

Date 14/10/14

Our Ref: IR 474

Dear Mr Harris,

Thank you for your Freedom of Information (FoI) internal review request received on 23/9/14.
You asked:

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of Department for Work and Pensions's handling of my FOI request 'Community Centre where 95% of the MWA participants wanted to continue'.

You have refused to name the Community Centre claiming exemption from disclosure under sections 29(1)(a), 29(1)(b), 36(2)(c) and 43(2) of the Freedom of Information Act 2000

I refer you to Department for Work and Pensions v (1) The Information Commissioner, (2) FZ [2014] UKUT 0334 (AAC) and ADMINISTRATIVE APPEALS CHAMBER Appeal Nos. GIA/2560/2013 GIA/2568/2013 & GIA/2569/2013 which in a similar case showed the claimed exemptions not to apply.

I accept your reasons for not sending me the name of the Manager and the number of volunteers.

*A full history of my FOI request and all correspondence is available on the Internet at this address:
<https://www.whatdotheyknow.com/request/c...>*

In response to your request, I can confirm that the handling of your original request and response has now been appropriately reviewed and I was unconnected with the handling of your original request.

The Department would like to apologise for the way your FoI request has been handled and the time it has taken to answer your review.

The original request dated 6th July involved an exemption that needed ministerial approval. In such circumstances we should issue an extension letter to explain that the original request will not be answered in time. The Department failed to do so, therefore all complaints regarding the timings of the request are upheld.

The Department would also like to apologise for failing to send the correct acknowledgement letters to your reviews. Instead of sending review acknowledgements we sent request acknowledgements to you.

As a result of this review I can advise that I uphold all complaints made on handling for the reviews made on 10th August, 13th August and 23rd September

Moving on to the second review made on the 23rd September regarding the application of the exemptions, I am satisfied that the original response was handled properly and that the outcome of your request was correct

The reasoning behind this decision is that the information you seek about the names of companies and other organisations who have given placements to claimants is exempt from disclosure under sections 29(1)(a), 29(1)b, 36(2)(c) and 43(2) of the Freedom of Information Act 2000 ("the Act") as explained in the original response.

For information, DWP is appealing the decision in the Upper Tribunal in the Zola case you cite in your request for a review and the exemptions above also continue to apply to the information requested by Mr Zola.

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

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@dwpgsi.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