



Department
for Work &
Pensions

DWP Central Freedom of
Information Team
Caxton House
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London
SW1H 9NA

Carl Davies
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[freedom-of-information-
request@dwp.gov.uk](mailto:freedom-of-information-request@dwp.gov.uk)

[DWP Website](#)

Our Ref: FOI2022/93916

22 December 2022

Dear Carl Davies,

Thank you for your Freedom of Information (FoI) request received on 23 November. You wrote:

“When a Claimant is instructed or mandated to participate in a Better off in Work calculation by the Jobcentre or a Restart provider what section of the Jobseekers Act 1995 or Welfare Reform Act 2012 allows the mandation of the Claimant to provide personal and private information about matters of personal finance, i.e. rent, outgoings, spending, etc.”

DWP Response

It may be helpful if we explain the role of the FoI Act. It provides a legal right of access to recorded information held by a public authority like the DWP, subject to certain exemptions that may apply. The Act does not oblige a public authority to create new information to answer questions; nor does it require a public authority to give advice, opinion or explanation, generate answers to questions, or create or obtain information it does not hold.

If you ask a question, rather than requesting recorded information, we will provide you with the recorded information that best answers the question. Once we have provided the recorded information, we have met our obligations under the Act; interpreting the information provided is up to you.

Your request asks a question which you want us to respond to however this would need new information to be created.

We can confirm that the information you have requested is not held by this Department as the regulations you have referred us to do not specifically refer to better off calculations.

However, in the interested of being helpful and provided outside of our obligation of the FOI Act, you may find the following links helpful:

- Welfare Reform Act – Chapter 2, Sections 13-18 and 23
<https://www.legislation.gov.uk/ukpga/2012/5/contents/enacted> and,
- Jobseekers Act – Chapter 18, Part 1, Sections 6A-6G
<https://www.legislation.gov.uk/ukpga/1995/18/section/6A>

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

Yours sincerely,

DWP Central Freedom of Information Team
Department for Work and Pensions

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@dw.gov.uk or by writing to: DWP Central FoI Team, Caxton House, 6-12 Tothill Street, London, 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.

Website: [ICO FOI and EIR complaints](#) or telephone 0303 123 1113.