

Dear Trudy Baddams,

Thank you for your Freedom of Information requests received on 14 November 2018. You asked for:-

[09771] How much has DWP paid to the over 60's in the form of JSA/ESA/Universal Credit since the pension age increased?

How much has the DWP paid in benefits for the under 25's since the pension age increased?

[09787] How much has the DWP paid in benefits for the under 25s since the pension age increased?

DWP response

Under section 14(1) of the Freedom of Information Act (FOIA), public authorities are not obliged to comply with a request which is vexatious..

A request may be treated as vexatious if it seeks information of a frivolous nature; if it is likely to cause distress or irritation without justification; or if it is aimed at disrupting the work of an authority or is harassing individuals in it.

By way of clarification, it is the request which is treated as vexatious not the person making the request. An individual can make multiple requests and each will be considered on its own merits.

A vexatious request is assessed with reference to all the circumstances of an individual case. In this case, the Department is treating your request as vexatious for the following reasons:

You previously asked these questions on 25 and 29 May respectively (reference numbers 2527 and 2560). We responded to these and your related requests, numbers 2559 and 2561, on 20 June.

In our reply we explained that complying with your requests would breach the costs limit for Freedom of Information responses, and gave you advice on how you might narrow your requests to bring them within the costs limit.

On 3 August you submitted requests for internal review of Fols 2559 and 2560. We took these as requests for internal review of Fols 2527 and 2561 as well, since our original response covered all four requests. We responded on 31 August. We found that the original response was handled correctly and that the outcome of your requests was correct.

In addition, requests 2559 and 2560 each duplicate parts of request 2527.

On this basis, the Department has decided that Section 14(1) of the FoIA applies on this occasion: it is not justifiable to continue to submit the same requests repeatedly when the requests have already been answered; and handling such requests is disruptive of the work of the Department.

I note that you have said on your recent requests that these are “simple” questions. It has been explained to you that the reason for the refusal of your earlier requests was that:

In the case of several, mostly small, benefits, data on the age of the recipient is not collated, and so the request could only be answered by trawling through every claim. This would breach the cost threshold.

However, if you feel that the Department is applying the costs limit incorrectly, you may complain to the Information Commissioner. Contact details are at the bottom of this letter.

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

Yours,

DWP Central Fol Team

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 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.org.uk/Global/contact_us or telephone 0303 123 1113 or 01625 545745

