

Pension, Disability and Carers Service
Part of the Department for Work and Pensions

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Date **4 November 2008**

I am writing in response to your request for information about your claim for Disability Living Allowance (DLA) and the Special Rules provision which you requested on 15 August 2008. I have also received your letter of 1 October and I regret I have been unable to reply earlier.

I am pleased to answer your specific questions as follows:

1 Full flow chart of the form's processing cycle from the time it is received to the time it is filed away

The DLA566 is received in an envelope at the Department's post opening room at Beacon Road, Poulton le Fyde. It is stamped with a date stamp showing the date of receipt and sorted out to be delivered to the relevant management unit - MU47 at Room AI 12, Warbreck House.

The DLA566, along with other post, is delivered by van to the appropriate messenger room for despatch to Room All 2. The messenger service within Warbreck House delivers the DLA566 to Room All 2.

A clerical officer links the DLA566 to the relevant DLA file and notes the computer system that it has been received. The DLA file and the DLA566 is then placed in a filing system for the attention of the decision maker.

In due course and strict date order, the files are dealt with by a decision maker who will give a decision on the case. When this has been done and notified the file containing the DLA566 will be sent to the Department's Filestore.'

2 How and where is this form stored?

It is unclear if you are referring to a blank or completed form.

Blank DLA566 forms are supplied by Heyward Stores and a supply of them are kept as stationery with[h Room All 2, Warbreck House.

Completed DLA566 forms are placed within each individual's file and remain there until the case completes the review process. The whole file is then returned to Filestore at Heyward. These are stored in the Department's secure premises or in approved storage facilities provided under contract to the Department.

3. Names of those processing the forms, what security clearances they have received and what confidentiality agreements they have signed to enable them to process your data

The forms are processed by employees of the Department who is the data controller for the purposes of the Data Protection Act. Employees are subject to the normal security clearances which are required of all employees prior to them taking up their appointment which includes background, character and, where appropriate, criminal records checks. All employees are covered by the Department's Standards of Behaviour Policy and related disciplinary rules which form part of their conditions of employment (equivalent to a contract of employment) which requires them to safeguard personal information. They are obviously subject to the requirements of the Data Protection Act and, as civil servants, also bound by the Official Secrets Act.

4. The computer data safety and security systems in place to ensure data safety

The Department's computer systems must comply with the Data Protection Act and standards laid down by central security authorities. The Department takes very seriously its responsibilities under the Act and has also introduced new measures and controls which improve data security as part of a cross-Government review of the security of personal data, the report of which (Data Handling Procedures in Government: Final Report) was published last June. A copy of this report can be obtained through this weblink:

<http://www.cabinetoffice.gov.uk/>

5. The-physical location of the server on which this data is stored

Unfortunately, this information is being withheld under the exemptions in Section 31 of the Data Protection Act. These are being applied because the information, if disclosed, would assist those intent on undermining information security. Disclosure would also prejudice the Department's efforts to protect information in general and personal data in particular.

The exemption in Section 31 is a qualified exemption and therefore I have considered the public interest. There is a public interest in understanding that there are secure arrangements in place for the protection and management of information and that the public can have confidence in those arrangements. There is a public interest in maintaining confidence that this Department has procedures in place to- deal with threats which may compromise the security of the Department's information.

At the same time, there is a public interest in ensuring that the information is properly protected. In particular, the Department has a legal responsibility under the Seventh Principle of the Act to ensure that measures are in place to prevent the accidental or deliberate loss or destruction of personal data.---In most situations, the best interests of those potentially affected will be served by not making the locations of servers where personal information is stored - or the strategies and measures which the Department has deployed to protect these assets - public. There is also a clear public interest in ensuring that potential vulnerabilities in systems or processes can be addressed without exposing them publicly and thereby providing an avenue by which those intent on doing harm or committing illegal action might exploit those vulnerabilities.

I have concluded that ensuring that threats to the Department's information can be identified and mitigated without undue media pressure on those potentially affected or involved in developing counter-measures, is in general, of greater public interest. This **Department has** already made it clear through public announcements, both in Parliament and in the media, that they take very seriously its responsibility to protect personal data. Publication of addresses or the premises that house servers which store the Department's information assets is not in the public interest and will not support the Department's clearly stated responsibilities and the specific obligations as set out in the Data Protection Act.

