

## Freedom of Information – Response – 27268

*I request the following information.*

*1. How many properties within the County of Suffolk have been provided for Refugees/Asylum seekers since 2024?*

Refugee Resettlement	Suffolk County Council can confirm that some of this information is held however, it is being withheld under s.38 health and safety, s.40 personal data and s.41 information provided in confidence. (see appendix below)
Asylum Seekers	Suffolk County Council is not responsible for housing asylum seekers. Please direct this question to the Home Office.

*2. How many hotel spaces are currently being provided within the County of Suffolk for Refugees/Asylum Seekers?*

0

*3. What is the total number of Families and Single Males currently being accommodated within the County of Suffolk?*

Refugee Resettlement	Suffolk County Council can confirm that some of this information is held however, it is being withheld under s.38 health and safety, s.40 personal data and s.41 information provided in confidence. (see appendix below)
Asylum Seekers	Suffolk County Council is not responsible for housing asylum seekers. Please direct this question to the Home Office.

**4. What is the annual cost to Suffolk County Council of housing Refugees/Asylum Seekers within the County of Suffolk?**

£0

Suffolk County Council is not a housing authority and does not receive payment for housing refugees. Accommodation specifically allocated to asylum seekers falls under the responsibility of the Home Office and its sub contractors.

Appendix

**Section 38 – Health and Safety**

Section 38 provides an exemption from disclosing information if such disclosure would endanger *any* individual (including the applicant, the supplier of the information or anyone else). In particular, the section provides that:

- (1) information is exempt if its disclosure under the Act would, or would be likely to*
- (a) endanger the physical or mental health of any individual, or*
  - (b) endanger the safety of any individual.*

Releasing the information requested would likely endanger the physical or mental health alongside endangering the safety of any refugee or asylum seeker placed within Suffolk as well as any professionals involved.

Section 38 is a qualified exemption. This means that even if information is exempt, a public authority is under a duty to consider whether disclosure should nevertheless be made in the public interest.

**Factors in favour of disclosure:**

- Further understanding of, and participation in, the debate of issues of the day.
- Facilitate the accountability and transparency of Suffolk County Council's decisions.

**Section 40 – Personal Data**

All information released in response to a Freedom of Information Act 2000 (FOIA) or Environmental Information Regulation 2004 (EIR) request is deemed to be in the public domain. As such we must consider whether or not the requested information qualifies as personal information and should therefore not be released into the public domain.

The council has determined that this is personal information and is therefore exempt from disclosure under **section 40** of the FOIA and **regulation 13** of the EIR.

The Council considered the following, including the possible consequences of disclosure for the data subjects concerned and their reasonable expectations as to the use of their data:

- expectations of the individuals concerned about personal information being put into the public domain;

- reasonable expectations - the data subjects concerned would have a legitimate expectation of privacy concerning their personal information and would not have anticipated this being put into the public domain;
- whether or not the requested information could be anonymised; and
- balancing the individual's rights and the legitimate interests - In past cases the Information Commissioner has weighed the individual's rights to privacy against the public interest in disclosure. There is no presumption in favour of releasing personal data.

This is an absolute exemption, which means that if the condition is satisfied there is no additional public interest test to consider.

In assessing fairness, the Council considered the likely consequences of disclosure of the requested information. Personal information should not be used in ways that have unjustified adverse effects on the individuals concerned. The council also considered whether such disclosure would be within the reasonable expectations of the individuals, given that any response to a request under the FOIA or EIR is deemed to be in the public domain. The council believes that in this instance it is not fair to disclose personal data and is therefore withholding the requested information under section 40 of the FOIA and regulation 13 of the EIR.

#### Section 41 – Information Provided in Confidence

Section 41(1) of the FOIA states that:

Information is exempt information if –

- (b) it was obtained by the public authority from any other person (including another public authority), and
- (b) The disclosure of the information to the public (otherwise than under this Act) by the public authority holding it would constitute a breach of confidence actionable by that or any other person.

The information that has been requested concerns communications sent between SCC and other organisations. SCC works with these organisations, in managing refugee programmes within Suffolk. The information shared on housing locations alongside identity details of refugees and asylum seekers including gender, age, language spoken and potentially even school placements.

Access to information sent and received is limited to only the professionals who work with refugees and asylum seekers and are aware of the importance of handling this information with care and confidentiality, with none of it having been put in the public domain. Whilst there is no explicit obligation of confidence when sharing the information, the organisations that share the information with SCC expect it to be treated confidentially and for it not to be disclosed to the world at large via a FOIA request.

The Council has determined that releasing this information would not be in the public interest. Therefore, it is withheld under s.38, s.40 and s.41 of the Freedom of Information Act 2000