

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 20 May 2024

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

Decision (including any steps ordered)

1. The complainant has requested a copy of the Enhanced Quality Assurance Framework ('EQAF').
2. The Commissioner's decision is that the Department for Work and Pensions ('DWP') fully considered all the information specified in the complainant's request and interpreted it correctly. On the balance of probabilities, DWP also holds no further recorded information relevant to the complainant's request and has complied with section 1(1) of FOIA.
3. The Commissioner does not therefore require DWP to take further steps.

Request and response

4. On 2 October 2023, the complainant wrote to DWP and requested information in the following terms:

"The DWP ARA 21/22 states that "In June 2021; the [Serious Case Panel] discussed DWP's "Operating models for complex issue resolution in serious cases". During the discussion, best practices were shared and areas for improvement identified. We are developing new and strengthened customer experience measures as part of an Enhanced

Quality Assurance Framework which is due to be implemented during July 2022." <https://www.gov.uk/government/publicatio...>

Please see:

1. <https://www.whatdotheyknow.com/request/e...>
2. <https://www.whatdotheyknow.com/request/e...>
3. <https://www.whatdotheyknow.com/request/e...>

In response to the 1st request DWP stated that: "Whilst the initial ambition was to have a fully revised version by July 2022 [...] it is expected that this review will be completed by March 2023"

In response to the 2nd request DWP stated that: "We expect this final approved framework to be available between April and June 23"

In response to the 3rd request DWP stated that: "We plan to have this activity complete by 30th September 2023"

Please provide the Enhanced Quality Assurance Framework.

Please also provide a document (e.g. an update to staff) explaining what changes have been made to the earlier framework."

(Commissioner's emphasis)

5. DWP responded on 30 October 2023 and provided the complainant with a copy of the Enhanced Quality Assurance Framework document.
6. The complainant requested an internal review on 30 October 2023 saying:

"I do not accept that all the relevant information has been provided.

The document provided states that:

"5.3. Vulnerable customers with complex needs - Tier 1 and Tier 2 assurance is enhanced to assure service delivery for vulnerable customers with complex needs, and all methodologies are aligned in assuring the whole case is correct going forward.

5.4. A set of assurance "standards" known as Customer Support Standards (supporting Advanced Customer Support) has been introduced incorporating the correct application and accessibility of this service."

The DWP ARA 2022-23 states that the Customer Support Standards are part of the Enhanced Quality Assurance Framework:

"We have developed and implemented a Quality Assurance Framework, which sets out how the department will evaluate and improve the quality of our services to ensure our customers receive high standards of support. This framework has recently been expanded to include Advanced Customer Support Standards, which sets out how we identify and support vulnerable customers."

The Customer Support Standards fall under the scope of this query but have not been provided in the response."

(Commissioner's emphasis)

7. DWP upheld the internal review and provided the complainant with a copy of the Customer Support Standards document ('CSS') on 22 November 2023.

Scope of the case

8. The complainant contacted the Commissioner on 5 December 2023 to complain about the way their request for information had been handled.

9. The complainant initially argued that DWP have interpreted the original request in a narrow way and that:

"The document provided at review stage suggests the existence of further information falling within the scope of the request (i.e. equivalent documents relating to topics besides Customer Support)."

10. The complainant later augmented his arguments to the Commissioner by adding that:

"While DWP may have provided a document titled 'Enhanced Quality Assurance Framework' I do not accept that this document forms the entirety of the Framework....because there are other topics, besides Customer Support, which DWP are likely to wish to assess according to assurance standards. The standards that apply to those other topics also form part of the EQAF and fall within scope of the request."

11. In circumstances such as this, where the two parties have a different interpretation of the request and maintain those positions, the Commissioner will issue a decision notice which confirms which interpretation he considers to be the correct one. If the complainant's intended interpretation is an objective reading of the request, then the Commissioner will issue a decision notice which orders the public authority to issue a fresh response based upon the complainant's interpretation of the request. If the complainant's interpretation is not an objective reading, and the public authority's is, then the

Commissioner will issue a decision notice which finds that the request has been interpreted correctly by the public authority.

