

To Mr J Newman

C/o [xxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxxxxxxxxx](mailto:xxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxxxxxxxxx)

Our Ref: VTR IR631

28 December 2012

Dear Mr Newman,

Thank you for your email that was on 25 September, in which you asked the following;

*My original question "What action should a claimant take?" has actually still not been answered. I have no idea how the option offered here of raising an SAR will help.*

*I n not addressing this issue, one can only conclude that DWP is content to accept demonstrably flawed WCAs regardless of the consequences.It will no doubt claim that this is an opinion, but it is the only logical conclusion that can be drawn from the evidence available.*

*The intention clearly should be to identify errors ASAP and avoid costly and distressing tribunal hearings, but it seems from this thread, DWP has no interest in either. Again, the only logical conclusion from the information available. All DWP has to do to prove it wrong is produce some evidence to the contrary*

Please be assured that your request has been given our full consideration and that all aspects of your review were taken fully into account.

The review was conducted by an independent official of the Department, of the relevant grade and authority to carry out such requests. The case has been examined afresh to ensure all factors were taken fully into account.

Having reviewed the responses provided to you on this subject; I am satisfied that you have been provided with the information you requested i.e. *what action should a claimant take (if they think that all evidence brought by them to the WCA is not considered or logged)*. In our response dated 20 February 2012 (reference VTR 2828-2988) we explained that the decisions of the DWP Decision Makers (DMs) do carry the rights of appeal. I apologise if this was not explained clearly enough.

To further explain, a claimant who thinks the decision on their benefit entitlement is wrong has the right to appeal against it. A valid appeal must normally be made within one month of the benefit decision being made. Further information relating to the appeals process can be found here;

<https://www.gov.uk/social-security-child-support-tribunal>

As reviewing officer I am now satisfied that all of the information that DWP are able to supply to you has been supplied.

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

Yours sincerely,

DWP Business Management Team

e-mail: [freedom-of-information-xxxxxxx@xxx.xxx.xxx.xx](mailto:freedom-of-information-xxxxxxx@xxx.xxx.xxx.xx)

## 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 [XXXXXXXXXXXXXXXXXXXXXXXXXXXX@xxx.xxx.gov.uk](mailto:XXXXXXXXXXXXXXXXXXXXXXXXXXXX@xxx.xxx.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](http://www.ico.gov.uk)