



Home Office

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CA Purkis

request-187469-7b46c7a8@whatdotheyknow.com

Dear Ms Purkis

Freedom of Information request (our ref: 29854): internal review

Thank you for your e-mail of 18 December 2013, in which you asked for an internal review of our response to your Freedom of Information (Fol) request about UK Visas and Immigration Director General Sarah Rapson's correspondence.

I have now completed the review. I have examined all the relevant papers, and have consulted the policy unit which provided the original response. I have considered whether the correct procedures were followed. I confirm that I was not involved in the initial handling of your request.

My findings are set out in the attached report. My conclusion is that the original response was correct. For further details see paragraphs 10-13. The further questions you have raised will be dealt with as a new request and you will receive a separate response to this.

Yours sincerely

Diana Pottinger
Information Access Team

Internal review of response to request under the Freedom of Information (Fol) Act 2000 by C A Purkis (reference: 29854)

Responding Unit: United Kingdom Visas and Immigration (UKVI)

Chronology

Original Fol request: 29 November 2013

IMS response: 17 December 2013

Request for internal review: 18 December 2013

Subject of request

1. The request posed a number of questions about how correspondence between Sarah Rapson and MPs or members of the public is handled. For the full text of the request see **Annex A**.

The response by UKVI

2. The response informed Ms Purkis that there was no requirement to answer her first six questions, as they did not ask for recorded information, and consequently did not constitute an FOI request. It informed Ms Purkis that the requested copies of the letters to the committee are available to her by other means (section 21), and provided her with a link, and that no interdepartmental memos had been sent by Ms Rapson. For the full text of the response from UKVI please see **Annex B**.

The request for an internal review

3. Ms Purkis stated that, whilst she understood that her first three questions had not been answered, she thought that the Home Office would take the opportunity to explain the performance of its customer service team. Ms Purkis then posed a number of new questions, before returning to the subject of the FOI request under consideration, and stating that she found it difficult to believe that Ms Rapson had not sent internal inter-departmental memos, or respond to correspondence personally.
4. Ms Purkis also questioned the response to a previous FOI request, in which job titles of staff dealing with correspondence had been withheld, citing an ICO decision notice for an FOI request sent to the Department for Transport (DfT), where the decision to withhold similar details had been overturned. Ms Purkis also stated that her requests had been treated with contempt and ignored. For the full text of the IR request see **Annex C**.

Procedural issues

5. The Home Office received Ms Purkis' request via email on 29 November 2013.
6. On 17 December 2013 the Home Office provided Ms Purkis with a substantive response, which represents 12 working days after the initial request. Therefore, the Home Office complied with section 10(1) by providing a response within the statutory deadline of 20 working days.
7. The response confirmed that information was held relating to the request, and, as it is already in the public domain, provided Ms Purkis with a link to the information.
8. Ms Purkis was informed in writing of her right to request an independent internal review of the handling of her request, as required by section 17(7)(a) of the Act.
9. The response also informed Ms Purkis of her right of complaint to the Information Commissioner, as set out in section 17(7)(b) of the Act.

Consideration of the response

10. UKVI informed Ms Purkis that it would not respond to her first six questions, as they did not ask for recorded information, and consequently did not constitute an FOI request. This decision was correct, as Ms Purkis concedes. There is no requirement to answer questions of this nature under the Freedom of Information Act.
11. Copies of the letters written by Ms Rapson in response to the HASC Committee's questions on 11 June are in the public domain. UKVI cited section 21 (information available by other means) and provided Ms Purkis with the relevant link.
12. UKVI also informed Ms Purkis that Ms Rapson had not sent any interdepartmental memos. Ms Purkis stated that she found it difficult to believe that this was the case. During the course of this Internal Review, I checked with UKVI and they confirmed that Ms Rapson had not sent any interdepartmental memos.
13. Ms Purkis also asked a number of new or rephrased questions, and complained that some of her letters had been ignored. These have been responded to as a separate FOI request.

Conclusion

14. The response was sent within 20 working days; consequently the Home Office complied with section 10(1) of the FOI Act.
15. Section 1(1)(a) was complied with, as the response clearly stated that some of the requested information was held.
16. The response complied with the requirements in section 17(7)(a) and 17(7)(b) as it provided details of the complaints procedure.

