

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

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

**Our reference:** VTR 3517

**Date:** 12 October 2016

Dear Mr Thieme,

Thank you for your Freedom of Information request received on 24 September 2016. You asked;

*“What guidance prohibits naming a representative over the telephone?”*

*I am in receipt of DLA and wanted to name my representative over the phone but it has been refused to acknowledge despite my identity check.*

*I would appreciate clarification what law or guidance prohibits that.”*

**DWP Response:**

Unfortunately we cannot comment on your particular case. However, the specific paragraph's of the guidance that refers to the appointment of a representative to act on behalf of a customer, in relation to Disability Living Allowance are as follows;

**Representative acting for a customer**

**15.** A Personal Acting Body is usually appointed to act for the customer because the customer is unable to deal with the benefit themselves, but a customer may be able to manage their own affairs and may want another person to represent them in relation to their claim for benefit.

**16.** If a customer gives authority for a representative to act on their behalf you must note the representative's name and telephone number in dialogue 110 (Notepad) and attach form Disability Living Allowance 629 to the front of the customer's file.

**17.** Where written consent is asked for or provided, this does not last indefinitely but covers a particular piece of business.

**18.** The authority to act should be treated as current for the whole process of a new claim or supersession, including any follow-up reconsideration process. If an authority to act does not specify a particular event, then that authority would usually remain valid in relation to the appeal. However, if the authority to act refers to a specific event a new authority would be required for any appeal.

**19.** If an authority is received it should be recorded in dialogue 110 (Notepad).

**20.** When all relevant action is complete and a copy of the decision notification issued to both the customer and their representative, form Disability Living Allowance 629 should be placed inside the file, before sending to Filestore.

**21.** Once a decision has been input on the DLA Computer System, you must set a 12-week Case Control in dialogue 530 to remind you to remove the representatives details from dialogue 110 (Notepad), following the 3 month period.

If you have any queries about this letter please contact us 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 [freedom-of-information-request@dwpgsi.gov.uk](mailto: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](http://www.ico.org.uk/Global/contact_us) or telephone 0303 123 1113 or 01625 545745