



Home Office

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Mr W Pearsall
[mailto:request-172909-
2ccc011b@whatdotheyknow.com](mailto:request-172909-2ccc011b@whatdotheyknow.com)

21 October 2013

Dear Mr Pearsall

Reference number: 28696

Thank you for your e-mail of 21 September, in which you asked for an internal review of our response to your Freedom of Information (Fol) request for information about the use of personal email accounts by staff in the Home Office.

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 and assessed the reasons why information was withheld from you. I confirm that I was not involved in the initial handling of your request.

My findings are set out in the attached report. My main conclusion is that the original response was largely correct although we were at fault in not replying within the statutory time limit. However, I am able to release some further documents to you and these are attached to the email sending this report. A full explanation of this decision can be found in the attached report.

Yours sincerely

C Aitken
Information Access Team

Switchboard 020 7035 4848
E-mail info.access@homeoffice.gsi.gov.uk

Internal review of response to request under the Freedom of Information (Fol) Act 2000 by Wayne Pearsall (reference: 28696)

Responding Unit: Information Management Services (IMS)

Chronology

Original Fol request: 13 August 2013

IMS response: 17 September 2013

Request for internal review: 21 September 2013

Subject of Request:

1. Mr Pearsall submitted the following request for information under the Freedom of Information Act:

I am enquiring into your policy in relation to the use of personal email accounts at the Home Office whilst employees are on duty.

Can you please provide me with a copy of your policy that outlines responsibilities for employees in relation to their use of "personal communication methods".

By "Personal Communication methods" I include: email, telephone, mobiles, sms, facebook, twitter, google+ (and any other social media site), "dropbox websites" (such as dropbox.com)

I am keen to discover the extents that The Home Office goes to ensure that the personal information of both clients and employees is protected.

The response by IMS

2. IMS responded by sending Mr Pearsall the information set out in the response letter at **Annex A** and in the other Annexes attached online at the website address given in Mr Pearsall's email at **Annex B**.

Mr Pearsall's request for an internal review

3. Mr Pearsall submitted a request for an internal review; a full copy of which can be found at **Annex B**.

Procedural issues

4. Mr Pearsall submitted the request for information on 13 August 2013.

5. IMS provided a full response on 17 September 2013 which was the 24th working day. IMS was in breach of section 10 of the Fol Act as it responded to Mr Pearsall outside the twenty day statutory deadline.

6. IMS complied with sections 17(1)(a) and 17(1) (c) by stating that some of the information requested is exempt and providing sufficient detail as to why that exemption was applied.

7. Mr Pearsall was informed of the right to an independent internal review into the handling of the request, as is required by section 17(7)(a) of the Act. The response also informed Mr Pearsall of the right of complaint to the Information Commissioner, as specified by section 17(7)(b) of the Act.

Consideration of the response

8. IMS correctly applied section 21 to the relevant information. All other relevant information was provided with the exception of the documents that are now attached to the email sending this report. These additional documents meet Mr Pearsall's point that the original response failed to respond to his final question.

Conclusion

9. IMS complied with sections 17(1)(a) and 17(1)(c) by stating that the relevant information requested is exempt and providing sufficient detail as to why the exemptions were applied.

10. IMS correctly applied the exemption at section 21 to the relevant information requested.

11. I am attaching further relevant information to the email sending this report.

12. IMS was in breach of section 10 as the response was not provided within twenty working days.

Information Access Team
Home Office
21 October 2013

Annex A

Dear Mr. Pearsall,

Freedom of Information request: Case 28696

Thank you for your e-mail of 13th August 2013, in which you asked for a copy of the Home Office policy that outlines responsibilities for employees in relation to their use of "personal communication methods". Your request has been handled as a request for information under the Freedom of Information Act 2000.

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

<https://www.gov.uk/government/publications/home-office-twitter-policy/home-office-twitter-policy>

Section 21 of the Freedom of Information 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.

I am also able to disclose the information set out in the attached Annexes B-G. The general policy of the Home Office is not to disclose, to a third party, personal information about another person. This is because we have obligations under the Data Protection Act and in law generally to protect this information. Your request which includes personal information has been considered in line with our obligations under the Freedom of Information (FOI) Act. However, we have concluded that some of the information you have requested is exempt from disclosure under section 40(2) of the FOI Act. This exempts personal data if disclosure would breach any of the data protection principles. This has been applied to the document in annex F & G.

In keeping with the Freedom of Information Act, we assume that all information can be released to the public unless it is exempt. In line with normal practice we are therefore releasing the information which you requested via the Home Office website.

I hope that this information meets your requirements. I would like to assure you that we have provided you with all relevant information that the Home Office holds.

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 **28696**. 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 member of staff who was 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

G. Banerjee
Information Access Team
Switchboard 020 7035 4848
E-mail info.access@homeoffice.gsi.gov.uk

Annex A**Freedom of Information request from W. Pearsall (reference 28696)****Information requested**

I am enquiring into your policy in relation to the use of personal email accounts at the Home Office whilst employees are on duty.

Can you please provide me with a copy of your policy that outlines responsibilities for employees in relation to their use of "personal communication methods".

By "Personal Communication methods" I include: email, telephone, mobiles, sms, facebook, twitter, google+ (and any other social media site), "dropbox websites" (such as dropbox.com)

I am keen to discover the extents that The Home Office goes to ensure that the personal information of both clients and employees is protected.

Date : 17 September 2013

Annex B

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 'Use of personal email accounts by staff in The Home Office'.

Further to my FOI request 28696, it is clear that you did not answer my FOI request. Your response focuses on the use of departmental resources. I however requested policies in relation to PERSONAL email accounts, telephones, and social networking sites ETC.

I can see from this request that it appears perfectly acceptable for members of staff to go surfing ebay or book their holidays (specifically stated as acceptable uses). You have not, however, provided the policies outlining the reasoning for this.

As my request stated "whilst they are on duty" i take it from your response that these actions are all acceptable whilst the individual is being paid to perform other tasks (IE: process visa applications ETC).

You have also failed to respond to my final question, and provide me with the information on the extents the HO goes to to protect the personal information of both staff and clients.

I note that your responsibilities under the DPA have clearly been breached in a number of instances that I am personally aware of.

A full history of my FOI request and all correspondence is available on the Internet at this address:

https://www.whatdotheyknow.com/request/use_of_personal_email_accounts_b

Yours faithfully,

Wayne Pearsall

Annex C

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