

# Work Search Reviews

## Guidance Queries and Help

1. If you are unable to find an answer to a particular question regarding policy within this guide you must contact the Jobcentre Plus Live Support Advice Line. Do not give the Advice Line number to claimants or outside bodies under any circumstances, it is for the use of Jobcentre Plus staff only. Details of how to contact them can be found by clicking on the following hyperlink, Advice Line Home Page.
2. Please do not use the 'E-mail page owner' and 'Page information' links at the bottom of each page of guidance to raise policy queries. These should only be used to report broken hyperlinks.

## Introduction

3. This guidance has been developed to support the phased national roll-out of the Claimant Commitment and other supporting products for Jobseeker's Allowance (JSA) claimants. Districts will start to phase in the Claimant Commitment for new JSA Claimants and Work Programme completers from 28 October 2013.
4. Stock claimants and 16-17 year old JSA claimants have not been included in the phased roll-out.
5. For the purposes of section 1(2)(b) of the Jobseeker's Act 1995, this Claimant Commitment is the Jobseeker's Agreement.
6. Districts should continue to follow existing JSA guidance until their agreed scheduled roll-out date.

## Overview

7. The Work Search Review forms part of the customer journey we offer to JSA claimants and is a key part of the service we provide to help claimants find work. As a minimum, these reviews must be held face to face every fortnight and are usually undertaken by an Assistant Work Coach.
8. We recognise that some claimants may need more regular support than others and to help address this, Work Coaches will be able to agree a more flexible intervention regime in consultation with their Work Services Manager for those claimants who need more support or more frequent interviews.

## Purpose

9. The purpose of the Work Search Review is to ensure that claimants are doing all that is reasonably possible each week to look for work and to take a forward look at what the claimant plans to do for the period leading up to their next review. As a minimum, during the review the Assistant Work Coach should:
  - Identify if the claimant is available for and actively seeking employment and therefore entitled to any Jobseeker's Allowance and National Insurance Credits due. **The claimant must do all that is reasonable to look for work each week;**
  - Identify claimants who appear not to be doing all they should to actively seeking work for each week of the review period and refer to a Labour

Market Decision Maker (LMDM), having consulted with a Work Coach or team leader, if necessary;

- Identify any additional support needed;
- follow-up on any activities agreed previously with a Work Coach; and
- help the claimant to think about future planned actions and what they are going to do in the weeks leading up to their next review and to ensure these are recorded in their My Work Plan booklet; and
- refer any claimants back to the Work Coach if they appear to be struggling to make adequate plans.

## **The importance of Work Search Reviews**

10. Research shows that fortnightly face-to-face Work Search Reviews help people move from benefit into work more quickly than would otherwise have been the case.

11. Building upon this success, where possible co-locating Assistant Work Coaches with Work Coaches will facilitate closer working and help to deliver a more personalised and seamless claimant-focused service.

12. However, where this is not possible, it can operate remotely through regular discussions over the telephone and/or via email.

13. It's vital that regular communications take place between the Work Coach and Assistant Work Coach to embed a wider team approach to delivering good quality personalised interventions and enhanced Work Search Reviews. This will enable Assistant Work Coaches to:

- conduct flexible and meaningful discussions with claimants about their Work Search activities, capabilities and future planning;
- review claimant activity between Work Coach contacts and monitor and follow through on agreed actions – feeding back to Work Coaches as appropriate;
- regularly update the claimants Work Coach, so the level of support and timing of interventions remain relevant to a claimant's individual needs, as skills are developed or circumstances change; and
- ensure there is a smooth handover to a Work Coach when the need for additional work related provision/support is identified, or a doubt arises concerning the claimant's benefit entitlement.

14. Carrying out good quality Work Search Reviews and following-up on all agreed actions before the next scheduled Work Coach contact plays a key part in helping Work Coaches to effectively manage their Follow-up Work Search Interviews.

