



Department
for Work &
Pensions

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www.gov.uk/dwp

FOI2020/41771

9 December 2020

Dear Alex Homer,

Thank you for your Freedom of Information (Fol) request received on 31 July. You asked:

"I hope you are well. I would be grateful if you would treat this correspondence as a formal request for disclosure of the following information, under the Freedom of Information Act 2000 ("Fol").

Description of information sought for the past 10 years:

- 1. On how many occasions over the past 10 years has DWP recorded customer deaths where the death may have been linked to a termination of benefits and/or other relevant DWP activity? How many of those customers were deemed vulnerable customers? How many of those deaths have been investigated further by the DWP?*
- 2. How many reports over the past 10 years has DWP received concerning deaths of its customers under Rule 43 of the Coroners Rules?*
- 3. How many deaths of DWP customers have been recorded by the DWP over the past 10 years after being considered by an Independent Case Examiner?*
- 4. How many peer reviews (PRs) or Internal Process Reviews (IPRs) over the past 10 years, has DWP carried out concerning individual deaths of customers where an allegation was made that DWP activity may have contributed to their death? How many of these were suicide/alleged suicides? How many of those PRs or IPRs were discretionary and how many were mandatory to be carried out?*
- 5. How many deaths of DWP benefits customers have been reviewed by the Serious Case Panel over the past 10 years?*
- 6. How many further deaths were not investigated by any DWP internal review mechanism but were brought to the DWP's attention by media reports over the past 10 years?*
- 7. As these customer deaths should be exceptional and limited in number, can DWP please provide the aforementioned requested data over the past 10 years as per the spreadsheet attached to this email, or at least in an .xls/.xlsx/.csv file format with a table with each row representing a single customer to have died, with columns providing that*

customer's details including the date of their death (in whatever date format you can supply), the local authority corresponding to the home address of the customer to have died, the gender of the customer, whether or not the customer was deemed vulnerable and the classification of their death - suicide/alleged suicide or other - please specify. Please also specify the method of investigating that customer's death and how it was brought to the DWP's attention - whether it be a report under Rule 43 of the Coroners Rules, an Independent Case Examiner, a PR or IPR and whether that was discretionary or mandatory, whether the death was considered by the Serious Case Panel or whether the death was first brought to the DWP's attention by media reports.

If you need any clarification about my request, or if you cannot provide all of the data I have requested, please contact me to discuss what information you could supply at the earliest opportunity on +443030823927<tel:+443030823927>.

If I am mistaken and the information requested is already in the public domain, please direct me to where I can find it.

If it is not, and you feel you cannot provide all of this information, please provide what information you can in the spirit of Section 16 of Fol, 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'.

Please send me the information by email. Please provide me with a summary of the information I have requested.

I look forward to hearing from you promptly, and at any rate, within the statutory time limit of 20 working days from your receipt of this email.

Whilst writing, I take this opportunity to remind you of the Information Commissioner's public statements, in which he has stated that there is a "presumption of disclosure" under Fol.

Please note that if this request for Fol disclosure is refused, I reserve the right to take up the matter with the Information Commissioner and/or to pursue all legal avenues of appeal. I trust this will not be necessary".

DWP Response:

Please accept our apologies for the delay in our response.

We can confirm that the Department has information that falls within the scope of your request.

However, we have estimated that the cost of meeting your request would exceed the cost limit of £600 specified in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. This represents the estimated cost of one person spending 3½ working days (equivalent to 24 staff-hours) in determining whether the Department holds the information, locating, retrieving and extracting it.

Under section 12 of the Freedom of Information Act the Department is not therefore obliged to comply with your request and we will not be processing it further.

We have a duty to provide advice and assistance under Section 16 of the Act to help you narrow your request so that it may fall beneath the cost limit. You may find taking the factors below into consideration to re-frame your request may be helpful.

It is worth noting that DWP did not hold centralised records prior to 2012 regarding Peer Reviews, which then became Internal Process Reviews in 2015 and only from 2016 for Coroners' enquiries. Our data retention policy requires information relating to suicide to be held for six years. All other customer related information is retained for between 14 and 24 months after a claim is closed dependent upon the benefit type.

In order to provide recorded information for your request, it would require a search of all records held as retained above to identify any that fall within scope. We would then have to determine whether they fall within the criteria that you have specified as per your questions.

Please note that Rule 43 and its corresponding reports were replaced on implementation of the Coroners and Justice Act 2009 with Reports on Action to Prevent Future Deaths under paragraph 7, Schedule 5 of the 2009 Act and Regulations 28 and 29 of the Coroners (Investigations) Regulations 2013. These are referred to as PFDs or PFD reports or Regulation 28 reports.

In relation to this information, if the period requested was reduced in line with when the Department centralised its Coroner's enquiries records (as outlined earlier) we may be able to provide some information within the scope of your request.

You may find the following link helpful, we have provided this outside of our obligations under the Act: www.judiciary.uk/publications.

The Independent Case Examiner (ICE) reviews complaints about certain government organisations that deal with benefits, work and financial support. Customers can raise a complaint with ICE once they have been through the Department's complaint procedure. This will mean having received a final response and still remaining dissatisfied.

The Serious Case Panel was formed in 2019 and is not intended to go through individual cases in detail. The Serious Case Panel has been developed to consider themes and systemic issues that come out of case reviews and makes recommendations for improvements across the relevant areas of the Department. The attached link provides more detail: <https://www.gov.uk/government/groups/dwp-serious-case-panel>.

Your requirement regarding the completion of the spreadsheet you provided, we estimate would also exceed the costs threshold as there is no requirement to provide recorded information in a prescribed format.

We will consider afresh any revised request however we cannot guarantee that any

revised request will fall within the cost limit.

If you have any queries about this letter, please contact us quoting the reference number above.

Yours sincerely,

DWP Operations
Freedom of Information Team

Your right to complain under the Freedom of Information Act

If you are not happy with this response you may request an internal review by e-mailing freedom-of-information-request@dw.gov.uk or by writing to DWP, Central FoI Team, Caxton House, Tothill Street, SW1H 9NA. Any review request should be submitted within two months of the date of this letter.

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.org.uk/Global/contact_us or telephone 0303 123 1113 or 01625 545745