



Homes  
England

Date: 20/12/2019  
Our Ref: RFI2854  
Tel: 0300 1234 500  
Email: [foi@homesengland.gov.uk](mailto:foi@homesengland.gov.uk)

Making homes happen

Amy McCabe  
By Email Only

Windsor House  
Homes England – 6<sup>th</sup> Floor  
50 Victoria Street  
London  
SW1H 0TL

Dear A McCabe,

**RE: Request for Information – RFI2854**

Thank you for your request for information, which was processed under the Freedom of Information Act 2000 (FOIA). For clarification, you requested the following information:

*Please can you provide a cop of your organisational chart and a list of current and upcoming programmes and projects.*

We asked for clarification in relation to your request, and the following was provided (in bold):

- 1) *Do you wish to see a copy of the current organisational chart? **Yes***
- 2) *Is there an area of the structure within homes England that you specifically want to see? **IT, Change & Transformation, and Operations***
- 3) *In terms of upcoming projects and programme, please clarify, do you wish to know of project in a certain region or organisation area or matter? - **anything across IT in terms of organisational area, and in terms of matter, any strategic change programmes.***

**Response**

We can confirm that we do hold information that falls within the scope of your request. We will address each of your points in turn.

**Questions 1 & 2 – Current Organisational chart showing the structure of IT, Change & Transformation, and Operations**

Please find attached Annex A. It should be noted that Homes England are currently undergoing structural change. A more recent organisational chart is currently in draft form and awaiting new Senior Leadership to approve. The new structure will not be fully in place until at least April 2020. You may wish to re-submit your request after this date for more recent information.

We have redacted some of the information in Annex A under the following exemption:

**Section 40 – Personal information**

We have redacted information on the grounds that it constitutes third party personal data and therefore engages section 40(2) of the FOIA.



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To disclose personal data, such as names, contact details, addresses, email addresses and personal opinions could lead to the identification of third parties and would breach one or more of the data protection principles.

Section 40 is an absolute exemption which means that we do not need to consider the public interest in disclosure. Once it is established that the information is personal data of a third party and release would breach one or more of the data protection principles, then the exemption is engaged.

The full text of the legislation can be found on the following link;

<https://www.legislation.gov.uk/ukpga/2000/36/section/40>

**Question 3 – Upcoming Projects and Programmes - anything across IT in terms of organisational area, and in terms of matter, any strategic change programmes.**

We can confirm that we hold two documents that fall within the scope of your request. They are:

- Annual Business Plan relating to ICT/Digital Services
- Business case for a comprehensive digital transformation of the Agency

**With regard to the Annual Business Plan:**

Please find attached Annex B. We have reviewed the contents of the Annual Business Plan in so far as they apply to ICT services. The document also covers other services and therefore most of its contents are outside the scope of your request. We have redacted some information under the exemptions listed below.

**Section 40 – Personal information**

We have redacted information on the grounds that it constitutes third party personal data and therefore engages section 40(2) of the FOIA.

**Section 43 - Commercial interests**

Under section 43(2) Homes England is not obliged to disclose information that would, or would be likely to, prejudice the commercial interests of any party.

Information contained within the Business Plan engages section 43(2) of the FOIA as it is commercial in nature and its release would be likely to prejudice the commercial interests of Homes England.

Homes England has identified that the information requested, if released, would be likely to prejudice the effective operation of our functions.

Section 43 is a qualified exemption. This means that once we have decided that the exemption is engaged, Homes England must carry out a public interest test to assess whether or not it is in the wider public interest for the information to be disclosed.

**Arguments in favour of disclosure:**

- Homes England acknowledges there is a general public interest in promoting accountability, transparency, public understanding and involvement in how Homes England undertakes its work and how it spends public money.



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Arguments in favour of withholding:

- The redacted information details the work being undertaken to identify and remedy potential vulnerabilities in Homes England's current systems. It would be contrary to Homes England's commercial interests for this information to be public knowledge. It would not be in the public interest for this information to be disclosed as this could make Homes England and its systems less secure, impairing its ability to perform its statutory functions and deliver its objectives.

Having considered the arguments for and against disclosure of the information, we have concluded that at this time, the balance of the public interest favours non-disclosure.

The full text of in the legislation can be found on the following link;

<https://www.legislation.gov.uk/ukpga/2000/36/section/43>

**With regard to the Business Case:**

**Section 43 - Commercial interests**

Under section 43(2) Homes England is not obliged to disclose information that would, or would be likely to, prejudice the commercial interests of any party.

Homes England has prepared a business case for a comprehensive digital transformation of the Agency to provide the digital age services and business processes that will underpin the Agency's ambitious delivery of its mission. The information contained within the Business Case engages section 43(2) of the FOIA as it is commercial in nature and its release would be likely to prejudice the commercial interests of Homes England.

Homes England has identified that the specific content of this business case and the draft strategy underpinning it is commercially sensitive. If released, it would be likely to prejudice the effective operation of our procurement process as it will influence a range of procurements for services and solutions.

Section 43 is a qualified exemption. This means that once we have decided that the exemption is engaged, Homes England must carry out a public interest test to assess whether or not it is in the wider public interest for the information to be disclosed.

Arguments in favour of disclosure:

- Homes England acknowledges there is a general public interest in promoting accountability, transparency, public understanding and involvement in how Homes England undertakes its work and how it spends public money.

Arguments in favour of withholding:

- Release would inform potential suppliers about the financial envelope likely to be approved for each element of the programme. This would result in bidders submitting tenders up to this amount that were higher than would otherwise have been the case. This would damage Homes England's financial interests, as it would pay a higher price for goods and services and not receive value for money;
- Disclosing the information would mean that some potential bidders were informed about the likely scope of the procurements in advance of a formal OJEU notice (or equivalent) being published. This would give those suppliers a competitive advantage, as they would have longer to prepare their bids. This would distort the
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market and would be unfair to other bidders. This would damage the commercial interests of those bidders and Homes England;

- The Digital strategy for Home England has not yet been finalised. It is currently subject to review by our recently appointed Chief Digital and Technology Officer. The transformation plans for the coming year are also being reviewed by our newly appointed Director of Transformation. The Digital function in Homes England is evolving under the new leadership and as a result of a wider refresh of the business' operating model.

These plans will be the subject of internal consultation, as staff roles may change as a result. If details of the proposals, which have yet to be finalised, were published in advance of such consultation, this would be contrary to good employee relations, and would risk damaging staff morale. This would damage Homes England's commercial interests, as it would adversely affect its ability to recruit and retain talented and motivated staff, and comply with its obligations to consult its workforce; and

- Homes England has been unable to identify a wider public interest in disclosing the information requested.

The full text of in the legislation can be found on the following link;

<https://www.legislation.gov.uk/ukpga/2000/36/section/43>

### **Right to Appeal**

If you are not happy with the information that has been provided or the way in which your request has been handled you may request an internal review by writing to;

The Information Access Team  
Homes England – 6<sup>th</sup> Floor  
Windsor House  
50 Victoria Street  
London  
SW1H 0TL

Or by email to [foi@homesengland.gov.uk](mailto:foi@homesengland.gov.uk)

You may also complain to the Information Commissioner however, the Information Commissioner does usually expect the internal review procedure to be exhausted in the first instance.

The Information Commissioner's details can be found via the following link

<https://ico.org.uk/>

Please note that the contents of your request and this response are also subject to the Freedom of Information Act 2000. Homes England may be required to disclose your request and our response accordingly.

Yours sincerely,

**Information Access Team**

For Homes England