

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

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

**Our reference:** Fol 2870

**Date:** 10 August 2016

Dear Mr Logan,

Thank you for your Freedom of Information request received on 4 August 2016. You asked:

*It is my understanding that the law within the United Kingdom on photographing in a public area is very clear. That anybody can take photo's in a public area, and that nobody has the power to stop anyone taking photo's within public areas. ( The law:*

*<http://www.lcpu.org/docs/2011/ACPO%20Letter%20Photo%20Law%200810.pdf> )*

*Jobcentre Plus public buildings have two public areas. I have noticed that many signs about the restriction of taking photo's are placed on the walls in the public areas. I have also witnessed private security guards enforcing the halting of taking images in these areas....sometimes using physical force . I understand that the reason for the restriction of anyones right to take photos is that personal information could be recorded in these public areas. This can not be so, as your own policy states that any personal information should be kept in private areas at the rear of the public buildings of the Jobcentre Plus. Can you please confirm that if I should ever be physically assaulted by a private security guard for taking images in the public areas of Jobcentre Plus building....I may defend myself using only the force necessary against those that assault me for carrying out my right? Can you also advise the private security firms within these areas about their lack of powers they have on this matter as I am fearful that if ever a serious injury is caused by them trying to stop someone carrying out a right in a public area.....then the individual or individuals will be held accountable in a court of law.*

**Our Response:**

The Freedom of Information Act gives you a legal right of access to any recorded information held by a public authority. We do not have to provide opinions or explanations, generate answers to questions, or create or obtain information we do not hold.

Please find outlined below our guidance on the issue of photographing and recording and also access to DWP buildings.

DWP Guidance states that filming / sound recording is prohibited in our offices without permission. This does not mean that claimants filming within DWP premises are in some way breaching the Health & Safety Act, however, it

does mean that in order to ensure the DWP does not breach the Act itself, it needs to have certain rules and procedures in place to protect its staff as filming / sound recording can have negative and stress-inducing effects on staff members.

Claimants need to be aware that they do not have an unfettered right to access DWP offices and do so under what is referred to as an implied licence (an agreement giving permission for a person to do something). This licence can be revoked if claimants do not abide by the rules set by the DWP to protect its employees and the personal data of its other claimants. It is also important to bear in mind that the rules also exist to ensure the smooth running of the DWP and activities which undermine this need to be curbed where possible.

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

Yours sincerely,

DWP Central FoI 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@dwp.gsi.gov.uk](mailto:freedom-of-information-request@dwp.gsi.gov.uk) or by writing to: DWP, Central FoI 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](http://www.ico.org.uk/Global/contact_us) or telephone 0303 123 1113 or 01625 545745