## **Frequency of Work Search Reviews**

15. As a minimum, unless the claimant has been excused attendance or has been granted Postal Status, claimants must attend a fortnightly face to face Work Search Review.

16. Some claimants may benefit from more frequent Work Search Reviews. In certain circumstances, they may be required to attend Weekly Work Search Reviews or, for those who have completed the Work Programme, Daily Work Search Reviews.

17. In these instances claimants will continue to be paid fortnightly, even if attending more frequently.

18. Alternatively Work Coaches / Assistant Work Coaches may have additional contact with claimants between Work Search Reviews to:

- follow up on agreed activity;
- provide additional support;
- keep track on progress; or
- monitor specific actions.

19. This additional contact does not have to be face to face. Claimants could be contacted over the telephone, by e-mail etc.

20. When arranging for a claimant to attend more regularly, the following must be explained:

- the benefits of more regular reviews. For example, the aim is to provide them with additional help and support;
- when they are required to attend, the frequency of these extra reviews and the number of weeks these are expected to last;
- what will happen to the claimant, if without good reason, they fail to attend any of these reviews. For example, they will lose their benefit for 4 weeks or 13 weeks if they've already received a lower level sanction within a 52 week period; and
- that travel expenses will be reimbursed for any days they attend which are off cycle.
- At each review, the claimant will sign a labour market declaration, if they have not already done so on that day. This must be for the period from either the Date of Claim, or the day after they last made such a declaration, until the date of this declaration. The only exception to this is any period where the claimant has been treated as Available and ASE.

21. LMS is updated as to whether the claimant has continued to meet the labour market conditions after each Work Search Review conducted on the claimant's Benefit Week Ending date.

22. For example, every Wednesday, if their NINo ends in 34C.

23. JSAPS D470 will continue to be updated after each Work Search Review conducted at the end of the claimant's payment cycle (P and R).

24. For example, every other Monday if their NINo ends in 07A

## **Undertaking the Work Search Review**

### **Preparing for the Review**

25. Before the start of a Work Search Review, the latest copy of the Claimant Commitment, and existing information on LMS should be checked to identify whether the claimant:

- needs any additional support during their interview, such as accessibility requirements;
- needs to demonstrate that they have undertaken any specific activities agreed during their last contact. This could include specific actions agreed with a Work Coach, such as following up on any jobs the coach has required the claimant to apply for or reviewing whether the claimant has completed any outstanding Day One Conditionality activities;

- needs reminding about any forthcoming Follow-up Work Search Interviews with their Work Coach; or
- is participating in the Work Programme or has any other markers set on LMS, such as the Parent or Child Barriers to Work markers and that appropriate action has been taken.

### **Starting the Review**

26. At the start of the review, the Assistant Work Coach should always:

- introduce themselves and outline the purpose of the review;
- confirm the claimant's identity;
- check that the claimant has attended at the correct time and day;
- identify if any travel expenses need to be refunded;
- check the claimant's method of payment; and
- identify and arrange any Follow-up Work Search Interviews due.

### **Reviewing Work Search Activity**

27. A discussion with the claimant must always take place, to find out what they have been doing to look for work each week within the payment period in question. This is to confirm the claimant has been actively seeking work, by undertaking all that can be reasonably expected and can therefore be paid any Jobseeker's Allowance/National Insurance credits due.

### **Availability**

28. The Assistant Work Coach needs to be satisfied that the claimant has remained available for work, taking any agreed restrictions on the Claimant Commitment into account. For example, someone with caring responsibilities may have agreed restrictions around the hours they can work to fit in with their caring responsibilities.

### **Actively Seeking Employment**

29. In terms of Actively Seeking Employment, each week, claimants are required to undertake all that can be reasonably expected to give themselves the best chances of finding work. The work search activities that the claimant is expected to undertake each week will have been agreed with a Work Coach at their Initial Work Search Interview and recorded on the Claimant Commitment.

30. Claimant's will have been encouraged by their Work Coach to turn these activities in to realistic and detailed commitments, explaining what they are going to and how, when and where they are going to do it, in their 'My Work Plan' booklet.

