

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: 2017-5021

2 January 2018

Dear Sir/Madam,

Thank you for your Freedom of Information request received on 30 November 2017.  
You asked:

**"In the House of Commons on 30th November 2017 , The Secretary of State for Work and Pensions (Mr David Gauke) while at the despatch box stated .  
Quote : " Whether we are looking at ESA or PIP, the percentage of assessments that are overturned on appeal is running at about 4% " .**

**Can you please provide the data that was used in making this statement .**

**Can you also provide the most recent data showing the percentage of claimants having their original decision of ESA Disallowance overturned by mandatory reconsideration , and also the percentage of claimants , who having failed to have their original decision overturned at mandatory reconsideration , were subsequently awarded ESA at a tribunal .**

**Yours faithfully,**

**Shay Mack"**

On this occasion, the Department will not be processing your response further because your request does not comply with Section 8(1)(b) of the FOI Act. This means that to comply with your request, the Department requires that you give your real name. In this instance, the signature at the end of the FOI request (Shay Mack) differs from the name linked to the What Do They Know account that the request was sent from (Sev Franklin). If a pseudonym is used by a requestor in an FOI request, the request itself is invalid. The Information Commissioner (ICO) has issued guidance for public authorities on this topic which can be accessed via the following link:

<https://ico.org.uk/media/for-organisations/documents/1164/recognising-a-request-made-under-the-foia.pdf>

If you would like to submit your request again using a name that satisfies the above requirement DWP will reconsider it.

Yours sincerely,

DWP Central FoI 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.gsi.gov.uk](mailto:freedom-of-information-request@dwp.gsi.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 <https://ico.org.uk/>