



Department  
for Work &  
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Our Ref: IR2021/39175

24 June 2021

Dear Owen Stevens,

Thank you for your Freedom of Information (FOI) request received on 17th May 2021. You wrote:

*“Please review this response. These recommendations cannot relate to policy formulation. These IPRs merely examine operational or administrative issues.*

*IPRs do not examine policy, this FOI response explicitly states*

*‘policy is outside [the] scope’ of IPRs:*

*[https://www.whatdotheyknow.com/request/646814/response/1553566/attach/2/WDTK%20Response%2006951.pdf?cookie\\_passthrough=1](https://www.whatdotheyknow.com/request/646814/response/1553566/attach/2/WDTK%20Response%2006951.pdf?cookie_passthrough=1)*

## **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.

You have asked us to review our use of Section 35(1)(a) of the Freedom of Information Act 2000 and referred to a response to a request from last year that contains a sentence from Internal Process Review (IPR) guidance which says “Policy is outside the scope.”

We can advise that the original response was partly correct. Your complaint is therefore partially upheld. The reasons for this are as follows. Your original FOI request (FOI 2021/28559) asked:

*“Please provide any documents showing a) the recommendations made in Internal Process Reviews which are (or have been) being tracked and b) progress made in implementing those recommendations. My understanding is that the Internal Process Review Group (IPRG), in the Customer Experience Directorate, is responsible for tracking these recommendations.”*

## **Part a**

Section 35(1)(a) by itself does not operate to restrict the disclosure of Internal Process Review recommendations that have been fully and finally implemented. These are within the

scope of your request. Therefore, we should have considered disclosing these recommendations.

However, on the 18 January 2021 we responded to an earlier FOI request from you (FOI2020/72450). In this response we provided documents showing recommendations from Internal Process Reviews completed between January 2016 and March 2019. The information that you requested covering IPRs completed from April 2019 to November 2020 was withheld because it relates to the formulation or development of Government policy under Section 35(1)(a) of the FOI Act.

Please advise us if under part a) of your initial request here you require recommendations for additional years to those outlined above and we will consider those.

### **Internal Process Review guidance and Section 35(1)(a) FOI Act**

The guidance you referred to in the context of IPRs not examining policy has been amended so that the description of an Internal Process Review is now that:

*“Internal Process Reviews (IPRs) form a core part of the Department’s overall approach to investigating the circumstances of a case where potential issues have been identified.*

*Focusing on the wider experience, we thoroughly investigate cases to look holistically at the customer’s interactions with all departments within DWP. This is to identify learning and make recommendations to support the business to continuously improve.*

*Internal Process Reviews are separate from the complaints process. The investigation does not seek to find direct customer resolution, but rather to understand and learn.”*

This change in description reflects that IPRs do not merely examine operational or administrative issues. As such we consider that the exemption from disclosure contained in Section 35(1)(a) of the Freedom of Information Act applies.

### **Part b**

In regard to part b) of your original request concerning documents relating to progress on implementing recommendations, we believe that Section 22 of the Freedom of Information Act 2000 exempts the information from being disclosed because it is intended for publication at a future date. The Department plans to produce a report of the issues explored by the Serious Case Panel in the upcoming Annual Report and Accounts. This will include those IPR recommendations considered by the Panel.

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

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**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