

DWP Central Freedom of Information Team

e-mail: freedom-of-information-request@dwp.gov.uk

Our Ref: IR2019/19881

24 June 2019

Mail to: request-553138-e2d02412@whatdotheyknow.com

Dear John Slater,

Thank you for your Freedom of Information (Fol) internal review request received on 24 May.
You asked:

*I am writing to request an internal review of Department for Work and Pensions's handling of my FOI request 'PIP Contracts - Management Information Reports (2018)'.
Thank you for the information provided by CD.*

Having compared the management information specified in Annex G to that provided it seems that certain information has either not been disclosed or is not held by the Department. I would be grateful if the Department addressed the following issues:

MI 28 – Medical Quality Report

This does not appear to have been provided for Atos and Capita.

I would be grateful if the Department either disclosed the information or confirmed that it does not hold it. If it does not hold MI 28, would it please explain why such an important piece of the MI is not provided by Atos and Capita when it is specified in Annex G?

MI 30, MI 31, 31A & 31B– Quality of assessment reports This does not appear to have been provided for Atos.

I would be grateful if the Department either disclosed the information or confirmed that it does not hold it. If it does not hold MI 30, MI 31, 31A & 31B, would it please explain why such important MI is not provided by Atos when it is specified in Annex G?

DWP Response:

In response to your request, I can confirm that the handling of your original request and response has now been appropriately reviewed and that I was unconnected with the handling of your original request.

Please be assured that your request has been given our full consideration and that all aspects of your review were taken fully into account.

In 2016, the department introduced 'authority independent audit (AIA)' into Personal Independence Payment contracts for the purposes of monitoring the quality of assessment reports submitted to the department by assessment providers (APs).

From this point forward, APs were no longer required to submit management information (MI) reports numbered 30, 31, 31A & 31B of Annex G, as the quality of assessment reports was derived from the AIA process. MI report 28 was a pre-contract expectation. The department subsequently decided this was not required and this report has never been delivered by APs.

Some information contained in the documents previously supplied (reference FOI2019/06760) falls within the following exemptions:

Section 31(1)

A policy decision has been taken to withhold some information as it falls under the exemption in Section 31(1) of the FoI Act. In applying this exemption, the department has balanced the public interest in disclosing the information.

In this case we are redacting information contained within the security plans. This exemption covers certain information which if released would likely prejudice the prevention and detection of fraud and crime.

Section 40(2)

Information contained in some of these documents fall within the exemptions allowed by Section 40(2) of the FoI Act. The Section 40(2) exemption is applied on the basis that it is personal data about a third party, in this case names of the department and/or our AP's employees who are below the Senior Civil Service (SCS) grade, and it is the department's policy that the names of employees below SCS grades are not released as the disclosure would breach data protection principles.

Section 43

Some information contained in the document falls within the exemptions allowed by Section 43 of the FoI Act.

Where information is exempt under Section 43 this is due to it being commercially sensitive and release of the information would prejudice the interests of our APs as well as the department's future dealings with them or other service providers. In applying this exemption, the department has balanced the public interest in withholding the information against the public interest in disclosing the information and consider there is no overarching argument in favour of releasing this information as the department is unable to prejudice its commercial interests.

I am satisfied that Sections 31(1), 40(2) and 43(2) of the FoI Act are properly engaged and, for the reasons explained above, find that the public interest in maintaining the exemption outweighs the public interest in disclosure.

As a result of this review I am satisfied that the original response dated 8 May 2019 was handled properly and that the outcome of your request was correct. All the information that the department is able to supply to you has been supplied.

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

Yours sincerely,

DWP Central FoI Team

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