

DWP Central Freedom of Information Team

e-mail: [freedom-of-information-request@dwpgsi.gov.uk](mailto:freedom-of-information-request@dwpgsi.gov.uk)

Our Ref: VTR 344

DATE: 19 February 2015

Dear Daniel Moore,

Thank you for your Freedom of Information (Fol) request received on 27 January 2015. You asked:

*I would like to request the number of people who have participated in Community Work Placements with Tesco PLC in the Merseyside Area who have had JSA halted or docked due to dismissal.*

*I would additionally to know how long, typically, benefits are halted following dismissal from CWP placements*

*I would also like to know what sanctions are applied to JSA claimants dismissed from CWP placements.*

I can neither confirm or deny that Tesco is a placement host in the Help to Work Community Work Placement (CWP) scheme.

The information you seek on placement hosts for CWP is exempt from disclosure under sections 29(1)(a), 29(1)b, 36(2)(c) and 43(2) of the Freedom of Information Act 2000 ("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 disclosing the details of placement hosts runs the risk of campaign groups targeting placement hosts and as a result the hosts withdraw from the scheme. This risk, if realised, would be prejudicial to a policy which is designed to help move jobseekers into sustainable work.

Section 29(1)(a) is engaged if disclosure would, or would be likely to, prejudice the economic interests of the United Kingdom or of any part of the United Kingdom. Section 29(1)(b) is engaged if disclosure would, or would be likely to, prejudice the financial interests of any administration in the United Kingdom, as defined by section 28(2). 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: should placement hosts withdraw because of campaign activity, Prime Providers and subcontractors could lose some or all the money they had invested in sourcing those hosts. This could mean that they would have to invest still more in finding replacements. Hosts may also seek new or additional payment for providing work placements. Any increased costs to contractors would be likely to be passed on to DWP resulting in higher costs for contracting the same service.

- Should Providers fail to recruit sufficient placement hosts and the scheme failed, DWP would have to spend more on benefits and have less to spend on commercial activities, e.g. contracts to assist jobseekers back to work. Increased benefit spend would lessen the extent to which Government is able to exercise proper control over the economy in order to maintain sound public finances and deliver the Governments economic policy.

Where sections 29, 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. If this information is disclosed:

- campaigns may seek to undermine the goodwill of organisations who offer opportunities to unemployed people; they may also seek to the reputation and standing of those organisations.
- and; if placement hosts withdraw, 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.

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

For information, DWP is appealing the decision in the Upper Tribunal in the Zola case (Appeal Nos. EA/2012/0207, 0232 & 0233) you cite in your request. The exemptions above also continue to apply to the information requested by Mr Zola.

You also asked;

*I would additionally to know how long, typically, benefits are halted following dismissal from CWP placements*

*I would also like to know what sanctions are applied to JSA claimants dismissed from CWP placements.*

Low level sanctions are applied in relation to CWP failures

For these failures the sanction periods are:

- 4 weeks for a first failure;
- 13 weeks for a second and subsequent failure committed within 52 weeks of the previous failure.

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

Yours sincerely,

DWP Strategy FoI Team

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#### **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](mailto: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](http://www.ico.org.uk/Global/contact_us) or telephone 0303 123 1113 or 01625 545745