

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 17 May 2024

**Public Authority:** London Borough of Camden  
**Address:** Town Hall, Judd Street  
London

#### Decision (including any steps ordered)

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1. The complainant requested information about recipients of housing support in a seven part request. The London Borough of Camden (the Council) disclosed the recorded information it held.
2. The Commissioner's decision is that on the balance of probabilities the Council does not hold any further recorded information to that already provided. He does not require any further action to be taken.

#### Request and response

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3. On 18 November 2023, the complainant wrote to the Council and requested information in the following terms:  
  
"1...What is currently the highest amount of housing support (including but not limited to housing benefit) currently being paid by the Council either to and or on behalf of a claimant.

Can you state how much is being paid to or on behalf of the claimant (s) either on a weekly or a monthly basis. Was this payment being made directly to the claimant? If not, who was receiving the payment? For instance, was the payment being made to a landlord or other kind of accommodation provider. Can you specify? In the case of the payment can you specify what type of payment it is. For instance, is it housing benefit?

2...How many claimants are currently claiming at this level. In the case of each of these claimants claiming at this level are any required to repay any part of the payment to the council, can you, please state the level of repayment on a weekly or monthly basis.

3...In the case of each of the claimants claiming at this level what is the total amount of housing support the council has paid out either to them and or on their behalf. This particular figure may include payments at other levels as well as payments for other addresses. Can you state when the claimant first began claiming housing support? Can you state for how long the claim for housing support has been ongoing.

4...In the case of each of the claimants claiming at this level can you state how many dependents are currently living with them in the property (ies) covered by their current claim. These dependents will include spouses, partners, children and members of an extended family. Can you provide the ages of each dependent?

5...In the case of each claimant claiming at this level can you provide some details of their current accommodation. Can you state whether they are living in a hotel or in bed and breakfast accommodation or in a hostel or similar.

Alternatively, are the claimants living in a house? If the claimant is living in a house, can you provide the following details. How many storeys does the property have? Is the property detached, semi-detached, a bungalow, terraced or other? Can you please state which? How many gardens does the property have? Are the garden(s) at the front or back of the property? How many bedrooms does the property have? How many bathrooms does the property have? How many toilets does the property have? Does the property have a garage? Does the property have a conservatory?

6...In the case of each claimant claiming at this level and irrespective of the type of accommodation used by these claimants is their current accommodation within the council's own geographical area? If it is NOT within the council's own geographical area, can you state which town, city, borough, village the property is in. If the accommodation is in the council's geographical area, can you, please provide details of the electoral ward. Can you also provide details of the post code?

7...For whatever reason has any section or department of the council (including but not limited to the department responsible for the awarding and paymnet [sic] of housing benefi/support [sic]) asked the aforementioned claimants for details of the claimant's place of birth. If the answer is yes can the council state, the claimant's country of birth."

4. The Council responded on 7 December 2023. It provided a response to each part of the complainant's request, but stated it did not hold any information within scope of parts three and seven. The Council maintained this position at internal review.

## Reasons for decision

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5. Section 1 of the FOIA states that any person making a request for information is entitled to be informed in writing by the public authority whether it holds information of the description specified in the request and, if that is the case, to have that information communicated to them.
6. In cases where a dispute arises over whether recorded information is held by a public authority at the time of the request, the Commissioner - following the lead of a number of First-tier Tribunal decisions - applies the civil standard of the balance of probabilities. In essence, the Commissioner will determine whether it is likely, or unlikely, that the public authority holds information relevant to the complainant's request.
7. The Commissioner made the necessary enquiries to the Council and it confirmed that it does not hold any further recorded information in connection with sections three and seven of the request. It only holds the information it has already provided to the complainant.
8. It explained the case management system used by the Council was implemented in October 2003, a time at which the relevant benefits case was already live. The start date of the benefits claim was therefore not recorded on the new system, and only claim information from 1 April 2000 onwards was migrated from the old system to the new. Without this information, it is not possible to calculate the amount of benefits paid.
9. It confirmed it has searched the system and found no evidence of the claimant's place of birth. It has also stated that at the time the claim was processed, there was no statutory reason for the Council to record benefit claimants' places of birth. Although the Social Security (Persons From Abroad) Amendment Regulations were passed in 2006, this did not require the Council to obtain a place of birth for any on-going claims.
10. The Council has confirmed, based on these searches, that it does not hold any further information relevant to the request.
11. The Commissioner is satisfied that on the balance of probabilities the Council does not hold any further recorded information falling within the scope of the complainant's request. It has explained sufficiently the searches it has carried out, the information it is required to hold, and

the reasons the information relevant to the request was not captured. It has confirmed that everything else within scope of the request has been provided to the complainant.

12. There is no reason to doubt the Council's position in this case and the Commissioner has received no evidence to the contrary.
13. For the above reasons, the Commissioner is satisfied that the Council has complied with the requirements of FOIA and therefore no further action is required.

## 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: 0203 936 8963

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.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 .....**

**Susan Duffy**  
**Senior Case Officer**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**