

JSA Hardship Awards

Introduction

1. A Jobseeker's Allowance (JSA) hardship award is an award of Income Based JSA (JSA(IB)) made at a reduced rate to give a minimum level of financial support.
2. JSA Hardship payments can be made to certain people who:
 - do not qualify for JSA under normal rules; **and**
 - would suffer hardship if JSA is not paid.

Conditions for receiving a JSA hardship award

3. Before a JSA hardship award can be made, a claimant must satisfy three conditions:
 - the claimant must apply for the hardship award in the [appropriate manner](#); **and**
 - the claimant must be in one of the [prescribed circumstances](#) for receiving an award; **and**
 - the claimant must show that they, or a specified member of their family, would [suffer hardship](#) if an award was not made.

Appropriate manner of application

4. The appropriate manner of application is usually for the claimant:
 - to complete and sign the JSA hardship application form JSA10; and
 - to attend an interview with the JSA Hardship Officer in the Jobcentre.

Prescribed circumstances

5. A JSA hardship award can only be made if one of the following prescribed circumstances applies:
 - the claimant has received an [adverse decision on labour market entitlement conditions](#), but all other conditions of entitlement to JSA(IB) are satisfied;
 - a [sanction](#) has been imposed on the claimant, but all other conditions of entitlement to JSA(IB) are satisfied;
 - the claimant is [waiting for a decision](#) about whether they satisfy certain labour market entitlement conditions at the start of their claim to JSA; or
 - the claimant's [JSA is suspended](#), but all other conditions of entitlement to JSA(IB) are satisfied.

Adverse decision on labour market entitlement conditions

6. If a claimant has received an adverse decision on labour market entitlement conditions, they can only receive a JSA hardship award if:
 - they are in a [vulnerable group](#); **and**
 - the [adverse decision](#) was issued because they:
 - are not available for work; **or**

- are not actively seeking work; **or**
 - will not complete and sign a satisfactory Jobseeker's Agreement.
7. Claimants who receive an adverse decision on labour market entitlement conditions but are not in a vulnerable group are disallowed from receiving JSA. This means they cannot be entitled to JSA under the normal rules or under the JSA Hardship Provision.

JSA is not paid because of a sanction

8. If a sanction is imposed, JSA is not paid for the sanction period under the normal rules. However, payments can be made under the JSA Hardship Provision if the claimant successfully applies for a hardship award.
9. However, a claimant who is not in a vulnerable group, cannot be entitled to JSA under the hardship provision if they have been sanctioned for:
- an offence relating to the period they are required to take part in the Flexible New Deal (FND);
 - non attendance at a Back to Work Session; or
 - failing to participate in the Employment. Skills and Enterprise Scheme (including the Work Programme)

Claimant waiting for a decision at the start of a claim

10. Any questions about whether the claimant meets one or more of the labour market entitlement conditions must be resolved before a JSA award is made.
11. In these cases, JSA cannot be paid until the doubt is resolved, however payments can be made under the JSA Hardship Provision if the claimant successfully applies for a hardship award.

JSA is suspended

12. If a doubt arises about whether a claimant meets one or more of the labour market entitlement conditions after their JSA is awarded, their benefit is suspended until a decision is made.
13. In these cases, JSA is not paid for the suspension period; however payments can be made under the JSA Hardship Provision if the claimant successfully applies for a hardship award.

Vulnerable groups

14. Vulnerable group is the term used to describe people who are more likely to suffer hardship if JSA is not paid. The claimants who fall into these groups are entitled to hardship payments in circumstances where other claimants are not.
15. Claimants classed as being in a vulnerable group are:
- pregnant women;
 - lone parents responsible for a child or a young person;
 - members of couples or polygamous marriages responsible for children or young people;
 - claimants who qualify for a Disability Premium;
 - certain claimants with long term medical conditions;
 - certain claimants who provide care for disabled people;
 - certain claimants aged 16 or 17; and

- certain claimants under the age of 21.

See Decision Makers Guide, Volume 6, Chapter 35 for further information on Vulnerable Groups.

From what date are hardship payments payable

16. The actual date that JSA hardship is payable to a claimant depends upon whether the claimant is in a vulnerable group or not.

