



Department  
for Work &  
Pensions

DWP Central Freedom of  
Information Team  
Caxton House  
6-12 Tothill Street  
London  
SW1H 9NA

Michelle Watts  
request-908833-e02f0068@whatdotheyknow.com

[freedom-of-information-  
request@dwp.gov.uk](mailto:freedom-of-information-request@dwp.gov.uk)

[DWP Website](#)

Our Ref: IR2022/85127

11 November 2022

Dear Michelle Watts,

Thank you for your Freedom of Information (Fol) request received on 26th October. You wrote:

"I am writing to request an internal review of Department for Work and Pensions' handling of my FOI request 'Universal Credit / Fraud'.

Thank you for your response of 26 October 2022.

I believe that the DWP holds the information I have requested and invoked Section 12 of the FOI act in order to avoid providing a response to my FOI request.

You have provided no justification as to why you think it would take in excess of 3.5 working days to extract and collate the information being requested.

I would therefore be grateful if you would re-consider my initial request or provide details as to why you think it would take in excess of 3.5 days to provide information requested.

A full history of my FOI request and all correspondence is available on the Internet at this address: [https://www.whatdotheyknow.com/request/universal\\_credit\\_fraud](https://www.whatdotheyknow.com/request/universal_credit_fraud)"

## DWP Response

In response to your internal review request, we can confirm that the handling of your original request and response has now been appropriately reviewed by someone unconnected with the handling of your original request.

We are satisfied that the original response was handled properly, and that the outcome of your original request was correct. Your complaint is therefore not upheld.

To explain this decision, we have looked again at your original request, part 1 of which was:

**"During the past 6 month period how many people who applied for Universal Credit had their application refused because it transpired that they had savings in excess of £16,000 which was not declared on their application form?"**

**Did any of the claimants face prosecution if their application was deemed to be fraudulent?"**

I can confirm that during the 6-month period February 2022 to July 2022, there were 1760 Universal Credit (UC) claims that were made but not subsequently put into payment due to the claimant holding in excess of £16,000 not declared on their application.

However, due to the nature of the UC system, it is not possible to readily ascertain whether we hold information to show if the claimant declared that capital at the outset of their claim, or whether this came to light via other sources prior to the claim being put into payment.

To check a representative sample of cases, such that we could reasonably state that we either hold or do not hold the information (i.e. establishing whether we could provide any sort of valid number in response to your question) would be prohibitive on costs grounds.

For example, if we checked just 10% of the total claims (1760) this would require us to manually examine 176 cases. We have estimated that the average time to carry out such an examination would be 15 minutes per case. As per directions from the Information Commissioner's Office (ICO), the cost of staff time is set at a flat rate of £25 per hour for the purpose of calculating overall costs when considering exemption under Section 12 of the FOI Act; this includes Section 12 (2), where the cost limit would be exceeded in order for the Department to be able to confirm or deny whether the information is held.

Based on the above, this would amount to over £1000. I therefore consider that exemption under Section 12(2) is correct in relation to the first element of your request.

Under the FOI Act and following guidance from the Information Commissioner's Office, if one element of any potential response is not available due to a cost exemption, I am required to exempt the request in its entirety

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

Yours sincerely,

DWP Central Freedom of Information Team  
Department for Work and Pensions

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**Your right to complain under the Freedom of Information Act**

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.

Website: [ICO FOI and EIR complaints](#) or telephone 0303 123 1113.