

Aug/05

IMMIGRATION DIRECTORATES' INSTRUCTIONS

ANNEX B

**CHAPTER 25
SECTION 2**

**IDENTIFYING AND DEALING WITH REQUESTS
FOR INFORMATION IN IND**

STANDARD TEMPLATES

**TEMPLATE FOR NOTIFYING RECEIPT OF NON ROUTINE REQUESTS TO THE IND
CENTRAL FOI TEAM**

Name of Officer handling the request:	
Contact Details: Business Area Directorate Phone number	
Date request received in Home Office	
Details of Applicant Name: Organisation: Address Post code Phone number Email address	
Subject of the request: Brief summary	

TEMPLATE FOR NOTIFYING OUTCOME OF NON-ROUTINE FOI REQUESTS TO IND CENTRAL FOI TEAM

FOI reference number:	
Date of reply	
Outcome: Answer those that are applicable	
<u>Extent of disclosure:</u>	
Information released in full:	
Information partially withheld:	
Information entirely withheld: (If info is partially or entirely withheld one or more of the 'reasons for withholding information' boxes below <u>must</u> be completed.	
No Information was found:	
<u>Reasons for withholding information</u>	
If exemptions were used, which one(s)?	
Neither confirm nor deny used on all of the Information:	
Neither confirm nor deny used on some of the of the information:	
Request exceeded fees limit	
The request was vexatious	
The request was repeated	
Request was unclear	
Further information:	

STANDARD LETTER TEMPLATE FOR CONSULTING WITH THIRD PARTIES WHO MAY BE THE SUBJECT OF A FOI REQUEST

[Insert details of relevant Directorate address here]

Our Ref:
Your Ref:

Date

Dear **[enter applicant name]**

I am writing to you in connection with a request for information received by **[IND/IND Directorate]** under the Freedom of Information Act 2000 legislation. Part of the information requested **[was supplied by/relates to]** you and a **[copy of this/description of the information]** is enclosed.

As you may be aware, the Freedom of Information Act carries a presumption in favour of disclosure. However, it also contains a number of exemptions which can be used to withhold information in appropriate circumstances. In the case of some of these exemptions it is necessary to apply a public interest test before we can decide whether information is disclosable or not, as set out in section 2 of the Act. The public interest test is used to balance the public interest in disclosure against the public interest in favour of withholding the information under any particular exemption.

If you consider that the information **[supplied by you/relating to you]** should not be disclosed, please let me have written details of how, in your view, disclosure of the information would be harmful. The final decision on whether the information should be withheld rests with IND as part of the Home Office. However, we will take into account your views when making this decision. While the Department is committed to the presumption of openness contained in the Freedom of Information Act, I would like to reassure you that we will not disclose information where there are legitimate reasons, in the public interest, for not doing so. We will also write to let you know what our final decision is.

Your response must reach me by **[insert date]** to enable us take your views into account in deciding whether to disclose the information. This is because the Freedom of Information Act normally (if a qualified exemption is claimed, the statutory time limit can be extended if necessary) requires us to send full responses to applicants within 20 working days of receiving a request. If you do not make any representation by the above date, then we will not be able to take into account any objections that you have to the information being disclosed.

If you have any queries about this letter, please contact me. Please remember to quote the reference number above in any future communications. I look forward to hearing from you shortly about this letter.

Yours sincerely,

[Signature of staff member]

[Insert full name of IND staff member dealing with request]

[Insert IND Directorate]

STANDARD LETTER TEMPLATE FOR NOTIFYING THIRD PARTIES OF THE DEPARTMENT'S DECISION WHO MAY BE THE SUBJECT OF A FOI REQUEST

I refer to my letter of [insert date] [and your response of insert date of subsequent communications if one exists].

[I am writing to advise you that, having taken your comments into full consideration, the Department has decided (to /not to) disclose the information concerned]

OR IF THE APPLICANT HAS NOT REPLIED

[I am writing to advise you that although we have not received a response from you we have decided (to/not to) disclose the information concerned. We have had to reach a conclusion in the absence of your views because of our duty to respond to the request within a set timescale].

We have reached this decision because [IND Directorate to insert reasons, including exemptions used and considered, and factors affecting the public interest in favour of/against disclosure].

[Insert if any information was withheld: You should note that the applicant has the right to seek a review of this decision. I will advise you if the applicant requests such a review.]

If you have any queries about this letter, please contact me.

Yours sincerely,

[Signature of staff member]

[Insert full name of IND staff member dealing with request]

[Insert IND Directorate]

STANDARD LETTER TEMPLATE WHEN A SEARCH IS CARRIED OUT AND THE REQUESTED INFORMATION IS NOT FOUND

[Insert details of relevant Directorate address here]

Our Ref:

Your Ref:

Date

Dear **[enter applicant name]**

Thank you for your letter/fax/email **[delete as appropriate]** of **[insert date of letter from applicant]** where you have requested information about **[insert type of information requested by the applicant]**. This falls to be dealt with under the Freedom of Information Act 2000.

After a thorough search, I regret to have to inform you that *IND/or insert name of relevant IND Directorate* **[delete as appropriate]** does not hold the information that you have requested. **[IND Directorates to insert any further explanation that may explain why the information is not or is no longer held and any advice that can be provided as to where the information might be obtained from]**

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting your complaint to:

IND Complaints Unit
11th Floor, West Wing
Block 'C'
Whitgift Centre
Wellesley Road
Croydon
CR9 1AT

During the independent review the department's handling of your information request will be reassessed by staff who were not involved in providing you with this response. Should you remain dissatisfied after this internal review, you will have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

I realise that this response may be a disappointment to you. However I would like to assure you that a very thorough search was conducted and that I am confident that we **[do not or no longer]** hold the information that you asked for.

Yours sincerely,

[Signature of staff member]

[Insert full name of IND staff member dealing with request]

[Insert IND Directorate]