



Department
for Work &
Pensions

DWP Central Freedom of
Information Team
Caxton House
6-12 Tothill Street
London
SW1H 9NA

Owen Stevens
ostevens@cpag.org.uk

[freedom-of-information-
request@dwp.gov.uk](mailto:freedom-of-information-request@dwp.gov.uk)

[DWP Website](#)

Our Ref: IR2020/71819

2 December 2020

Dear Owen Stevens,

Thank you for your Freedom of Information (Fol) request received on 19th November. You wrote:

“Please carry out an internal review of the response.

In total there have been 10 pages of guidance provided (1 of which relates to UC, 6 to ESA, and 3 to PIP).

The guidance provided leaves a lot of unanswered questions. For example among other unanswered questions:

- a)The guidance states that, following a case conference, staff must determine whether there is still a safeguarding concern. But there does not appear to be any guidance to staff on how to determine whether or not a safeguarding concern remains.
- b)The guidance states that cases can be referred to the Senior Safeguarding Leader (SSLs). However, there appears to be no guidance for those SSLs to refer to when considering a case.
- c)The guidance states that once the process has been followed the Decision Maker (DM) will consider information gathered during the process. However, there appears to be no guidance to DMs on how to weigh the information received as a result of the process.

Either:

- a)there is more guidance that has not been shared; or
- b)the department’s guidance does not address these points – which would suggest that it is inadequate

I am assuming, given the recent focus on this issue and the potential impact on vulnerable claimants, that there must be more guidance which has not been shared with me. Please provide all the available documents which have been issued to staff.”

DWP Response

In response to your internal review request, we can confirm that the handling of your original request and response has now been appropriately reviewed by someone unconnected with the handling of your original request.

We are satisfied that the original response was handled properly and that the outcome of your original request was correct. Your complaint is therefore not upheld and the reason for this is as follows – within your original request you asked for:

“During the Work and Pensions Committee oral evidence session on 22/7/20 into safeguarding vulnerable people the Permanent Secretary said “[w]e also looked at the circumstances under which we would make a decision as to whether to continue payments when we have lost contact with a claimant. That also was discussed and led to a change in the guidance, which has been implemented. That again was discussed at the serious case panel on 19 March.”

Please provide any guidance documents which were published and/or changed as a result of the change in guidance referred to by the Permanent Secretary”

Within our original response to you (41900) we provided you with copies of the updated guidance that the Permanent Secretary referenced at the Work and Pension Select Committee on 22/7/20.

It may be helpful if we explain the role of the FoI Act. It provides a legal right of access to recorded information held by a public authority like the DWP, subject to certain exemptions that may apply. 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, generate answers to questions, or create or obtain information it does not hold.

If you ask a question, rather than requesting recorded information, we will provide you with the recorded information that best answers the question. Once we have provided the recorded information, we have met our obligations under the Act; interpreting the information provided is up to you.

Your request asks questions and makes statements seeks to engage us in debate which you want us to respond to. This would need new information to be created.

We do not hold any further recorded information to answer your request and will therefore not be progressing your request any further.

Yours sincerely,

DWP Central Freedom of Information Team
Department for Work and Pensions

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.

Web: [ICO Contact Information](#) or telephone 0303 123 1113 or 01625 545745