

DWP Central Freedom of Information Team

e-mail: [freedom-of-information-request@dwp.gsi.gov.uk](mailto:freedom-of-information-request@dwp.gsi.gov.uk)

Our Ref: VTR IR 666

DATE: 14 December 2015

Dear Ian Howgate,

I am writing in response to your review request received on 23 November 2015. An internal review has been carried out by someone of a senior grade to the person who dealt with your original request. I am now in a position to respond to you. In your review request you said:

*"Thank you for the attached, in order to complete my request I believe it is beholden upon the DWP to send me the guidance upon the application of the Annual Verification check they claim to have instigated from April 2015, in particular, what information will be sought, whether it will be a simple - nothing has changed return - as the tax credits Office do - and in particular when each individual will be expected to make a return of updated information*

*Regulations 24 of The Jobseeker's Allowance Regulation 1996 seems to apply only to JSA cases and only to instances of applications for benefit.*

*Regulations 17 and 18 of The Social Security and Child Support (Decision and Appeals) Regulations 1999: does relate to a series of circumstances in which information can be sought during the process of a claim but none of these include a) annually from every claimant whether inside or outside of the list whose circumstances are of any nature whether inside or outside of the list in Reg 17 and b) when someone makes a complaint about the DWP (indeed the DWP have now written to me explaining that such intrusive investigations are automatically started when someone makes a complaint about the JCP or DWP.*

*Hence please supply information on the Annual Verification Check, how it works and who it applies to and when along with information which justifies applying the AVC to all claimants arbitrarily once a year as well as to claimants who raise complaints against the DWP whether those complaints are direct or through a third party. I*

*have to say here that the latter case sounds like classic victimisation and therefore if the legislation does state that this is a justifiable reason to investigate a claimant then I really need to know so that I can get the law makers to review this law which sounds very suspect to me”.*

After consideration of your request I can say that Freedom of Information is intentionally intent blind and it is beholding on us to provide only the information requested and nothing more. As that information was provided in our original response, I cannot uphold your complaint. However in the interests clarity I can say that regulation 24(5) and (5A) of the Jobseeker's Allowance Regulations 1996, allows the Secretary of State to choose any period for checks of a claimant's circumstances.

Your request for new information is currently being considered under FOI 4940. We will write to you separately as soon as our work to address this new request is completed.

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

Yours sincerely,

DWP Strategy 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, 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)