



Department
for Work &
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DWP Central Freedom of
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Our Ref: FOI2023/92349

05 December 2023

Dear Amanda Hart,

Thank you for your Freedom of Information (Fol) request received on 30 November. You wrote:

“Re: Review IR2023 83876

Thank you very much for your response which I largely agree with, but I have a query regarding your statement of the cost limit being exceeded.

I note you stated that the period of January 1, 2017, to the present was too wide and I'm grateful for that information.

I request that you confirm, however, that it was still too wide even though I specified the following after the date range: "Please kindly provide summaries or up to the first 10 matching elements of correspondence or documentation that discuss how the department monitors and addresses potential harm caused by policies in relation to claimants of benefits and services, including those who are vulnerable or disabled."

This is because although I did specify a wide date range I would have thought my request for summaries or up to the first 10 matching elements would have brought it within the cost limit. Please would you kindly confirm that even that was not enough to bring the request within the cost limit.”

DWP Response

On this occasion we will not be processing your request further. This is because your request does not comply with Section 8(1)(c) of the Fol Act.

Requests defined by Section 12 of the Fol Act relating to cost limits, are invalid under section 8(1)(c). This is because their scope is determined by the extent of the record search we need to carry out within those limits, rather than by the distinguishing characteristics of the information itself.

Your request asks us to provide summaries or up to the first 10 matching elements, therefore you are asking us to work up to the cost limit, something we are not obliged to do.

It is up to you to request the specific information you want and then for the public authority to ascertain if it holds the relevant information and whether it can be located within the cost limit.

If we cannot locate, retrieve and extract the all the relevant information within the cost limit, then a Section 12(1) cost exemption would be applied, and our response issued accordingly.

The Information Commissioner's Office (ICO) has guidance on this scenario: [Recognising a request made under the Freedom of Information Act \(section 8\) | ICO](#)

Also, under the FoI Act we are not required to create new information, creating summaries would fall into this category. This is because we would not be locating relevant information and pulling it together; creating a summary would require reading the relevant information and forming something new.

Therefore, our advice remains as per our response to IR2023/83876, in that you resubmit your request with a shorter timeframe of information within the last 12 months.

If you would like to submit your request again so that it conforms to a valid request under Section 8 of the FoI Act, we will be pleased to consider it.

Yours sincerely,

DWP Central Freedom of Information Team
Department for Work and Pensions