



UK Visas  
& Immigration

Freedom of Information  
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FOI Reference: 63987

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Dear Ms Atkinson

Thank you for your enquiry of 4 May, in which you requested information regarding applications / grants of discretionary leave outside the rules, after 20 years' of UK residence. Your enquiries have been handled as a request for information under the Freedom of Information Act 2000.

### Information Requested

*Please treat the following as a request for information under the Freedom of Information Act 2000. This request relates to applications for and grants of discretionary leave outside the rules, after 20 years' residence. Please disclose the number of applications for leave under paragraph 276ADE(1)(iii) of the Immigration Rules (20 years' residence), and of which, the number of grants. Please supply the above-requested information for each quarter from Q1 of 2010 to Q4 of 2020 inclusive.*

### Response

*1 - The number of applications submitted after 20 years residence.*

Applications submitted on the basis of 20 years residence in the UK, i.e. on private life grounds, are recorded on our Casework Information Database under the same category as applications made on a family life basis. Collating the information required cannot therefore be done electronically and a manual search of records would be required. This would exceed the appropriate cost limit under section 12(1) of the Freedom of Information Act 2000

*2 - The number of grants of discretionary leave after 20 years residence.*

The statistical code used on our Casework Information Database to record grants of leave on a private life basis does not differentiate between those granted under sub-sections (iii), (iv), (v) or (vi) of paragraph 276ADE(1) of the Immigration Rules. Collating the information required cannot therefore be done electronically and a manual search of records would be required. This would exceed the appropriate cost limit under section 12(1) of the Freedom of Information Act 2000.

*3 - The number of applications submitted for leave under paragraph 276ADE(1)(iii) of the Immigration Rules.*

As in points 1 and 2 above, we do not differentiate between applications made on private life grounds from those made on a family life basis, and nor do we differentiate statistically grants of leave under paragraph 276ADE(1)(iii) from those made under sub-sections (iv), (v) and (vi) of that paragraph. Collating the information required cannot therefore be done electronically and a manual search of records would be required. This would exceed the appropriate cost limit under section 12(1) of the Freedom of Information Act 2000.

*4 - The number of applications granted under paragraph 276ADE(1)(iii) of the Immigration Rules.*

We do not differentiate statistically grants of leave under paragraph 276ADE(1)(iii) from those made under sub-sections (iv), (v) and (vi) of that paragraph. Collating the information required cannot therefore be done electronically and a manual search of records would be required. This would exceed the appropriate cost limit under section 12(1) of the Freedom of Information Act 2000.

*5 - Figures for the above from Q1 of 2010 to Q4 of 2020.*

As in point 2. Please also note, as grants of leave made under paragraph 276ADE only commenced from 09 July 2012, there would also be no data covering the quarter periods from Q1 in 2010 to Q2 in 2012.

To locate the information, you have requested would involve a manual trawl through every individual case record to identify the relevant cases. This would be neither cost nor resource effective and therefore, under section 12(1) 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.

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 24 hours work per request.

Prescribed costs include those which cover the cost of locating, retrieving and extracting information. 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.

If you refine your request, reducing the amount of information you ask for, we will consider it again. However, any request involving a significant amount of manual searching is likely to exceed the cost limit for the reasons explained in this letter. Further information about resubmitting a more specific request can be found at:

<https://ico.org.uk/for-organisations/guide-to-freedom-of-information/refusing-a-request/>

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.

Even if a revised request were to fall within the cost limit, it is possible that other exemptions in the Act might apply.

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 [foirequests@homeoffice.gov.uk](mailto:foirequests@homeoffice.gov.uk), quoting reference **63987**. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

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

Yours sincerely

C. Walls  
Central Operations Team

We 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>