

Department for Work and Pensions (DWP)
Central Freedom of Information Team

freedom-of-information-request@dwp.gsi.gov.uk

Our reference: VTR 76

Date: 30 January 2015

Dear Mr Booth,

Thank you for your Freedom of Information request received on 14 January 2015. You asked:

I am seeking information about benefit sanctions being instigated as a last resort, to quote <https://www.gov.uk/government/news/benefit-sanctions-ending-the-something-for-nothing-culture--2>

Please could you email Jobcentre's staff guidance or manuals that mention this last resort.

There is no guidance or manual that makes specific reference to sanctions as a last resort. However, in the interest of customer service, it may be helpful if I explain the steps taken before imposing a sanction.

We take into account individual circumstances when setting requirements, e.g. in terms of what activities someone might be expected to undertake to give themselves best prospects of employment. Nobody is expected to undertake something that is simply unreasonable given their circumstances.

If a claimant refuses or fails to comply with any requirement placed on them, they are given the opportunity to provide their reasons for not complying. Where the claimant demonstrates they had good reason, a sanction is not applied.

Where a potential sanction is identified, the details are referred to an independent Decision Maker to consider whether or not the claimant had good reason. DWP Decision Makers make their decisions on behalf of the Secretary of State. When determining whether or not a person had good reason, Decision Makers take into account existing Social Security legislation and established Case Law, as well as the individual circumstances of the case (including any evidence provided by the claimant).

In terms of decisions made, and sanctions imposed, these are subject to a quality assurance process to ensure that Decision Makers continuously apply the law fairly and consistency.

If you have any queries about this letter please contact us 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 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.org.uk/Global/contact_us or telephone 0303 123 1113 or 01625 545745