

DWP Central Freedom of Information Team

e-mail: [freedom-of-information-request@dwpgsi.gov.uk](mailto:freedom-of-information-request@dwpgsi.gov.uk)

Our Ref: Fol 1970

30 April 2014

Dear Mr Roberts,

Thank you for your Freedom of Information (Fol) request received on 23 April. You asked:

- 1) For each of the first 8 weeks of 2013 please provide the figures of Jobseeker's Directions issued by staff at Cheltenham JPC.*
- 2) Please confirm how many complaints made in 2013 by benefit claimants about Cheltenham JCP ultimately resulted in decisions by the Independent Case Examiner.*
- 3) Please provide a copy (with necessary redactions) of any and all information sent to the DWP by the Independent Case Examiner ( ICE ) concerning the outcome of investigated complaints relating to Jobseeker's Allowance claimants at Cheltenham JCP during 2013 and 2014.*
- 4) Please provide a copy of any and all information communicated to the manager of Cheltenham JCP (and district manager for area which includes Cheltenham JCP ) by the DWP concerning the inappropriate issuing of Jobseeker's Directions by his staff during 2013.*

1) I can confirm the number of Jobseekers' Directions raised at Cheltenham Jobcentre was as follows:

- 01/01/13 – 04/01/13 = 14
- 07/01/13 – 11/01/13 = 36
- 14/01/13 – 18/01/13 = 17
- 21/01/13 – 25/01/13 = 15
- 28/01/13 – 01/02/13 = 22
- 04/02/13 – 08/02/13 = 9
- 11/02/13 – 15/02/13 = 17
- 18/02/13 – 22/02/13 = 6
- 25/02/13 – 01/03/13 = 16

2) I can confirm there was 1 complaint made in 2013 about Cheltenham Jobcentre that resulted in a decision by the Independent Case Examiner.

3) In response to your point 3, personal information about a third party is treated as exempt information under section 40(2) of the Freedom of Information (Fol) Act 2000. This is because access to personal information is treated under the provisions of the Data Protection Act 1998 and can only be released to you where such disclosure would not breach that person's right to privacy.

DWP maintains the following policy on disclosure of personal information:

"All personal information held in social security records is regarded as confidential. Information will not normally be disclosed to third parties without the consent of the person concerned. Information may normally be disclosed without consent to meet statutory requirements; to comply with a court order; to prevent duplication of payments from public funds; or where there is a compelling public interest in making the disclosure."

**All** disclosures made by DWP, in order to be considered authorised must be able to demonstrate that at least one of the above criteria apply. Any disclosure must have a sound legal footing and comply with the Data Protection Act 1998 Principles.

Under the Fol Act, DWP is not obliged to confirm or deny that it holds personal information about third parties, but in any event, even if held, the Department would not disclose personal information to you concerning the outcome of investigated complaints relating to Jobseekers Allowance claimants at Cheltenham Job Centre.

4) With regard to your point 4, no information is held. However we can confirm that the implications of such cases would procedurally be passed verbally to relevant staff.

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

Yours sincerely,

DWP Central Fol Team

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#### **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](mailto:freedom-of-information-request@dwpgsi.gov.uk) or by writing to DWP, Central Fol Team, Caxton House, Tothill Street, 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.org.uk/Global/contact\\_us](http://www.ico.org.uk/Global/contact_us) or telephone 0303 123 1113 or 01625 545745