

Dear Ian Wolf

Thank you for your Freedom of Information request of 9th January 2012

You requested the following information:

To clarify is it the view of the DWP, based upon the information disclosed in this FOI request that the DWP holds guidance that states a Jobcentre Adviser can require a customer through an amendment of their Jobseekers Agreement that they:

- 1) Provide a copy of their CV to the Jobcentre so they can retain it and send it to any third party without the need for consent?
- 2) Give details of their personal email address to the Jobcentre so they can send them email messages without the need for consent?
- 3) Give details of their telephone number(s) to the Jobcentre so they can call them, leave voice messages or send them text messages without the need for consent?
- 4) That if they do open a Bank Account they must give details of the bank account, such as issuing Bank and bank account number, without the need for consent?

Please provide internal information held that is given to Jobcentre staff that indicates they can make it a Jobseeker Agreement condition or issue a Jobseeker Direction for them to obtain an email address, a bank account and a telephone number, but this does NOT require your customer to allow the Jobcentre to record the customers actual email address, telephone number or bank account details, as this requires consent?

To answer your first point I have attached a copy of the internal guidance relating to the CV Job Broking Service in Appendix 1.

To answer your fourth point, Jobcentre Plus internal guidance states

Agreed actions on the Jobseeker's Agreement

24. Where claimants have agreed to take a specific action on their Jobseeker's Agreement by a specific date, consideration should be given to if the agreed action is still appropriate and if the claimant has had sufficient time and assistance to complete it. These actions may include:

- opening a bank account;
- creating or updating a CV; or
- contacting a specific employer.

25. If they have not completed the action by the agreed date but it is still required, a Jobseekers Direction is issued and a new reasonable date agreed.

Jobseeker Directions

3. The purpose of a Jobseeker Direction is to make sure that those claimants who are not effectively looking for work, undertake a specific jobsearch activity that will put them in a better position to find a job.

4. This is distinct from those claimants who:

- are thought not to be Actively Seeking Employment, which is one of the basic conditions of entitlement for Jobseeker's Allowance; and
- Refuse Employment (RE). That is, those who, without good cause, refuse or fail to apply for or accept a job notified to them by Jobcentre Plus.

5. A Jobseeker Direction may be appropriate for claimants who are persistently not taking a particular action, or ignoring an obvious route that has been discussed in interviews with an adviser.

6. A Jobseeker Direction is only to be considered when a claimant does not voluntarily undertake a particular action, which will improve their prospects of finding work.

7. A Direction can be used to compel claimants, under risk of loss of Jobseeker's Allowance and/or National Insurance credits, to undertake a specific course of action that the adviser deems necessary to move them closer to finding work, as long as it is reasonable and appropriate.

Example

It may be determined that a claimant is reducing their chances of finding work if they are looking for office work and do not have a bank account. As any salary would be paid into a bank account, the use of a Jobseeker Direction would be appropriate in this case.

However, if the claimant was looking for manual work, there is a reduced likelihood that salary would need to be paid into a bank account. It would therefore be unreasonable to issue a Jobseeker Direction, as the claimant cannot be deemed to be reducing their chances of finding work.

Unfortunately the Department is unable to comment on the other points raised in your Freedom of Information request as you have asked for advice regarding interpretation of the guidance provided in your previous request.

It may help if I explain that the Freedom of information act makes provision for the disclosure of recorded information, including guidance and legislation held by public authorities. The act does not provide that we must create new information to answer your questions or provide you with legal advice on the interpretation of the information, guidance or legislation requested.

If you have any queries about this letter please contact me 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, 5th Floor The Adelphi, 1-11, John Adam Street, London WC2N 6HT. 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