

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 29 January 2014

Public Authority: Department for Work and Pensions
Address: Caxton House
Tothill Street
SW1H 9NA

Decision (including any steps ordered)

1. The complainant has requested information relating to Universal Jobmatch.
2. The Commissioner's decision is that the Department for Work and Pensions (DWP) has failed to provide a response to the request within the statutory time frame of 20 working days. He upholds the complaint but requires no further action to be taken as a response has been provided to the complainant.

Request and response

3. On 27 September 2013, the complainant wrote to the DWP and requested information in the following terms:

Further to request VTR267

https://www.whatdotheyknow.com/request/universal_jobmatch_implementation#incoming-371587 and your response to FOI 3748 of 27 September 2013

<https://www.whatdotheyknow.com/request/172252/response/434138/attach/html/3/FOI%203748.pdf.html> please email me all of your subsequent Universal Jobmatch implementation updates, not disclosed via FOI VTR267 of 18 January 2013."

4. The DWP responded on 6 December 2013. It provided the information requested stating:

"Thank you for your original request 4612 received on 27 September 2013 and the subsequent requests 824, 5582 and 866. We take our responsibilities regarding Freedom of Information seriously and strive to respond within the time limits set out in the Freedom of Information Act.

I apologise that on this occasion we failed to reply to your requests within the 20 working day time limit."

Scope of the case

5. The complainant contacted the Commissioner on 25 November 2013 stating that he had not received a response to his request. The Commissioner considers the scope of this case to be to determine if the response to the request for information has been dealt with within the required timescales under section 10 of the FOIA.

Reasons for decision

6. Section 1(1) of FOIA requires a public authority in receipt of a request for information to confirm whether it holds the requested information, and, if so, disclose it to the applicant. Section 10(1) of FOIA provides that this must be done within 20 working days of receiving a request.

Section 10 of FOIA states that, "... a public authority must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt."

7. In this case the original request was made on 27 September 2013. The DWP did not provide all information relevant to the scope of the request until 6 December 2013.
8. As the DWP did not provide all information relevant to the scope of the request within 20 working days it did not comply with section 10(1) FOIA in handling this request.
9. The DWP acknowledged in its response that it had not provided a response in line with the provisions of the FOIA and apologised for the delay.
10. The Commissioner has therefore recorded a breach of section 10(1) of the FOIA by the DWP accordingly.

Right of appeal

11. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0300 1234504

Fax: 0116 249 4253

Email: GRC@hmcts.gsi.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

12. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
13. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed

Pamela Clements
Group Manager, Complaints Resolution
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF