

## **Freedom of Information Act 2000 (Section 51)**

### **Information notice**

**Date:** 2 September 2024

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

### **Section 51**

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Under section 51 of the Freedom of Information Act 2000 (FOIA), which is set out below, the Information Commissioner (the Commissioner) has the power to serve a notice on a public authority requiring it to furnish him with any information he requires to enforce the requirements of FOIA.

51. – (1) If the Commissioner –

(a) has received an application under section 50, ...

he may serve the authority with a notice (in FOIA referred to as “an information notice”) requiring it, within such time as is specified in the notice, to furnish the Commissioner, in such form as may be so specified, with such information relating to the application, to compliance with Part I or to conformity with the code of practice as is so specified.

### **Application under section 50**

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1. The Commissioner has received an application under section 50, reference IC-304527-Q0F2, for a decision whether a request for information made by the complainant to the Home Office on 18 October 2023, has been dealt with in accordance with the requirements of Part I of FOIA.

### **Nature of complaint**

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2. The Commissioner wrote to the Home Office on 22 July 2024 setting a 20 working day deadline to provide a copy of the withheld information in

this case, to consider the complainant's grounds of complaint and to respond to the investigation questions as set out in the Commissioner's investigation letter of 22 July 2024.

3. The Home Office requested an extension. Additional time was granted by virtue of the ICO case officer being on leave. The Home Office advised it would not be able to meet that extended deadline.

### **Information required**

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4. In view of the matters described above the Commissioner hereby gives notice that in the exercise of his powers under section 51 of FOIA he requires that the Home Office shall, within 30 calendar days of the date of this notice, furnish the Commissioner with a copy of the following information:
  - A copy of any information that the Home Office still wishes to withhold in respect of this request.
  - Consider the complainant's grounds of complaint as set out in the Commissioner's investigation letter of 22 July 2024.
  - Respond to the section 31 of FOIA investigation questions as set out in the Commissioner's investigation letter of 22 July 2024.
  - Explain why the internal review outcome was provided late.

### **Failure to comply**

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5. Failure to comply with the steps described above may result in the Commissioner making written certification of this fact to the High Court (or the Court of Session in Scotland) pursuant to section 54 of FOIA, and may be dealt with as a contempt of court.

### **Right of appeal**

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6. There is a right of appeal against this information notice to the First-tier Tribunal (Information Rights). Information about the appeals process can 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)

7. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this information notice is sent. If Notice of Appeal is served late the Tribunal will not accept it unless it is of the opinion that it is just and right to do so by reason of special circumstances.

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