

Freedom of Information request 2480/2013

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Information request

Can you please provide me with the regulations/guidance issued to Jobcentre Plus staff who process JSA claims from the non eu spouse of a UK national who has exercised economic treaty rights in another EU member state (so called Surinder Singh cases).

As I understand it, when a UK national has exercised economic treaty rights in another EU state there are no restrictions on his spouse claiming JSA on his return to the UK as she has equality of rights of a UK Citizen.

DWP response

Section 21 of the Freedom of Information Act allows us to direct you to information which is already reasonably accessible to you.

The Decision Makers Guide is the guidance which Jobcentre Plus staff that process Jobseeker's Allowance (JSA) claims use. This guidance is publicly available at <http://www.dwp.gov.uk/publications/specialist-guides/decision-makers-guide/>.

For further information about the principles established in the Surinder Singh case you may wish to contact the Home Office or visit their website at <http://www.ukba.homeoffice.gov.uk/>.

The guidance on returning UK nationals who have worked in another European Union Member State, which is used by Jobcentre Plus staff is contained between Sections 071191 and 071194 of the Decision Makers Guide and can also be found at <http://www.dwp.gov.uk/docs/dmgch0703.pdf>.

The guidance on non EEA national family members which is used by Jobcentre Plus staff that process claims is contained in Section 071238 of the Decision Makers Guide and can be found at <http://www.dwp.gov.uk/docs/dmgch0703.pdf>.