

DWP Central Freedom of Information Team

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

Our Ref: VTR 3834

DATE: 9 November 2015

Dear Mr Dutton,

Thank you for your Freedom of Information request of 9 September 2015. You asked:

"I wish to ask for:

- *if the UC online claims makes any reference to claiming CJSA, a copy of the relevant page. A screen-shot of the relevant page would be appropriate*
- *any information given to claimants either online or in writing that will help them to claim CJSA when making a UC claim*
- *a copy of the guidance provided to Work Coaches which explains how they may identify CJSA claims and ensure that a correct and timeous claim is made*
- *clarification from DWP – if someone claims UC and an 'underlying' CJSA claim is then identified by the Jobcentre, will the claimant be exposed to a repayable overpayment and possible fixed penalty even though they could not identify a CJSA claim for themselves and had no information from DWP in order to do so?*
- *as UC overpayments can be recovered even where DWP is at fault, what approach will be taken where claimants are in this situation?"*

I will answer your questions in the order they are presented:

1. The online application for UC does not mention Contributory JSA. If a claimant is receiving JSA(C) it should be declared under 'do you receive JSA' or any other benefits. If JSA (C) is in payment it will be deducted from UC entitlement as income.
2. The guidance for the claimant on making an online claim is also in the public domain please see link below
http://about.universalcredit.service.gov.uk/kms/Pages/Making_an_online_claim.htm
3. There is an explanation of JSA and eligibility guidance in the public domain please see links below <http://about.universalcredit.service.gov.uk/kms/SitePages/glossary-let=j.htm> and
http://about.universalcredit.service.gov.uk/kms/Pages/Eligibility_for_Universal_Credit.htm
4. In areas where 'gateway' Universal Credit applies, claimants may continue to receive contributory Jobseeker's Allowance in addition to UC, if they have entitlement to both. If

the claimant does not claim it then there will be no penalty. Where a claimant receives a payment of both Universal Credit and contributory Jobseeker's Allowance, the contributory Jobseeker's Allowance is taken into account in Universal Credit as unearned income and deducted £ for £. It is not treated as an overpayment.

5. If a claimant receives both a payment of contributory Jobseeker's Allowance and Universal Credit the deduction is made for the whole of the Universal Credit 'month' even if the payment of contributory Jobseeker's Allowance begins part way through that month. Conversely, if the payment of contributory Jobseeker's Allowance ends part way through the month it will not be taken into account for that month at all.

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

Yours sincerely,

DWP Strategy 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 www.ico.gov.uk