

DWP Central Freedom of Information Team

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

Our Ref: VTR IR 419

DATE: 27 August 2014

Dear J Newman,

Thank you for your Freedom of Information request received on 21 August. You asked for:-

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 'Contribution Based ESA and pension income'.

I'm not sure which administration is to blame has any relevance – certainly if the current one held a different view, it has had ample time to make any changes – as it has done with many other aspects of the ESA process. The conclusion must therefore be that it agrees with the principle.

I am asking for a review as I am looking for

*1) a reasoned argument that explains why in this context private pension income is treated differently from other sources of unearned income (e.g. investment income) and
2) Why nobody saw fit to amend what is now a highly misleading title – contribution-based ESA is NOT solely NI contribution based. If there was a discussion and a conscious decision made to ignore the inevitable confusion, I would like to see what was minuted at the meeting. The only alternative is that that nothing was recorded suggesting that nobody wanted to highlight the obvious anomaly. IB did not suffer the same problem as it did not use the words "income" or "contribution" to describe its basis. One would of course naturally assume that all income related matters fell under the income-related heading, so I am trying to understand why such an obvious change in description did not take place.*

You can expect a reply by 19 September unless I need to come back to you to clarify your request or the balance of the public interest test needs to be considered.

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

Yours sincerely,

DWP Strategy 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 FoI 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 www.ico.gov.uk