

Email: foi@fca.org.uk

(By email)

11 January 2019

Our Ref: FOI6148

Freedom of Information: Right to know request

Thank you for your request under the Freedom of Information Act 2000 ("the Act"), dated 12 December 2018, for the following information.

"I would like to know the total number of mortgage sales for a residential property purchase in Q2 and Q3 2017. The data should include both new sales and remortgages.

I would like the data broken down by postcode sector (e.g. SW13 8, E20 1) and split out by number of sales by customer age bands in line with your routinely published age bands (eg. 18-25 / 26-30 / 31-35 / 36-40 / 41-45 / 46-50 / 51-55 / 56-60 / 61-65 / 66-70 / 71 -75 / 76+) for each sector."

We have interpreted your request to mean that you would like the total number of mortgage sales for residential property purchases excluding Business properties in Q2 and Q3 of 2017 broken down by age bands and postcode sector. Further, our interpretation is that 'residential' includes owner-occupier (First time buyer, Remortgages, Home Movers, Council Tenant Exercising their right to buy) and Buy to Let (BTL) mortgages. The FCA holds data in the format requested on owner-occupied mortgages but not on BTL mortgages.

Your request has now been considered and we can confirm that we hold information that falls within the scope of your request. We have, as required by the Freedom of Information Act (FOIA) provided you with the information we hold but as I am sure you will appreciate this information is provided to us and we are unable to ourselves verify its accuracy. The information that can be provided to you can be found in the attached Annex A.

However, a small amount of information has been redacted, as we are of the view that the exemption in section 40(2) (Personal information) of the Act is engaged. Specifically, any entries containing 5 or fewer mortgages have been redacted to ensure that individuals could not be identified. For a detailed explanation as to why this exemption applies to the information that has been redacted, please refer to Annex B below.

If you are unhappy with the decision made in relation to your request, you have the right to request an internal review. If you wish to exercise this right you should contact us within 40 working days of the date of this response.

If you are not content with the outcome of the internal review, you also have a right of appeal to the Information Commissioner at Information Commissioner's Office, Wycliffe

House, Water Lane, Wilmslow, Cheshire SK9 5AF. Telephone: 01625 545 700. Website: www.ico.org.uk.

Yours sincerely

Information Disclosure Team
Financial Conduct Authority

Annex B

- **General right of access to information held by public authorities**

Under section 1(1)(a) of the Act, any person making a request for information to a public authority is entitled to be informed in writing by the public authority whether it holds information of the description specified in the request. If the public authority holds information of the type specified in the request, the person requesting the information is entitled under section 1(1)(b) to have the information communicated to them. The rights in section 1(1)(a) and (b) are, however, subject to a number of exclusions and exemptions, including the following:

- **Section 40 (Personal information)**

To the extent that the information that we hold may contain personal data about individuals, section 40(2) of the Act provides that:

"Any information to which a request for information relates is also exempt information if –

- (a) it constitutes personal data [which is not otherwise exempt information]; and
- (b) the first, second, or third condition below (see sections 40(3A), 40(3B) and 40(4) of the Act) is satisfied".

We have applied this exemption because the first condition (as stated in section 40(3A) of the Act) is satisfied. The information you have requested comprises the personal data of individuals other than yourself which, if disclosed, would breach the data protection principles, which are set out in Article 5 of the General Data Protection Regulations ("GDPR") and section 34(1) of the Data Protection Act 2018.

In particular, it would be a breach of the first data protection Principle as set out in Article 5 of the GDPR to disclose such information, as it would not be necessary or fair to the individuals concerned, or lawful, where none of the conditions in Article 6(1) of the GDPR have been met. We do not believe any of the conditions in Article 6(1) have been met. The individuals concerned have not given their consent for their personal details to be made public and the release of such information may be detrimental to the individuals themselves.

As mentioned, rows of data containing 5 or fewer mortgages have therefore been redacted to ensure that individuals could not be identified.

Section 40 is an "absolute" exemption, and so it is not necessary to consider the public interests for and against disclosure of the information falling within this exemption.