

To I Cau  
[request-262358-57f5b9d7@whatdotheyknow.com](mailto:request-262358-57f5b9d7@whatdotheyknow.com)

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: IR 663

9 December 2015

Dear I Cau,

Thank you for your email requesting a review of the Department for Work and Pensions (DWP) responses to your requests for the Health and Disability Assessment Service (HDAS) Training Plan. The relevant FOI requests are: FOI 1465, 2861, 3327 and 4318 and the relevant Internal Reviews are: IR 498, 615, 619 and 620.

In your email you asked to be provided with information answering the following questions:-

*'I am writing to request an internal review of Department for Work and Pensions's handling of my FOI request 'Health and Disability Assessment Service Service Training Programme Plan'.*

*You have not complied with section 12 (cost limit) of the Act*

*The ICO guidance states*

*"If you wish to use section 12 (cost limit) of the Act as grounds for refusing the request, you should still say whether you hold the information*

*" you must give the requester reasonable advice and assistance to refine (change or narrow) their request. This will generally involve explaining why the limit would be exceeded and what information, if any, may be available within the limits.*

*\*Example\*“You have asked for all the details of expenses claims made for food or drink between 1995 and 2010.*

*No forms have been kept for the period before 1999. since 2007 are kept electronically and we could provide these to you.”*

*"If the requester refines their request appropriately, you should then deal with this as a new request. The time for you to comply with the new request should start on the working day after the date you receive it."*

*So you should have stated you hold the information given advice and assistance to refine (change or narrow) the request.*

*Then you should deal with this as a new request. The time for you to comply with the new request should start on the working day after the date you receive it.*

*Which brings us to the issue of the "19" requests You have misused the act because the request was already narrowed and refined! The requests were closed and so this should have*

*been dealt with as a new request as was stated to you the requests had been narrowed to Training Programme*

*I expect you to now apply the act properly as guided by the ICO and provide the information within 30 days'*

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 decision dated 20 November 2015 in relation to IRs 619 and 620 detailed each of the responses to the above requests and the reviewing FOI Officer upheld the decisions, the response also explained that Section 12 of the FOI Act had not been applied to any of the above requests.

Following my review I also find the responses to FOI 1465, 2861, 3327, 4318 and also IR 498, 615, 619 and 620 to be correct and uphold the decisions.

Additionally, I note that in response to FOI 4318 you were provided with the requested Training Plan. I therefore find that all the information that DWP are able to supply to you has been supplied.

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.

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

Yours sincerely,

DWP Central FoI Team

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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  
[www.ico.org.uk/Global/contact\\_us](http://www.ico.org.uk/Global/contact_us) or telephone 0303 123 1113 or 01625 545745