

To: Connie Nelson
request-313702-9e8498ba@whatdotheyknow.com

DWP Central Freedom of Information Team

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

Our Ref: FOI383

19 February 2016

Dear Ms Nelson,

Thank you for your Freedom of Information request which we received on 1st February 2016.

You asked:

In a recent DWP request I was informed that the document, "Continuing Medical Educational Programme, Chronic Fatigue Syndrome/Myalgic Encephalomyelitis(CFS/ME) Guidelines for the Disability Analyst: Version 7 Final: Module 6: Reference: MED/S2/CMEP~0017" has been superseded by version 8.

Today my request is: Dear Department for Work and Pensions, Please supply me with, or direct me to, Version 8 of the above named document

In response please see the attached redacted version of the document you have requested. However, I am unable to provide copies of detailed training material and multiple choice examination questionnaires because if publicly released, the material contained within the specific assessments and the general guidance that is provided to trainers throughout the training course, if seen by candidates may lead to unfair advantage and inappropriate successful completion of the course. To release the information would render it useless for the purpose that it is intended and would result in the training material and questionnaires being continuously updated which would have a commercial impact upon the Department and Atos Healthcare. This information is exempt under Section 43 of the Freedom of Information Act 2000. Where information is exempt under Section 43 this is due to it being commercially sensitive and release of the information would prejudice the interests of our Healthcare providers and the Department's future dealings with them or other service providers.

In applying this exemption the Department has balanced the public interest in withholding the information against the public interest in disclosing the information and consider there is no overarching public interest argument in favour of releasing this information as the Department is unable to prejudice its commercial interests.

Additionally, information contained in the document falls within the exemptions allowed by Section 40 of the Freedom of Information Act and has therefore also been redacted. The Section 40 exemption is applied on the basis that it is personal data about a third party, in this case names of DWP and/or our Healthcare provider's employees who are below the Senior Civil Service (SCS) Grade, and it is Departmental policy that the names of employees below SCS grades are not released and the disclosure would breach data protection principles.

The information supplied to you continues to be protected by copyright. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs) can be also used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

Most documents produced by the DWP and/or its Healthcare provider will be protected by Crown Copyright. Most Crown copyright information can be re-used under the Open Government Licence (<http://www.nationalarchives.gov.uk/doc/open-government-licence/>). For information about the OGL and about re-using Crown Copyright information please see The National Archives website - <http://www.nationalarchives.gov.uk/information-management/uk-gov-licensing-framework.htm> .

Copyright in other documents may rest with a third party. For information about obtaining permission from a third party see the Intellectual Property Office's website at www.ipo.gov.uk.

Information you receive which is not subject to Crown Copyright continues to be protected by the copyright of the person, or organisation, from which the information originated. You must ensure that you gain their permission before reproducing any third party (other Copyright) information.

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

Yours sincerely

DWP Central Fol 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@dwp.gsi.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. Please remember to quote the reference number above in any future communications.

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