

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 14 March 2024

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

#### Decision (including any steps ordered)

---

1. The complainant has requested the most recent Data Strategy document from the Department for Work and Pensions. DWP provided a copy of the Data Strategy 2020 draft document and advised that this was the only version they had located.
2. The Commissioner's decision is that, on the balance of probabilities, DWP does not hold any further information that falls within the scope of the request.
3. The Commissioner does not require any further steps.

#### Request and response

---

4. On 7 August 2023, the complainant wrote to DWP and requested information in the following terms:

"DWP had a plan to publish its data strategy in 2018: <https://www.ukauthority.com/articles/dwp...>

This blog describes a data strategy adopted in 2020: <https://dataingovernment.blog.gov.uk/202...>

This podcast describes the data strategy as having been published: <https://dwpdigital.blog.gov.uk/2021/07/0...>

Please provide a copy of DWP's current data strategy."

5. DWP responded on 5 September 2023. It confirmed that it held the requested information but was withholding it under section 31.
6. Following an internal review, the DWP wrote to the complainant on 19 October 2023. It revised its position and provided the complainant with a document titled "DWP Data Strategy October 2020".

### **Scope of the case**

7. The complainant contacted the Commissioner on 25 October 2023 to complain about the way their request for information had been handled as they believed that the document provided was not the most current document as it was in 'draft form'.
8. The Commissioner has considered whether, on the balance of probabilities, DWP holds further recorded information within scope of the complainant's request and whether it has complied with section 1(1) of FOIA.

### **Reasons for decision**

---

9. Under section 1(1) of FOIA anyone who requests information from a public authority is entitled to be told if the authority holds the information and to have the information communicated to them if it is held.
10. FOIA concerns recorded information only. It does not require DWP to provide opinions, explanations, generate answers to general questions, or create or obtain information it does not hold. The information must already be held at the point a request is made.
11. From the information provided, the Commissioner can see that DWP has responded to the complainant's questions and confirmed in its internal review, that it considers the information disclosed to be the most up to date version as it was an internally published document available to all its staff on its own intranet site (internal system).
12. Other than state their view that DWP must have another more updated and finalised version of the Data Strategy document, the complainant has not provided any evidence or reasoning that would indicate that DWP does hold further relevant information. The 2018 internet links and 2021 podcast provided by the complainant discussed DWP's intentions

to update and improve its data analytics capability but provided no firm dates as to when this would occur.

13. DWP confirmed to the Commissioner that it had issued the complainant with all recorded information that it held in relation to the complaint and that it had carried out a search of its internal data systems as the request was for specific information that would only be held electronically.
14. DWP had not identified any other relevant information, other than the draft Data Strategy 2020 document that it disclosed in response to the request. DWP were unable to locate any document that was annotated as a 'final' or 'policy' document and could only locate an internally published document that was not publicly published.
15. Additionally, DWP confirmed that they had consulted with the Information owners, who also assured that this was the only information that DWP held and existed at that time as the new Data strategy was still at a drafting phase which is why it was difficult to locate. DWP approved the new Data Strategy internally in November 2023 and published it January 2024 on its internal internet. The Commissioner sees no reason to doubt DWP's explanation and is satisfied that the searches conducted were adequate and would have located information falling within the scope of the request.
16. The Commissioner is not required to prove beyond doubt that DWP do or do not hold further information but can only make a decision based on the civil standard of the "balance of probabilities" that information within the scope of the request is more likely than not held.
17. Having considered the explanations provided by DWP, the Commissioner accepts DWP's position that, on the balance of probabilities, it does not hold further recorded information falling within the scope of the request. As such, the Commissioner is satisfied that DWP has complied with section 1(1) of FOIA.

## Right of appeal

---

18. 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](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

19. 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.
20. 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 .....**

**Michael Lea**  
**Group Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**