



Department
for Work &
Pensions

DWP Central Freedom of Information Team
Caxton House
6-12 Tothill Street
London
SW1H 9NA

John-James Schley
request-727143-5cdb3eb6@whatdotheyknow.com

freedom-of-information-request@dwp.gov.uk

[DWP Website](https://www.dwp.gov.uk)

Our Ref: FOI2021/12412

Date: 25 February 2021

Dear John-James Schley,

Thank you for your Freedom of Information (FOI) request received on 14 February 2021.
You wrote:

"I would like to know if a person has the right to chose what type of jobs that they would like to apply for while they are on Universal Credit or if they are compelled to apply to every single job that is listed?

For example: would a person trained in medicine and with proof of third-level qualifications have to apply for jobs such as a kitchen porter as well as applying for jobs as a doctor?"

DWP Response

It may be helpful if we explain the role of the FOI Act. It provides a legal right of access to recorded information held by a public authority like the DWP, subject to certain exemptions that may apply. The Act does not oblige a public authority to create new information to answer questions; nor does it require a public authority to give advice, opinion or explanation, generate answers to questions, or create or obtain information it does not hold.

If you ask a question, rather than requesting recorded information, we will provide you with the recorded information that best answers the question. Once we have provided the recorded information, we have met our obligations under the Act; interpreting the information provided is up to you.

Your request asks a question which you want us to respond to. This would need new information to be created.

We do not hold any recorded information to answer your request specifically but can provide the following that contains links to the information closest to your request:

To direct you to the information that best answers your question:

Please find the links to the current UC Regulations which contains the claimants responsibilities and obligations and legislation if not adhered to:

The [Welfare Reform Act 2012](#) and [The Universal Credit Regulations 2013](#) set out the legislation by which Universal Credit operates and can be found at www.legislation.gov.uk

'Chapter 2' of the Welfare Reform Act 2012; provides details of the claimant's responsibilities.

In addition, you may find the following explanation useful. We have provided this outside our obligations under the FOI Act.

All claimants must accept a Claimant Commitment as a condition of entitlement.

A personalised Claimant Commitment is drawn up by the Work Coach often as the output of a face-to-face discussion with the claimant.

The requirements a claimant is asked to meet will be clearly set out in their Claimant Commitment. This includes both mandatory and voluntary actions the claimant has agreed to undertake.

The consequences and implications of not meeting any mandatory requirement are clearly set out and explained to the claimant.

Section 21 of the Freedom of Information Act allows us to direct you to the information that is reasonably accessible to you, as it is already in the public domain. To be helpful, you may also find the following information useful: http://data.parliament.uk/DepositedPapers/Files/DEP2020-0646/14._Availability_for_Work_v4.0.pdf

Availability Limitation - type of work and salary – Permitted Period

Limitations can be placed on the type of work and the salary where the claimant has a strong work history in a specific occupation. This limitation can apply for whichever of the following is the longer period:

- a maximum of three months from the date Universal Credit was claimed
- three months from the date they ceased work which paid above the Conditionality Earnings Threshold and moved into the Intensive Work Search regime

This period is known as a 'permitted period'.

The claimant must show that they have reasonable prospects of getting a job that fits within this limitation before the permitted period is agreed. After this period, they will be required to look for any work that they can do at or above the national minimum / living wage.

The 3-month period would continue to run until its conclusion and so the claimant would get the benefit of it during any period out of work. The permitted period would not start and stop during the period a claimant was in work. Only one permitted period is allowable in any claim period.

If a claimant moves into work and into the Working Enough regime, due to earnings, and their earnings subsequently drop and they move back into the Intensive Work Search regime, they are not considered for another permitted period if they had one earlier in their claim.

Yours sincerely,
DWP Central Freedom of Information Team
Department for Work and Pensions

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@dwp.gov.uk or by writing to: DWP Central FOI Team, Caxton House, 6-12 Tothill Street, London, 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.

Website: [ICO Contact Information](#) or telephone 0303 123 1113.