

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 19 September 2017

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

#### **Decision (including any steps ordered)**

---

1. The complainant has requested information from the Home Office regarding costs relating to the General Registers online certificate ordering service.
2. The Commissioner's decision is that the Home Office has breached section 10(1) of the FOIA as it has failed to give a substantive response to this request.
3. The Commissioner requires the public authority to take the following steps to ensure compliance with the legislation.
  - The Home Office must issue a response to the request in accordance with its obligations under the FOIA.
4. The public authority 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**

---

5. On 30 November 2016, the complainant wrote to the Home Office and requested information in the following terms:

*"Please provide electronic and/or paper copies of the following information:*

*What is the cost so far of the General Register Service's Online Certificate Ordering Service?*

*What is the total budget for this project?*

*What is the current estimated cost for this project?*

*All mention or discussion of Free UK Genealogy, Free UK BMD, and any other volunteer transcription service in relation to this project (full document or relevant sections).*

*All mention or discussion of Free UK Genealogy, Free UK BMD, and any other volunteer transcription service in relation to the work of the General Register Service in any other way (full document or relevant sections).*

*Any approaches made to commercial family history partners (copies of correspondence), the outcome of the approach (copies of correspondence).*

*Any current discussions with commercial family history partners (copies of correspondence, or if commercial in confidence or subject to a nondisclosure agreement: name of partner, subject of discussion, outline budget if any).*

*All documents which discuss and evaluate the merits of developing a new search facility rather than expanding an existing service, such as the free service provided by Free UK Genealogy (free to both HM Government and to the service users), although the new search facility would be more limited than the existing service."*

6. The Home Office sought clarification on 15 December 2016 which the complainant provided on 5 January 2017. The 5 January 2017 is now the date of the request for information.

## **Scope of the case**

---

7. The complainant contacted the Commissioner on 7 June 2017 to complain about the way her request for information had been handled.

8. Following receipt of the complaint the Commissioner contacted the Home Office, reminding it of its responsibilities and asking it to respond to the complainant within 10 working days.
9. Despite this intervention the Home Office has failed to respond to the complainant.

### **Reasons for decision**

---

10. Section 10(1) of FOIA/EIR states that

*"Subject to subsections (2) and (3), a public authority must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt."*

11. As a response has not yet been provided the Commissioner finds that the Home Office breached section 10(1) in failing to respond within 20 working days.

## Right of appeal

---

12. 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)

13. 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.
14. 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 .....**

**Alun Johnson**  
**Team Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**