

<https://www.whatdotheyknow.com/request/590965/response/1408247/attach/html/2/FOI2019%>

2026979%20reply.pdf.html

As well as information on whether the DWP is testing different text for differing UC claimants on their CC, (at same time) as the examples above [1] and [2] are using different text, such as accessing the online account "often" and frequently"

Under what legislation and precisely which subsections thereof mention the UC online account and require as an entitlement condition of Universal Credit that a claimant is required to "sign in" to their online UC account "often" and frequently".

Do Universal Credit claimants have the ability to opt-in to getting automated emails generated by the UC online account? If yes, how can a UC claimant advise the DWP they want these automated emails to stop (cease and desist notice)? As well as information on whether the sending of these emails comply with your GDPR/Data Protection Act 2018 obligations which require positive opt-in consent from claimants for the DWP to send them automated UC online account email messages.

Under what legislation and precisely which subsections thereof mention the UC online account automated email messages and require as an entitlement condition of Universal Credit that a claimant is required to accept these email messages without being given any choice to opt-out?

With regards:

"We understand that DWP are aware of this issue and are looking at ways to make the distinction between voluntary and mandatory activities clearer on the commitment."

Published 9 September 2019

<https://www.gov.uk/government/publications/ssac-occasional-paper-21-the-effectiveness-of-the-claimant-commitment-in-universal-credit>

Please provide information of when (timescale) the DWP will be amending UC Claimant Commitments so the "distinction between voluntary and mandatory activities clearer on the commitment."?

DWP Response:

I confirm that we hold some of the recorded information to respond to your request.

However, some of the information is exempt under Section 21 of the Freedom of Information Act because the information is reasonably accessible to you, as it is already in the public domain.

To be helpful, I have included the House of Commons Library 2017, 2018 & 2019 House of Commons deposit hyperlinks plus a steer to guide you towards the UC CC guidance products. Please see attached zipped files document.

DEP2017-0556

https://www.parliament.uk/business/publications/business-papers/commons/deposited-papers/?fd=2017-09-14&td=2017-09-14&house=1&search_term=Department+for+Work+and+Pensions&itemId=119004#toggle-556

- [15_CC_-_at_a_glance_v2.0.pdf](#)
- [16_CC_-_Availability_for_Work_v2.0.pdf](#)
- [17_CC- Building the Claimant Commitment_v1.0.pdf](#)
- [18_CC- Commitment_not_accepted_v1.0.pdf](#)
- [19_CC_-_Earnings_Thresholds_v1.0.pdf](#)
- [20_CC_-_Expected_hours_v2.0.pdf](#)
- [21_CC_-_Job_goals_v1.0.pdf](#)
- [22_CC_-_Other_Work_Related_Activities_v2.0.pdf](#)
- [23_CC_-_Requirement_to_accept_a_claimant_commitment_v4.0.pdf](#)
- [24_CC- Switching_off_work_availability_and_work_related_activities.pdf](#)
- [25_CC_-_Work_Preparation_activities_v1.0.pdf](#)
- [26_CC_-_Work_search_activities_v2.0.pdf](#)
- [27_CC_-_WRA_and_the_LM_Regimes_v2.pdf](#)

DEP2018-0759

https://www.parliament.uk/business/publications/business-papers/commons/deposited-papers/?max=100&fd=2018-07-18&td=2018-07-18&house=1&search_term=Department+for+Work+and+Pensions&itemId=119004#toggle-759

- [Building_the_Claimant_Commitment_v1.0.pdf](#)
- [CC_-_Availability_for_Work_v2.0.pdf](#)
- [CC_-_Commitment_not_accepted_v1.0.pdf](#)
- [CC_-_Earnings_Thresholds_v1.0.pdf](#)
- [CC_-_Expected_hours_V2.0.pdf](#)
- [CC_-_Job_goals_v1.0.pdf](#)
- [CC_-_Other_Work_Related_Activities_v2.0.pdf](#)
- [CC_-_Switching_off_WA_and_WRA_v8.0.pdf](#)
- [CC_-_Work_Preparation_activities_v1.0.pdf](#)
- [CC_-_Work_search_activities_v2.0.pdf](#)

DEP2019-0465

https://www.parliament.uk/business/publications/business-papers/commons/deposited-papers/?fd=2019-03-28&td=2019-03-28&search_term=Department+for+Work+and+Pensions&itemId=119004#toggle-465

- [Building_the_Claimant_Commitment_v1.0.pdf](#)
- [CC_-_Commitment_not_accepted_v1.0.pdf](#)
- [CC_-_Earnings_Thresholds_v1.0.pdf](#)
- [CC_-_Expected_hours_v3.0.pdf](#)
- [CC_-_Job_goals_v1.0.pdf](#)

- [CC - Other Work Related Activities_v2.0.pdf](#)
- [CC - Work Preparation activities_v1.0.pdf](#)
- [CC - WRA the LM Regimes_v4.0.pdf](#)
- [CC Switching off work availability work related activities_v10.0.pdf](#)
- [Requirement to accept a CC-temp removal_v6.0.pdf](#)

Since 2017 the following improvements to the claimant commitment have been delivered:

- Welsh language claimant commitment
- Ability to remove the need for claimants to accept a claimant commitment where the claimant is terminally ill

Further enhancements are planned for 2019 to 2020 incorporating feedback and findings from claimants and our broad range of stakeholders these include, improvements in clarity re: requirements setting linked to the current interview type work, any clarifications we have made re: consequences i.e. sanctions.

The following text is common to all claimant commitments:

Using my online account

I'll sign in to my online account often to:

- *complete all activities in my to-do list*
- *report changes to my circumstances promptly, including changes to work*

If I can't get online, I'll report any changes by calling 0800 328 5644 (Textphone: 0800 328 1344). Calls to 0800 numbers are free from landlines and mobiles.

DWP is not currently testing different text for differing UC claimants on their CC.

UC Claimant Commitment legislation:

<https://www.legislation.gov.uk/ukdsi/2013/9780111531938/part/2/crossheading/accepting-a-claimant-commitment>

UC CC Example:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/548838/foi-3786-13-eg-claimant-commitment-annex1.pdf

UC communicate with claimants using their preferred method of communication. Interventions are available such as face to face, telephony and SMS message. DWP will usually get in touch with claimants by their preferred method of contact. If claimants do not wish for contact to be made by email, they can discuss this with their Work Coach. The UC journal can also be used to notify their contact preferences. Claimants have access to their online account 24/7. There is a requirement for DWP to engage with claimants to support them in their return to work and help them to move closer to the labour market.

There is no specific legislation or subsections thereof that mention the UC online account automated email messages or the requirement as an entitlement condition of Universal Credit that a claimant is required to accept these email messages without being given any choice to opt-out, however under the Welfare Reform Act 2012 – https://www.legislation.gov.uk/ukpga/2012/5/pdfs/uk-pga_20120005_en.pdf

Chapter 2 Paragraph 14

We are unable to provide or comment on timescales to CC improvements in respect of the distinction between voluntary and mandatory activities.

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