

Head of Complaints, Members  
Enquiries & Information Governance

**Ms Elizabeth Wyatt**  
[request-382141-  
a8fd7363@whatdotheyknow.co  
m](#)

Our ref: FOI/ E28258

Ask for: Information Governance

Date: 13/03/2017

Tel: 020 8430 2000

Fax: 020 8430 1504

Email:

[information.governance@newham.gov.uk](mailto:information.governance@newham.gov.uk)

Dear Ms Wyatt,

### **Freedom of Information Act 2000**

#### **Internal Review**

#### **Subject: Reviews and appeals of private sector discharges**

We write with regard to your recent enquiry for information held by the Council under the provisions of the Freedom of Information Act 2000. We trust that the information provided is satisfactory.

It is important to note that under the Privacy and Electronic Communications (EC Directive) Regulations 2003 the Council asks not to receive unsolicited marketing communication.

#### **Initial Request**

In a recent FOI (E28082) you said you had made 372 private sector discharges of a homeless duty in the last year.

- 1) How many of these discharges in the last year were reviewed on the basis of the location of the private sector discharge being unsuitable?
- 2) How many of the reviews in the last year found that the private sector discharge location was unsuitable?
- 3) How many households in that year took the challenge of locality of private sector discharge up to appeal after a negative review decision?
- 4) How many of the appeals against the locality of a private sector discharge in the last year found the location to be unsuitable?

#### **Initial Response**

- 1) Of the 185 discharges of duty for accepting a post localism offer, 18 households submitted a suitability review on the basis of location.
- 2) 3 of the 18 reviews found the original discharge location was unsuitable.

- 3) 2 households have appealed to the county court against the Council's decision.
- 4) Neither of the appeals have found the location to be unsuitable. One found in favour of the Council's decision and one appeal is still in progress.

### **Reasons for Internal Review**

My request was asking about all private sector discharge offers - but you just answered about reviews and appeals related to situations where the private sector discharge offers were accepted. Can I please have the questions answered for all private sector discharge offers those accepted and refused. I know you have that information as some of it was given in this FOI request

<https://www.whatdotheyknow.com/request/376215/response/924293/attach/3/Response%20E28082.pdf>

### **Internal Review Response**

I have conducted an investigation into your request and can advise the following as my findings.

Your second request, reference number E28258, was a follow up enquiry to information provided to you in your first request, which was received on 9<sup>th</sup> December 2016, reference number E28082. In your second enquiry, your first question directly relates to the answers provided in the previous request, therefore it was assumed the entirety of your request was also pertaining to this request.

During my investigation, it is my role to identify fault or error in the way the Council responded to your request, however following a thorough review, I cannot find that this was the case. The Council responded, in E28082, that there are 372 number of offers of discharge. The actual discharge would have only been made if the offer was accepted. Therefore it was correct to assume the starting number of 185 previously quoted in E28082 as the request relates to reviews from actual discharges rather than number of reviews from offers of discharge.

You may wish to raise a fresh request if you still require this information and I would advise you to clearly state the information you require.

If you remain dissatisfied with the Council's response, you should contact the Information Commissioner's office at:

<https://ico.org.uk/for-the-public/>

Yours sincerely,

**Complaints, Members Enquiries and Information Governance**  
Newham Council