

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 18 July 2016

**Public Authority:** Home Office  
**Address:** 2 Marsham Street  
London  
SW1P 4DF

### Decision (including any steps ordered)

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1. The complainant requested information from the Home Office relating to customer satisfaction reports. To date he has not received a substantive response.
2. The Commissioner's decision is that the Home Office has failed to provide a response to the request within the statutory time frame of 20 working days. He requires it to comply with the request or issue a valid refusal notice as set out in section 17 of the FOIA.
3. The Home Office must take these steps within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of the Act and may be dealt with as a contempt of court.

### Request and response

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4. On 5 April 2016, the complainant wrote to the Home Office via the *whatdotheyknow* website and requested information in the following terms:

*"Dear Home Office*

*This is a refined FOI request based on FOI 38815.*

*I request the three latest (i.e. most recent) reports reflecting customer satisfaction based on the post-application questionnaire sent to applicants. If the cost exceeds 600 sterling in processing costs, I will accept the most recent customer satisfaction report.*

*If this could be separated by EEA and UK immigration applicants, that would be preferable, as I am most interested in EEA customer satisfaction scores. Otherwise, I am happy to receive the amalgamated version...".*

5. The Home Office acknowledged the request on 7 April 2016 and allocated a case reference number. It stated that it would aim to send the complainant a full response by 4 May 2016 "*which is twenty working days from the date we received your request*".

### **Scope of the case**

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6. The complainant contacted the Commissioner on 11 May 2016 to complain that he had not received a response to his request.
7. The Commissioner wrote to the Home Office on 14 June 2016. He asked it to respond within 10 working days.
8. The scope of this case is the determination of whether the Home Office has complied with section 10 of FOIA.

### **Reasons for decision**

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9. Section 1(1) of FOIA states that upon receipt of a request a public authority must confirm or deny whether information is held, and if that information is held it must be communicated to the requester.
10. Section 10(1) of FOIA states that public authorities must comply with section 1(1) within 20 working days of receipt of the request.
11. Despite the intervention of the Commissioner, the Home Office has not responded to the complainant's request for information.
12. From the information provided to the Commissioner in this case it is evident that the Home Office did not respond to the complainant within the statutory time frame and so it is in breach of section 10(1) of the FOIA.

### **Other matters**

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13. The delay in responding to this request will be logged as part of ongoing monitoring of the Home Office's compliance with the FOIA.

## Right of appeal

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14. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0300 1234504

Fax: 0870 739 5836

Email: [GRC@hmcts.gsi.gov.uk](mailto:GRC@hmcts.gsi.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

15. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
16. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Signed .....**

**Jon Manners**  
**Group Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**