

# Freedom of Information request 2014- 2390

Date received 27 May 2014

Date of response 22 August 2014

## Information request

Would it be possible for you to provide information to the following questions.

1. In the last year how many claimants have finished their two years with A4E and returned to the DWP.
2. How many of these claimants have been sanctioned since returning to DWP.
3. What was the basic reason for giving these claimants a sanction, statistically speaking.
4. How many of these claimants have had their sanctions overturned.
5. When an Advisor requests a copy of your CV, are you lawfully required to :
  - a. Have to provide one.
  - b. Allow the advisor to keep the copy of the CV
  - c. Allow the advisor to apply for jobs for you.
6. When a claimant signs up to the Universal Jobmatch, they have the option to not allow advisors access to the claimants UJ account.
  - a. Can you confirm that claimants can still deny JCP staff access to a claimants UJ account.
  - b. If access is requested by an advisor for clarification, can the claimant refuse access without fear of a sanction.
  - c. Will it be made mandatory at some stage in the future that claimants have to give advisors access to the claimants UJ account.

## DWP response

For example, to create a table for the number of Work Programme completers who return to Jobcentre Plus at 104 weeks by month and contract, visit the Tabulation Tool via the link below and follow the instructions provided:

<https://www.gov.uk/government/collections/dwp-statistics-tabulation-tool>

1. Under Employment Programmes select Work Programme tabulation tool
2. Under Benefit/Scheme select Work Programme: Monthly Completers
3. Under Analysis select By Month of completion (Thousands)
4. Under Row select Time Series
5. Under Column select Contract
6. Under Subset, firstly select Current Work Programme Status, and then in the second drop down select either Completed allotted time: returned to JCP at 104 weeks.
7. Lastly, select Get Table to create the statistics specified above.

In response to questions 2, 3 and 4, statistics on the number of number of Work Programme completers under A4E Ltd who have returned to Jobcentre Plus at 104 weeks and have been

sanctioned since returning, also broken down by the reason for sanction and those who have had their sanctions overturned can be found in Tables 1, 2 and 3 below.

Table 1: The number of Work Programme completers under A4E Ltd who have returned to Jobcentre Plus at 104 weeks and have received a sanction for Jobseeker's Allowance or Employment and Support Allowance since returning: May 2013 - April 2014

|  | Total |
|--|-------|
| Jobseeker's Allowance sanctions since returning            | 5,500 |
| Employment and Support Allowance sanctions since returning | 50    |

Table 2: The number of Work Programme completers under A4E Ltd who have returned to Jobcentre Plus at 104 weeks and have received a sanction for Jobseeker's Allowance or Employment and Support Allowance since returning for each reason type<sup>2</sup>: May 2013 - April 2014

| Benefit               | Reason  | Total |
|-----------------------|---|-------|
| Jobseeker's Allowance | Voluntarily leaves a place on a training scheme or employment programme without good reason   | -     |
|                       | Losing through misconduct a place on a training scheme or employment programme  | -     |
|                       | Refusal of a place on a training scheme or employment programme without good reason   | -     |
|                       | Neglect to avail themselves of a reasonable opportunity of a place on a training scheme or employment programme without good reason | -     |
|                       | Failure to attend a place on a training scheme or employment programme without good reason  | -     |
|                       | Failure to attend or failure to participate in an Adviser interview without good reason   | 1,070 |
|                       | Refusal or failure to comply with a Jobseekers Direction without good reason  | 550   |
|                       | Failure to attend or failure to participate in an Adviser interview without good reason (pre April 2010)                            | -     |
|                       | Trade disputes  | -     |
|                       | Failure to participate in a scheme for assisting person to obtain employment without good reason - Work Programme                   | 1,490 |
|                       | Failure to participate in a scheme for assisting person to obtain employment without good reason - Skills Conditionality            | 340   |
|                       | Failure to participate in a scheme for assisting person to obtain employment without good reason - other scheme                     | 20    |
|                       | Failure to participate in a scheme for assisting person to obtain employment without good reason - Work Experience                  | -     |
|                       | Not actively seeking employment   | 2,810 |
|                       | Not being available for work  | 80    |

