

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: VTR IR54

DATE: 20 March 2014

Dear Carole Muller

Thank you for your Freedom of Information (FOI) review request, which we received on 05 February 2014.

I am of a senior grade to the person who dealt with your request previously, and can confirm that I have carried out an internal review. I am now in a position to respond to you.

You have asked us

*I am writing to request an internal review of Department for Work and Pensions's handling of my FOI request 'JSA sanctions independent review'.*

*In my internal review can you clarify what:*

*"The Freedom of Information Act applies to recorded information held by a public authority at the time the request is received. As stated above, in this instance responses to the "call for evidence" are not held by DWP because they are held on behalf of the independent reviewer.*

*Therefore, the Department's position is that, for Fol purposes, the responses are not held by DWP. "*

*actually means?*

*You are clearly saying that the information was in the possession of the DWP at the time of my request, but somehow you consider the DWP does not hold the information requested because the DWP only "held" the information for Matthew Oakley? This seems a very strange stance to taking noting that it was the DWP who called for this information and also requested it be sent to [sanctions.review2013\[at\]dwp.gsi.gov.uk](mailto:sanctions.review2013@dwp.gsi.gov.uk) <https://www.gov.uk/government/consultations/jobseekers-allowance-sanctions-independent-review>*

*Can you confirm that you consider the Section 41 exemption to also apply to any Public Authority who submitted information, including naming them?*

I have read both your original request for information, our reply and your request for the review outlined above and I am content that your original request was dealt with in accordance with DWP guidelines for Fol requests.

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

Yours sincerely,

DWP Strategy 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.gov.uk](http://www.ico.gov.uk)