Claimant is in a Vulnerable Group

17. A person or couple in hardship who are members of a vulnerable group are entitled to a hardship payment from the latest of either:

- the date the claimant becomes a person in hardship; **or**
- the fourth day of the Jobseeking Period; **or**
- the date of claim if the claimant does not have to serve waiting days.

18. However, the claimant can be awarded hardship payments for the period between the above date and the date that the JSA10 is returned, if the Hardship Officer is satisfied that the claimant suffered hardship in that period.

Claimant is not in a Vulnerable Group

19. A person or couple in hardship who are not members of a vulnerable group are entitled to a hardship payment from the latest of either:

- the date the claimant provided their statement of circumstances (on a completed JSA 10); **or**
- the date the claimant becomes a person in hardship; **or**
- the 18th day of the claim if waiting days have to be served; **or**
- the 15th day of the claim if the claimant does not have to serve waiting days.

Enquiries from claimants

20. A claimant may ask about applying for a JSA hardship award:

- in [person](#);
- by [telephone](#); or
- by [post](#).

Claimant attends in person or enquires by telephone

21. If the claimant attends the jobcentre in person or telephones to ask about a JSA hardship award, explain to them the [general conditions](#) for getting a JSA hardship award.

22. It is important that the claimant is not discouraged from making an application for a JSA hardship award, however depending upon the circumstances, tell the claimant:

- when they can expect a payment of JSA under the normal rules again if their JSA is sanctioned; or
- that, if they have received an adverse decision on labour market entitlement conditions, but they are not in a [vulnerable group](#), they can

claim JSA again when they have addressed the question which was decided against them.

23. If the claimant decides not to pursue with their application for a JSA hardship award, take no further action. However, if the claimant wants to continue with their application for a JSA hardship award:

- explain the JSA hardship procedures to the claimant;
- make the claimant an appointment for a [JSA hardship interview](#) at the Jobcentre; and
- issue them with a JSA hardship interview appointment letter (JSA10A) and a JSA hardship application form (JSA10).

Claimant enquires by post

24. If the claimant enquires about claiming JSA hardship by post, a [Hardship interview](#) should be arranged for the claimant to see the JSA Hardship Officer in the Jobcentre to make their application.

25. If the claimant has a telephone, ring them to arrange the appointment with the JSA Hardship Officer. If the appointment is not for the same day, send the claimant a JSA hardship interview appointment letter (JSA10A) and a JSA hardship application form (JSA10);

26. If the claimant does not have a telephone, arrange an appointment with the JSA Hardship Officer. Send the claimant a JSA hardship interview appointment letter (JSA10A) and a JSA hardship application form (JSA10).

Note: remember to allow time for the post when arranging the appointment.

The JSA Hardship interview

27. The decision about whether or not to make a JSA hardship award is usually made by a JSA Hardship Officer in the Jobcentre.

28. The JSA Hardship Officer conducts the hardship interview with the claimant, during which they decide:

- if the claimant, and their circumstances, satisfies the conditions to receive a JSA hardship award; **and**
- whether the claimant or a member of their family would suffer hardship if a JSA hardship award is not made.

29. When the claimant attends the Jobcentre for their hardship interview the following action is required:

Step	Action
1	explain the JSA hardship procedures;
2	examine the JSA hardship application form (JSA10) to check that it is correctly completed and signed and obtain any missing information;
3	compare the information on the JSA10 to that on JSAPS;
4	if the claimant was previously receiving JSA(C) only, check that form JSA3 has been correctly completed.
5	check if claimant is in one of the prescribed circumstances for receiving a JSA hardship award;

6	check if claimant is in a vulnerable group .
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Claimant is not in one of the prescribed circumstances

30. If the claimant is not in one of the prescribed circumstances, they cannot be entitled to a JSA Hardship award. The JSA Hardship Officer should:

Step	Action
1	record the decision on hardship decision form JSA11;
2	complete form JSA11D showing the reason why a JSA hardship award cannot be made and issue it to the claimant;
3	explain to the claimant the reasons why they are not entitled to a JSA hardship award, and tell them that they can go through the disputes process if they wish.
4	attach form JSA11 to the JSA10 and forward both to the Benefit Centre for retention
5	access dialogue JA110: Maintain Notepad and record the details of the Hardship application and the decision.

