to your request. I am unsure if any of your enquiries have previously been answered as general enquiries or not?

You have requested the following information;

I have not been able to find the information which I require on any government website nor via emailing the Home Office. I hope that this request under the FOIA will provide the information that I need. I wish to get access to any information held by the Home Office on the following issue, for example, training materials, meeting minutes, internal emails or caseworker guidelines etc.

Can you please provide the criteria that are used to decide whether or not someone who is applying for a residence card (EEA2) or confirmation of PR (EEA4) receives a Certificate of Application (COA) which indicates that they have the legal right to work in the UK?

If a former British citizen has renounced his/her British citizenship, do they need to provide proof of their renunciation when their non-EEA family members are applying for an EEA family permit?

Please provide information about how EEA caseworkers deal with the situation in which a previously dual British/other EEA national have renounced their British citizenship.

I hope that you will provide as much detail as possible and make it clear whether or not being married is of consequence. I would also like to know whether or not the nationality of the

EEA family member is relevant to the decision on whether to issue a short or a long COA.

Under section 12(2) of the Act, the Home Office is not obliged to comply with an information request where to do so would exceed the designated cost limit. We believe that to provide the information you are seeking would breach this cost limit and as such we are unable to supply it to you.

We are only able to report on data that is captured in certain mandatory fields on the Case Information Database (CID). All of the questions posed above are not recorded in a reportable format. Consequently, in order to provide the requested information, we would need to undertake a manual case by case search of records.

The Home Office is not obliged to comply with any information request where the prescribed cost of supplying you with the information exceeds £600. The £600 limit applies to all central government departments and is based on work being carried out at a rate of £25 per hour, which equates to 3½ days work per request. Prescribed costs include those which cover the cost of locating and retrieving information, and preparing our response to you. They do not include considering whether any information is exempt from disclosure, overheads such as heating or lighting, or disbursements such as photocopying or postage.

We have estimated that to gather and collate the information you have requested would exceed the £600 cost threshold.

In keeping with the Freedom of Information Act, we assume that all information can be released to the public unless it is exempt. In line with normal practice we are therefore releasing the information which you requested via the Home Office website.

I hope that this information meets your requirements. I would like to assure you that we have provided you with all relevant information that the Home Office holds.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to the address below, quoting reference number 31758. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

Information Access Team
Home Office
Ground Floor, Seacole Building
2 Marsham Street
London SW1P 4DF
e-mail: info.access@homeoffice.gsi.gov.uk

As part of any internal review the Department's handling of your information request will be reassessed by staff who were not involved in providing you with this response. If you remain dissatisfied after this internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

We also value your feedback, please use the link below to access a brief anonymous survey to help us improve our service to you”:

<http://www.homeofficesurveys.homeoffice.gov.uk/s/108105TAZNG>

Yours sincerely

Cliff Walls
North West Responder Hub