

Freedom of Information request 2014-1877

Date received: 15 April 2014

Date of response: 23 July 2014

Information request

For each month since April 2013 to end of March 2014 how many Decision Maker (DM) referrals have been made for 'Refuse/Fail Jobseeker Direction (UJ)', like those done via LMS for AR Code JSA/718UJ? What are the decision outcomes of these referrals, like: How many sanctioned? How many decisions reserved? How many appeals or reconsiderations lodged against a sanction and finally how many DM decisions have been favourable to those threatened with sanctions? How many UJ DM decisions have gone to Tribunal during the stated period?

DWP response

Please note that the intention of the sanctions regime is to encourage people to engage with the support being offered by Jobcentres by making it clearer to claimants what they are expected to do in return for their benefits. Information on sanction decision statistics can be found here:

<https://www.gov.uk/government/collections/jobseekers-allowance-sanctions>

The next scheduled release of JSA Sanction decisions official statistics is on 13 August 2014.

In response to your query the information for decisions made for refusal or failure to comply with a Jobseeker's Direction without good reason (Universal Jobmatch) from June to December 2013, which is the latest information available, can be found in the table below.

Please note that information for this sanction reason is only available from June 2013.

JSA Sanction Decisions for Referral Reason: Refusal or failure to comply with a Jobseeker's Direction without good reason (Universal Jobmatch) – by Decision Type, Month of Decision and Outcome: June – December 2013

Decision Type	Decision Month	Total Referral Decisions Made	Decision			
			Adverse	Non-adverse	Reserved	Cancelled
All JSA Sanction decisions	Jun-13	158,831	66,985	41,560	8,439	41,844
	Jul-13	190,972	82,331	49,016	10,295	49,336
	Aug-13	172,980	76,255	44,414	8,566	43,744
	Sep-13	175,342	75,842	45,170	8,334	45,994
	Oct-13	194,308	88,449	48,401	8,502	48,962
	Nov-13	158,436	75,022	40,567	6,738	36,107
	Dec-13	129,261	64,118	31,204	5,223	28,710
Of which:						
Referral Reason: Refusal or failure to comply with a Jobseeker's Direction without good reason (Universal Jobmatch)	Jun-13	222	123	43	0	60
	Jul-13	285	180	58	7	37
	Aug-13	133	96	21	7	6
	Sep-13	182	126	46	0	12
	Oct-13	167	118	38	0	10
	Nov-13	193	90	32	0	67
	Dec-13	187	112	26	7	47
Of which:						
Original Decision	Jun-13	224	121	39	0	60
	Jul-13	252	161	52	7	34
	Aug-13	104	79	11	7	6
	Sep-13	157	105	38	0	13
	Oct-13	140	99	31	0	10
	Nov-13	171	83	20	0	69
	Dec-13	173	104	18	7	47
Decision Review	Jun-13	7	0	0	0	0
	Jul-13	34	23	5	0	0
	Aug-13	20	14	9	0	0
	Sep-13	22	14	9	0	0
	Oct-13	27	24	6	0	0
	Nov-13	29	9	16	0	0
	Dec-13	11	7	10	0	0
Appealed Decision	Jun-13	0	0	0	0	0
	Jul-13	0	0	0	0	0
	Aug-13	5	5	0	0	0
	Sep-13	0	0	0	0	0
	Oct-13	0	0	0	0	0
	Nov-13	0	0	0	0	0
	Dec-13	0	0	0	0	0

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

Notes:

1. Statistical disclosure control has been applied. Totals may not sum due to the disclosure method used.
2. Information for this sanction reason is only available from June 2013 and the latest data available is up to 31 December 2013
3. The table above shows the number of sanction decisions made, decision reviews and appeals for the referral reason: Refusal or failure to comply with a Jobseeker's Direction without good reason (Universal Jobmatch).
4. Adverse: An adverse decision is a decision to apply a sanction i.e. a decision found against the claimant so a sanction is applied or the JSA claim is closed (disallowance).
5. Non-adverse: A non-adverse decision is a decision not to apply a sanction i.e. a decision found in favour of the claimant so a sanction or disallowance is not applied.
6. Reserved: A reserved decision is where a sanction would be appropriate but cannot be imposed because the claimant does not have a current claim to JSA. A case would be re-referred if the claimant reclaims JSA within the period of the reserved decision.
7. Cancelled: A cancelled referral results in no sanction decision being made. This can occur in specific circumstances for example, the sanction referral has been made in error, the claimant stops claiming before they actually committed the sanctionable failure, or information requested by the decision maker was not made available within a specific time period.
8. Whilst claiming JSA, a customer can have a Labour Market (LM) doubt raised against their claim. LM doubts are normally identified by staff at the Jobcentre Plus office and are referred to the Sector Decision Makers (SDMs). Once the SDM has made a decision on whether to sanction or disallow/allow a referral, they enter their decision on a system called the Decision Making and Appeals System (DMAS). The decision is also sent back to the Jobcentre Plus office for entry to the Labour Market System (LMS) and the JSA Payment System (JSAPS) which then makes the appropriate changes to the actual payment to the customer.

In response to your query on the number of decisions that have gone to tribunal, this is shown by the number of claimants who have appealed a decision notified in the table above. Please note that since 28 October 2013, a claimant cannot directly appeal against a decision until they have requested a

mandatory reconsideration from the Department and have received a mandatory reconsideration notice.

Mandatory reconsiderations and sanction decisions from January to March 2014 are not shown in the table above as these statistics are intended for future publication. Therefore this information is exempt from disclosure under the terms of Section 22 (Information intended for future publication) of the Freedom of Information Act. This exemption is qualified, and is therefore subject to a public interest test. The public interest test is where the Department considers whether the balance of the public interest falls in favour of withholding or disclosing the information requested.

Arguments in favour of disclosure: There are public interest arguments in favour of disclosure of this information at the present time. Disclosure would for example improve transparency in the operations of the Department.

Arguments against disclosure: There are public interest arguments against disclosure of this information at the present time. These arguments include that it is in the public interest to adhere to the existing publication process for official statistics, which includes time for the data to be collated and properly verified.

It is also in the public interest to ensure that the publication of official information is a properly planned and managed process, to ensure that the data are accurate once placed into the public domain. It is also in the public interest to ensure that the information is available to all members of the public at the same time, and premature publication could undermine the principle of making the information available to all at the same time through the official publication process.

On this occasion, the balance of the public interest test falls in favour of withholding this information. As explained above, statistics on this issue will be published in due course.