|                                  |   |     |
|----------------------------------|---|-----|
|                                  |   |     |
|                                  | Left employment voluntarily without good reason   | 30  |
|                                  | Losing employment through misconduct  | 10  |
|                                  | Neglect to avail themselves of a reasonable opportunity of employment without good reason   | -   |
|                                  | Refusal or failure to apply for, or accept if offered, a job which an employment officer has informed him/her is vacant or about to become vacant without good reason | 220 |
|                                  | Failure to participate in Mandatory Work Activity without good reason   | 210 |
|                                  | Failure to attend Back to Work Session without good reason  | -   |
|                                  | Jobseekers Agreement questions  | -   |
|                                  | Joint Claim exemption   | -   |
|                                  | Other referral reason   | 10  |
| Employment and Support Allowance | Failed to attend mandatory interview  | 40  |
|                                  | Failure to participate in work related activity   | 10  |

Table 3: The number of Work Programme completers under A4E Ltd who have returned to Jobcentre Plus at 104 weeks and have received a sanction referral for Jobseeker's Allowance or Employment and Support Allowance and have had the decision overturned through reconsideration or appeal: May 2013 - April 2014

| Decision Type   | Jobseeker's Allowance | Employment and Support Allowance |
|-----------------|-----------------------|----------------------------------|
| Reconsideration | 1,450                 | 20                               |
| Appeal          | 80                    | -                                |

Source: DWP Information, Governance and Security Directorate (IGS). Work Programme and Sanctions and Disallowance Decisions Statistics Databases.

Notes:

1. Figures are rounded to the nearest ten. '-' denotes nil or negligible.
2. Table 2: Figures will include individuals who have had more than one sanction applied for different reasons e.g. if an individual has a sanction applied for "Jobseekers Agreement questions" and "Joint Claim exemption" then they will appear in both categories. For this reason, the sum of these figures will be more than the total of Table 1.
3. Figures are given from 1 May 2013 to 30 April 2014, which is the latest information available.

4. The number of sanctions applied is the number of sanction referrals where the decision was found against the claimant. Only the latest referral is kept for each individual.
5. Contract: The Prime Provider and their contract area where they are responsible for delivering the Work Programme. Prime Providers can be responsible for delivering a number of contracts across Great Britain. Figures include the following contracts for A4E Ltd, referred to as Action for Employment Ltd in the Tabulation Tool:
  - East Midlands
  - East London
  - Merseyside, Halton, Cumbria, Lancs
  - Thames Valley, Hamps, Isle of Wight
  - South Yorkshire

In response to questions 5 and 6 it may be helpful to explain the role of the FOIA. The Act provides a right of access to recorded information held by a public authority like DWP (subject to certain exemptions). The Act does not provide that a public authority must create new information to answer questions; nor does it provide that a public authority give advice, opinion or explanation in relation to issues/policies under question.

In cases where a customer does ask a question, rather than request recorded information, we do our utmost to provide the recorded information that best answers the question. Once the public authority has provided the recorded information or confirmed that no such recorded information is held, it has met its obligations under the Act. Interpretation of any information provided is left to the requestor.

The recorded information that answers questions 5a and 5b can be found in the CV Job Broking Service guidance available to jobcentre staff which is in Annex 1 attached and in particular, paragraph 47.

The recorded information that best answers question 5c can be found in the extract from the Refusal of Employment chapter of guidance available to jobcentre staff, in Annex 2 attached.

The recorded information we hold that best answers questions 6a and 6b is contained in paragraph 40 in Chapter 03 of the Universal Jobmatch Toolkit which says:

*“You also cannot issue a Jobseeker’s Direction to mandate a claimant to give us access to their account – this is their decision not ours.”*

We can confirm that the information you seek from question 6c is held by the Department. However it engages an exemption from disclosure because it relates to the formulation or development of government policy – section 35(1)(a) of the Freedom of Information Act. This exemption protects the private space within which Ministers and their policy advisers can develop policies without the risk of premature disclosure.