



Department
for Work &
Pensions

DWP Central Freedom
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[DWP Website](#)

Our Ref: IR2021/07180

19 February 2021

Dear Mr Stevens,

Thank you for your Freedom of Information (Fol) internal request received 28 January 2021. You wrote:

“Thank you for the response. Please carry out a review of this response.

The response provides two of the three pieces of already publicly available guidance, I understand that the ESA guidance was published by the Work and Pensions Select Committee in September and the UC guidance has been previously provided through FOI.

The reason for the request was that the evidence to the select committee and the guidance already provided (for ESA, UC, and PIP) describes a case conferencing process which, if there are still safeguarding concerns once a case conference has taken place (presumably a safeguarding concern would only remain if the department still felt it was appropriate to sanction or terminate the person’s benefit), requires a referral to a senior safeguarding leader and then to a decision maker.

The already publicly available guidance provides no guidance to the senior safeguarding leader and to the decision maker considering a case after a case conference has taken place but a safeguarding concern remains as to whether or not it would be appropriate to go on to terminate or sanction the benefit for the vulnerable person. Presumably there is other guidance which covers this – this is the guidance I am interested in having provided to me.

If there is no other guidance then that would perhaps imply that the department’s position is that benefit should be stopped in all of these cases regardless of the continuing safeguarding concern.

I’d also like to point out that the original FOI request (2020/41902) was refused on the basis that it would take too long to provide a response. I know that the department is able to provide the three bits of publicly available guidance within the 3.5 day limit as they have already done so. So this seems to support my assumption that there is other guidance on this topic besides that which has already been made publicly available.”

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.

As a result of this review 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:

We provided all the recorded information held at the time of your request.

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

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