

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 4 December 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 email addresses of staff contacts in specific teams for each Jobcentre in London.
2. The Department for Work and Pensions (DWP) relied on section 12(1), cost of compliance, to refuse to comply with the request.
3. The Commissioner's decision is that DWP is entitled to rely on 12(1) to refuse to comply with the request.
4. The Commissioner does, however, find that DWP failed to provide reasonable advice and assistance in accordance with section 16 to aid the complainant in refining their request. The Commissioner therefore requires DWP to:
 - Provide the complainant with advice and assistance regarding how to refine their request.
5. The public authority must take these steps within 30 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of the Act and may be dealt with as a contempt of court.

Request and response

6. On 20 May 2024, the complainant wrote to DWP and requested information in the following terms:
- “Because, I need an email-address for (a staff-contact in) the JSA (JobSeekersAllowance) Team, the ESA (EmploymentSupportAllowance) Team, the UC (UniversalCredit) Team.
- But I only need 1 per each of these teams per JobCentre; but for every JobCentre in London.
Please provide the most appropriate one for claimants to contact that team.
The most appropriate could e.g. be the most senior public-facing contact in that team.
In terms of practicality, I suggest you contact the Manager of each JobCentre to provide these contacts + email-addresses.
- My request implies also a list of JobCentres in London, so that it is clear for claimants who to contact in which JobCentre.
- Example:
JobCentre-Name1, email-address for JSA, email-address for ESA, email-address for UC.
JobCentre-Name2, email-address for JSA, email-address for ESA, email-address for UC.
JobCentre-Name3, email-address for JSA, email-address for ESA, email-address for UC.
... etc. etc.”
7. DWP provided its response on 31 May 2024. It relied on section 40(2) to withhold the requested information.
8. DWP amended its position at internal review and confirmed that it was now relying on section 12(1) to refuse to comply with the request. DWP provided a list of criteria that would need to be considered while reviewing each Jobcentre’s email list manually.

Scope of the case

9. The complainant contacted the Commissioner on 27 June 2024 to complain about the way their request for information had been handled.
10. The Commissioner considers that the scope of this investigation is to determine whether DWP is entitled to rely on section 12(1) to refuse to

comply with the request. He will also determine whether DWP has provided adequate advice and assistance in accordance with section 16(1).

Reasons for decision

Section 12: Cost of compliance exceeds the appropriate limit

11. Section 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".

12. Section 12(1) states:

"Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit".

13. The appropriate limit is set in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (Fees Regulations¹) at £600 for central government departments.

14. The Fees Regulations also specify that the cost of complying with a request must be calculated at a rate of £25 per hour. This means that DWP may rely on section 12 where it reasonably estimates that complying with the request would take longer than 24 hours, or 1440 minutes.

15. Regulation 4(3) of the Fees Regulations states that a public authority can only take into account the cost it reasonably expects to incur in carrying out the following permitted activities in complying with the request:

- determining whether the information is held;
- locating the information, or a document containing it;

¹ <https://www.legislation.gov.uk/uksi/2004/3244/contents/made>

- retrieving the information, or a document containing it; and
 - extracting the information from a document containing it.
16. DWP explained that it is not a requirement for Jobcentres to have customer emails as DWP is a largely telephony based service providing a range of initial contact methods including online services for many of its customers. DWP stated that it was not able to use email as a main channel of communication because of the associated security and GDPR risks.
17. DWP explained that, in line with the requirements of the Equality Act 2010, it does offer email as a reasonable adjustment when providing written communication to customers who require information in an alternative format. DWP explained that this can be requested and considered on a case by case basis due to the individual needs of the customer and it may be the email address of a colleague.
18. DWP explained that it is not a requirement to contact customers by email so this would be dependent on what resources a colleague has available and what the customer needs. DWP provided the following non-exhaustive list of examples of what it may offer:
- Face to face meetings
 - Phone calls
 - Video calls
 - UC/JSA/ESA telephony lines
 - Provider or partner organisation contact numbers
 - The Universal Credit Journal
 - Their personal work email address
 - The team email address (if applicable)
 - A specialist role or team email address (if applicable)
 - A district role or team email address (if applicable)
 - DWP's 'how to contact Jobcentre Plus' website
 - A provider or partner organisation's email address (if applicable)
 - Address of where the enquiry can be sent.