Information Access Team
Home Office

[Date]

Annex A – full text of request

From: CA Purkis

29 November 2013

Dear Home Office,

The new Director General, Sarah Rapson sat in front of the HASC and spent most of her time promising the Committee how she was going to make sure that things improved at the Home Office. Using phrases like 'competency', transparency and customer care, Ms Rapson seemed to impress the Committee with her commitment to change. Needless to say, nothing has changed under her tenure - in fact it seems to have gotten even worse.

on the 18th September I sent a FOI request regarding Ms Rapson's policy for correspondence sent to her by MP's. The request was not answered in the stipulated statutory period, and I had to ask for a review (great customer service!) On the 28th October (FIVE WEEKS AFTER MY INITIAL REQUEST)I received a reply.

<https://www.whatdotheyknow.com/request/i...>

I asked a further question, which has been subsequently ignored too, even though there is a statutory requirement to answer. Please could I now have a response to this further question - details in link above.

Further questions I have are as follows;

In reference to Ms Rapson's claim to make sure that the customer service was top of her list for improvement, could she explain why it took her FOUR MONTHS to answer a letter sent to her by my MP?

Could Ms Rapson also explain to me how this letter was so spectacularly misread,(or perhaps not read at all), and information was subsequently requested from me when the information was already contained in the letter? Is this the improved competency?

Could Ms Rapson also explain why she has no statistics for the number of cases that she, herself, deals with for MP's? Is this part of her 'improvement' plan?

Could Ms Rapson explain why she has no response limit time for answering her correspondence? Is this also part of her improvement plan?

Could she, therefore confirm for me, that she does not have a policy of any kind in responding and dealing with MP's correspondence, as stated in her response to my 'review' request for my FOI request of the 18th September?

If she treats the MP's like this - what does she treat the poor members of the public like?

Furthermore; Ms Rapson stated that she would be writing letters to the Committee in response to some of their questions, when she appeared before them on the 11th June.

Please could I have copies of these letters.

Please could I have copies of the last 10 internal memo's that Ms Rapson has sent inter-departmentally?

I look forward to the reply, which I will be sending on to the HASC.
Please could she supply me with copies

Yours faithfully,

CA Purkis

Annex B – full text of response letter

Dear C A Purkis

Thank you for your email of 29 November in which you ask for:

1. In reference to Ms Rapson's claim to make sure that the customer service was top of her list for improvement, could she explain why it took her FOUR MONTHS to answer a letter sent to her by my MP?
2. Could Ms Rapson also explain to me how this letter was so spectacularly misread, (or perhaps not read at all), and information was subsequently requested from me when the information was already contained in the letter? Is this the improved competency?
3. Could Ms Rapson also explain why she has no statistics for the number of cases that she, herself, deals with for MP's? Is this part of her 'improvement' plan?
4. Could Ms Rapson explain why she has no response limit time for answering her correspondence? Is this also part of her improvement plan?
5. Could she, therefore confirm for me, that she does not have a policy of any kind in responding and dealing with MP's correspondence, as stated in her response to my 'review' request for my FOI request of the 18th September?
6. If she treats the MP's like this - what does she treat the poor members of the public like?

Furthermore;

Ms Rapson stated that she would be writing letters to the Committee in response to some of their questions, when she appeared before them on the 11th June.

7. Please could I have copies of these letters.

8. Please could I have copies of the last 10 internal memo's that Ms Rapson has sent inter-departmentally?

Points one to six of your request do not fall within the scope of the Freedom of Information Act (FOI) 2000 as you are not requesting recorded information. I will not be answering these points here.

Points seven and eight have been handled as a request for information under the FOI Act 2000.

Ms Rapson stated that she would be writing letters to the Committee in response to some of their questions, when she appeared before them on the 11th June.

7. Please could I have copies of these letters.

We believe that the information you have requested is already reasonably accessible to you. It can be found at:

www.publications.parliament.uk/pa/cm201314/cmselect/cmhaff/616/616we01.htm.

Section 21 of the FOI Act exempts the Home Office from having to provide you with this information, because it is already reasonably accessible. If you have any difficulties in accessing this information at the source which I have indicated, please contact me again.

8. Please could I have copies of the last 10 internal memo's that Ms Rapson has sent inter-departmentally?

We have carried out a thorough search and have established that Ms Rapson does not hold the information which you have requested. Ms Rapson has not sent memos inter-departmentally.

