

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: 5018

DATE: 14 November 2013

Dear Glenys Harriman,

Thank you for your Freedom of Information request received 23 October. You asked;

*'Please could you clarify the situation on the new Jobseeker Commitments for those claiming Jobseekers Allowance (as opposed to the Claimant Commitment for those on Universal Credit).*

1. *I understand that the current JSA regulations require a claimant to sign a Jobseekers Agreement in order to receive JSA.  
I have also read that the JSA regulations are not being amended and that there is no new legislation as yet to incorporate the JS Commitment. Therefore my question is, is it a legal requirement to sign the new JS Commitment?*
2. *If not, does this mean that rather than replacing the JS Agreement, there are actually 2 agreements for a claimant to sign?*
3. *If it is the case that there is no legal requirement to sign the JS Commitment, can you confirm therefore that a JSA claimant cannot legally be sanctioned ?*
4. *Please could you supply the dates and locations of the roll-out of the JS Commitment, including those already started.*
5. *Is there any Guidance published to help Job Centre staff prepare and agree an appropriate JS Commitment, in particular where these need to be tailored to the particular circumstances of a claimant (eg limitations on hours etc)?*

In relation to your first three questions. There will be only one document. The JSA claimant commitment will act as the jobseekers agreement (JSAg). The same rules that apply to the JSAg now will continue to apply and claimants must accept it as a condition of entitlement to benefit.

In regards to question 4;

The information you have requested is intended for future publication; therefore it is exempt from disclosure under the terms of Section 22 (Information intended for future publication) of the Freedom of Information Act. This exemption is qualified, and is therefore, subject to a public interest test. The public interest test is where the Department considers whether the balance of the public interest falls in favour of withholding or disclosing the information requested.

There are public interest arguments in favour of disclosure of this information at the present time. Disclosure would for example improve transparency in the operations of the Department and give the public an early insight into its delivery into Jobcentre Plus Offices as they start to use the JSA Claimant Commitment.

However, there are public interest arguments against disclosure of this information at the present time. The Act recognises the desirability of information being freely available in its own right, but section 22 also acknowledges that public authorities must have freedom to be able to determine their own publication timetables. These arguments include that it is in the public interest to adhere to the existing publication process for official statistics, which includes time for Jobcentre Plus offices to prepare for the introduction of the new Claimant Commitment.

It is also in the public interest to ensure that the publication of official information is a properly planned and managed process, to ensure that the information is accurate once placed into the public domain. It is also in the public interest to ensure that the information is available to all members of the public at the same time, and premature publication could undermine the principle of making the information available to all at the same time through the official publication process. Where information is intended to be made available, as in this case, individual requests for information should not determine the Department's publication timetable.

We intend to publish on a monthly basis, details of the Jobcentre Plus Offices that have started to use the Claimant Commitment. This information will be complete for all offices by Spring 2014.

On this occasion, I am satisfied that it is reasonable in all the circumstances that the information should be withheld from disclosure until the future date of publication (section 22(1)). And that the public interest in maintaining the exemption outweighs the public interest in disclosure.

In regards to question 5;

I enclose Claimant commitment guidance as Annex 1.

.

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@dwpgsi.gov.uk](mailto: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](http://www.ico.gov.uk)