Note: do not record the claimant's application in dialogue JA060: Register claim/event as you only need to record hardship applications from claimants who are in the [prescribed circumstances](#);

Deciding the hardship condition

31. After checking the JSA hardship application form (JSA10) to ensure that it has been correctly completed and signed by the claimant, the JSA Hardship Officer should decide:

- if the claimant satisfies the first two conditions for receiving a JSA hardship award; and
- if the claimant or a specified member of their family will suffer hardship If a JSA hardship award is not made.

32. After considering all the available evidence, take the appropriate action depending on whether the claimant:

- [does not satisfy the hardship conditions](#); or
- [satisfies the hardship conditions](#).

Claimant does not satisfy the JSA Hardship conditions

33. If the claimant does not satisfy the JSA hardship conditions:

Step	Action
1	record the decision on hardship decision form JSA11;
2	complete form JSA11D showing the reason why a JSA hardship award cannot be made and issue it to the claimant;
3	explain to the claimant the reasons why they are not entitled to a JSA hardship award, and tell them that they can go through the disputes process if they wish.
4	attach form JSA11 to the JSA10 and forward both to the Benefit

	Centre for retention
5	<p>Within JSAPS, access dialogue JA060: Register claim/event, REGISTER CLAIM/EVENT screen JA060062 and complete the following fields:</p> <ul style="list-style-type: none"> • 'Event type' input [04]; • 'Event sub type' input: <ul style="list-style-type: none"> ○ [01] for a suspension; ○ [02]] for a disallowance; ○ [03] for a sanction; or ○ [04] if the claim has not been decided; • 'Receipt date' input the date of the JSA hardship interview;
6	<p>Access JSAPS dialogue JA120: Event maintenance, select the hardship event and complete the following fields:</p> <ul style="list-style-type: none"> • 'Outcome' input [02] adverse decision to show that the hardship application has not been successful; • 'Completed date' input the date of the JSA hardship interview;

Claimant satisfies the Jobseeker's Allowance hardship conditions

34. If the claimant satisfies the JSA hardship conditions:

Step	Action
1	explain to the claimant that they are entitled to a JSA hardship award and when they can expect to receive a payment
2	explain to the claimant about the arrangements for the future ;
3	decide whether a 20% or 40% reduction in the claimant's applicable amount applies;
4	record the decision on hardship decision form JSA11;
5	attach form JSA11 to the JSA10 and forward both to the Benefit Centre.
6	complete form JSA11A and issue it to the claimant;
7	access dialogue JA110: Maintain Notepad and record the details of the Hardship application and the decision.

Deciding the amount of a hardship payment

35. There are special rules for the calculation of applicable amounts for hardship payments. The special rules reduce the applicable amount by 20% or 40% of specified personal allowances.

36. Further information about determining the amount of JSA Hardship is available within Volume 6, Chapter 35 of the Decision Makers Guide.

When does the 20% reduction apply

37. The 20% reduction applies if the claimant or a member of the family or a member of a joint-claim couple is pregnant or seriously ill.

When does the 40% reduction apply

38. The 40% reduction applies if the claimant or a member of the family or a member of a joint-claim couple is not pregnant or seriously ill.

Arrangements for the future

39. The arrangements for the future depend on the reason why the claimant does not get full rate JSA:

The claimant has received an adverse decision on labour market entitlement conditions and is in a vulnerable group

40. If the claimant has received an adverse decision on labour market entitlement conditions and is in a vulnerable group, tell them that:

- payments made under a JSA hardship award are usually paid two weeks in arrears;
- they may be eligible to get JSA under the normal rules if they address the labour market question on entitlement;
- the JSA hardship award is open ended following the imposition of any waiting days, so long as the claimant attends Jobsearch Reviews and advisory interviews and satisfies the other JSA(IB) entitlement conditions; and
- any payments made under a JSA hardship award count towards the 182 days JSA(C) entitlement.

The claimant has been sanctioned and is in a vulnerable group

41. If the claimant has been sanctioned and is in a vulnerable group, tell them that:

- payments made under a JSA hardship award are usually paid two weeks in arrears; and
- JSA hardship payments can be made throughout the sanction period, so long as the claimant:
 - attends Jobsearch Reviews and advisory interviews; and
 - satisfies the labour market entitlement conditions and the other JSA(IB) entitlement conditions.

