



Home Office

Safeguarding, Immigration and International Group

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E-mail: Info.Access@homeoffice.gsi.gov.uk Website: www.homeoffice.gov.uk

Our Reference: 25041

Date: 7 December 2012

Email - request-137718-51bb7ff0@whatdotheyknow.com

Dear BritCits

Thank you for your e-mail of 9 November 2012 in which you ask for statistics and examples of cases granted to non EU parents of British citizens/ permanent residents since 9 July 2012 under the new family migration rules.

Your request has been handled as a request for information under the Freedom of Information Act 2000.

1. You requested statistics on how many non-EU parents of British citizens/those with indefinite leave to remain, have applied for a UK settlement visa since 9th July 2012 under the new rules (not 8th July, 9th July) and of these, how many have been approved, refused and are pending, up until what date.

Under section 12 of the Act, the Home Office is not obliged to comply with an information request where to do so would exceed the cost limit.

We have estimated that the cost of meeting your request would exceed the cost limit of £600 specified in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. We are therefore unable to comply with it. We have attempted to generate the data you are seeking using standard reports. However the information you are seeking is not captured in our standard reports and requires the scrutiny of individual case records to find cases which fall into the very specific data set you requested.

The £600 limit is based on work being carried out at a rate of £25 per hour, which equates to 24 hours of work per request. The cost of locating, retrieving and extracting information and preparing the response can be included in the costs for these purposes. The costs do not include considering whether any information is exempt from disclosure, overheads such as heating or lighting, or items such as photocopying or postage.

If you refine your request, so that it is more likely to fall under the cost limit, we will consider it again however refining the request might still result in exceeding the cost limit because your refined request might still for example require information not captured by standard reports and/or the scrutiny of individual records. Please note that if you simply break your

request down into a series of similar smaller requests, we might still decline to answer it if the total cost exceeds £600.

2. You requested at least three examples of situations where parents meet the criteria set, without the condition being along the lines of 'this person will meet the criteria if they can show that this level of care can only be provided in the UK'. That is, you would like, under the FOI act, actual examples of situations where someone does meet the criteria under the new rules (if anyone), without the reference being this person will meet the criteria if they meet another specified element of the criteria i.e. no circular examples please.

The general policy of the Home Office is not to disclose, to a third party, personal information about another person. This is because we have obligations under the Data Protection Act and in law generally to protect this information. Your request for personal information has been considered in line with our obligations under the Freedom of Information (FOI) Act. However, we have concluded that the information you have requested is exempt from disclosure under section 40(2) of the FOI Act. This exempts personal data if disclosure would breach any of the data protection principles.

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 25041. 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.

Yours sincerely

Helen Sayeed

Migration Policy

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