

DWP Central Freedom of Information Team

e-mail: freedom-of-information-request@dwp.gsi.gov.uk

Our Ref: FOI2019/02564

Date: 1 January 2019

Mr S Grove
request-545784-da730e26@whatdotheyknow.com

Dear Mr Grove,

Thank you for your Freedom of Information request received on 18 January 2019.

You asked:

“Up to September 2012 the DWP mandated jobseekers who were JSA claimants but not in receipt of JSA (so called "NI-only claimants") to the Work Programme (WP) and as "Data Controllers" the DWP sent the personal information of this group to WP providers and/or their subcontractors. What legislation up to September 2012 gave the DWP the legal right to send the personal information/data of "NI-only claimants" to private companies?”

DWP Response

In response:

The Department for Work and Pensions (DWP) is allowed to share information about claimants under Schedule 2 & 3 of the Data Protection Act 1998, Regulation 13 (4) of the Social Security (Claims and Information) Regulations 1999/3108 and Section 72 of the Welfare Reform Act.

This legislation provides the appropriate legal gateways for sharing information with DWP's contracted providers and with relevant authorities. Whilst there was a change in policy from September 2012 that JSA claimants in receipt of credits would only be given the option of accessing the Work Programme and taking part on an entirely voluntary basis, there was no change in the regulations.

If you have any queries about this letter, please contact us quoting the reference number above.

Yours sincerely,

DWP Central FOI Team

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 or by writing to DWP, Central FoI 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
https://ico.org.uk/Global/contact_us or telephone 0303 123 1113 or 01625 545745