

Freedom of Information request 2013-2687

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Information request

"I wish obtain the following information under the Freedom of Information Act 2000.

How many claimants have been placed on sanction from March 2007 to date at Southall JCP, including the new sanction regime rule, which came into force from 22 October 2012?

How many claimants have challenged or are challenging their sanction for the above dates?

How many challenges have ended up at Tribunal Appeal hearings?

How many appeal claims have been successful?

Please note I am NOT requesting any personal information, just numbers."

DWP response

In response to your query, statistics on the number of individuals with a Jobseekers Allowance (JSA) sanction applied, appealed the decision and the number which were overturned as a result in Southall Jobcentre Plus office are given in the table below. Please note data is only available up to and including 21st October 2012.

Number of Individuals with a Jobseekers Allowance (JSA) Sanction applied, appealed the decision and the number which were overturned as a result in Southall Jobcentre Plus Office: 1st March 2007 - 21st October 2012

Southall	Total
Total number of individuals with an adverse sanction applied	3,300
Reconsiderations	490
Successful reconsiderations	220
Appeals	30

Successful appeals	10
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Source: DWP Information, Governance and Security Directorate: JSA Sanctions and Disallowance Decisions Statistics Database.

Notes:

1. Figures are rounded to the nearest ten and will include individuals who have had more than one referral decision or the same decision e.g. if an individual has a sanction applied and has also appealed a sanction then they will appear twice.
2. Data to 21st October 2012 is the latest available information.
3. **Action:** The number of sanctions applied is the number of Varied⁴, Fixed Length⁵ and Entitlement Decision⁶ sanction referrals where the decision was found against the claimant. The decision to apply a sanction can be overturned following reconsideration or appeal by the Sector Decision Maker.
4. **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.
5. **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.
6. **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.
7. **Reconsiderations:** A sanction can be overturned following reconsideration by the Sector Decision Maker or following an appeal therefore both reasons are included for this analysis.

With regards to sanctions including the new sanction regime rule, which came into force from 22 October 2012, as the statistics are intended for future publication this information is exempt from disclosure under the terms of Section 22 (Information intended for future publication) of the Freedom of Information Act (FOIA). 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 I have explained above, statistics on this issue will be published in due course.

Whilst we have provided the number of claimants who have challenged their sanction and a decision on that challenge has been made, I can confirm that the Department does hold some information on claimants challenging their sanctions where a decision has yet to be made. However, we estimate that the cost of retrieving this information would exceed the appropriate limit of £600.

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 request further.