12. The Commissioner has therefore considered:

- a. whether, on the balance of probabilities, DWP holds recorded information within scope the complainant's request and whether it has complied with section 1(1) of FOIA.
- b. which interpretation of the request he considers to be the correct one.

Reasons for decision

13. Section 1(1)¹ of FOIA states that

"Any person making a request for information to a public authority is entitled –

- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
- (b) if that is the case, to have that information communicated to him."

14. Section 8(1)² of FOIA states:

"In this Act any reference to a "request for information" is a reference to such a request which –

- (a) is in writing,
- (b) states the name of the applicant and an address for correspondence, and
- (c) describes the information requested."

15. Section 84³ of FOIA defines "information" in this context as being information "recorded in any form". FOIA concerns recorded information only. It does not require a public authority to answer general questions, provide opinions or explanations.

¹ <https://www.legislation.gov.uk/ukpga/2000/36/section/1>

² <https://www.legislation.gov.uk/ukpga/2000/36/section/8>

³ <https://www.legislation.gov.uk/ukpga/2000/36/section/84>

16. Public authorities must interpret requests for information objectively. They must avoid reading into the request any meanings that are not clear from the wording. If the request clearly specifies exactly what information or documents the requester wants, then there will only be one objective reading to the request.
17. The complainant argues that DWP accepted at internal review that the second CSS document was part of the EQAF and should have been originally provided to him. However, they believe that the information provided to them to date is not the complete 'framework' as "the EQAF document and the CSS are not likely to make up the entirety of the EQAF because there are other topics, besides Customer Support, which DWP are likely to wish to assess according to assurance standards. The standards that apply to those other topics also form part of the EQAF and fall within scope of the request." The complainant therefore confirmed to the Commissioner that they disputed that DWP had located all of the requested information for the reasons set out above. They consider that "this larger framework, combined with the EQAF document which makes up the EQAF, was the subject of the request."
18. The Commissioner provided DWP with an opportunity to review its handling of the case. DWP responded by confirming its position that the only information falling within the scope of the request was the EQAF document and CSS, and that both documents had been provided to the complainant. DWP also confirmed that it holds no further information falling within the scope of the request.
19. The Commissioner's view is that the request has been interpreted correctly by DWP. The Commissioner considers that the objective interpretation of this request is that the complainant is seeking a copy of the EQAF document, which includes the CSS. DWP has told the Commissioner that these two documents make up the complete framework and that no other documents are held or used by DWP that fall within the scope of the request.
20. The original request dated 2 October 2023 clearly specifies exactly what document the complainant wants and is plainly limited to a specific document – a copy of the EQAF. DWP provided this document to the complainant in full on 30 October 2023. The request for internal review contains a follow-on new request for one document only - a copy of the Customer Support Standards referred to in the EQAF. DWP provided this to the complainant on 22 November 2023.
21. As part of his investigation, DWP has subsequently confirmed to the Commissioner that these two documents make up the complete framework and that in order to confirm this, DWP had consulted with

DWP Quality Governance Board members and all Directorate quality leads.

22. It is the Commissioner's view therefore that DWP has not incorrectly interpreted the request or narrowed the scope of the request as the complainant contends. DWP also advised the Commissioner that it had not identified any other relevant information falling within the scope of the request. The Commissioner sees no reason to doubt DWP's explanation in this case.
23. Having considered all the circumstances, the Commissioner therefore accepts DWP's position that, on the balance of probabilities, it has disclosed a copy of the EQAF and does not hold any further recorded information than that already disclosed. As such, the Commissioner has decided that DWP has complied with section 1(1) of FOIA.

Right of appeal

24. 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: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

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

25. 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.
26. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Victoria Parkinson
Senior Case Officer
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF