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FOI Reference: 62021

2 February 2021

Dear Dr Pinar

Thank you for your enquiry of 12 January in which you requested information on ECAA applications. Your request has been handled as a request for information under the Freedom of Information Act 2000.

Information Requested

1) How many 'Turkish ECAA businesspersons' applications were made (as a first attempt) to: - - the Home Office In the UK and

- the British Consulate in Turkey and other countries

under ECAA the Ankara Agreement, each month between 01.01.2019 and 31.12.2020

1) how many of these applications were successful / refused

2) How many applicants have asked to extend their first year ECAA businesspersons visa to 3 years between 2019-2021

2a) how many of these applications were successful / refused

3) How many applications were made to receive indefinite leave to remain in the UK following completion of 5 years as ECAA businessperson between 2019-2020

3a) how many of these applications were successful / refused

Response

The data you have requested can be found in the attached Annex 1 up to 30 September 2020 in line with current statistics. These figures have been taken from a live operational database. As such, numbers may change as information on that system is updated.

I have decided not to communicate the figures for the final quarter of 2020. These figures are exempt from disclosure under section 36(2)(c) of the Freedom of information Act 2000. This allows us to exempt information if it constitutes a subset of data that are intended for future publication. Please see Annex 2 for further information.

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.gov.uk, quoting reference 62021. 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 sincerely

J Slater
Central 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 2

Section 36 (2)(c) of the Freedom of Information Act 2000 allows us to exempt information if it constitutes a subset of data that are intended for future publication.

The use of this exemption requires consideration of whether it is:

- Reasonable in all the circumstances not to produce the information until the intended publication date in 2021, and
- Whether in all the circumstances of the case the public interest in maintaining the exemption stated above outweighs the public interest in disclosing the information.

This is a two stage test but the central issue is whether in all the circumstances it is reasonable and in accordance with the public interest to require you to wait until later in 2021 for publication.

We recognise there may be a public interest in producing this information for you now and that this may also weigh in favour of it being unreasonable to make you wait until later in 2021 to see the publication. We have considered the following:

- It is important that the public have access to immigration statistics. Home Office staff are required to handle requests made under the Freedom of Information Act 2000, not least to assure them that this legislation is being fully implemented.

But there are also public interest reasons for maintaining the exemption to the duty to communicate which weigh in favour of it being reasonable to require you to wait for publication until later in 2021. We have considered the following:

- Publication would undermine Home Office established pre-publication procedures, which includes internal consultation about the final statistics being established on the Home Office website, and also being able to use its staff resources effectively in a planned way so that reasonable publication timetables are not affected.

After balancing these conflicting arguments around the date of publication, we have concluded not only that it is reasonable to require you to wait for publication, but also that the balance of the public interests identified favours maintaining the exemption. This is not least because we believe that in this case the overall public interest lies in favour of ensuring that the Home Office is able to plan its publication of information in a managed and coherent way, and this would not be possible if immediate disclosure were made.