

DWP Central Freedom of Information Team

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

Our Ref: FOI2019/40016 & IR2019/42902

4 December 2019

Dear Charles Ellinson,

Thank you for your Freedom of Information (Fol) request & Internal review received on 1 November & 1 December. You asked:

**FOI2019/40016**

*On 31 October 2019, the DWP published revised versions of various chapters of the staff guide, Advice for Decision Makers. One of the changes made was to Chapter A4 at paragraph A4130.*

*Please can you release any legal advice, case law, or correspondence discussing and/or explaining this change to the guidance.*

**IR2019/42902**

*I am writing to request an internal review of Department for Work and Pensions's handling of my FOI request 'Closing a Universal Credit Claim'.*

*You have not replied to my request within the time scale set out in law. Please arrange for a response to be prepared and sent immediately.*

**DWP Response:**

First, I apologise that we missed the deadline for the reply to your initial request. Although there were a number of issues to be considered in relation to the information requested, they should have been resolved ahead of the deadline. The answer you should have received in time is now below.

I can confirm that we hold the recorded information to respond to your request.

The information requested can be found in the attached documents. There is no legal advice or case law to be provided. The amendment was made pursuant to a discussion between the author of the relevant ADM paragraph and Decision Making policy. Your reading of the discussion needs to begin with document title Annex A.

It should be explained for the avoidance of doubt, that ahead of the amendments being made claimants were not being disadvantaged. If they relinquished their claim to UC then their award

ended as per the newly drafted guidance – that is, payment ended in the Assessment Period after the claimant indicated they wished to relinquish.

We are required to redact personal information as 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.

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

Yours sincerely,

DWP Policy Group 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@dwp.gov.uk](mailto:freedom-of-information-request@dwp.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  
Web: [ico.org.uk/Global/contact\\_us](http://ico.org.uk/Global/contact_us) or telephone 0303 123 1113 or 01625 545745