

DWP Central Freedom of Information Team

e-mail: [freedom-of-information-request@dwp.gsi.gov.uk](mailto:freedom-of-information-request@dwp.gsi.gov.uk)

Our Ref: VTF 0124

29 January 2013

Dear Mr Shaw,

Thank you for your Freedom of Information request dated 9 January 2013. In that request, you asked:

*With regards to the information that was not made clear in receiving response for, then please find the below information that would clarify a response to what I have endured.*

*What is the length of a current sanction period for failing to participate in a Work Programme "Job Search Review", where the WP Provider was contacted prior to the appointment and notified that for a 2nd successive time, to that due to a benefit sanction of 13 weeks, meaning that travel expenses were not available in order to attend a Work Programme Job Search Review on the same day in which A Job Search review would be required at the time of signing on? If A Work Programme Provider fails to provide Discount Travel Cards. as their welcome pack suggests, but much rather rely on the Travel Costs being found upfront, to then be reimbursed once Bus Tickets were handed over, would mean that any attempt to have benefit sanctions applied for this reason, be considered appropriate? If a 3 week sanction had been applied for the latter reason, which left the job seeker with no JSA between October 25th 2012 to January 17th 2013, in which one payment of JSA was made (which turned out to be a reversed decision on a previous attempt to sanction a claimant) Then does this mean that throughout this period of time, would it be correct in assuming that the claimant continues to sign to claim N.I contributions? - If this is so, is the claimant required to participate in the Work Programme whilst claiming N.I Credits only, or would it become Voluntary? Finally, could you please clarify that as of October 22nd 2012, any sanctions imposed on a claimant which that requires an updated Job Seekers Agreement in order to receive benefits after this date, therefore mean if a Claimant has been sanctioned from October 25th 2012 - December 31st 2012 where a Job Seekers Agreement had not been updated since 2011, due to no appointments being arranged with JC+ or No appointment made with a Work Programme Employment Adviser being made, meaning*

*no signature from a Claimant in over 16 months to agree that meeting conditions set back then, could be sanctioned using sanction lengths used from October 22nd onwards, something a claimant is liable for, or is it JC+ or a WP employment adviser's responsibly to ensure that the agreement is current, and signed in agreement with?*

Section 21 of the Freedom of Information Act allows us to direct you to information which is already reasonably accessible to you. The Jobseekers Allowance Regulations (Sanctions) 2012 are available via the following internet link: <http://www.dwp.gov.uk/docs/a11-7199.pdf>

Regulation 70A(2) and (3) of the Jobseekers Allowance Regulations (Sanctions) 2012 provide that a sanction may be imposed if a claimant fails to attend appointment they are notified of and Regulation 69A of the Jobseekers Allowance Regulations (Sanctions) 2012 details the length and amount of that sanction.

Claimants are entitled to a refund of any travel expenses when asked to attend an office other than the one they normally attend, or to attend their normal office on a day they would not normally attend. These expenses can only be refunded once the cost of the fares is known. Claimants must therefore provide details of these fares when they attend.

The application of a benefit sanction does not remove the claimant's entitlement to the associated National Insurance Credit. The Department of Work and Pensions must continue to be satisfied that the claimant has met the conditions of entitlement during this period. Your assumption that claimants must continue to regularly attend the jobcentre during this period is correct.

Those claimants who are entitled to Jobseeker's Allowance must enter and participate in the Work Programme under threat of sanction, regardless of whether they receive payment or not.

The Jobseeker's Agreement remains in force until either it is updated or until the claim ends.

The change in the sanctions regime from 22 October 2012 did not require a claimant's Jobseeker's Agreement to be updated. If a doubt about a claimant not complying with a JSAg in place on or after this date, the new conditionality and sanctions rules would be applied.

It may help if I explain that the Freedom of information act makes provision for the disclosure of recorded information, including guidance and legislation held by public authorities. The act does not provide that we must create new information to answer your questions or provide you with legal advice on the interpretation of the information, guidance or legislation requested.

Yours sincerely,

DWP Central Fol Team

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**Your right to complain under the Freedom of Information Act**

If you are not happy with this response you may request an internal review by e-mailing [freedom-of-information-request@dwpgsi.gov.uk](mailto:freedom-of-information-request@dwpgsi.gov.uk) or by writing to DWP, Central Fol Team, Caxton House, Tothill Street, SW1H 9NA. Any review request should be submitted within two months of the date of this letter.

If you are not content with the outcome of the internal review you may apply directly to the Information Commissioner's Office for a decision. Generally the Commissioner cannot make a decision unless you have exhausted our own complaints procedure. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow Cheshire SK9 5AF [www.ico.gov.uk](http://www.ico.gov.uk)