



National Audit Office

The UK's independent public spending watchdog

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Reference FOI-1757

Date 13 November 2024

HOME OFFICE PURCHASE OF THE NORTHEYE SITE

Thank you for your FOI request to the National Audit Office (NAO) dated 16 October 2024. You asked for all papers relating to the Home Office's purchase of the Northeye site in Bexhill.

We have handled your request under the terms of the Freedom of Information Act 2000 (FOIA). The FOIA provides a legal right of access to recorded information held by a public authority, but it is subject to certain exemptions that may apply. While we hold information relevant to your request, we have decided to withhold the information under Section 33, the public audit exemption of the FOIA. The reasons for this and our consideration of the public interest test are explained below.

We are due to publish a report on the Home Office's acquisition of the Northeye site for asylum accommodation on Friday 15 November 2024. This report will set out the facts about the Home Office's purchase of the Northeye site, including the process followed by the Home Office and to what extent this differed from standard practice.

For the NAO to carry out its statutory function, and to be able to engage in an effective and comprehensive audit such as this, some information is required to be exchanged in confidence on the understanding that it will not be shared beyond that required for auditing purposes. Disclosure of such information would impair the provision of audit information in the future, and would reduce, if not cut off, critical information flows.

It is vital that we have a safe space to gather information and knowledge and engage in free and frank discussions with audited bodies, such as the Home Office. The release of the information you requested would remove this safe space and would be likely to prejudice the effective performance of our public audit function going forward. It would be likely to lead to increased challenge for audit information. This would require the NAO to formally assert our statutory access rights more frequently and potentially seek to enforce them, leading to significant delay, formal proceedings and increased audit costs. This would conflict with Section 17(3) of the Budget Responsibility and National Audit Act 2011 which places a duty on the C&AG to "aim to carry out functions efficiently and cost-effectively".

The Public Interest Test

We recognise that there is a public interest in knowing the use of public money is subject to appropriate levels of accountability and transparency. We also recognise that there is a public interest in promoting greater public understanding about the provision of accommodation to people seeking asylum.

The NAO's work helps Parliament hold government to account, and in our view, the balance of public interest rests with the NAO being able to deliver an effective and efficient public audit function and report our findings in public. Consequently, given the negative impact that would result from disclosure, we consider it appropriate to maintain the Section 33 public audit exemption in this case.

I hope this information is helpful. If you are not happy with the way we have handled your request, you can escalate your concerns. You should write to us within 40 working days, and we will carry out an internal review in relation to your original request.

Write to the NAO (FOI) Team at FOI@nao.org.uk or by post to: FOI Team, Green 2, National Audit Office, 157-197 Buckingham Palace Road, London, SW1W 9SP.

Yours sincerely

FOI and Correspondence Officer

Annex A

Section 33 Freedom of Information Act 2000 – Public Audit

Section 33 of the Freedom of Information Act 2000 (FOIA) provides that:

(1) This section applies to any public authority which has functions in relation to -

(a) the audit of the accounts of other public authorities, or

(b) the examination of the economy, efficiency and effectiveness with which other public authorities use their resources in discharging their functions.

(2) Information held by a public authority to which this section applies is exempt information if its disclosure would, or would be likely to, prejudice the exercise of any of the authority's functions in relation to any of the matters referred to in subsection (1).