The claimant has been sanctioned but is not in a vulnerable group

42. If the claimant has been sanctioned but is not in a vulnerable group, tell them that:

- they will get their JSA hardship payment from the 15th day after any waiting days have been served;
- payments made under a JSA hardship award are usually paid two weeks in arrears;
- JSA hardship payments can be made throughout the sanction period, so long as the claimant:
 - attends Jobsearch Reviews and advisory interviews; and
 - satisfies the labour market entitlement conditions and the other JSA(IB) entitlement conditions.

The claimant is waiting for a decision at the start of a claim and is in a vulnerable group

43. If the claimant is waiting for a decision at the start of a claim and is in a vulnerable group, tell them that:

- payments made under a JSA hardship award are usually paid two weeks in arrears;
- the JSA hardship award is open ended following the imposition of any waiting days, so long as the claimant attends Jobsearch Reviews and advisory interviews and satisfies the other JSA(IB) entitlement conditions; and
- if the decision goes against them, an adverse decision on labour market entitlement conditions will be imposed.

The claimant is waiting for a decision at the start of a claim but is not in a vulnerable group

44. If the claimant is waiting for a decision at the start of a claim but is not in a vulnerable group, tell them that:

- they will get their JSA hardship payment from the 15th day after any waiting days have been served;
- the JSA hardship award is open ended following the imposition of any waiting days, so long as the claimant attends Jobsearch Reviews and advisory interviews and satisfies the other JSA(IB) entitlement conditions.
- payments made under a JSA hardship award are usually paid two weeks in arrears;
- if the decision goes against them, the claimant's JSA claim will be disallowed and there will be no entitlement to JSA at all.

The claimant has been suspended and is in a vulnerable group

45. If the claimant has been suspended and is in a vulnerable group, tell them that:

- payments made under a JSA hardship award are usually paid two weeks in arrears;
- the JSA hardship award is open ended following the imposition of any waiting days, so long as the claimant attends Jobsearch Reviews and advisory interviews and satisfies the other JSA(IB) entitlement conditions.
- if the decision goes against them, an adverse decision on labour market entitlement conditions will be imposed.

The claimant has been suspended but is not in a vulnerable group

46. If the claimant has been suspended but is not in a vulnerable group, tell them that:

- they will get their JSA hardship payment from the 15th day after any waiting days have been served;
- payments made under a JSA hardship award are usually paid two weeks in arrears;
- if the decision goes against them, the claimant's JSA claim will be disallowed and there will be no entitlement to JSA at all.

47. Advise the claimant that they must inform their Jobcentre of any [change of circumstances](#) whilst they are receiving JSA hardship payments.

Processing a Jobseeker's Allowance hardship award on JSAPS

48. Hardship awards should be processed on JSAPS by a Customer Service Officer in the Benefit Centre.

49. To process a Jobseeker's Allowance hardship award on JSAPS, input the JSA(IB) claim as normal unless this has already been done, then:

Step	Action
1	access dialogue JA120: Event maintenance to check if there is an open New Claim or Change of Circumstances event;
2	access dialogue JA060: Register claim/event, REGISTER CLAIM/EVENT screen JA060062 and complete the following fields: <ul style="list-style-type: none">• 'Event type' input [04] hardship;• 'Event sub type' input:<ul style="list-style-type: none">◦ [01] for a suspension;◦ [02] for a disallowance;◦ [03] for a sanction; or◦ [04] if the claim has not been decided;• 'Receipt date' input the date the claimant applied for a JSA hardship award; then: <ul style="list-style-type: none">• if there is an open New Claim or Change of Circumstances event, go to Step 4;• if there is no open New Claim or Change of Circumstances event, go to Step 3;
3	re-access dialogue JA060: Register claim/event, EVENT MAINTENANCE REGISTER CLAIM/EVENT screen JA060062 and complete the following fields: <ul style="list-style-type: none">• 'Event type' input [02] change of circumstances;• 'Event sub type' input [10];• 'Receipt date' input the date the claimant applied for a JSA hardship award;
4	press [F1] to go to dialogue JA091: Maintain claim details, CLAIM DETAILS PICKLIST screen JA091002 and complete the following fields under Change of circumstances: <ul style="list-style-type: none">• 'Effective date' input the date JSA hardship payments have been awarded from;• 'Exceptional conditions' input [Y];
5	press [ENTER] to display the EXCEPTIONAL CONDITIONS screen JA091019 and complete the following fields: <ul style="list-style-type: none">• 'Person no' input [01] customer;• 'Reason code' input code:<ul style="list-style-type: none">◦ [15] to show an adjustment to the claimant's applicable