6. What other agencies, Government or other, have or may have access to your data

Details of the agencies or other organisation that have access to your data through formal agreements are provided on the Department's main website. For your assistance, I have attached a copy of that information.

If you are not satisfied with my handling of your request please tell me why within two calendar months of the date of this letter. I will then arrange for someone to conduct an internal review of your request and my handling. The review will be conducted by another officer, usually of a more senior grade to me. This person will have taken no part in my original decision. You will be advised of the decision in writing.

If you are still not content with the outcome of the internal review you have the right to apply directly to the Information Commissioner to look into the way your request has been handled. Please note that generally the Commissioner cannot make a decision unless you have first exhausted DWP's own complaints procedure. The Commissioner can be contacted at Fol Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Chester SK9 5AF or on fax 01625 545510 or email mail@co.gsi.gov.uk.

Once again, please accept my apologies for the delay in writing to you.

Yours sincerely

Mrs A Sarjantson DCS Correspondence Team

DWP and your personal information

Why we collect personal information

The Department for Work and Pensions (DWP) collects information for the purposes of social security (including Housing Benefit and Council Tax Benefit), child support, vaccine damage, employment and training, the Financial **Assistance Scheme, promoting** financial planning for retirement, and policy relating to occupational and personal pension schemes. The information we collect **about you depends on the reason for your** business with us, but we may use the information for any of these purposes. We may also use information about you to carry out **research about how effective** our services are.

The information we have about you

The information we keep can include:

forms you have completed and given to us; claims you have made over the phone; letters you have sent to us; details of any checks we make to make sure information we have is right; and computer records to do with your business with the Department.

Information we get from or give to other organisations

As well as checking the information provided with any information we already have, we may get information about you from other people and other organisations, as the law allows.

We may also give- information to certain other organisations. This can be because:

the law (including the Data Protection Act) allows us to, or says we have to;
a Court Order says it is necessary; or
you have given your permission.

The organisations we may give information to, or receive it from, include other government departments and their agencies, in particular Her Majesty's Revenue and Customs (HMRC); local authorities; banks, building societies and other financial bodies; BBC TV licensing; credit reference agencies; utility providers;- educational and academic bodies; the Learning and Skills Council; research organisations; health service providers; law enforcement agencies including the Police and the Serious Organised Crime Agency; the Assets Recovery Agency; and overseas social security organisations.

We give information to, or receive it from, such organisations to:

check the accuracy of information;
prevent or detect crime;
protect public funds in other ways, and
use for research or statistical purposes. (We may provide information -about you to organisations to enable them to carry out research on our behalf - please see next paragraph. We may also provide other organisations with information to use for their own research purposes, but we will not give them any information which can identify you personally unless we have your express permission to do so.)

We may give information about you to partners or agents legally authorised to carry out any of our functions on our behalf; for example training providers, job brokers and research organisations. We will only give these organisations and individuals the information they need for the functions we have authorised them to carry out, and they cannot use the information for any other purposes.

The Work and Pensions Longitudinal Study

The Work and Pensions Longitudinal Study (WPLS) is a computer database which combines information held by DWP on its customers with records from HMRC. WPLS is used for a range of statistical and research purposes to help DWP to evaluate the effectiveness of its services. It is also used for a limited number of operational purposes.

Further information about the purpose and uses of WIDLS, and the safeguards which are in place to protect the information it contains, can be found on our website: http://www.dwp.gov.uk/asd/longitudinal_studylic_longitudinal_study.asp.

Data Matching

Data matching is where information held on one computer system is compared electronically with information from one or more other computer systems. DWP may compare the information on its systems in bulk with that on systems used by other organisations, including HMRC; the Home Office (including Immigration and Nationality Directorate, and the Prison Service), the Ministry of Defence (including the Veterans Agency), Local Authorities, the Learning and Skills Council, Royal Mail and credit reference agencies. This helps DWP to improve the accuracy of the information it holds and to reduce benefit fraud and error.

For example, information held on DWP systems about income-related benefits such as Jobseekers Allowance and Income Support can be matched with income-related information held on HMRC systems. Any inconsistencies between the information held on the two organisations' systems may lead to further investigation by either party.

In some cases information is obtained from the other organisation and compared with information held by DWP, but the results are not seen by the other organisation. For example, DWP receives lists of prisoners from The Prison Service, which we match against our records of people who are in receipt of benefits and allowances. This allows us, where appropriate, to stop payments to people in prison, but does not involve giving The Prison Service any benefit information.

