



Home Office

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David Hugkulstone
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17 October 2018

Dear Mr Hugkulstone

Freedom of Information request (our ref. 49814): internal review

Thank you for your e-mail of 20 September 2018, in which you asked for an internal review of our response to your Freedom of Information (Fol) request regarding Super Priority Visa (SPV) applications submitted via the Toronto Visa Application Centre for processing. Your request can be found in full within Annex A of this response.

I have now completed the review. I have examined the response and I have considered whether the correct procedures were followed and assessed the reasons behind the response. I can confirm that I was not involved in the initial handling of your request.

Your request can be viewed at **Annex A** and response is at **Annex B**. The response refused to provide the information under section 40(2) of the Act.

Your internal review request is at **Annex C**, but the crux of your complaint is that you disagreed with the response and that the information should be released as it relates to the number of SPV applications and not personal information of the individuals making these applications.

I have now considered your complaint and have consulted with the responding unit. My main finding is that the response provided to you was incorrect.

Section 40(2) was engaged to withhold the information in full. The argument being that the individuals who made the applications could be identified by anyone from the information. However this review notes that the original request was asking only for numbers of applications and as such the chances of identifying the individuals who made the applications is mitigated.

Your request was in two parts. The first was for the total number of SPV applications. In this regard, the Home Office has agreed that this information can be released. I am therefore able to inform you that there were 105 SPV applications within the scope of your request.

In regard to the second part of your request, concerning a breakdown by working days between the SPV appointment and the time the documents were ready for collection, I can inform you that only some of this information can be released. I have included a table below.

Some of this information is exempt from disclosure under section 40(2) of the FOI Act. The Home Office has obligations under data protection legislation and in law generally to protect personal data. Some of the information you have requested is exempt from disclosure under section 40(2) of the FOI Act, because of the condition at section 40(3A)(a). This exempts personal data if disclosure would contravene any of the data protection principles in Article 5(1) of the General Data Protection Regulation and section 34(1) of the Data Protection Act 2018.

It is considered that any figures lower than 10 could lead to the identity of the individuals being revealed, which would be in breach of data protection.

The table below provides some of the information requested and where section 40(2) has been engaged.

Working days taken to prepare SPV applications for collection from the point of an SPV appointment in Toronto Canada	Number of SPV applications
1 day	38
2 day	38
3 day	Section 40(2) engaged
4 day	Section 40(2) engaged
5 day	Section 40(2) engaged
6 day	Section 40(2) engaged
13 day	Section 40(2) engaged
Total	105

Conclusion

This internal review has overturned the withholding of the information in full under section 40(2) and has partially released the information requested. Section 40(2) still applies to some of the information requested, because of the condition at section 40(3A)(a)

Yours sincerely

Martin Riddle
Information Rights Team

Switchboard 020 7035 4848

E-mail FOIRequests@homeoffice.gsi.gov.uk

Annex A – Original request

Dear Home Office,

The Super Priority Visa (SPV) is an optional service offered to UKVI customers applying for their visa in Toronto Canada. It is marketed as the fastest way to secure a visa decision.

Please can we kindly ask you to confirm the following:

- Between 1st April 2018 and 31st July 2018 - How many SPV applications were submitted via the Toronto Visa Application Centre for processing?
- Once you have confirmed the number of SPV applications submitted during this period, please can you confirm the duration each case took to complete using the following formular:

The date of a customer's booked SPV appointment counts as (DAY ZERO) against the date that the customer's documents were ready for collection (or despatch) from Toronto VAC (i.e. after full consideration of the SPV application) - counting working days only.

By way of example: A SPV appointment booked for Friday 6th July (DAY ZERO) and the case was completed and ready for collection on Tuesday 10th JULY = (DAY 2).

By gathering this information, we would therefore be in a position to determine the number of SPV cases during this period that were completed with 24 hours (DAY 1), 48 hours (DAY 2) etc.

Thank you.

Yours faithfully,

Annex B – Response

Dear Mr Hugkulstone,

Thank you for your enquiry of 14 August in which you requested information on Priority Visas. Your request is being handled as a request for information under the Freedom of Information Act 2000.

Information Requested

Please can we kindly ask you to confirm the following:

- Between 1st April 2018 and 31st July 2018 - How many SPV applications were submitted via the Toronto Visa Application Centre for processing?

- Once you have confirmed the number of SPV applications submitted during this period, please can you confirm the duration each case took to complete using the following formular:

The date of a customer's booked SPV appointment counts as (DAY ZERO) against the date that the customer's documents were ready for collection (or despatch) from Toronto VAC (i.e. after full consideration of the SPV application) - counting working days only.

By way of example: A SPV appointment booked for Friday 6th July (DAY ZERO) and the case was completed and ready for collection on Tuesday 10th JULY = (DAY 2).

By gathering this information, we would therefore be in a position to determine the number of SPV cases during this period that were completed with 24 hours (DAY 1), 48 hours (DAY 2) etc.

Response

The Home Office has obligations under data protection legislation and in law generally to protect personal data. We have concluded that the information you have requested is exempt from disclosure under section 40(2) of the FOI Act, because of the condition at section 40(3A)(a). This exempts personal data if disclosure would contravene any of the data protection principles in Article 5(1) of the General Data Protection Regulation and section 34(1) of the Data Protection Act 2018.

Due to the information you have requested focusing on individual appointments in a very specific time and place; we have decided that the information is exempt due to the reasons regarding personal data described above. If you were to resubmit your request, focusing on average times taken, rather than individual appointments, we will reconsider your request.

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 49814. 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

Annex C – Internal Review

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 'Super Priority Visa Service - Toronto'. FOI 49814

My request has been unlawfully classed as exempt from disclosure due to the requested information 'focusing on individual appointments in a very specific time and place'. We therefore reject this assessment and request an independent internal review.

The original FOI request did not focus on individual appointments. The FOI request centred on a 4 month period (1st April -31st July 2018) and related only to the NUMBER of Super Priority Visa (SPV) applications submitted via the Toronto Visa Application Centre and the duration it took the UKVI to complete each SPV case.

Toronto is the only UK visa centre in Canada that offers the SPV service to its visa customers and therefore services the entire country in respect of this provision. It is therefore justifiably appropriate to request data on this specific office's performance in delivering this service over a 4 month period.

Since the SPV service is openly marketed by the UKVI <https://www.vfsglobal.co.uk/ca/en/premium-services/super-priority-visa> as the 'fastest way to secure a visa decision' and to 'Get a visa decision in 24 hours', it is also fair and appropriate to ask the UKVI to specify the duration each SPV case (during the requested 4 month period) took to process rather than receive an average time taken over the same period.

We therefore trust this request for an independent internal review is fully considered on its merits and the UKVI subsequently asked to comply with the original FOI request.

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

Yours faithfully,

Annex D – Complaints procedure

This completes the internal review process by the Home Office. If you remain dissatisfied with the response to your Fol 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