

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

xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx@xxx.xxx.gov.uk

Our reference: VTR 423

Date: 15 September 2014

Dear Mr Richmond,

Thank you for your Freedom of Information (FOI) review request, which we received on 27 August 2014. In which you asked for a review of your previous Freedom of Information request (Fol 3515). In your review you have asked the follow:

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of Department for Work and Pensions's handling of my FOI request 'Work program and access to private information.'

I asked for information regarding access to private information put into a job application and not job search. The questions have nothing to do with job searching but has to do with actual job applications.

I shall put my questions again and hope this time my questions will be answered.

1- Can a jobseeker be mandated to provide their private and confidential information on their job applications to work program provider.

2- Can a jobseeker be mandated to apply for job vacancies on a work providers computer if they have the means to apply for that vacancy elsewhere.

3- Can a jobseeker be mandated to show their private and confidential cover letters they have used for a job application .

4- Because of security issues now with windows xp not getting security updates on their system because microsoft has stopped all support for the system. Can you be mandated to use a work providers computer using the windows xp, knowing that any personal data you put in could be compromised.

I am of a senior grade to the person who dealt with your request previously, and can confirm that I have carried out an internal review. I am now in a position to respond to you.

As explained in our previous reply the remit of the Freedom of Information Act does not require the Department to provide opinions or explanations, generate answers to questions, or create or obtain information it does not hold. As your initial request asked hypothetical questions which required bespoke answers to be generated, we did our utmost to provide the recorded information we held that best answered your question.

As outlined previously Work Programme providers and their subcontractors have the flexibility to design innovative and personalised support to help each individual back to work, this may include different activities such as working with an individual to create or improve a CV or covering letter.

The Department does not hold a definitive list of what activities should be mandatory while on the Work Programme. Providers are free to determine which activities are mandatory, and can mandate participants to various that will improve the participant's chance of finding work. The Department issues guidance to providers around madation, this guidance is available via the link below.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/264163/wp-pg-chapter-3a-22-october-2012.pdf

You also raised an issue around data security and participants information potentially being compromised. In the previous reply it was explained that Work Programme providers and their subcontractors are required to comply with the Data Protection Act. Providers are contractually obliged to put into effect and maintain appropriate technical and organisational measures to ensure the prevention of unauthorised or unlawful processing of personal data and accidental loss or destruction of or damage to personal data.

We would encourage Individuals who feel they have not received adequate support or are otherwise dissatisfied with their provider, to raise a complaint directly with the provider through their formal complaints process. If individuals have exhausted the provider's complaint process and are still unhappy they can escalate the issue to the Independent Case Examiner (ICE). Further information can be found at www.ind-case-exam.org.uk

I am satisfied that the original response was handled properly and that the outcome of your request was correct. The reasoning behind this decision is that your request asked hypothetical questions and answers to these would depend on the individual circumstances of each individual case. I am content that your original request was dealt with in accordance with DWP guidelines for Fol requests.

I hope this is helpful but if you have any queries about this letter please contact me 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 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