

Mr Samuel Miller

020 7270 5000  
foirequests@hmtreasury.gov.uk  
www.gov.uk/hm-treasury

24 April 2020

Dear Mr Miller,

Refs: IR2020/04392  
FOI2020/01558

### **Freedom of Information Act 2000 Internal Review: ESA WRAG Removal**

Thank you for your email dated 1 March 2020, requesting an internal review of our response dated 17 February 2020 to your information request made under the Freedom of Information Act 2000 (the FOI Act), under our reference: FOI2020/01558.

We have now completed our internal review and this letter informs you of its conclusions. The review was conducted by officials not involved with your original request.

### **Background**

On 25 January, you made the following request under the FOI Act:

*'What savings have accrued to the public purse under the £30 reduction for claimants of ESA WRAG in each month since that reduction was implemented?'*

On 17 February 2020 we provided our response. We explained that HM Treasury could not confirm whether it holds information within the scope of your request. In order to identify if we hold any information would require examination of over 3000 search results of internal files. This is because the Treasury does not collate information in a way that could be used to easily identify possible information within the scope of your request.

We estimated that to search and locate any information held would exceed the appropriate limit, which for central Government is set at £600. This represents the estimated cost of one person spending three and a half working days in determining whether the department holds the information, and locating, retrieving and extracting that information. Under Section 12 of the Freedom of Information Act, departments are not obliged to comply with requests in these circumstances.

On 1 March, you requested an internal review as follows:

*"I am writing to request an internal review of Her Majesty's Treasury's handling of my FOI request 'What savings have accrued to the public purse under the £30 reduction for claimants of ESA WRAG in each month since that reduction was implemented?'"*

## **The Review**

I have considered the response we provided to you and whether our handling was compliant with our obligations under the FOI Act.

In our response we explained that we could not confirm whether the Treasury holds information in scope of your request as to do so would require examination of over 3000 search results of internal files. This is because the Treasury does not collate information in a way that could be used to easily identify possible information within the scope of your request.

We estimated that to search and locate any information held would exceed the appropriate limit and that under Section 12 of the FOI Act departments are not obliged to comply with requests in these circumstances.

## **Conclusion**

Having reviewed our handling of your request, I have concluded that the cost limit of £600 would be exceeded should HM Treasury attempt to search the 3000 internal documents identified by our searches. HM Treasury was therefore correct to apply Section 12 of the FOI Act.

I would advise you, as we did in our original response, that although it is difficult to suggest a way in which you might narrow your request, if you were to submit a narrowed request, we would consider it.

While I am aware you may find these conclusions disappointing, I hope that by setting out the basis of the review, its findings and conclusions above, you will be assured that the Treasury has, on your behalf, carried out a thorough and considered review of the request you made and the responses that the Treasury gave under the FOI Act. In terms of further questions, you may wish to know that DWP are the lead for this policy.

If you are not content with the outcome of this internal review you have the right to apply directly to the Information Commissioner for a decision. The Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow SK9 5AF.

Yours sincerely

S Fry  
Correspondence and Information Rights Team Leader