

**Department for Work and Pensions (DWP)
Central Freedom of Information Team**

freedom-of-information-request@dwp.gsi.gov.uk

Our reference: Fol 879

Date: 20 March 2018

Dear Mr Collyer,

Thank you for your Freedom of Information request received on 7 March 2018. You asked:-

1. *Please confirm whether or not you have recorded information on whether DWP has asked companies to provide cctv or video footage of disabled people.*
2. *What form does this information take?*
3. *How many times has it done this?*
4. *Which company is used?*
5. *Are DWP using CCTV footage in deciding claims or pursuing claimants?*
6. *Please also confirm whether any DWP personnel or other agents of DWP are using Facebook and other social media to gather information on disabled people and if recorded information is held on this and if so what.*
7. *Which company or agency is used for this?*

DWP Response:

Unfortunately we are unable to provide the information you have requested as we do not hold the information in the format you have asked. The information would only be held on individual files if it existed and not on a central record. Therefore we would only be able to provide this information by examining individual investigation files and we estimate that the cost of complying with this request would exceed the appropriate limit of £600.

The appropriate limit is specified in the regulations and for central Government this is set at £600. This represents the estimated cost of one person spending 3.5 working days in determining whether the Department holds the information, and locating, retrieving and extracting the information. Under section 12 of the Freedom of Information (FOI) Act the Department is not obliged to comply with your request and we will not be processing this part of your request further.

We have considered, as required by Section 16 of the FOI Act, how we might help you to bring your request within the cost limit. However, because your request is so specific we are unable to help you do this.

However to be helpful I can tell you that for general benefit claim decisions, DWP does not access CCTV nor investigate people on Facebook or other social media platforms as part of the process of making a benefit decision.

There is, however, no restriction on a decision maker accessing publicly available information for relevant information in making a benefit decision if they have reason to do so.

Additionally the Counter Fraud & Compliance Directorate (CFCD), which is part of the Department for Work and Pensions (DWP), is responsible for the prevention, detection and where appropriate, investigation of Fraud and Error against all benefits administered by and on behalf of DWP.

The Department takes its responsibility to detect, prevent and recover benefit fraud very seriously. As the money paid in benefits is taxpayers' money it is right that we ensure it is paid correctly and recover any money that is paid incorrectly.

CFCD staff may conduct surveillance in a number of ways where it is necessary and proportionate to do so. The collateral intrusion and privacy of the individual concerned and whether there are other ways of obtaining the information required is considered before surveillance is undertaken. The Fraud investigation officer may use surveillance and must abide by the relevant legislation controlling its use. All surveillance activities are carefully managed and controlled. When necessary, appropriate authorisation is obtained in order to lawfully carry out surveillance.

Fraud investigators can where appropriate access publicly available information, such as on Facebook, Twitter etc., to gather evidence. Investigators cannot create fake social media profiles to engage with suspects in order to obtain evidence about that individual and again these activities are carefully managed and controlled.

Fraud investigators can request CCTV footage as part of a specific investigation or operation under and in accordance with the Data Protection Act 1998 and the CCTV Code of Practice 2008, issued by the Information Commissioner's Office.

For your information, I have provided a link to the redacted Fraud Guidance, held on the Gov.uk website. This is the guidance followed by DWP Fraud Investigators and contains information on how we carry out surveillance and obtain evidence (including use of social media to obtain evidence and use of CCTV). In order to be helpful, may I draw your attention to the following pages:

Investigations using the internet - page 907
Investigations using CCTV & ANPR - page 882

[Fraud Guide](#)

You can also access the code of practice for surveillance cameras and personal information on the Information Commissioner's website here:

[ICO CCTV Code of Practice](#)

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, 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 or telephone 0303 123 1113 or 01625 545745