

DWP Central Freedom of Information Team

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

Our Ref: IR 422

DATE: 5 December 2016

Dear Mr Edward,

I am writing in response to your review request received on 28th September. An internal review has been carried out by someone of a senior grade to the person who dealt with your original request. I am now in a position to respond to you. In your review request you said:

Dear Department for Work and Pensions,

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of Department for Work and Pensions's handling of my FOI request 'JSA Agreement to JSA Claimant Commitment'.

Dear DWP Strategy Freedom of Information,

Thank you for your reply

I would like to address your 5th paragraph.

Policy is nothing to do with legislation or law i.e jobseekers act, welfare reform act, HAVE TO CONFORM WITH WRITTEN LAW, REGULATION PASSED THROUGH PARLIAMENT. You state: policy decision was made to move from a jobseeker's Agreement to a jsa claimant commitment, as a means of recording claimant requirements. Therefore, jsa claimants need to agree and sign a jsa claimant commitment.

THE WORD NEED IS NOT A CONDITION OF LAW.

THIS IS NOT TRUE PLEASE WITHDRAW THIS STATEMENT IN THE PUBLIC DOMAIN: YOU'RE GIVING OUT FALSE INFORMATION.

This is just your personal opinion made up policy, policy can be made up by anyone. What law states it's mandatory to change your existing jsa agreement to claimant commitment?

The jsa claimant commitment does not require anything of the claimant over and above that of the existing jobseeker's allowance regulations and in particular, fully conforms to the legal content of a jobseeker's agreement outlined in regulation 31 of the jsa regulations. There for, it is not a condition for jobseekers allowance.

Your statements must comply with law not policy or personal opinion.

I was under the impression that freedom of information is separate from the dwp yet I feel your replies are biased.

SEE CASE: CJSA/5376/2014 – JSAG/CC ARE COVERED BY CONTRACT LAW, IF YOU HAVE A JSSA AGREEMENT IT REMAINS IN FORCE YOU CANNOT BE FORCED TO SIGN A CC

Yours sincerely,

MR JAMES EDWARD

A full history of my FOI request and all correspondence is available on the Internet at this address: https://www.whatdotheyknow.com/request/jsa_agreement_to_jsa_claimant_co_3

Yours faithfully,

MR JAMES EDWARD

In response to your request, I can confirm that the handling of your original request and response has now been appropriately reviewed by someone unconnected with the handling of your original request.

As a result of this review, I am satisfied that the original response was handled properly and that the outcome of your request was correct.

The reasoning behind this decision is as follows. Although a policy decision was made to move from a Jobseeker's Agreement to a Claimant Commitment, a Claimant Commitment is the Jobseeker's Agreement for the purposes of s1 (2) (b) of the Jobseekers Act 1995 and as such it is a legal requirement to enter into such an agreement.

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

Yours sincerely,

DWP Strategy Fol Team

Your right to complain under the Freedom of Information Act

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