



Department
for Work &
Pensions

DWP Central Freedom of
Information Team
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[freedom-of-information-
request@dwp.gov.uk](mailto:freedom-of-information-request@dwp.gov.uk)

[DWP Website](https://www.dwp.gov.uk)

Our Ref: IR2021/65972 & FOI
2021/63339

31 August 2021

Dear Michael Bradley,

Thank you for your Freedom of Information (Fol) request received on the 4 August and 12th August. You wrote:

IR2021/65972

“Are you seriously attempting to claim that information exchanged under normal case of affairs is exempt ?

If what you're suggesting is true then each and every day there are hundreds of thousands of cases where personal information is unknowingly released contrary to section 40(2) of the Freedom of Information Act!

Apart from this, the department for work and pensions appears to be the only government department that considers either a first name or a surname to be protected under this Act.

At the end of it the day its just polite to know whom one is communicating with!”

FOI 2021/63339

“I would like to request information as to why you haven't responded to what is (in the eyes of the DWP) a request for information made by myself on the 26th February 2021 ?”

DWP Response

In response to your internal review request, we 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.

As a result of this review we are satisfied that the original response was handled properly and that the outcome of your original request was correct. Your complaint is therefore not upheld and the reason for this is as follows.

As explain in our response of the 2 March 2021, we are unable to provide you with the information requested as it constitutes personal data of someone other than yourself and as such, it is being withheld 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

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

Yours sincerely,

DWP Central Freedom of Information Team
Department for Work and Pensions

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 Contact Information](#) or telephone 0303 123 1113 or 01625 545745