	amount; <ul style="list-style-type: none"> ○ [27] if the claimant is subject to the 20% reduction; ○ [28] if the claimant is subject to the 40% reduction; • ‘D/Start’ input the date the hardship payments have been awarded from; • ‘D/End’ input a date which is within 26 weeks of the start date of the hardship award, even if the JSA hardship award is open ended;
6	press [F1] to go to dialogue JA200: Award and Decision, EVIDENCE SUMMARY screen JA200201;
7	press [ENTER] or [F12] to go to the AWARD SUMMARY screen JA200202;
8	press [F5] to access the CLERICAL COMPONENTS screen JA200203 and complete the ‘Amount’ field to show the reduced applicable amount payable for the claimant;
9	press [ENTER] to prompt JSAPS to: <ul style="list-style-type: none"> • recalculate the claimant’s JSA(IB) using the clerical components input; and • display the AWARD SUMMARY screen JA200202;
10	when you are satisfied with the summary of evidence and award details, press [F24] to make a decision;
11	if the claimant has an eligible home loan, access dialogue JA301: Maintain Mortgage Direct and input/update the information as appropriate;
12	access dialogue JA405: Compute payment to display the payment profile calculated by the system and to produce a JSA hardship payment if one is due;
13	JSAPS automatically issues the relevant notifications to the claimant. The notification tells the claimant that they are entitled to a JSA hardship payment.

Claimants who use the postal facility

50. If a request is made for a JSA hardship award from a claimant who uses the postal facility, send them a JSA hardship application form (JSA10) together with a letter giving a contact name and telephone number for enquiries.

51. When the form is returned, the application should be considered in the normal way and a decision made as to whether or not to make a JSA hardship award.

52. If the decision is made to make a JSA hardship award to a claimant who usually uses the postal facility, action depends on whether or not the claimant has received an [adverse decision](#) on labour market entitlement conditions.

53. If the claimant’s JSA has been suspended, sanctioned or a decision is awaited at the start of their claim, they can continue to use the postal facility.

54. If the claimant has received an adverse decision on labour market entitlement conditions and the adverse decision is for two weeks or less, they can continue to use the postal facility. However, if the decision is for more than two weeks, the postal facility is withdrawn.

55. If the postal facility is withdrawn, the claimant must attend the Jobcentre for their Jobsearch Reviews and Adviser Interviews, but they can claim their fares to attend each fortnight.

Claimant has been sanctioned for an offence relating to FND

56. If a claimant has been sanctioned for:

- an offence relating to the period they are required to take part in the FND; or
- non attendance at a Back to Work Session,

they cannot be a be entitled under the JSA Hardship Provision unless they are in a [vulnerable group](#).

Claimant has been sanctioned for an offence relating to the Employment, Skills and Enterprise Scheme

57. If a claimant has been sanctioned for failing to participate in the Employment. Skills and Enterprise Scheme (including the Work Programme) then they cannot be a be entitled under the JSA Hardship Provision unless they are in a [vulnerable group](#).

Claimant receiving JSA(C) applies for a hardship award

58. Awards made under the JSA Hardship Provision are awards of Income Based JSA which are paid at a reduced rate.

59. There is no provision for awarding [Contribution Based JSA](#) (JSA(C)) under the JSA Hardship Provision. However, claimants who usually receive JSA(C) only can apply for a JSA hardship award if they provide the information required details for a JSA(IB) assessment.

60. If the details needed for the JSA(IB) assessment are already held:

- confirm whether the details are correct;
- if anything has changed, take normal change of circumstances action; and
- assess JSA(IB) using this information.

61. If the details are not already held, ask the claimant to complete a JSA application for review form (JSA3). This is needed before entitlement to a JSA hardship award can be decided.

62. Any JSA hardship payments made will continue to erode the claimant's cumulative total.

Change of circumstances

63. If a claimant receiving an award of JSA under the JSA Hardship Provision reports a change of circumstances the decision to award Hardship should be reviewed.

