



Home Office

Performance and Risk 020 7035 4848  
Directorate (switchboard)  
2 Marsham Street  
London SW1P 4DF [www.gov.uk](http://www.gov.uk)

Mr Peter Kellard  
Via email to: [request-395262-981dfca2@whatdotheyknow.com](mailto:request-395262-981dfca2@whatdotheyknow.com)

15 May 2017

Dear Mr Kellard

**Freedom of Information request (our ref: 43211): internal review**

Thank you for your email of 29 April 2017 in which you asked for an internal review of our response to your Freedom of Information (FOI) request. Your request of 14 March 2017 asked for updated information for FOIs you had previously submitted. You also sent a follow up email on 25 April 2017 asking for an update on your request. Your request, and follow up email, can be viewed in full at **Annexes A and B**.

I have now completed the review and have assessed the substance of the response provided to you. I can confirm that I was not involved in the initial handling of your request.

Following your subsequent email, CCT FOI responded to say that your FOI response had been answered on 16 March 2017, and provided a copy of the response within their email. The FOI response requested that you provided clarification of the information that you were requesting.

The review is based on the points you have raised in your internal review request which can be found in full at **Annex C**.

The crux of your argument is that you did not receive the response dated 16 March 2017. You state it appears the FOI team has failed to answer the request, and that the response appears to be aimed at manipulating the process to give the impression that they have met their statutory obligations.

I have carefully considered your comments and consulted with the responding unit. I can confirm that an email was sent on 16 March 2017, however the email was not delivered. As can be seen from the email attachment contained within **Annex C**, the email address reads as "*mailto:[FOI #395262 email]*". Unfortunately, due to the inclusion of "*mailto*" in front of the email address, the email was not delivered. I apologise for this administrative error, and for the fact that this error was not picked up when you submitted your follow up email.

The FOI response you received, dated 25 April 2017, requested that you clarify your FOI request, and provide a detailed list of all the questions you seek a reply from UKVI on. In consideration, I am satisfied that the response was correct in requesting you to clarify your request. It would be helpful, when resubmitting your request, if you could be as specific as possible when detailing the information that you are interested in.

In conclusion, the CCT FOI email dated 25 April 2017 was incorrect to say that the FOI response was answered on 16 April 2017, as the response email was not successfully delivered to the *What Do They Know* website. The FOI response was correct to request that the FOI request be clarified and resubmitted.

Once again, I do apologise for the late response to your FOI request; I hope it did not cause you too much inconvenience.

This now completes the internal review.

Yours sincerely

**S Mason**

**Information Rights Team**

Switchboard 020 7035 4848

Email [info.access@homeoffice.gsi.gov.uk](mailto:info.access@homeoffice.gsi.gov.uk)

## **Annex A – FOI request**

Dear Home Office,

I would be very grateful if you would provide the same information as per FOI 29829 for the period 1st January 2016 to 31st December 2016.

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

Will you also run the report for sponsors using 5 or more Tier 2 ICT COS issued from 1st January 2016 to 31st December 2016 as per FOI 2667 31346

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

Thank you.

Yours faithfully,

Peter Kellard

**Annex B – Follow up email (dated 25 April 2017)**

Dear FOI Requests,

A little behind on this one and it is an easy one to answer as it is running existing reports but for 2016. Please provide an update on when you expect to answer this request.

Yours sincerely,

Peter Kellard

**Annex C – CCT FOI response (dated 25 April 2017)**

Dear Mr Kellard

Thank you for your email dated 25/4/2017.

We had in fact responded to your enquiry by email on 16/3/2017 and a further copy of that email is provided below.

Regards

CCT FOI Team

From: FOI Responses  
Sent: 16 March 2017 15:43  
To: 'mailto:[FOI #395262 email]'  
Subject: FOI 43211

Dear Mr Kellard

FOI 43211

Thank you for your enquiry of the 14 March 2017.

We write to seek clarification of your request.

Could you please provide a detailed list of all the questions you seek a reply from UKVI on.

Unfortunately our team records do not go back as far as you have noted.

Please respond directly to 'FOI Requests' with your enquiries. They will then provide you with a new reference number and us with a target date to reply.

This particular case is now deemed as closed.

Regards

CCT FOI team

**Annex D - Internal Review request (dated 29 April 2017)**

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 'Tier-2 COS data & Sponsors with 5 or more COS for Jan to Dec 2016'.

After receiving no reply within the statutory period by which the FOI should have been answered I followed up with an email to establish progress on 25/04/2017. A reply to this email was received on 25/04/2017 which claimed that a reply for clarification to my initial request had been sent by the FOI team on 16th March 2017. The email of 25/04/2017 included a copy of the email which the FOI team claimed had been sent. The CCT FOI team asked that I resubmit my request again and deemed this request closed.

It can be seen from the thread of this request that no such response was sent by the FOI team on 16th March 2017 as claimed in their email of 25th April 2017. It appears that the FOI team have failed in their duty to answer this request and their recent response appears to be aimed at manipulating the process to give the impression that they have met their statutory obligations when this is not the case.

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

Yours faithfully,

Peter Kellard

## **Annex E - Further complaint 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