

UCFS guidance held mentioning vulnerable people (not in Complex needs or assisted digital guidance) can be found in 'Health', 'Sanctions' and 'Payment':

## **Health**

### **Examples of Support for people with health conditions**

A claimant with a mental health condition such as mild/moderate depression/anxiety may benefit from regular face to face interventions to build their confidence. There may also be occasions when they cannot attend and would benefit instead from a telephone or online contact or from re-arranging the appointment.

A commitments meeting may be all they can be expected to do initially and it may be appropriate to set voluntary activities then build these over time to include mandatory work related requirements.

A claimant who has a long term condition may need support to build motivation and confidence to consider an alternative career path. Searching for work and looking at job specifications may be helpful in identifying a claimant's skills and experience which they can match to a job.

The condition may mean that the types of jobs which are suitable and the distance they can travel to a job are reduced. In addition, their hours of work search and any other actions must be appropriate and fit with medical appointments.

Additionally, trying out work experience and volunteering may build the claimant's CV and confidence and help them to identify and enhance existing skills.

## **Mandatory Reconsiderations**

### **Mandatory Reconsideration**

Is the process by which an application for revision of a Universal Credit decision is considered by a Decision Maker (DM).

It is not possible to appeal to Her Majesty's Court and Tribunal Service (HMCTS) without first going through the Mandatory Reconsideration process.

A request to revise a decision should not be confused with the occasion when a claimant is looking for clarification of a decision by asking for more information.

### **Time limits**

The application for revision must be made within one calendar month of the date on the decision notice. This can be extended by 12 months – see below.

### **Extending the reconsideration time limit**

The one month time limit for applying for revision can be extended where all of the conditions below are met:

- an application for an extension of time has been made to an appropriate office. The application need not be in writing, it may be made in person or by telephone
- the application must:
  - explain why the extension is sought
  - include sufficient information to enable the decision to be revised to be identified
  - be made within 13 months of the latest date by which the application for revision should have been received

- that it is reasonable to grant the application for the extension of time
- there are special circumstances for the lateness
- as a result of the special circumstances the application for revision could not be made within the time limit

The term 'special circumstances' is not defined in legislation and should be interpreted broadly. It can include factors such as:

- the applicant, partner or dependant has died or suffered serious illness
- the applicant is not resident in UK
- normal postal services were adversely affected
- the claimant has learning or language difficulties
- the claimant has difficulty in obtaining evidence or information to support their application
- ignorance or misunderstanding of the law or time limits

The list is not exhaustive, and each application should be considered on its merits.

**Note:** If the claimant does not ask for a reconsideration within the time limit and the reason(s) for lateness is not accepted, the claimant has no right of appeal in relation to the original decision. It would be an exceptional case that is not admitted late.

## Payment

## Deductions

### Introduction

There are different schemes that require deductions to be made from Universal Credit .They fall into one of the 3 following categories:

Last resort deductions which safeguard vulnerable claimants who could be at risk of homelessness or disconnection of fuel	Vulnerable claimants are protected by continuing to offer last resort deductions when they are at risk of being made homeless or having their fuel supply cut-off

## Claimant Commitment

### Availability for claimants with a health condition

If a claimant has a physical or mental impairment (including those with cognitive or learning difficulties) the requirement will be limited to what is reasonable in light of the impairment. As well as limiting the number of hours, the claimant may also limit the type and location of work

they are available for. They will not have to show they have reasonable prospects of finding work, but the following factors must be considered when agreeing a limitation:

- the nature of the health condition or disability and how this may affect what it is reasonable to expect the claimant to do
- the likely duration of the health condition and / or if it is likely to be long term
- If the claimant has an employer and that employer is supplying occupational therapy or other provision to help the claimant get back to work

#### **Availability for claimants with caring responsibilities**

If a claimant has caring responsibilities for a person who has a physical or mental condition which necessitates such care (but does not meet the carers test, because the person being cared for is not a severely disabled person or the care is not for 35 hours or more per week) the claimant's work availability hours will be compatible with their caring responsibilities. Claimants will need to show that they have reasonable prospects of finding work given this restriction.

If a claimant has caring responsibilities for a child, they will generally need to show that they have reasonable prospects of finding work given any restriction to their availability. This is apart from the main carer (responsible carer) of a child under 13, who is able to restrict their availability to their child's normal school hours, without showing they have reasonable prospects of finding work, given this restriction. Travel time to and from school to collect children should be considered for any restriction.

#### **Reasonable prospects of finding work**

In establishing if a claimant has reasonable prospects of finding paid work, the following will be considered:

- the limitations do not prevent the claimant from taking up any job
- it takes into account the jobs available in the local labour market and ensures that the claimant is not restricting the hours they are available to such an extent that no jobs would be available to the claimant