

Freedom of Information request 2013-3892

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Information request

I am writing to ask you to let me have details of the number of occasions on which the sanctions of withdrawal of benefit has been applied to those living in the County Borough of Torfaen for those claiming Job Seekers Allowance and Employment Support Allowance in the four quarters from the 1st April 2012 to 31st March 2013 and the number that have taken place since the 1st April 2013.

We frequently have to support tenants who are unable to eat or heat their homes as a result of withdrawal of benefit and there are increasing numbers in our experience more recently.

If you do not categorise information by Borough then please supply for the NP4 and NP44 post codes and if this is not possible please supply it for each of the benefit offices in south east Wales i.e. situated within the boroughs of Newport, Caerphilly, Blaenau Gwent, Torfaen and Monmouthshire.

DWP response

In response to your query, the latest available data for Jobseekers Allowance (JSA sanctions by Local Authority is 31st May 2012 therefore we have provided all quarters from 1st April 2011 in order to provide at least one full year of information.

Information that is held by the Department on the number of JSA sanction referrals, where an adverse decision has been made in Torfaen Local Authority, in each quarter from 1st April 2011 – 31st May 2012 is given in the table below.

Total number of Jobseekers Allowance (JSA) sanction referrals, where an adverse decision has been made, in Torfaen Local Authority for each quarter starting 1st April 2011 - 31st May 2012

Quarter ⁷	Local Authority	
	All	Torfaen
1st April 2011 - 30th June 2011	164,050	280

1st July 2011 - 30th September 2011	147,160	190
1st October 2011 - 31st December 2011	146,060	220
1st January 2012 - 31st March 2012	188,710	270
1st April 2012 - 31st May 2012 ⁷	142,650	170

Source: DWP Information, Governance and Security Directorate: JSA Sanctions and Disallowance Decisions Statistics Database.

Notes:

1. Figures are rounded to the nearest ten.
2. Data to 31st May 2012 is the latest available information for sanction referrals by Local Authority.
3. **Action:** The number of sanctions applied is the number of Varied⁴, Fixed Length⁵ and Entitlement Decision⁶ sanction referrals where the decision was found against the claimant (Adverse decision).
4. **Varied Length sanctions:** A sanction of between 1 week and 26 weeks is imposed for leaving employment voluntarily without just cause, refusing employment without good cause, or losing employment through misconduct. The actual period in each case is at the discretion of the Adjudication Officer who makes the decision.
5. **Fixed Length sanctions:** A sanction of between 1 week and 26 weeks is imposed for refusal, without good cause, to attend an employment programme or carry out a Jobseeker's Direction. Payment of benefit continues in full pending the Adjudication Officer's decision on a sanction question.
6. **Entitlement Decisions:** These are questions on which entitlement to JSA depends. For example, if there is doubt around whether the Jobseeker's agreement (JSAg) is suitable, whether they are actively looking for work or making themselves available for work. In most cases payment of JSA will be suspended by benefit processing until the doubt is resolved.
7. **Quarter:** Figures are given for each quarter from 1st April 2011; however the final period only contains data for the 2 month period 1st April 2012 - 31st May 2012.

You may also be interested to know the Department published ad hoc statistics on the number of JSA sanction referrals by Jobcentre Plus Office on the 15th May 2013 titled: "**Number of Jobseeker's Allowance sanctions and disallowances, where a decision has been made, in each month from 1 April 2000 to 21 October 2012**" which can be used in answer to your questions and can be found under "**2013 – quarter 2 – ad hoc statistical analyses**" via this link:

<https://www.gov.uk/government/organisations/department-for-work-pensions/series/ad-hoc-statistical-publications-list>

In response to your questions regarding the number of Employment and Support Allowance (ESA) claimants who have been sanctioned prior to December 2012, I can confirm that the Department does hold some information falling within the description specified in your request. However as a result of an error found in the methodology used to derive the number of ESA claimants who have been sanctioned we estimate that the cost of complying with your request would exceed the appropriate limit of £600.

The appropriate limit has been specified in regulations and for central Government it is set at £600. This represents the estimated cost of one person spending 3½ working days in determining whether the Department holds the information, and locating, retrieving and extracting the information. Under section 12 of the Freedom of Information Act the Department is not obliged to comply with this part of your request and we will not be processing it further.

In response to your query regarding sanction referrals after this time, the first set of statistics on the new JSA and ESA sanctions regimes are to be published in due course.

More information on the new JSA sanctions regime, introduced on the 22nd of October 2012, can be found at:

<http://www.dwp.gov.uk/adviser/updates/jsa-sanction-changes/>

More information on the new ESA sanctions regime, introduced on the 1st of December 2012, can be found at:

<https://www.gov.uk/government/organisations/department-for-workpensions/series/employment-and-support-allowance-sanctions>

As the statistics you have requested are intended for future publication this information is exempt from disclosure under the terms of Section 22 (Information intended for future publication) of the Freedom of Information Act. This exemption is qualified, and is therefore subject to a public interest test. The public interest test is where the Department considers whether the balance of the public interest falls in favour of withholding or disclosing the information requested.

Arguments in favour of disclosure: There are public interest arguments in favour of disclosure of this information at the present time. Disclosure would for example improve transparency in the operations of the Department.

Arguments against disclosure: There are public interest arguments against disclosure of this information at the present time. These arguments include that it is in the public interest to adhere to the existing publication process for official statistics, which includes time for the data to be collated and properly verified.

It is also in the public interest to ensure that the publication of official information is a properly planned and managed process, to ensure that the

data are accurate once placed into the public domain. It is also in the public interest to ensure that the information is available to all members of the public at the same time, and premature publication could undermine the principle of making the information available to all at the same time through the official publication process.

On this occasion, the balance of the public interest test falls in favour of withholding this information. As we have explained above, statistics on this issue will be published in due course. A proposed publication date will be announced in advance via <https://www.gov.uk/> and <http://www.statsusernet.org.uk/Home/> in the "Welfare and Benefits" community.