



Department  
for Work &  
Pensions

DWP Central Freedom of  
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[DWP Website](#)

Our Ref: IR2023/19791

28 June 2023

Dear Owen Stevens,

Thank you for your Freedom of Information (FoI) internal review request received on 13 March. relating to FOI2023/10502. You wrote:

*Repeat request here if short or summarise if not eg.*

"I am writing to request an internal review of Department for Work and Pensions's handling of my FOI request 'Guidance for teams working on managed migration'.

- 1.I would like to challenge the response to this FOI.
- 2.The request asked for all relevant guidance or, failing that, specialist teams guidance. The response does not state whether the former or the latter has been provided – please state whether the former or latter request has been answered. Presumably it is the former as only some of the guidance states that it is specialist teams guidance.
- 3.I believe that there may be more guidance which has not been released. For example, the guidance provided in response to this request refers to the following (which appear, as far as I can tell, not to have been provided) :
  - a.'claimant has asked for more time to claim' (referred to in 'Case Manager guidance')
  - b.'case manager has identified that a claimant needs more time to claim' (referred to in 'Case Manager guidance')
  - c.'claimant requests an extension or needs additional support to make a claim by their deadline date' (referred to in 'migration notice helpline guidance')
  - d.'DWP benefit claimants: contacting an ETS claimant following enhanced support checks' (referred to in 'migration notice helpline guidance')
  - e.'non-DWP benefit claimants: contacting an ETS claimant following an automatic extension' (referred to in 'migration notice helpline guidance')
- 4.The response states that some of the information I seek will not be released, citing s.35 FOIA. I would like to challenge the use of this exemption to withhold information.
- 5.I do not wish to challenge the redaction of phone numbers within the guidance.
- 6.Please state whether any guidance is being withheld (as opposed to phone numbers within guidance)

A full history of my FOI request and all correspondence is available on the Internet at this address: [https://www.whatdotheyknow.com/request/guidance\\_for\\_teams\\_working\\_on\\_ma](https://www.whatdotheyknow.com/request/guidance_for_teams_working_on_ma)

## DWP Response

Following communication from the Information Commissioner's Office we conducted a further internal review and can confirm that the handling of your original request and response has now been appropriately reviewed by someone unconnected with the handling of your original request.

We can confirm that your complaint has been upheld and that no guidance is being withheld. However, we are unable to provide you with some of the information requested as it constitutes personal data of someone other than yourself and as such, it is being withheld (redacted) in accordance with section 40(2) of the Freedom of Information Act.

Section 40(2) exempts information in response to a request if it is personal data belonging to an individual other than the requester and it satisfies one of the conditions listed in the legislation. In this case the condition contained in section 40(3A)(a) applies - that disclosure would breach one of the data protection principles, specifically that "Personal data shall be processed lawfully, fairly and in a transparent manner...".

We do not consider that disclosing this information is necessary or justified in order to satisfy your information request and the requirements of the FoI Act. In relation to this request, we consider that there is no strong legitimate interest that would override the prejudice to the rights and freedoms of the data subject.

Personal data are subject to General Data Protection Regulation (GDPR) and the Data Protection Act 2018

We can advise that the guidance that we sent you in March 2023, concerning 'guidance for teams working on managed migration' has been updated. The specialist team's guidance is highlighted bold below for your ease of reference.

The documents previously titled 'work coach guidance' and 'front of house guidance' have now been replaced by the following attached documents:

- Annex A - Move to Universal Credit (managed migration)
- Annex B - Move to Universal Credit (managed migration) transitional protection top-up payment
- Annex C - Move to Universal Credit (managed migration) transitional capital disregard

The updated version of the 'Migration notice helpline' product is also attached as Annex D. This is v14.0.

In terms of the 'Case manager guidance', we currently have the following products:

- Annex E - Move to Universal Credit (managed migration) overview (**specialist teams**)
- Annex F - Transitional Protection (**specialist teams**)
- Annex G - Claimant loses entitlement to legacy benefits before claiming UC
- Annex H - Difference in additional support for UC claimants compared to legacy benefits
- Annex I - Exclusions and deferrals

In terms of the 'Service centre team leader' guidance, the following document is the updated version:

- Annex J - Managing workflow in Move to Universal Credit

You will find that there are links in the guidance which refer to DWP's normal business process. This guidance can be found in the House of Commons Library using the following link [Deposited paper DEP2021-0349 - Deposited papers - UK Parliament](#).

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

Yours sincerely,  
Central FoI Team  
Department for Work and Pensions

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### **Your right to complain under the Freedom of Information Act**

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 FOI and EIR complaints](#) or telephone 0303 123 1113