

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 7 June 2021

Public Authority: The Barnet Group
Address: 3rd Floor
2 Bristol Avenue
Colindale
London
NW9 4EW

Decision (including any steps ordered)

1. The complainant has requested data about homelessness from Barnet Homes which maintains that it is supplied all the requested data it holds.
 2. The Commissioner's decision is that Barnet Homes has provided the complainant with all the information he has requested.
 3. The Commissioner requires the public authority to take no steps to ensure compliance with the legislation.
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Background

4. The Barnet Group is a local authority trading company created in February 2012. It is owned by Barnet Council.
5. By virtue of section 6(2)(b) of FOIA, The Barnet Group is a public authority, it being a company wholly owned by the wider public sector (i.e. Barnet Council).
6. The Barnet Group is the parent company of Barnet Homes which manages the borough's 15,000 council homes on behalf of Barnet

Council. It also works to prevent homelessness and allocates homes to social housing applicants.

Request and response

7. On 23 July 2020, the complainant requested information from Barnet Homes by saying as follows

"I shall be grateful if Barnet Homes could please provide recorded information held for the last five years (2015 to 2020) in relation to homelessness applications made to the Barnet Council, with respect to the following:

1. Total number applications from 2015 to date
2. Percentage of successful applications (i.e. applicants found NOT to be intentionally homeless)
3. Percentage of failed applications (i.e. applicants found to be intentionally homeless)
4. Percentage of successful applications (as defined in para (2) above) whose applicants are White
5. Percentage of successful applications (as defined in para (2) above) whose applicants are BAME.
6. Percentage of failed applications (as defined in para (3) above) whose applicants are White
7. Percentage of failed applications (as defined in para (3) above) whose applicants are BAME

8. On 30 Jul 2020, Barnet Homes responded, by saying as follows

1. Total number applications from 2015 to date – 12737
2. Percentage of successful applications (i.e. applicants found NOT to be intentionally homeless) 68.9%
3. Percentage of failed applications (i.e. applicants found to be intentionally homeless) 31.1%
4. Percentage of successful applications (as defined in para (2) above) whose applicants are White 20.1%

5. Percentage of successful applications (as defined in para (2) above) whose applicants are BAME 28.6%
 6. Percentage of failed applications (as defined in para (3) above) whose applicants are White 11.1%
 7. Percentage of failed applications (as defined in para (3) above) whose applicants are BAME 15.4%
9. On 30 July 2020, complainant sought a review of Barnet Homes' decision by saying as follows.

"Thank you for your response to my freedom of information request received today. However, there seems to be some discrepancies with the data provided in the response.

For instance, the race of 58.2% of the entire application for homelessness for the past 5 years appeared unaccounted for (based on the data provided in FOI response) which is not only highly unlikely in practice but appear inconsistent with the reported data in Barnet Council's homelessness review for 2014 to 2018 suggesting that only 6% of applicants accepted as homeless did not indicate their race. Further, 63% of homeless applicants are reported in the review as BAME, significantly in contrast to 24.5% that the data in FOI response suggested is the percentage of BAME homeless applications since the last 5 years.

I shall therefore be grateful if the data provided in the FOI response could be checked again to ensure the complete data for BAME applications (meaning every other applicant that identified as non-White) as requested in the FOI request is provided in the FOI response".

10. Barnet Homes sent the complainant the outcome of its internal review on 6 September 2020. It upheld its original position, explaining that it had provided him with all the information it held and that its own records were incomplete.

Scope of the case

11. The complainant contacted the Commissioner on 24 August 2020, to complain about the way his request for information had been handled.
12. During the course of the Commissioner's investigation, Barnet Homes provided the complainant with further information germane to the complainant's request and said as follows.

"The team that initially provided the response have provided the following updated data, which we are happy to pass on to the requester.

The newly extracted data is for the period 1/1/15 to 31/12/20.

See below:

1. Total number applications from Jan 2015 to end Dec20 – 15134
 2. Percentage of successful applications (i.e. applicants found NOT to be intentionally homeless) 64.6%
 3. Percentage of failed applications (i.e. applicants found to be intentionally homeless) 35.4%
 4. Percentage of successful applications (as defined in para (2) above) whose applicants are White 33.9%
 5. Percentage of successful applications (as defined in para (2) above) whose applicants are BAME 50.1%
 6. Percentage of failed applications (as defined in para (3) above) whose applicants are White 33.5%
 7. Percentage of failed applications (as defined in para (3) above) whose applicants are BAME 42.3%"
13. The Commissioner considers she has to determine whether the public authority has provided all the information the complainant has requested.

