

Department for Work and Pensions

Work Programme Live Running Memo

To: Work Programme Providers

From: Work Programmes Division

Cc: Account Managers
Account Executives
Senior Performance Managers
Performance Managers

Memo Serial Number: 134

Date: 17 October 2013

Subject: Urgent: Clarification Regarding the Need for Claimant Consent

Action: For Information and Action

Timing: Immediate

Background

This issue arises from employers and Work Programme providers being prevented from claiming job outcomes by individuals removing or not giving consent for their employment information to be shared with DWP.

Lack of claimant consent stops employers and providers from being able to provide validation proof for Wage Incentive and Work Programme job outcome payment claims.

We wish to improve delivery of our interventions by making explicit the ability to share data between employers, providers and the Department for Work and Pensions (DWP) without the need for claimant consent.

A designation order was applied for and granted in July 2013 giving Providers the legal authority to contact employers without first obtaining the claimants permission.

Guidance was amended last week removing the reference to claimant consent.

This memo is to confirm the current position on claimant consent and advise you of next steps.

Summary and action

Clarification has now been received that you do not need to obtain claimant consent to contact employers for legacy benefit claimants or universal credit claimants.

However, for those claimants on the new style ESA / JSA contributory benefits we are still progressing the necessary legal permissions. For these participants you will still need to explicitly gain consent to contact employers.

It is expected that this legislation will be in place for all claimants in the next couple of weeks.

We will issue further guidance once this is in place.

Further Information Contact Details

All enquiries on the subject of this memo should be raised with your Performance Manager in the first instance; they will endeavour to provide you with an answer as soon as possible.

Regards

Work Programmes Division Enquiries Team