

Freedom of Information request 2013-4515

Date received: 20 September 2013

Date of response: 18 October 2013

Information request

1) I am requiring Information on the number of claimants that have had their entitlement stopped (sanctioned) in Luton Beds since 2010 to the present or as close as possible to the present.

2) I am requiring Information on the number of claimant on the work Programme that have had their entitlement stopped (sanctioned) since 2010 to the present or as close to the present as possible to the present.

3) I am requiring on the number of claimants that have had their entitlement stopped (sanctioned) when they were attending the work programme to a provider called Seetec in Luton Beds since 2010 to the present day or as close as possible to the present.

4) I am requiring Information as to the Department of Works and Pensions (DWP) Legal definition of the words require and requirement.

5) I am requiring Information as to the DWP legal definition of the words Mandate and Mandation.

DWP response

In response to questions 1 - 3 the available information is given in the tables below.

Number¹ of Jobseeker's Allowance (JSA) claimants with a sanction applied^{2, 3} by referral reason, Luton Local Authority⁴: 1st January 2010 – 31st May 2012⁵

Referral reason	Total
Total	4,510
Failed to Participate in Work Programme	140

Number¹ of Jobseeker's Allowance (JSA) claimants with a sanction applied for failing to participate in the Work Programme³ by provider, Luton Local Authority⁴: 1st June 2011 – 31st May 2012⁵

Provider	Total
Seetec Business Technology Centre Ltd	120

Source: DWP Information, Governance and Security Directorate: JSA Sanctions and Disallowance Decisions Statistics Database.

Notes:

1. Figures are rounded to the nearest ten.
2. **Sanctions applied (Total):** The number of sanctions applied is the number of Varied⁶, Fixed Length⁷ and Entitlement Decision⁸ sanction referrals where the decision was found against the claimant.
3. **Sanctions applied (Failed to Participate in Work Programme):** The number of sanctions applied is the number of Fixed Length⁷ sanction referrals where the decision was found against the claimant from the start of the Work Programme (1st June 2011) to 31st May 2012⁵
4. **Local Authority:** On April 1st 2009 structural changes to the Local Authorities of England took effect. Changes are reflected from April 2009 in this table.
5. The latest data available is up to and including the 31st of May 2012.
6. **Varied Length sanctions:** A sanction of between 1 week and 26 weeks is imposed for leaving employment voluntarily without just cause, refusing employment without good cause, or losing employment through misconduct. The actual period in each case is at the discretion of the Adjudication Officer who makes the decision.
7. **Fixed Length sanctions:** A sanction of between 1 week and 26 weeks is imposed for refusal, without good cause, to attend an employment programme or carry out a Jobseeker's Direction. Payment of benefit continues in full pending the Adjudication Officer's decision on a sanction question.
8. **Entitlement Decisions:** These are questions on which entitlement to JSA depends. For example, if there is doubt around whether the Jobseeker's agreement (JSaG) is suitable, whether they are actively looking for work or making themselves available for work. In most cases payment of JSA will be suspended by benefit processing until the doubt is resolved.

We can confirm that the Department does hold information on a) the number of Employment and Support Allowance (ESA) claimants who have been sanctioned and b) the number of JSA claimants who have been sanctioned while on the Work Programme for reasons other than failing to participate which could be used in response to your first 3 questions. However to provide this information would require us to link together data from multiple sources and we therefore estimate that the cost retrieving and extracting this information would exceed the appropriate limit of £600.

Guidance for providers on how to deliver the Work Programme, including information on raising compliance and entitlement doubts, can be found at:

<http://www.dwp.gov.uk/supplying-dwp/what-we-buy/welfare-to-work-services/provider-guidance/work-programme-provider.shtml>

In response to questions 4 and 5, we can confirm that DWP does hold information within scope of your request. However we should note that use of these terms relates to the application of legislation which contain them, and as such the information we hold covers

multiple provisions over many years and costs we estimate that the cost of complying with this part of your request would exceed the appropriate limit of £600.

For information the appropriate limit has been specified in regulations and for central Government it is set at £600. This represents the estimated cost of one person spending 3½ working days in determining whether the Department holds the information, and locating, retrieving and extracting the information. Under section 12 of the Freedom of Information Act the Department is not obliged to comply with your request and we will not be processing your these parts of your request further.

Even if costs did not apply, much of the information we hold would be exempt under section 42 of the Act as relating to legal advice on the application of individual provisions, or exempt under section 21 of the act as being already available to you as the terms are set out in legislation and case law on the interpretation of such terms in law, as well as the ordinary meaning of these words which can be found in a dictionary. We would therefore suggest you obtain your own independent advice on the lawful application of these terms.

Under section 16 of the FOIA we are obliged to assist you in providing options to narrow your request, by reforming or refocusing it, so that it will fall beneath the cost limit. In this case we are unable to offer you any advice on how your request could be refined. The information we have given is all that could be provided within the appropriate limit. It is worth noting that where we have quoted costs, to answer these parts of your request alone would exceed the cost limit.