

DWP Central Freedom of Information Team

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

Our Ref: FOI2020/12068

24 March 2020

Dear Amanda Hart,

Thank you for your Freedom of Information (Fol) request received on 12 March. You asked:

If they exist, please provide your active policies on notifying claimants they are being sanctioned along with why they are being sanctioned.

Must staff notify claimants the reason for being sanctioned or are they allowed to put a sanction in place and then (for instance) go on holiday without telling anyone the reason for it? How must claimants be notified - ie by letter? Must the reason be logged on a DWP system?

Benefits: Universal Credit, Personal Independence Payment, Employment and Support Allowance

Background: It was indicated on a TV documentary as it happened that a DWP staff member had issued a claimant with a sanction and then went on holiday without telling anyone the reason for it - not even other staff.

DWP Response:

The Freedom of Information Act gives you a legal right of access to any recorded information held by a public authority. We do not have to provide opinions or explanations, generate answers to questions, or create or obtain information we do 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.

Therefore, to be helpful, I have provided the following UC sanctions guidance.

Sanctions V15

Spotlight on discussing decisions with Claimants.

For ESA:

A sanction is a penalty imposed by a Decision Maker which may result in a deduction from benefit.

A sanction is considered by a Decision Maker if a customer fails to attend or fails to participate in any mandatory interview.

The decision is recorded on a DWP system, a notification of the decision and the reasons are then sent to the relevant Service Centre, Job Centre, claimant and work programme provider if relevant.

There are no sanctions for Personal Independence Payment.

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

Yours sincerely,

DWP Central FoI 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@dwp.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
Web: ico.org.uk/Global/contact_us or telephone 0303 123 1113 or 01625 545745