

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

xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx@xxx.xxx.gov.uk

Our reference: VTR IR442

Date: 16 September 2014

Dear Mr Martin,

Thank you for your Freedom of Information review request which we received on 5 September 2014.

In the review request you said:-

Your response does not form a proper reply. This is typical of the dishonesty of the Department For Work and Pensions.

I have in front of me a letter from DWP which admits wrongdoing with regards to the unlawful removal of the Christmas bonus together with an instruction to DWP Birkenhead to correct the wrong doing. They failed to do so.

By further providing false and misleading information, this further perverts the course of justice and will be used in evidence against DWP in legal proceedings.

Your reply, together with the insincere apology for its delay, is rejected in its entirety.

I previously instructed DWP to provide an internal review and reiterate this demand be undertaken at once.

I will be contacting the Information Commissioner in due course with regards to legal action being taken against DWP.

Response

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

Anyone can request copies of information which a public authority already holds in a recorded form, but the Freedom of Information Act does not require

the Department to generate answers to questions, or create or obtain information it does not hold.

In reviewing your response I am content that your original request was dealt with in accordance with DWP guidelines for Fol requests and can confirm that the Department does not hold any information that you have requested.

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

Yours sincerely,

DWP Central Fol Team

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@dwp.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