

DWP Central Freedom of Information Team

e-mail: freedom-of-information-request@dwp.gsi.gov.uk

Our Ref: VTR IR716

15 October 2013

Dear Mr Davies,

Thank you for your email of 10 September 2013. You appear to be requiring an Internal Review of how we responded to your previous review request (IR 640), in which you asked for clarification of our response to your original Freedom of Information request (FOI 3348).

You asked:

The DWP cannot legally force a jobseeker to reveal his telephone number, email address or CV because this is personal information as defined in the Data Protection Act 1998.

In that knowledge please explain, by providing the relevant supporting legislation, how the DWP considers it can ever be "reasonable" to force a jobseeker to reveal this information by way of a jobseeker's direction in direct contravention of the Data Protection Act 1998?

Your request for another review has been given our full consideration. The case has been examined afresh and I uphold the decision of the Freedom of Information Officer in terms of the response provided to IR640.

As we explained in response to IR640, your original request was not an FOI request because it didn't ask for recorded information - it simply asked questions. However, in order to be helpful we aimed to answer the questions you asked. We acknowledged that we should have explained that to you when responding to your first Internal Review request.

In addition, the Act does not provide that a public authority must give advice or further clarification, opinion or explanation in relation to issues/policies under question. We were not therefore obliged by the Act to provide the clarification you asked for when responding to IR640. However, in order to be helpful, we did so.

As you have now requested two reviews in relation to this matter, we consider that it would be appropriate for you to apply to the Information Commissioner's Office if you remain dissatisfied with the information we have supplied. You can find out how to do this in the footnote below.

Alternatively, if you would like your latest request to be treated as a new Freedom of Information Request, please let us know.

If you have any queries about this letter please contact me quoting the reference number above.

Yours sincerely,

DWP Central FoI Team

Your right to complain under the Freedom of Information Act

If you are not happy with this response you may request an internal review by e-mailing freedom-of-information-request@dwpgsi.gov.uk or by writing to DWP, Central FoI Team, Caxton House, Tothill Street, London, SW1H 9NA. Any review request should be submitted within two months of the date of this letter.

If you are not content with the outcome of the internal review you may apply directly to the Information Commissioner's Office for a decision. Generally the Commissioner cannot make a decision unless you have exhausted our own complaints procedure. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow Cheshire SK9 5AF www.ico.gov.uk