

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: Fol 4105, 4139 and 4140

DATE: 23 November 2016

Dear Trudy Baddams,

Thank you for your Freedom of Information requests of 26th and 30th October 2016. You asked:

- *With so many ESA claims failing and ending up in court to appeal, how much is this action costing the taxpayer? the judge, the venue, the solicitors, the doctors, the staff etc., ?*
- *With so many Employment and Support Allowance (ESA) claims failing and having to go to appeal, how much is this costing in legal fees?*
- *How much does it cost the taxpayer to take claimant to court to over-ride appeal already won by claimant?*

Whilst we think it is more than likely that the Department does hold the information falling within the description specified in your request, it is not held centrally. We estimate that the cost of complying with your request would exceed the appropriate limit of £600. The appropriate limit has been specified in regulations and for central Government it is set at £600. This represents the estimated cost of one person spending 3½ working days in determining whether the Department does indeed hold the information, and locating, retrieving and extracting the information. Under section 12 of the Freedom of Information Act (FOIA) the Department is not obliged to comply with your request and we will not be processing your request further.

Under section 16 of the FOIA we are obliged to assist you in providing options to narrow your request, by reforming or refocusing it, so that it will fall beneath the cost limit. However, on this occasion your requests are so wide ranging that we are unable to do that.

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

Yours sincerely,

DWP Strategy Fol 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@dwpgsi.gov.uk](mailto:freedom-of-information-request@dwpgsi.gov.uk) or by writing to DWP, Central Fol 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)