

Department for Work and Pensions (DWP)
Central Freedom of Information Team

freedom-of-information-request@dwp.gsi.gov.uk

Our reference: IR2018/04494

Date: 7 November 2018

Dear Langton

Thank you for your Freedom of Information review request received on 24 September. You asked:

You have simply refused all of my FOI Requests due to one of the questions being over the cost of £600, and the rest of my questions you have said you will not answer them, also you would not re-consider any of them, this is very strange that you have taken this action, in normal FOI you guide people in achieving the request to be sent again maybe with shorter or alternative questions, you have outright said you will not answer any of the questions, I have already sent a foi request on a separate/similar shorter questions. The DWP had sent me a letter with regards to answering a complaint, within this letter one of your employees made a mistake in a misleading way on the reply, I brought it to the attention of you the DWP in a Foi, after waiting a length of time for a re written letter I which on the Foi you have said its being re-written, also it seems that the DWP had continue to send out the misleading information to other complainants, The DWP has not taken steps to stop this misleading information and when I have asked for details you have not answered any of my requests due to costs, I felt that your actions that I considered unreasonable was to denied me of answers I expected the DWP to take the necessary correct rectification in order to keep themselves and others given correct information and not misleading information as the complaint reply letter from the DWP, I have my complaints with ICE and will forward all details of my refused FOI

DWP Response:

We are content that your original request (FOI 2418) was dealt with in accordance with DWP guidelines for FOI requests. We have re-considered the range of information you asked for in your original request (specifically “How many of the complaint letters sent out by the DWP had placed the wrong information which you had alluded to in your response in the Foi 0073 Date 02/03/2018” and “How many of the updated letters have you sent out to the people who received this incorrect information by the DWP”) and agree that the original response was correct. The cost of complying with your request will exceed the appropriate limit for central Government, set by regulations at £600.

In our original response we advised that under section 12 of the FOI Act the Department is not therefore obliged to comply with your request. However, we should have explained that the section 12 exemption applied across the whole of your request and apologise if this was unclear. This is because if a request for information exceeds the cost limit, the Department is not required to consider other questions posed in the same piece of correspondence. To do so would only breach the cost limit further.

Whilst the advice provided under section 16 of the Act is accurate it may have been helpful to have advised you that you can apply to the Independent Case Examiner (ICE) separately to ask the following question, "How many complaints had ICE had in connection to not receive adequate notice of changes to the State Pension Age (Spa) ICE had place this group of Women as (Waspi)" The ICE can be contacted at ice@dwpgsi.gov.uk

You asked "Many of the letters that the DWP have been sent with this wrong information is with ICE, will the DWP be advising ICE of this misleading information or do the people who are waiting for their letter which according to the Fol 0073 Date 02/03/2018 is being updated send this copy outlining the mistake of the DWP". As a result of their on-going investigations, ICE is fully aware of the information the Department has supplied to those affected by changes in the State Pension age.

In relation to your remaining question, "How many complaints had the DWP had in connection to not receive adequate notice of changes to the State Pension Age (Spa) I notice that ICE had place this group of Women as (Waspi)", if you wish to receive this information, please make a new request for our consideration.

In our response to an earlier request (FOI 0073 dated 2 March 2018), we referred to our letter dated March 2017 and advised the template we issued was in the process of being updated; to date you have not received a copy of the revised template. The letter was revised in April 2018 and therefore, was issued to customers who complained about the WASPI campaign (Women Against State Pension Inequality) after that date only.

The changes made involved updating dates and volumes to make the information current. The information remains the same as your version except for the following: "Between April 2000 and the end of 2017, DWP has issued more than 20 million personalised State Pension statements to people who requested them".

We also clarified how we contacted those affected by the 2011 Act change by advising: "Following the Pensions Act 2011, DWP wrote to those directly affected to inform them of the change to their State Pension age, using the address details held by HMRC at that time".

We hope this is helpful. Please see below for your further right to complain under the FOI Act.

Yours sincerely,

DWP Operations Freedom of Information Team

Your right to complain under the Freedom of Information Act

If you are not content with the outcome of this 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