Reasons for decision

14. Under section 1(1) of the FOIA anyone who requests information from a public authority is entitled under subsection (a) to be told if the authority holds the information and, under subsection (b), to have the information communicated to them if it is held and is not exempt information.
15. The complainant believes that Barnet Homes has not supplied him with the requested information because it is at variance with data, he has received from Barnet Council namely the Barnet Council's Homelessness Review for 2014 to 2018.

Barnet Homes' Submissions

16. The data provided cannot be compared with that provided for Barnet Council's homelessness review as it covers a different period and has been extracted at a different point in time. Additionally, applications are under constant change, data cleansing is ongoing particularly since the data migration to Jigsaw (its current Housing Options system) and the introduction of the H-CLIC (Homelessness Case Level Information Classification) requirements on homelessness applications.
17. These requirements are placed upon local authorities by the MHCLG (Ministry of Housing Communities and Local Government) as they have to provide this information to them¹.
18. The H-CLIC data requirement v1.4.5 was published 18 May 2020. This data specification contains the core questions to be used in the monitoring of statutory homelessness by local authorities in England following commencement of the Homelessness Reduction Act 2017. It includes the acceptable methods and media for sending the data, the overall format of the data file, and rules governing when to send data. Definitions and format validation checks on each variable are also provided.
19. To help the Commissioner determine whether the public authority had provided the complainant with all the information he was seeking she asked it a series of questions. The questions and the answers from Barnet Homes are given below.
 - What searches have been carried out to check that information was held within the scope of the request and why would these searches have been likely to retrieve any relevant information?

The searches include homelessness applications taken during the specified period extracted from our electronic IT systems. The searches undertaken provide the relevant data at the point of data extraction as per the description provided in the request.

- Please describe thoroughly any searches of relevant paper/electronic records and include details of any staff consultations.

No staff consultations have been carried out in the search for records as they were not required. Regular quality control checks are carried out on homelessness data. The searches include homelessness applications

¹ <https://gss.civilservice.gov.uk/user-facing-pages/mhclg-homelessness-statistics-user-forum/>

taken during the specified period extracted from our electronic IT systems. The searches undertaken provide the relevant data at the point of data extractions per the description provided in the request.

- If searches included electronic data, which search terms were used and please explain whether the search included information held locally on personal computers used by key officials (including laptop computers) and on networked resources and emails.

All homelessness data is captured electronically in homelessness IT systems. Applicants' data is not saved on personal computers, local networks or emails.

- If no or inadequate searches were done at the time, please rectify this now and let me know what you have done

The searches were adequate.

- If the information were held would it be held as manual or electronic records?

Homelessness data is only held as electronic records.

- Was any recorded information ever held relevant to the scope of the complainant's request but deleted/destroyed?

No - IT systems prevent users from deleting records. Records may only be deleted at management level to resolve duplication of data.

- If recorded information was held but is no longer held, when did you cease to retain this information?

N/A

- Does the public authority have a record of the document's destruction?

No documents have been destroyed relevant to this data request.

- What does your formal records management policy say about the retention and deletion of records of this type? If there is no relevant policy, can you describe the way in which it has handled comparable records of a similar age?

Applicants' records are kept for 7 years

- If the information is electronic data which has been deleted, might copies have been made and held in other locations?

No documents have been destroyed relevant to this data request.

- Is there a business purpose for which the requested information should be held? If so, what is this purpose?

The data for the requested period falls within 7 years data retention. We keep homelessness information for 7 years on the advice of the NPSS (National Practitioner Support Service), a body that provides advice to local authorities in relation to homelessness and other housing related matters.

- Are there any statutory requirements upon the Public authority to retain the requested information?

Data Protection requirements

The Commissioner's Considerations

20. Having regard to the type of information the complainant was requesting and the source of that information, in this case Barnet Homes computer system, the Commissioner is satisfied that it has provided all the requested information it holds.
21. As to the correctness and veracity of the contents of the information provided this is not for the Commissioner to determine. FOIA only requires that the public authority provide the information it has, any determination as to the accuracy of the information is outside the scope of the Act. The Commissioner is not aware of any evidence that suggests the public authority has not divulged to the complainant all the requested information that it holds. Hence the Commissioner's conclusion that the public authority has provided all the requested information it holds.

Right of appeal

22. 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@justice.gov.uk

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

23. 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.
24. 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

Gerrard Tracey
Principal Adviser
Information Commissioner's Office
Wycliffe House
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