

To Mr J Newman  
Request -100654-6dcfb838@whatdotheyknow.com

DWP Central Freedom of Information Team

e-mail: [freedom-of-information-xxxxxxx@xxx.xxx.xx](mailto:freedom-of-information-xxxxxxx@xxx.xxx.xx)

Our Ref: 3488-IR415

DATE 10 September 2012

Dear Mr Newman,

Thank you for your Freedom of Information request dated 26 June 2012 that was received by the Department for Work and Pensions (DWP) Adelphi and forwarded on 27 June 2012 for response by DWP Medical Services Contracts Correspondence Team (MSCCT) Freedom of Information (Fol) Internal Reviewing Officer (IRO).

In your email you asked to be provided with information answering the following questions:-

*I am writing to request an internal review of Department for Work and Pensions's handling of my FOI request 'Pre Assignment of HCPs to WCAs'.*

*It seems my wager on 13th March was spot on.*

*My original request was dated 16th January. You responded on 13th February, but the response categorically DID NOT answer the question as you acknowledged in IR80 on 13th March. Although you described it as "additional information", it was only what I had asked in the first place and you have not explained why it was not provided previously. Your response on 13th of February being worthless therefore doesn't count. The legislation does not allow you to hedge a question or issue a meaningless response within 20 days and claim it as a success. The question was not answered until 13th March which is well over 20 days from when it was raised.*

*Finally, you accepted my IRR on 13th March, but did not respond to it (in part) until 21st June. You have not seen fit to explain this extended delay – well in excess of statutory requirements.*

*The new information you did not provide until 13th March required 4 points of clarification which I spelt out on 13th March. I did not receive any form of response to them until 25th June, again well over 20 days. As you have misrepresented the facts within it, I would like to give you a final opportunity to comment.*

*To repeat, I was only "dissatisfied" with 0183 because it did not answer the request. IR80 did not provide "additional" information, only the information I had requested in the first place. I do not understand your point about "detail" – my question was straightforward and if you found it ambiguous, you should have asked for clarification at the time.*

*You have not provided a legitimate reason why the “additional” information was not provided previously, so the only conclusion can be that either the first response was poorly researched or it was deliberately attempted to withhold information.*

*Please be sure to answer this request point by point as I will be forwarding to the ICO and I’m sure they would appreciate clarity.*

The MSCCT IRO has read your letter and accepted this as a request for an Internal Review in order to check that the handling of your request was dealt with appropriately, and apologises for the delaying in providing this response.

Your request above asks questions relating to the handling of requests FOI 2902 – IR80 received on 14 February 2012 which was an Internal Review of FOI 2789 – 183. Both of these were then dealt with in response FOI 3034 – IR 142 which was sent to you on 21 June 2012.

This response upheld in part the decision of the MSCCT FOI Officer whilst recognising that the original response could of provided further information that was provided to you as part of the response FOI 2902 – IR80.

The Freedom of Information (Fol) Act allows 20 working days from date of receipt of the request in which to respond. MSCCT endeavour to answer promptly and no later than the 20 day deadline, unless the deadline is extended to consider if an exemption applies.

In respect of your original request that was dated 16 January 2012 this was responded to on 13 February 2012 within the 20 day deadline.

Your request for an Internal Review of FOI 2789 – 183, FOI 2902 – IR80 was received on 14 February 2012 and responded to on 13 March 2012. Even though there is no legislative target for responses to be issued to requests for Internal Review’s, MSCCT do endeavour to try and meet 20 days which in this case did occur.

The IRR which you sent in on 13 March 2012 reference FOI 3034 – IR142 was responded to on 21 June 2012, again the MSCCT FOI IRO apologises for the delay in issuing this response.

In reviewing your request the MSCCT FOI IRO does not uphold your complaint as FOI 3034 – IR142 had already investigated and dealt with your complaint.

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

Yours sincerely,

DWP Central Fol 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 [xx@xxx.xxx.gov.uk](mailto:xx@xxx.xxx.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.gov.uk](http://www.ico.gov.uk)