19. DWP confirmed that there are designated teams for JSA, ESA and UC within Jobcentres. DWP explained that Jobcentres vary in size and structure based on the requirements of the locality they serve and therefore there are specific colleagues who handle each benefit and this would be allocated to Jobcentres based on the needs of each site.
20. DWP explained that it had undertaken a sampling exercise in which it approached two Jobcentre sites in each of DWP's four London districts to extract and locate the email addresses requested.
21. DWP confirmed that the result of the sample exercise is as follows:
 - The average time it took for each team to determine if the information was held or not was 17.5 minutes. This is once the appropriate person had been assigned to carry out the extraction.
 - 75% of the Jobcentres provided a Universal Credit email address only.
 - 25% of the Jobcentres confirmed that they do not have a JSA or ESA email address, with 75% of the Jobcentres unable to completely confirm this without manually going through the Global Address List (GAL).
 - One Jobcentre provided an email address that can be used for all benefits.
 - One Jobcentre confirmed that it did not have any email addresses for any benefit lines for external use.
22. DWP stated that working out the costs of complying based on this sample, it reached the following estimate:
 - 49 Jobcentres in London with six temporary sites = 55 Jobcentres in total.
 - 17.5 minutes (average time taken per team) x 3 benefit teams = 52.5 minutes per Jobcentre.
 - 52.5 minutes x 55 sites = 2,887.5 minutes needed for all Jobcentres to attempt to extract the required information.
23. DWP further explained that as there is not a readily available list, the only robust way to determine if the required email addresses are held for each site would require a full manual scan of the email addresses on the GAL, approximately 209,000 emails. DWP stated that as it is not required for Jobcentres to have an email address, historical accounts

may not be recognised due to the continuous changes Jobcentres face with teams and staffing.

24. DWP also explained that although Jobcentre Managers are responsible for the site's day to day running, and can make changes including creating, amending and deleting email addresses, these email addresses are managed by staff in the Digital Directorate.
25. DWP stated that if it was to write out to the Jobcentre managers to find the requested email addresses for their sites, the expectation would be that they would have to navigate through the entire GAL to determine what emails are associated with their individual site.
26. DWP also explained that Jobcentre colleagues including customer service leaders (managers) often change sites and roles and some colleagues may have left DWP.

The Commissioner's position

27. Having considered DWP's submissions, the Commissioner accepts that complying with the request will exceed the appropriate limit of 24 hours or 1440 minutes.
28. The Commissioner acknowledges that the complainant considers that complying with their request is a simple matter of providing a non-personal email address or the email address of the most senior staff member associated with each benefit at each Jobcentre. However, the specific information requested is the "most appropriate" email for claimants to contact each benefit team at each Jobcentre. The complainant is therefore asking DWP to designate a set of emails that can receive electronic correspondence from any claimant attending that Jobcentre.
29. As set out by DWP, email contact is approached on a case by case basis and is not simply a matter of whether the email address is external or belongs to a senior employee.
30. Determining what information is held involves DWP making a judgement on whether each Jobcentre has an associated set of three emails that can be publicly announced as "appropriate" for all of the specific benefit claimants of that Jobcentre to use, potentially resulting in hundreds or thousands of emails being sent outside of DWP's set processes.
31. The Commissioner accepts that this determination will exceed the appropriate limit and DWP is therefore entitled to rely on section 12(1) to exceed the appropriate limit.

Section 16: Duty to provide advice and assistance

32. Section 16(1) of FOIA states:

"It shall be the duty of a public authority to provide advice and assistance, so far as it would be reasonable to expect the authority to do so, to persons who propose to make, or have made, requests for information to it".

33. As part of its submissions to the Commissioner, DWP stated:

"the requester may be able to narrow [their] request to ask for 'active external e-mail addresses currently used by Jobcentres for customers in London'. I apologise that this had not been identified as a suggestion under section 16 of the FOI Act previously".

34. As DWP has acknowledged that there is further advice and assistance it could provide, the Commissioner requires DWP to provide the complainant with advice and assistance on how to refine the request.

Right of appeal

35. 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

36. 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.
37. 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
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