

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 5824

14 January 2013

Dear Mr Hepplestein,

Thank you for your Freedom of Information request received on 13 December 2013. Firstly, you asked:

1. What irrefutable legislation, Acts, regulations and guidelines should be shown to the Jobcentre managers to convince them of the claimant's legal right to record and of their obligation to facilitate this without undue delay?
2. What procedure should be followed by the claimant to expedite a recorded interview if even after showing such evidence recording is still refused?

There is no legislation that confers a right to record an interview.

However we do accept that in some cases it could be considered a "reasonable adjustment" under the Equality Act 2010. When appropriate, this would take place in a private interview room.

You also asked:

3. If the excuse is used that no member of staff is willing to be recorded, what is the procedure that the claimant should then follow to ensure that he succeeds in obtaining a recorded interview with minimal delay?

If the member of staff involved is uncomfortable about being recorded, the matter should be raised with local management. Another member of staff who is less concerned about being recorded can conduct the interview. This may take time and a future appointment may be necessary.

4. Although it would clearly be preferable to notify the Jobcentre ahead of time of the desire to record an interview is there a mandatory requirement to do this?

It is not mandatory to notify the Jobcentre beforehand, but failure to do so may result in the interview having to be rescheduled.

5. If a claimant attends a interview and only then requests that the meeting is recorded what is the procedure that should be followed by the Jobcentre?

Because interviews may only be recorded in private interview rooms, and the availability of these is limited, it is always preferable to discuss the matter beforehand. If the claimant only makes their intention clear on arrival, and no private interview room is available, then the interview may need to be rescheduled.

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

Yours sincerely,

DWP Central Fol 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 Fol Team, Caxton House, 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 [www.ico.gov.uk](http://www.ico.gov.uk)