

Department for Work and Pensions (DWP)

Central Freedom of Information Team

freedom-of-information-request@dwp.gsi.gov.uk

Our reference: VTR 4622

Date: 11 October 2015

Dear G Moore,

Thank you for your Freedom of Information request dated 28 October 2015.
You asked:

Please can you clarify whether or not a person claiming Jobseekers' Allowance is obliged to provide evidence of their job search activity by logging into their Universal Job Match account at their designated Job Centre and letting a member of staff see this online record?

Or, are claimants of JSA they allowed to use their Job Centre paper booklet to record job search activity instead?

And, if the claimant has specified a preferred method, are the Job Centre staff allowed to keep asking the claimant to change this method?

I am being told that if I do not log in to my UJM account at my 'group portal' sign on and show my job search activity recorded on my UJM account then the advisor will not sign my papers and I will not get my JSA as a handwritten record is not sufficient. Yet every time I ask if this means I am not allowed to use the paper booklet to keep records instead, I am told it is ultimately the candidate's preference. I then choose the paper method and then at each appointment I am challenged again and coerced to use the online method.

I understand the long-term goal to get everyone doing this online but what are the facts now, as of October 2015?

Is a handwritten record in the Job Centre booklet of job search activity sufficient for a 'group portal' signing appointment or not? If so, are advisors allowed to keep telling you that you must make records online instead?

DWP Response

It may be helpful if I explain the role of the Freedom of Information Act. The Act provides a right of access to recorded information held by a public authority like DWP (subject to certain exemptions). The Act does not provide that a public authority must create new information to answer questions; nor does it provide that a public authority give advice, opinion or explanation in relation to issues/policies under question.

In cases where a customer does ask a question or makes a statement to which they seek a bespoke policy response rather than request recorded information, we do our utmost to provide the recorded information that best answers the question or statement. Once the public authority has provided the recorded information or confirmed that no such recorded information is held, it has met its obligations under the Act. Interpretation of any information provided is left to the requestor.

The recorded information we hold that best answers your questions about providing evidence of your jobsearch activity is contained in paragraphs 76 to 88 in Chapter 03 of the Universal Jobmatch Toolkit which have been copied below - these explain how Jobcentre Plus staff may review the jobsearch activity of a JSA claimant. Paragraphs 77 and 83 to 88 may be of particular interest:

- **Actively Seeking Employment**
- *76. You cannot specify to a JSA claimant how they provide us with records of their jobsearch activity and Universal Jobmatch will not change this – it is not therefore possible to require JSA claimants to give DWP access to their Universal Jobmatch account.*
- *77. You will continue to review jobsearch activity and record the outcome on LMS in the usual way for JSA claimants and look at all the evidence provided by claimants to determine if there is an ASE doubt. This may be in various forms and these are explained in the Labour Market Conditions Guide.*
- *78. However, Universal Jobmatch will be a key tool you can use in appropriate cases to review whether a claimant has taken all reasonable steps to have the best prospects of finding work.*
- *79. How you review jobsearch activity will depend on whether the claimant is using Universal Jobmatch and if so, has given DWP access to their account.*
- **Reviewing jobsearch activity - claimant using Universal Jobmatch (DWP has access to their account)**
- *80. You will look at any number or all of the following screens/pages from the claimant's Universal Jobmatch account:*
 - *Activity History.*
 - *Application History.*
 - *Alerts.*
 - *Messages.*
 - *Saved Jobs.*
 - *Recommended Jobs.*
 - *Saved Searches.*
- **Reviewing jobsearch activity - claimant using Universal Jobmatch (No DWP access to their account)**
- *“81. To help assess that a claimant is actively seeking work you may suggest that they show you:*
 - *prints of any number or all of the screens/pages detailed in paragraph 80 from their Universal Jobmatch account. However, this will not be possible for claimants who do not have access to a printer or cannot afford to print out copies of these pages; or*

- *any number or all of the screens/pages detailed in paragraph 80 from their Universal Jobmatch account if they have access to the internet on a smartphone.*
- *82. If it is not possible for the claimant to do any of the above, or the claimant does not wish to accept cookies and so needs to use a DWP Customer Computer, advise the claimant that they can login to their UJ account and print off copies of the relevant screens/pages from an available DWP Customer Computer in your office.*
- *83. However, the onus is on the claimant to provide evidence of their jobsearch activity (by whatever means they choose).*
- *84. Therefore if a claimant does not wish to do this, you will need to base your assessment on the evidence they have provided. If this is insufficient and you are not completely satisfied they have met the requirements to actively seek work, raise a labour market doubt in the usual way.”*
- ***Reviewing jobsearch activity - claimant not using Universal Jobmatch***
- *85. In cases where a claimant is not using Universal Jobmatch, they will show the steps they can be reasonably expected to take to actively seek work that can give them the best prospects of employment, through other means.*
- *86. In these cases, you will review a claimant’s jobsearch activity using the evidence they provide as described in paragraph 77.*
- ***Referral to a Decision Maker required***
- *87. Any doubts identified as a result of the evidence provided (however presented) will need to be referred to a Decision Maker in the usual way.*
- ***Action required by Decision Maker***
- *88. You will make your decision in the usual way.*

I have also included below, the extract from the Labour Market Conditions Guide referred to in paragraph 77 which says:

- *“The evidence of jobsearch produced when they attend to have their regular reviews may be in various forms:*
 - *information they have provided from their Universal Jobmatch account;*
 - *evidence in writing from employers, employment agencies, or other organisations which they have contacted;*
 - *copies of letters they have sent to employers;*
 - *the claimant’s un-corroborated written evidence, for example an ES4;*
 - *the claimant’s verbal evidence*
 - *evidence from previous Jobsearch Reviews recorded on LMS.”*

This is supported by Section 8(1),(b) of the Jobseekers Act 1995 which says:

- *Regulations may make provision for requiring a claimant [(other than a joint-claim couple claiming a joint-claim jobseeker’s allowance)] to provide information and such evidence as may be prescribed as to his circumstances, his availability for employment and the extent to which he is actively seeking employment.”*

The legislation is available via the DWP Website at the following internet address - <http://www.dwp.gov.uk/docs/a11-0101.pdf>

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