

DWP Central Freedom of Information Team

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

Our Ref: VTR 1615

DATE: 7 August 2013

Dear Miss Tomkins,

Thank you for your Freedom of Information request of 1 April 2013. You asked:

- 1. A list of companies and businesses in Peterborough, Cambs, that currently work with Peterborough Job Centre Plus with the Mandatory Work Activity Programme. The list required is with regards to work placements that take on Mandatory Work Activity volunteers/benefit claimants.*
- 2. A breakdown of any financial remuneration to the above companies/businesses made on behalf of the Department of Work and Pensions for the period of 01/04/2012 to 31/03/2013.*
- 3. A breakdown of the number of people on Mandatory Work Activity Programme placed at each company/business.*

Please accept our sincere apologies for the delayed reply. We wrote to you on 26th July 2013 to explain that we needed more time to consider your request because the information you seek engages a qualified exemption which requires the public interest for and against disclosure to be weighed up. I am sorry for the delay.

The Mandatory Work Activity (MWA) provider in Peterborough is Seetec.

The information you seek in your first question regarding the organisations that Seetec works with in delivering MWA is being withheld because it is exempt from disclosure under sections 36(2)(c) and 43(2) of the Act.

We have interpreted your second question as asking how much DWP pays Seetec to deliver MWA. This information is also withheld because it is exempt from disclosure under 43(2) of the Act.

The information you seek in your third question regarding the number of people on MWA at each organisation is also withheld as it is exempt from disclosure under sections 36(2)(c) and 43(2) of the Act.

Section 36(2)(c) of the Act protects information which, in the reasonable opinion of a Minister of the Crown, would be likely to damage the effective conduct of public affairs if disclosed.

The Minister of State for Employment is satisfied that the exemption applies in this case. This is because the release of a list of organisations that host the MWA runs the risk of campaign groups targeting placement organisations to cause them to withdraw from the scheme. These actions aim to create a climate which also discourages other organisations from joining the scheme with the intention of disrupting the delivery of MWA. This risk, if realised, would be prejudicial to a policy which is designed to help move jobseekers into sustainable work. Thwarting the delivery of the policy in this way would be likely to undermine the benefits to the wider economy of moving jobseekers off benefit into employment. Such disruption is also detrimental to the job prospects of individual jobseekers who will not benefit from the disciplines and support MWA offers.

Section 43(2) of the Act is engaged if disclosure would, or would be likely to, prejudice the commercial interests of any person, including the Department for Work and Pensions (DWP).

DWP considers that disclosure of the information you have requested would, or would be likely to result in such prejudice in a number of different ways, but including in particular the following:

1. Some of the placement hosts would be targeted by campaign groups and, as a result, lose customers and/or donations.
2. Contracts between DWP and Seetec are commercial in confidence.
3. Placement hosts would see disclosure as a breach of trust, as they had not given permission for such disclosure and this would damage the goodwill of contractors and sub-contractors.
4. The withdrawal of placement hosts would cause providers and sub-contractors to lose some or all the money they had invested in sourcing those hosts and require them to invest still more in finding replacements.
5. DWP would have to spend more on benefits to jobseekers and have less to spend on 'commercial' activities, e.g. contracts with contractors to assist jobseekers back to work.

Where sections 36 and 43 of the Act are engaged, the exemptions in those sections have effect where, in all the circumstances of the case, the public interest in maintaining the exemptions outweighs the public interest in disclosing the information (see section 2(2) of the Act).

In looking at whether it is in the public interest to withhold the information encompassed by your requests, DWP has considered a number of factors including in particular the following:

1. If this information is disclosed, there is a very significant risk that placement hosts will withdraw with the result that claimants will have fewer opportunities to access the support that will get them closer to the labour market. It is clearly in the public interest to reduce unemployment.

2. If this information is disclosed, it is clear that a number of people would seek to undermine the goodwill of organisations who offer opportunities to unemployed people by attempting to damage the reputation and standing of those organisations.

On balance, DWP is satisfied that the public interest in maintaining the exemptions referred to above outweighs the public interest in disclosure.

Finally, your request relates to the recent decision of the First-tier Tribunal General Regulatory Chamber (Information Rights) in the case of *DWP v Information Commission and Zola*. Please note that DWP has been granted permission to appeal against that decision to the Upper Tribunal, and that an order has been made suspending the effects of the First-tier Tribunal's decision pending determination of the appeal by the Upper Tribunal.

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.gov.uk