



UK Visas & Immigration

R Brown
Email: request-615709-a6901e27@whatdotheyknow.com

Freedom of Information
Central Correspondence Team
Customer Service Operations
PO Box 3468
Sheffield
S3 8WA

Email:
FOIRequests@homeoffice.gsi.gov.uk

www.gov.uk/ukvi

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Dear Sir or Madam,

Thank you for your enquiry of 4 November in which you requested information on the EU Settlement Scheme. Your request has been handled as a request for information under the Freedom of Information Act 2000.

Information Requested

Initial Request

Please provide the number of

- refusals*
- cancellations*
- withdrawals*

for settlement under the EU Settlement Scheme for paper based applications since 1 April 2019 to 20 October 2019.

Subsequent Clarification

I would be grateful if you could clarify it. Specifically, please can you explain what is meant by 'cancellation'? It may also assist if you provide a brief explanation of your understanding of the term 'withdrawal'.

Cancellation would result if a mistake in the application were found and not rectified. Also, the application could have been deemed incomplete by Home Office.

Withdrawal would result if the applicant asked the Home Office to stop considering the application prior to a decision having been made.

"In most cases, your outstanding immigration application will not be considered if you apply for the EU Settlement Scheme." <https://www.gov.uk/settled-status-eu-citizens-families/after-youve-applied>

Response

I can confirm that the Home Office holds the information that you have requested. However, after careful consideration we have decided that the information is exempt from disclosure under section 22 of the Freedom of Information Act. This provides that information can be withheld if it is intended for future publication.

Section 22 of the Act is a qualified exemption and requires consideration of the public interest test, which can be found in the Annex below.

Furthermore, data released under FOI requests are done so in-line with published statistics releases. The current published statistics cover the period until July 2019, with the latest quarterly release to be published later this month.

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.gsi.gov.uk, quoting reference 56277. 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 will be reassessed by staff 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 faithfully,

J Rushton
Customer Service Operations

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>

Annex - Public interest test

Some of the exemptions in the FOI Act, referred to as 'qualified exemptions', are subject to a public interest test (PIT). This test is used to balance the public interest in disclosure against the public interest in favour of withholding the information. We must carry out a PIT where we are considering using any of the qualified exemptions in response to a request for information.

The 'public interest' is not the same as what interests the public. In carrying out a PIT we consider the greater good or benefit to the community, as a whole, if the information is released or not. The 'right to know' must be balanced against the need to enable effective government, and to serve the best interests of the public.

Please note that the FOI Act is 'applicant blind'. This means that we cannot, and do not, ask about the motives of anyone who asks for information. In providing a response to one person, we are expressing a willingness to provide the same response to anyone, including those who might represent a threat to the UK.

Considerations in favour of disclosing the information

There is a general public interest in statistics relating to migration. Disclosure of the information requested would increase accountability and transparency and enhance the public's understanding of current trends in the EU Settlement Scheme. All of these factors are in the public interest and there is some weight to be given to the considerations in favour of disclosing the information.

Considerations in favour of withholding the information

The Department publishes migration statistics quarterly and intends to publish statistics on the EU Settlement Scheme later this month. Although the exact breakdown of the information requested will not be published, it will form part of the overall figures. Premature release of the subset of data requested could form part of a series of requests which together could build up a picture of the overall data due to be published. Although it is accepted that you may not necessarily be interested in making subsequent requests, information released to one person under the FOI Act is, in effect, released to the public at large. This would provide an opportunity for others to submit additional requests ahead of the planned publication date in order to obtain the information prematurely.

Premature disclosure of statistics without adhering to established pre-publication procedures (which include internal consultation about the final statistics being published) would undermine the Department's ability to use its staff resources effectively in a planned way, so that reasonable publication timetables are not affected.

We conclude that the overall balance of the public interest lies in favour of withholding the information to ensure that the Home Office is able to publish migration statistics in a managed and coherent way.