

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

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

**Our reference:** VTR 108

**Date:** 06/02/15

Dear Mr Harris,

Thank you for your Freedom of Information request received on 11 January 2015. You asked:

*I refer to <https://www.gov.uk/government/news/benefit-sanctions-ending-the-something-for-nothing-culture> which says in part "Sanctions are used as a last resort and the DWP has put in place a comprehensive monitoring regime to ensure that sanctions are always and only applied where appropriate to do so."*

*Please send me all recorded information on the comprehensive monitoring regime to ensure that sanctions are a last resort and always and only applied where appropriate to do so. Please include any and all reports and audits produced by the regime.*

The evidence held is the process held for steps that need to be taken before a sanction is imposed. These steps are set out below:

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

A robust Quality Assurance Framework is in place to review Work Coach interviews to ensure that the requirements placed on Jobseeker's Allowance claimants are reasonable with regards to their circumstances, and that details are only referred to a Decision Maker to consider whether a sanction is applicable where appropriate. A copy of this product is attached.

In addition, a DMA Referrals Checklist has been introduced to assure the quality of cases that are referred to a Decision Maker to consider and to ensure that cases are only referred where appropriate. A copy of the Checklist is attached.

The primary tool used to monitor Decision Makers decisions to ensure that sanctions are only applied where appropriate to do so is the Labour Market Decision Making Quality Assurance Framework. A copy of this product is attached.

The DWP Decision Makers Guide, specifically chapter 34, is the primary source of guidance available to Decision Makers for use when determining whether or not a sanction is applicable. This guidance is freely available on the internet, and can be accessed via the following link:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/391569/dmgch34.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/391569/dmgch34.pdf)

Finally, the legislation which underpins sanctions is contained within the Jobseekers Act (1995) and the Jobseeker's Allowance Regulations (1996). Copies of the legislation are freely available on the internet, and can be accessed via the following links:

<http://lawvolumes.dwp.gov.uk/docs/a11-0101.pdf>

<http://lawvolumes.dwp.gov.uk/docs/a11-4001.pdf>

If you have any queries about this letter please contact us 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@dwp.gsi.gov.uk](mailto:freedom-of-information-request@dwp.gsi.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](http://www.ico.org.uk/Global/contact_us) or telephone 0303 123 1113 or 01625 545745