

9 February 2024

IC-282646-Q8M2

Request

You asked us:

[Quoting Decision Notice: IC-244085-D1T2] "21. DWP provided the Commissioner with a detailed explanation regarding how the datasets were created to aid the Commissioner's understanding. DWP confirmed that the datasets contain raw data relating to millions of benefits claimants." "22. DWP explained that the datasets contain individual level data which has been pseudonymised meaning that they contain personal information. DWP explained that there are other variables in each dataset which could also potentially allow individuals to be identified." Please provide a copy of this detailed explanation."

We received your request on 15 January 2024.

We have handled your request under the Freedom of Information Act 2000 (the FOIA).

Our response

I can confirm that we hold the information in scope of your request.

Please find attached the detailed explanation provided to us by DWP regarding this particular case.

Please note that we were provided with both the attached explanation and a sample of the information that was withheld by DWP. The explanation is provided in full and unredacted, but we are withholding the sample due to the provisions of s44 of the FOIA.

Information withheld

FOIA section 44 and DPA section 132

The sample of withheld information provided by DWP has been withheld under section 44 of the FOIA. Section 44(1)(a) states:

"(1) Information is exempt information if its disclosure (otherwise than under this Act) by the public authority holding it -

(a) is prohibited by or under any enactment"

The enactment in question is the Data Protection Act 2018. Section 132(1) of part 5 of that Act states that:

"A person who is or has been the Commissioner, or a member of the Commissioner's staff or an agent of the Commissioner, must not disclose information which—

(a) has been obtained by, or provided to, the Commissioner in the course of, or for the purposes of, the discharging of the Commissioner's functions,

(b) relates to an identified or identifiable individual or business, and

(c) is not available to the public from other sources at the time of the disclosure and has not previously been available to the public from other sources,

unless the disclosure is made with lawful authority."

Section 132(2) lists circumstances in which a disclosure can be made with lawful authority, however none of them apply here. As a result, the information is exempt from disclosure.

This concludes our response to your request.

Next steps

You can ask us to review our response. Please let us know in writing if you want us to carry out a review. Please do so within 40 working days.

You can read a copy of our full review procedure [here](#).

If we perform a review but you are still dissatisfied, you can complain to the ICO as regulator of the FOIA. This complaint will be handled just like a complaint made to the ICO about any other public authority.

You can [raise a complaint through our website](#).

Your information

Our [privacy notice](#) explains what we do with the personal data you provide to us, and sets out [your rights](#). Our [Retention and Disposal Policy](#) details how long we keep information.

Yours sincerely



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