

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 21 December 2016

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

Decision (including any steps ordered)

1. The complainant has requested information relating to funding for youth programmes.
2. The Home Office failed to respond to this request for information and the Commissioner's decision is that in doing so the Home Office breached sections 1(1) and 10(1) of the FOIA.
3. The Commissioner requires the Home Office to take the following steps to ensure compliance with the legislation.
 - Issue a response to the request under the FOIA by either complying with section 1(1) or issuing a valid refusal notice.
4. 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 FOIA and may be dealt with as a contempt of court.

Request and response

5. On 27 July 2016, the complainant wrote to the Home Office and requested information in the following terms:

"1. For how many years (which financial year) has the Home Office funded the Young Leaders Programme by the Active Change Foundation?"

2. How much money has the Young Leaders Programme cost the Home Office each year for the number of years of programme delivery? – Please break this cost down by borough / authority (you can, in your response put 'borough 1: £xx' 'borough 2: £xx' as opposed to specific borough / authority identities.)

Please provide this information from the first year of programme delivery up to the latest financial year (2015-2016)

I.e.

Financial year 2013-2014:

Borough 1: £xxxx

Borough 2: £xxxx

Borough 3: £xxxx

Total contributions towards programme by the Home Office: £xxxx

3. For how many years has the Home Office funded the 'Youth Leader Project' by the New Choices for Youth Trust?

4. How much money has the Youth Leadership Project cost the Home Office each year for the number of years of programme delivery? – Please break this cost down by borough / authority

Please provide this information from the first year of programme delivery up to the latest financial year. (2015-2016) in the same format as request for question 2 above.

5. Has the Home Office allocated funding for the Active Change Foundation in the financial years 2016-2017 and 2017-2018 for the Young Leaders Programme?

6. If response to q5 is yes, how much has been allocated? (per borough / authority – you may label as 'borough 1' as opposed to specific borough names). Please structure your response in the same way as requested for question 2 above.

7. Has the Home Office allocated funding for New Choices for Youth in the financial years 2016-2017 and 2017-2018 for the Youth Leadership Project?

8. If response to q7 is yes, how much has been allocated? (per borough / authority – you may label as 'borough 1' as opposed to specific borough names). Please structure your response in the same was as requested for question 2 above.

9. Do the Home Office retain any intellectual property rights (such as copyright) to the 'Young Leaders Programme' or the 'Young Leadership Project'?"

6. The Home Office acknowledged the request on the 25 August 2016. It said that it was considering the application of several qualified exemptions and that it was necessary to extend the statutory 20 working day timescale for compliance in order to consider the public interest. It undertook to respond to the request by 23 September 2016.
7. At the date of this decision notice, the Home Office had yet to respond substantively to the request.

Scope of the case

8. The complainant contacted the Commissioner on 12 September 2016 to complain about the failure of the Home Office to respond to his request.

Reasons for decision

9. The Commissioner wrote to the Home Office on 16 September 2016 and asked it to respond to the complainant's request within 10 working days. She wrote to it again on 30 November 2016 to ask it to confirm whether this had been done. Despite this, neither the Commissioner nor the complainant received any response from the Home Office.
10. Section 1(1) of the FOIA states that an individual who asks for information is entitled to be informed whether the information is held and, if the information is held, to have that information communicated to them.
11. Section 10(1) of the FOIA states that a public authority must respond to a request promptly and "no later than the twentieth working day following the date of receipt".
12. In this case the Home Office has breached sections 1(1) and 10(1) by failing to respond to the request within 20 working days.

Right of appeal

13. 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

Website: <http://www.justice.gov.uk/tribunals/general-regulatory-chamber>

14. 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.
15. 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
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