Claimant still satisfies the Jobseeker's Allowance hardship conditions

64. If the claimant still satisfies the JSA hardship conditions:

Step	Action
1	access dialogue JA091: Maintain claim details and record the change if appropriate;
2	continue normal action.

Claimant no longer satisfies the Jobseeker's Allowance hardship conditions

65. If the claimant no longer satisfies the JSA hardship conditions:

Step	Action
1	record the decision on hardship decision form JSA11;
2	complete and issue form JSA11D showing the reason why an award cannot be made: <ul style="list-style-type: none"> • under the normal rules; nor • under the JSA Hardship Provision;
3	explain to the claimant: <ul style="list-style-type: none"> • they are not entitled to JSA at all; and • the reasons why;
4	tell the claimant that, if they wish, they can go through the disputes process;
5	if the claimant's claim is maintained: <ul style="list-style-type: none"> • by JSAPS, go to Step 6; or • clerically, go to Step 20;
6	access dialogue JA060: Register claim/event, REGISTER CLAIM/EVENT screen JA060062 and complete the following fields: <ul style="list-style-type: none"> • 'Event type' input [02] change of circumstances; • 'Event sub type' input [10] changes to exceptional conditions; • 'Receipt date' input the date of the hardship interview;
7	press [F1] to go to dialogue JA091: Maintain claim details, CLAIM DETAILS PICKLIST screen JA091002 and complete the Change of circumstances 'Effective date' field to show the date payment under the JSA hardship award will stop;
8	press [F24] to re-display the CLAIM DETAILS PICKLIST screen JA091002 and input [Y] in the 'Exceptional conditions' field;
9	press [ENTER] to display the EXCEPTIONAL CONDITIONS screen JA091019 and identify the exceptional conditions showing codes: <ul style="list-style-type: none"> • [27] or [28]; and • [15] with a 'D/Start' which is the same as the 'D/Start' for code [27] or [28];
10	When you have identified the correct exceptional conditions [15] and [27/28], overwrite the date in the 'D/End' fields to show the date the JSA hardship award stops;
11	press [F1] to go to dialogue JA200: Award and Decision, EVIDENCE SUMMARY screen JA200201; System Reference Guide Volume 6.

12	press [ENTER] or [F12] to go to the AWARD SUMMARY screen JA200202;
13	if the change of circumstances is effective from: <ul style="list-style-type: none"> • a date between the last benefit week ending (BWE) day and the current BWE day, go to Step 14; or • the current BWE day, go to Step 18;
14	identify the Award Summary screen which includes the final JSA hardship award details and then press [F5] to access the CLERICAL COMPONENTS screen JA200203 ;
15	check whether the details displayed are correct;
16	if the details displayed: <ul style="list-style-type: none"> • are correct, go to Step 17; or • are not correct, amend them as appropriate and then go to Step 17;
17	press [ENTER] to return to the AWARD SUMMARY screen JA200202;
18	when you are satisfied with the summary of evidence and award details, press [F24] to decide;
19	after deciding, press [END];
20	attach form JSA11 to the JSA hardship application form JSA10 and file both in the claimant's claim file.

66. Further information about JSA Hardship is available within Volume 6, Chapter 35 of the Decision Makers Guide.

Notifications to Local Authorities

Hardship payments allowed at start of claim

67. If hardship payments are awarded, the notifications to Local Authorities (LA) that are output will depend on the timing of the award.

68. If the decision to suspend, disallow or sanction is input:

- at the same time as the award of hardship payments, JSAPS issues an NHB(JSA) entitlement notice; or
- before the decision to award hardship payments, JSAPS issues an NHB(JSA) decision notice showing a nil award.

69. When the hardship award decision is input, JSAPS issues an NHB(JSA) notification headed 'revised entitlement dates'.

Hardship payments made during the claim

70. If the decision to suspend, disallow or sanction is input:

- at the same time as the award of hardship payments, JSAPS does not issue a notification. This is because the LA is not affected by the decisions, as the award of Housing Benefit/Council Tax Benefit is continuous;
- before the decision to award hardship payments, JSAPS issues NHB(JSA) end of entitlement notice with the appropriate reason.

71. When the hardship award decision is input, JSAPS issues an NHB(JSA) notification headed 'revised entitlement dates'.