

To I White
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DWP Central Freedom of
Information Team

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

Our Ref: IR218

13 May 2015

Dear Mr White

Thank you for your email of 16 April asking further questions following the Department for Work and Pensions (DWP) letter also dated 16 April 2015.

In your email you stated the following and asked about claimant consent in the benefit process:-

"Once agin you avoid the question if consent with Atos (or any other like company) needs consent.

It is my contention that within the UK and under Common Law which we all stand no person can be "forced" to do anything against their will regardless of previous signitures.

You may see these signituresas part of the benefit process, however no such signature or ssurance is required from the tax payer when contributing into the system.

For clarity I will try once more to clarify my request, to enter into any sort of contractual agreement consent from BOTH sides is required.

I f this consent is "FORCED" it no longer is consent but a threat, which then becomes the remit of the police as a criminal offence.

I ask again if the DWP is refused "consent" by the individual no contract is created therefore no contract exists.

You cannot have it both ways...take money indiscriminately from peoples wages/pay packet then add caveats to ensure they are restricted from claiming any such INSURANCE back!

Or am I incorrect is it not called National Insurance anymore?

The question stands ...can you penalise any person,sex,colour or eligion for not consenting to something they do not wish to do so to? This as i said earlier would be FORCE and put the DWP/GOV in contravention of various ECHR statutes.

Do the DWP feel they are above the law of the land and can use threats of withholdment without ANY persons consent?

As a society we are (at least now) free to make our own choices, is consent one of those legal choices an individual can make?"

The Department for Work and Pensions can only take forward a benefit claim if the person making the claim understands and accepts their obligations which they are accepting by making that claim. This includes the claimant agreeing that the Department and organisations or healthcare professionals carrying out assessments for the Department can ask for any information relevant to the claim – this could be before, during or after an assessment. Our 8 April letter to you also explains this (Our Ref FOI 774).

We ask claimants for their consent verbally if they make a claim over the phone or by signing a claim form or other forms connected to the claim. We cannot, and do not, force claimants to give their consent. People are free to make their own decision about this, but without claimant consent the Department cannot consider an award of benefit. To receive benefits a claimant has to accept and comply with terms and conditions for receipt of that benefit as set out in legislation which has been provided to you previously.

Yours sincerely,

DWP Central FOI Team

Your right to complain under the Freedom of Information Act

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.org.uk/Global/contact_us or telephone 0303 123 1113 or 01625 545745