More information on data matching, including our Data Matching Code of Practice, is available via the [DWP Publication Scheme](#).

Sharing information with the Police and other law enforcement agencies

DWP may provide your personal information to police forces and other law enforcement bodies, to assist in the prevention and detection of crime and the apprehension and prosecution of offenders. Information will only be disclosed where it can be shown that not doing so would prejudice these purposes.

Sharing information with Local Authorities

Housing Benefit and Council Tax Benefit are social security benefits that are administered by Local Authorities. The law allows DWP to share information about its customers with Local Authorities for housing benefit or council tax benefit purposes so that they can calculate the correct amount of benefit to pay customers. Local Authority staff with responsibility for administering Housing benefit and Council Tax Benefit have electronic access to the DWIP information they need for this purpose. The law also allows DWP to collect information for the

purposes of Housing Benefit and Council Tax on behalf of Local Authorities and to pass it to them.

DWP and Local Authorities both work to increase employment and tackle poverty. Many Local Authorities run schemes to help people in their area who are looking for work. DWP will pass the details of customers who tell us that they want to take part in any of these schemes to the appropriate Local Authorities.

Sharing information with the Learning and Skills Council and its providers (England only)

DWP may share information about customers, provided they have given their consent, with the Learning and Skills Council (LSC) and its providers for employment and training purposes. This helps DWP evaluate the effect that LSC training provision has on its customers and to make accurate training-related payments to eligible customers.

Details of other people in the household

Under current legislation, anyone making a claim for an income-related benefit, for example Pension Credit or Jobseeker's Allowance, is required to give information on any children or other adults living with them, as this may affect the amount of benefit that is paid to them. Information about other adults (non-dependants) is required because they are expected to make a financial contribution towards housing costs, depending on their personal circumstances. The law also allows DWP to share information about non-dependants with Local Authorities for Housing Benefit or Council Tax Benefit purposes.

The Data Protection Act 1998

The Data Protection Act (the DPA) sets rules for the way organisations treat personal information about you. It applies to paper and computer records.

The DPA allows you to find out what information is held about you on computer and in some paper records.

How can I find out what information you have about me?

If you want to see the information we have about you, please tell us exactly what information you want to see. This will help us to provide you with a better service. We will send you a copy of the information we have, if any, as soon as possible and at the latest within 40 calendar days.

You must ask for the information in writing and give us information that allows us to be sure of your identity and address.

For example, tell us your:

- Full name
- Address
- Date of birth
- National Insurance (NI) number.

If you have any other reference numbers we use, such as a Child Benefit number, or any other information you think might help us to identify you, please also include this.

Can I see all the information held about me?

Normally you can see all the information we have, but there are some exceptions. These exceptions are mainly to do with:

- the way benefit fraud is detected or prevented
- catching or prosecuting offenders
- assessing or collecting taxes or duty
- making sure our staff are safe.

In some cases your right to see certain health or medical information may be limited. The law requires us to delete or remove any information which, in the opinion of a medical professional, would be likely to cause you serious harm if we disclosed it to you.

Where to send requests for information

If you know which office deals with the information you want, address your request to "the Data Protection Officer" and send it to that office. Otherwise, please address your request to "the Data Protection Officer" and send it to the DWP office nearest to where you live. You can find the address of your nearest office in the phone book or on our website: www.dwp.gov.uk

Further information

DWP is the Data Controller for the purposes of the Data Protection Act. DWP's registration as a Data Controller is in the Public Register of Data Controllers, which can be found on the Information Commissioner's website: www.ico.gov.uk.

If you want to know more about what information we have about you, or the way we use your information, you can contact any of the Department's offices. You can also ask your local council what information they hold about you.

This leaflet is available in Welsh, in large print, in Braille, on audio tape and on audio CD. For more information, contact the Benefit Enquiry Line. You can phone them on **0800 88 22 00**. There is also a textphone service on **0800 24 33 55** for people with speech and hearing difficulties. You can ring these numbers between 8.30am and 6.30pm Monday to Friday and between 9.00am and 1.00pm on Saturday.

This leaflet is only a general guide and is not a full statement of the law. We have made every effort to make sure that the information in this leaflet is correct at the date shown below.