

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

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

Our reference: VTR 1505

Date: 01 May 2015

Dear Tina White

Thank you for your Freedom of Information request received on 9 April 2015. You asked:

Assuming a claimant is someone in England who is in receipt of job seekers allowance ("JSA"); according to current DWP policies, in order to continue to receive JSA and not be sanctioned:

1. *Is the claimant legally required to complete the "my work plan" form?*
2. *Is the claimant legally required to allow their DWP advisor to access their universal job match account if given a direction to do so? If yes, isn't that a breach of the claimants right to privacy under the data protection act?*
3. *Is the claimant legally required to log into their universal job match account whilst at the job centre if given a direction to do so? If yes, isn't that a breach of the claimants right to privacy under the data protection act?*
4. *If the claimant is required to attend the job centre on any day other than sign on day, are they entitled to claim travel expenses?*
5. *Is the claimant legally required to work for less than minimum wage if directed to do so by job centre staff or a work programme provider?*

To put the format of this response into context, I should explain a little about the Freedom of Information Act. The Act concerns the provision of recorded information held by public authorities such as DWP; the Act does not require that we create new information or generate answers to questions. Therefore, if a request is made in the form of a question, we provide the recorded information we believe to be most closely related to the subject under question.

For ease I have responded to each question in the order you have raised them.

1. Use of the my Work Plan booklet is not mandatory and the guidance that best explains this is in paragraph 9 of the My Work Plan booklet guidance and paragraphs 194-196 of the Availability and Actively Seeking Employment chapter in the Labour Market Conditions Guide. Both of which have been included in this response.

2. The information that provides an answer to this question is included in Chapter 3, of the Universal Jobmatch guidance, which has also been included as an annex. In particular paragraphs 37, 40 and 76 refer to this.
3. The information that provides an answer to this question is also included in Chapter 3, of the Universal Jobmatch guidance. In particular paragraphs 81-84 refer to this.
4. Regulation 23 of the Jobseeker's Allowance Regulations 1996 describes the circumstances in which a claimant can be required to attend the Jobcentre. A direct link to these regulations is attached below. I have also included a copy of the guidance which outlines the Department's policy for payment of claimant expenses.

<http://lawvolumes.dwp.gov.uk/docs/a11-4001.pdf>

5. It is illegal for employers to offer paid work of less than the national minimum wage. Therefore, claimants would not be required to take up paid employment offering a wage below this. However, regulations do permit claimants to be required to undertake employment related opportunities, whilst still being in receipt of their JSA to help them gain valuable work experience and employment related skills. The regulations that support this are included below.

<http://lawvolumes.dwp.gov.uk/docs/a11-6101.pdf>

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@dwp.gsi.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