

Department for Work and Pensions (DWP)
Central Freedom of Information Team

freedom-of-information-request@dwp.gsi.gov.uk

Our reference: VTR4279

Date: 20 October 2017

Dear Debra Davies

Thank you for your Freedom of Information request received on 7 October 2017.

You asked:

I would like copies of past records made by my ex husband.

DWP Response

It may be helpful if I start by clarifying the remit of the Freedom of Information Act (FOIA). The FOIA gives any person legal right of access to any and all recorded information which is held by a public authority. The FOIA does not oblige a public authority to create new information to answer questions; nor does it require a public authority to give advice, opinion or explanation in relation to issues/policies under question.

Personal information about a third party is treated as exempt information under section 40(2) of the FOIA if one of the conditions set out in section 40(3) of the FOIA is satisfied. This is because access to personal information is treated under the provisions of the Data Protection Act 1998 (DPA) and can only be released to you where such disclosure would not breach that person's right to privacy.

However, you are entitled to request information that the Department holds on yourself or an individual when you have their consent under the Data Protection Act 1998.

Unfortunately, we are unable to forward your request onto the Data Protection Unit (DPU) as you have provided insufficient information. If you would like to see all the information held on record you should write to the DPU and ask them to provide a Subject Access Request (SAR); you should provide your address, national insurance number and a case ref number if you have one. Please be aware if your request is about a third party you will need to include written consent from the individual.

The DPA requires that all SARs be completed within 40 calendar days of the request being received. Please direct your request to the following address:

Data Protection Unit

Child Support Agency
PO Box 26
Gateshead
NE92 1DB

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

Yours sincerely,

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