

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

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

Our reference: VTR 49

Date: 13 February 2018

Dear Christopher Law,

Thank you for your Freedom of Information Review request received on 28 January 2018.

You asked:

"Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of Department for Work and Pensions's handling of my FOI request 'Repeated request to provide 3 months Bank Statements or face being refused to claim'.

What has been given as a response is not an answer to the question. Being asked to read a 180 page online document is not answering the question. I will not repeat what the question was or how this response is inadequate as this is apparent to anyone who reviews it.

Additionally the answer to the question is not in the 180 page document, I read it through. This took me some time and this is frustrating and a abuse of the FOI system process. If the DWP wishes not to answer questions then say so and do not waste a substantial amount of inquirers time.

The only thing I could decipher from this document is that there could be instance where maybe I paid for something which could be "disregarded" as Capital and I am trying to make a benefits claim to have the amount discarded from total amount. This never happened and I never made a claim for certain spendings to be disregarded.

The onus would be on me to provide evidence to have something disgarded and this is not a reason why the DWP should be asking regularly for my full bank statement, including outgoings payments.

The document infact never mentions bank statements at all.

Again, please can you provide a complete and coherent response to my question or not?"

DWP Response:

Thank you for your Freedom of Information (FOI) review request, which we received on 28/01/201.

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.

Firstly, it may be helpful if I explain the role of the Freedom of Information Act. The Freedom of Information Act provides a right of access to recorded information held by a public authority like DWP (subject to certain exemptions). The Act does not provide that a public authority must create new information to answer questions; nor does it provide that a public authority give advice, opinion or explanation in relation to issues/policies under question.

In cases where a customer does ask a question, rather than request recorded information, we do our utmost to provide the recorded information that best answers the question. Once the public authority has provided the recorded information, it has met its obligations under the Act; interpretation of the information provided is left to the requestor.

I am content that your original request was dealt with in accordance with DWP guidelines for FOI requests.

Our original response states: DWP requests unfiltered bank statements to ensure an accurate picture of an individual's assets. This includes all deposits and withdrawals.

The link provided details how DWP looks at and attributes capital which includes bank balances. This includes what we define as capital, who we consider owns the capital, what capital is disregarded and deprivation of capital (where an individual deprives themselves of capital in order to claim benefit).

The way we ensure capital has been correctly taken into account is to regularly request all bank statements from the individual concerned. This is also the reason why we require the statement to be unfiltered.

I hope this is helpful but if you have any queries about this letter please contact me quoting the reference number above.

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Yours sincerely,

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@dpw.gsi.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