

DWP Central Freedom of Information Team
e-mail: freedom-of-information-request@dwpgsi.gov.uk

Our Ref: Fol 1202

Date: 19th April 2018

Dear Mr Zola,

Thank you for your Freedom of Information request of 20th March 2018. You asked:

“Dear Department for Work and Pensions,

[1] What exemptions apply so claimants should not be referred to the Work and Health Programme (WHP)?

[2] If claimant meets the referral/allocation/mandation criteria for the WHP can they be exempt, if say, they are spending 3 days a week doing voluntary work?”

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.

The Job Centre Plus work coach, as part of the activities undertaken when considering mandatory referrals to the Work and Health Programme (WHP), must check whether the potential participant is excluded or exempt from WHP, or, if the referral should be deferred.

The information that the Department does hold in relation to WHP exclusion, exemptions and deferral reasons is detailed in the internal WHP guidance for Job Centre Plus Work Coaches and the relevant extract is copied below:

Exclusion, exemptions and deferral reason tables

Exclusions

The potential participant is in paid employment

The potential participant is on the WHP, and or has previously completed the WHP
--

Note: If the participant is on the Work and Health Programme on a voluntary basis, the work coach must

identify whether they have disengaged from the programme.

The potential participant is in the Random Control Group (RCG) for the WHP

Exemptions

Temporary Exemptions

Victims of domestic violence are exempt from the WHP for the period the circumstances remain relevant. This will be kept under review by the work coach by setting a review for 13 weeks in line with current processes.

Potential participants who are homeless; this will be kept under review by the work coach in line with the relevant conditionality guidance.

Potential participants with a drug or alcohol dependency while they engage in a structured treatment programme for up to 6 months. Depending on their circumstances, these potential participants may be exempted.

Potential participants serving community sentences may not be able to participate in the WHP as required. The exemption should be reviewed in line with current practice.

For example, whether attendance on the WHP puts them in breach of their community sentence..

Potential participants with basic skills needs should not be referred until the basic skills need have been met. Set a 6 month review.

Open Ended Exemptions

Potential participants who are pregnant and within 3 months of their Expected Date of Childbirth (EDC). However, these could still volunteer for the WHP.

Potential participants for whom Specialist Employability Support (SES) is identified as a more suitable option. These Potential participants will have greater support needs/barriers than can be catered for in the WHP. In these cases the work coach would not offer WHP, the potential participant would be steered towards SES.

Deferrals

Where potential participants have moved between conditionality groups and whose circumstances have changed. For example have had a break in claim due to work or sickness.

Potential participants who are close to employment and the work coach decides they could move into work within 3 months with further support from JCP.

Potential participants who are engaged in other support and provision, including Work Choice, which is likely to lead to a job outcome. For example a potential participant who is being supported through alternative European Social Fund (ESF) provision or training.

Potential participants, whose circumstances mean they will not be able to participate in WHP as required, for example those with long periods of hospitalisation confirmed for the near future.

Potential participants who have known circumstances and changing conditionality groups For example those who have broken a limb.

Other - To be used when none of the other deferral reasons apply but the work coach is confident the potential participant will flow off benefit or will meet the exemption criteria within the 90 days deferral period.

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

Yours sincerely,

DWP Strategy 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@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.gov.uk