



Department
for Work &
Pensions

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

Our Ref: FOI2021/70138

20 September 2021

Dear Jeff Smith,

Thank you for your Freedom of Information (FoI) request received on 27 August. You wrote:

“In the case of a claimant mandated to the Restart Scheme, who does not wish to participate in the scheme, and refuses to sign any of the paper or electronic documents, including the Action Plan. I ask for full details of the procedures and regulations, by which a doubt may be raised, or a sanction imposed upon the claimant. Specifically in the following two instances:

a) Where the claimant has refused to sign any paper or electronic documents required by the training provider, including the Action Plan, and takes no further part in the Restart Scheme.

and

b) Where the claimant has refused to sign any paper or electronic documents required by the training provider, including the Action Plan, but takes part in the Restart Scheme and all mandated actions, without actually signing anything.

(You will note that in this case there can be no contractual agreement between the claimant and the training provider per se due to the absence of the claimant's signature).”

DWP Response

To answer your questions, DWP Jobcentre Plus work coaches can request that a claimant undertakes a task or take part in a specific programme to support them back into employment.

Restart is just one of many programmes available to help people looking for work. Restart is a new provision with a new approach, and has been designed to focus on positively engaging participants, so that mandation is considered only where other attempts have failed.

Providers will be expected to engage participants by emphasising the advantages of participation. If a participant is mandated to an activity by the provider and fails to comply, the provider is expected to raise a compliance doubt with Jobcentre Plus and a decision will be made as to whether a sanction should be imposed. If a claimant refuses to take part in any

stage of that process, a compliance doubt may be raised, which may or may not result in a sanction being imposed.

A participant may refuse to complete or sign any forms or documents drawn up by a Restart provider, and there is no specific legislation that requires a participant to give a reason for declining to complete an initial diagnostic assessment, or sign an action plan. It is extremely unlikely that a provider would make the signing of an action plan a mandatory activity.

The department has no recorded information which refers to any regulations, or a legal or mandatory requirement for Restart participants to complete or sign paper or electronic documents drawn up by a provider.

We do however, ask providers to note any reasons offered for the refusal to sign an action plan, but as already stated, the participant is not obliged to supply a reason. A Restart participant is expected to comply with any mandated activities set out in the action plan but no legislation compels them to sign or provide reasons for refusal to sign. However, a failure to adhere to the mandated actions set out in the plan may lead to a compliance doubt being raised with Jobcentre Plus.

With regard to your question about procedures, we can confirm that the department holds this information. However, the information is exempt under Section 21 of the Freedom of Information Act because the information is reasonably accessible to you, as it is already in the public domain.

However, to be helpful, you can find the information you seek in the [Restart Scheme Provider Guidance](#) from paragraph 9.10.

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

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.