



Address: **Official Correspondence Team**
People, Communication and Capability
Finance Group
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LS2 7UA

Email: official.correspondence@dw.p.gsi.gov.uk

Website: www.dwp.gov.uk

Date: 1 September 2015

Ms S
Sent via Whatdotheyknow website

Dear Ms S

Freedom of Information Act - Request for Information
Our Reference: FOI 3420

Thank you for your Freedom of Information request received on 17 August 2015. You asked:

What legal grounds does DWP have to deduct money from people's benefits, when DWP has destroyed a person's information in accordance to your own policy - The benefits Document and Data Retention Guide?

For example, If someone was once receiving career's allowance and then DWP said's you owe us money yet they have destroyed all your all records apart from a call log with DWP's Debt management Department, then that person is now receiving another benefit and DWP informs that department that this person owe's money, i.e Job seekers allowance (JAS) yet that person informs 'JAS' they can't prove it, is it legal for that 'JAS' to deduct money from one's benefit, even if DWP doesn't have any evidence of this apart from a call log with debt management?

It can't be a case of DWP said so, then it must be so! There must be a procedure in order to do this, what is the procedure?

On this occasion the Department will not be processing your response further. This is because your request does not comply with Section 8(1)(b) of the FOI Act. This means that to comply with your request the department requires that you give your name in full. The Information Commissioner (ICO) has issued guidance for public authorities on this topic. The ICO considers that "the name of the applicant refers to the real name of the applicant. You can see the guidance issued by the ICO here:

[http://ico.org.uk/for_organisations/guidance_index/~media/documents/library/Freedom of Information/Research_and_reports/recognising-a-request-made-under-the-foia.pdf](http://ico.org.uk/for_organisations/guidance_index/~media/documents/library/Freedom_of_Information/Research_and_reports/recognising-a-request-made-under-the-foia.pdf))

If you would like to submit your request again using a name that satisfies the above requirement DWP will be pleased to consider it.

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

Yours sincerely

**Official Correspondence Team
People, Communication and Capability**

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-req@xxx.xxx.uk or by writing to DWP, Central FoI Team, Caxton House, 6-12 Tothill Street, London. 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