

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

xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx@xxx.xxx.gov.uk

Our reference: FOI 2956

Date: 22 August 2016

Dear A. Clerk

Thank you for your Freedom of Information request received on 13 August 2016. You asked:

I am constantly told to remove my cycling balaclava when attending my local job Centre. If I refuse to remove the balaclava I am prevented from signing on and on more than one occasion I have been forcefully ejected from the premises.

When I pointed out people wearing jihabs etc. the response of the JC staff was "Don't even go there"

Please provide me with the relevant laws that gives you the right to discriminate against me for wearing headgear but not people who's faith dictates that they wear Headgear at all times.

Our Response:

Initially I would like to clarify that The Freedom of Information Act gives you a legal right of access to any recorded information held by a public authority. We do not have to provide opinions or explanations, generate answers to questions, or create or obtain information we do not hold.

It is reasonable to request that headgear such as hats, hoodies or crash helmets be removed by claimants whilst on site where staff reasonably feel that this negates their ability to conduct the business for which the customer is attending

I would also like to explain that members of the public need to be aware that they do not have an unfettered right to access DWP offices and do so under what is referred to as an implied licence (an agreement giving permission for a person to do something). This licence can be revoked if members of the public do not abide by the rules set by the DWP to protect its employees and the personal data of other members of the public. It is also important to bear in mind that the rules also exist to ensure the smooth running of the DWP and activities which undermine this need to be curbed where possible.

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

Yours sincerely,

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