

DWP Central Freedom of Information Team

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

Our Ref: IR907

20 January 2014

Dear G J Rose,

**Re: your further comments about your recent Freedom of Information request VTR 4477/IR790 – IR808:**

You said :-

Once again your response is deemed unsatisfactory. You have deliberately evaded responding to the points raised and responded to the points with boiler plate responses that do not address the issues raised.

On the advice of my legal representative this matter will be forwarded to ICE to allow for legal redress.

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As per DWP policy please supply enough information to Identify the person to a team and location level as I wish to exercise my right to file a complaint of Maladministration against this person as I believe they have deliberately intended to mislead by their actions and response.

Following your comments we have reviewed our earlier responses. We are satisfied that the information provided is correct and there is nothing further we can add.

It may be helpful if I explain the role of the Freedom of Information Act. The Act provides a right of access to recorded information held by a public authority like DWP (subject to certain exemptions). The Act does not require a public authority to create new information to answer questions; nor does it require a public authority to enter into debate, give advice, opinion or explanation in relation to issues or policies under question.

The Freedom of Information Act is not a mechanism for progressing complaints against a public authority.

You have asked for further information which was not part of your earlier requests. Personal information about a third party is treated as exempt information under section 40(2) of the Freedom of Information Act 2000. This is because 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.

The Department for Work and Pensions will not therefore disclose personal information to you about members of staff in this instance.

Section 21 of the FOI Act permits us to direct you to information which is reasonably accessible to you: You were advised of the relevant contact details for the DWP Freedom of Information Team in our original response of 25 October 2013. You will find this under the heading: "Your right to complain under the Freedom of Information Act".

You have now reached the end of our internal review process. If you feel that DWP has failed in its duty to provide you with relevant recorded information under the FOI Act then please see the note at the bottom of this letter regarding further steps you may take.

Yours sincerely,

DWP Central Fol Team

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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 [www.ico.gov.uk](http://www.ico.gov.uk)