You also noted that we had not replied to a question asked in your previous request. I refer you back to our answers to Q1, 2 and 5 FOI 29012.

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 29854. 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 FOI Act.

Yours sincerely

Lisa Killham
Director
Customer Service Improvement

Annex C – full text of IR request

Dear Home Office,

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of Home Office's handling of my FOI request 'Sarah Rapson vs Lin Homer'.

While I understand that you have not answered questions one to six as I am not requesting recorded information, I would have thought that you would grab this opportunity to explain on an open public forum, why the 'customer service team' at the Home Office has been such a spectacular failure, and continues to be.

Let me rephrase the questions in the hope that we, the public, get SOME kind of response, as writing as individuals to the Home Office proves absolutely fruitless.

We are most often ignored, side-lined and patronised. In the hope that my MP might get a little more respect, I went to seek help from him. I'm afraid he was treated with the same disdain that we are all subjected to, so getting answers from The Home Office has forced the public into seeking FOI requests. This fact now generally acknowledged by certain Select Committee's.

1. What is Ms Rapson's policy for time constraints on the letters and issues which are brought to her department for resolution? Every other government organisation has a time period in which they are required to either reply or update. If Ms Rapson does not have any time constraints in place, could you tell me why Ms Rapson feels that the public is NOT entitled to timely responses? Perhaps if her staff were subjected to deadlines, there would not be the horrendous backlog at your organisation, that there currently is.

2. What procedures are in place for members of her customer services team to deal with letters of complaints submitted by MP's, and please could you provide me with a copy of this procedure.

3. Could you confirm that you have no data recorded for the number of cases or complaints that Ms Rapson PERSONALLY deals with on any level? For example - the PHSO have a process in place where, if you are not happy with the way your case is dealt with, it goes to a review team and some of these cases are presented to the Ombudsman, herself, for review and sign off. This data is recorded in their online management system. Does Ms Rapson have a similar policy?

4. I refer to question 1.

5. I refer to question 2.

6. What procedural policy distinction is there between dealing with letters from MP's and letters from members of the public? i.e. Is there a dedicated team that ONLY deals with MP's queries, or do your letters of complaint all go into the same pot? I have some further questions which have sprung from your response; You have stated that Ms Rapson does not send internal memo's? How very bizarre. Could you

provide me with the last ten emails that Ms Rapson sent her Director of Customer Service please.

If Ms Rapson does not send memo's to her staff, could you please tell me how she communicates with her heads of department or staff members?

Could you provide me with the minutes of the last meeting that Ms Rapson had with any of her colleagues or members of staff regarding customer service. Let me make it very clear - just the last meeting she had.

Please could you provide me with the results of your last staff survey undertaken. You state that you answered my questions regarding the job titles of officials and confirmation that Ms Rapson does not deal with any letters from MP's herself in my FOI request 29012.

As you do not wish to provide me with job titles, please could you provide me with the direct telephone number of the Director of Customer Services as well as Ms Rapson's.

Here's the ICO's own 'public interest' judgement on it...

The Commissioner believes that there is a public interest in favour of disclosure as this would facilitate ease of contact with a public authority and, in particular, with an official whose role involves responding to correspondence from the public. The DfT has argued that this public interest is met through generic contact details, not relating to any individual, that were disclosed to the complainant. In response to this point the Commissioner would note that it is a standard approach for an organisation to provide both generic contact details, such as a telephone helpline number and a departmental email address, but also to provide the contact details of individuals in order to simplify the process of communicating with the correct individual. There is, therefore, public interest in disclosure of the information in question, even if there is also disclosure of generic contact details.

24. As to whether disclosure of the information would be necessary for the purposes of that public interest, the issue here is whether this public interest could be served through other means without any impact upon the privacy of the data subject. The stance of the DfT in response to this request suggests that this information is not available elsewhere so the Commissioner finds that it would be necessary for this to be disclosed in response to the complainant's request in order to satisfy this public interest.

<http://www.ico.org.uk/~media/documents/...>

So I look forward to receiving these.

A full history of my FOI request and all correspondence is available on the Internet at this address: https://www.whatdotheyknow.com/request/sarah_rapson_vs_lin_homer

Yours faithfully,

CA Purkis

Annex D – complaints procedure

This completes the internal review process by the Home Office. If you remain dissatisfied with the response to your FoI request, you have the right of complaint to the Information Commissioner at the following address:

The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF