

Department for Work and Pensions (DWP)
Central Freedom of Information Team

xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx@xxx.xxx.gov.uk

Our reference: VTR 4693

Date: 6th November 2014

Dear R Davis

Thank you for your Freedom of Information request received on 24/10/2014.
You asked:

FW: Clarification that jcp staff permitted/authorised/encouraged to ignore published DWP guidelines to apply their own interpretation to unemployed "clients"

A large number of FOI requests have been made via the "What Do They Know" (WDTK) website, and a significant amount of published DWP policy has been provided in response to these queries. I have several questions arising from this published DWP policy:

1 - Does any member of DWP and / or Jobcentre staff have the authority to ignore any of the published DWP policies as provided by the FOI response team, to interpret these guidelines differently and apply them as they see fit locally?

A broad example of this to consider, is if the published DWP policy on this (WDTK) website, indicates that a specific policy should be applied after 12 months of a job-seekers claim, does any member of staff have the authority, right or is in any way encouraged by the DWP to use that same policy after just 5 months of claim?

Response

To put the format of this response into context I should explain a little about the Freedom of Information Act. The Act provides people with a right of access to recorded information held by public authorities such as DWP. The Act does not extend to requests for views, comments or questions about a particular matter. Your request can be in the form of a question, but DWP does not have to answer if this would mean creating information that is not already held in a recorded form.

However, in the interests of customer service, if we don't hold recorded information that directly answers a question, we do our utmost to provide the recorded information we believe to be most closely related to the subject under question.

In regard to your specific question, Yes, Jobcentres are able to apply flexibilities to how DWP Policies are delivered using the Freedoms and Flexibilities framework. Freedom and Flexibilities offers scope to tailor services to individual claimants and local labour markets by focusing on support to address individual barriers to employment and the effective supply of labour to local employers.

I attach an overview of the DWP Freedoms and Flexibilities approach and a copy of the Freedoms and Flexibilities Operational Framework for your information.

I hope the information provided is helpful, but should you need to submit a further request under the Act please try to be as clear as possible about the recorded information you are interested in seeing. I should note that the Department employs over 100,000 people in numerous sites, and deals with millions of people every year. This does mean that if you ask for 'all' recorded information on a broad subject area which could be held anywhere in the Department, we would be unlikely to be able to answer the request within the costs limits. In cases such as that we would advise that you consider setting the area of the Department to be checked with, for example, your local Jobcentre or information held/issued centrally only.

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

Yours sincerely,

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