



HM Revenue  
& Customs

**Chief Digital & Information Officer**  
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Date: 22<sup>nd</sup> February 2018  
Our ref: IR2018/00296

Dear Katie Chan

Thank you for your Internal Review request dated 1<sup>st</sup> February 2018 regarding FOI request FOI2018/00062 in which you asked for the following information from HMRC:

*Please provide a breakdown of the approximate number of customer records for whom access are restricted to higher than normal, i.e. number of those whose records are protected for reasons of being elected representatives, members of the transgender community, victims of domestic violence etc.*

The purpose of an Internal Review is to assess how your FOI request was handled in the first instance and to determine whether the original decision given to you was correct. This is an independent review: I was not involved in the original decision.

Your original request confirmed that the information you requested is held by the Department. However, we also confirmed that providing this information would exceed the cost limits of the FOIA.

After careful consideration I have concluded that this response was compliant with the requirements of the FOIA.

### **Statutory deadline**

The statutory deadline for your request was 6<sup>th</sup> February 2018 and the response was provided on 23<sup>rd</sup> January 2018. The response was therefore compliant with the requirements of the FOIA.

## **Advice and assistance**

In our original response we didn't provide you with any advice on how to narrow the scope of your request. However we should've stated that due to the nature of this request there is no scope to do so.

## **Outcome**

I have reviewed this decision and I find our application of Section 12(1) of the FOIA in relation to your original FOI request to be correct. This is because HMRC currently provides additional protection to the following categories of customers.

- HMRC staff (for reasons of propriety) – 71,400
- Certain (e.g. criminal justice) investigators in Government departments, certain members of the police and judiciary – 25,700
- Protected for personal reasons: e.g. transsexuals, gender re-assignment cases, domestic abuse and witness protection cases – 14,000
- Ministers of the Crown, elected representatives, researchers and certain former elected representatives – 8,050

These are approximate numbers as a breakdown based on individual circumstances is not readily available as we don't hold the information in a centrally searchable and retrievable format. The level of detail required can only be obtained by one of our suppliers conducting a data integrity scan. The data integrity scan would reveal the exact number of customers in each of the more precise categories. The cost of such a scan, based on similar ones carried out previously, is approximately £2000.

Having reconsidered the cost calculations made in this instance, we are satisfied that the response you received on 23rd January 2018 was correct.

## **Appeal Rights**

If you are not satisfied with this response you have the right to apply to the Information Commissioner's Office (ICO). The Commissioner is an independent regulator who has the power to direct us to respond to your request differently, if she considers that we have handled it incorrectly.

You can contact the ICO at the following address:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow

Yours sincerely

Freedom of Information Team