31. This information along with other supporting evidence should be used to help inform the Work Search Review and determine whether:

- the claimant has provided enough information to enable a judgement on whether they have met the ASE condition; and
- the actions they have undertaken are all that they could have reasonably done.

### **Level of information provided**

32. For conditionality to be effective, claimants need to understand what is expected of them and the type and amount of information the claimant will be expected to provide about what they have done to look for work. The actual amount of evidence provided will determine whether further probing questions should be used to help to verify, or expand that information. For example,:

- if the claimant has looked online, they should be asked to provide details of the websites and what they found;
- if the claimant has looked in newspapers, which ones, on which days and what was found?;
- if the claimant has visited potential employers, when did they visit and to whom did they speak?; and
- if the claimant has sent speculative CVs, when was this? Have they heard anything and, if not, have they followed up with a phone call?

### **Level of activity undertaken**

33. Looking for work and meeting the high level work search requirements is demanding and can be a full-time job in itself. It is not unreasonable to expect claimants (with no agreed restrictions) to spend a large amount of their time looking for work.

34. To help claimants recognise and understand how much they can reasonably be expected to do each week, they should be advised to think about whether they could have actually done more than they actually did.

### **Example**

Ben is a single man of 20, who lives with his parents. He recently completed a two year apprenticeship in Information and Communication Technology (ICT) but was unable to secure a permanent job. He has no restrictions on his availability or any health issues that would affect the type of work he can do. In addition to ICT, he has included general administrative work on his Claimant Commitment.

One of Ben's actions for getting work outlined on his Claimant Commitment is to search online for jobs and apply for all those he is able to do.

To meet this, Ben accessed reed.co.uk 3 times each week, jobsite 4 times each week and Indeed.co.uk twice each week. He found a total of 9 suitable vacancies and he applied for 5 of them.

There are a number of things that Ben needs to think about here. For example:

- is conducting 9 online searches each week as much as he could have done, should he have done more;
- was he limiting himself by not extending this search to include Universal Jobmatch; and
- why did he only apply for 5 of the 9 suitable vacancies he found.

The discussion needs to include an element of questioning. However, it should not be seen as 'an interrogation' but rather taking a less direct, more

persuasive approach, making suggestions and allowing the claimant to think for themselves. For example, instead of asking: “Why did you only do 9 searches each week?”, it might be better for him to be asked: “Is there a reason why you didn’t search each site every day? Was it because they weren’t updated that quickly? If not, he could be asked whether he thinks he could increase the frequency of his searches and to what level he thinks would be reasonable.

Similarly, rather than asking: “Why didn’t you access Universal Jobmatch?” it might be better for him to be asked if there are any reasons why he doesn’t find UJ useful. It might be that there were IT issues that prevented him from accessing it, or he may have struggled to navigate it.

The more Ben can think for himself, realise his own capabilities and take ownership, the more he is likely to push himself and increase his level of work search activity.

### **Considering whether the level of activity is enough to meet the ASE condition**

35. The more information a claimant can provide about their work search activities, the less doubt there is as to whether they have met the requirements under Actively Seeking Employment.

36. To avoid any kind of doubt, claimants need to understand:

- what it is we expect of them;
- what information we are looking for;
- the kind of examples they can use to provide it; and
- what will happen to them if they don’t meet the conditions for Actively Seeking Employment. That is, that their benefit will stop and they will no longer qualify for Jobseeker’s Allowance and that if they make a new claim after such a failure, they may not receive their benefit for up to 4 weeks or 13 weeks if they’ve previously received an intermediate sanction within a 52 week period.

### **Planning the activities over the next review period**

37. The second part of the Work Search Review should focus on forward planning. The Assistant Work Coach should explain that planning and structuring work search activities will give the claimant the best chance of finding suitable work. It will also help confirm the claimant’s ongoing entitlement to Jobseeker’s Allowance by demonstrating they have done all they could reasonably be expected to do, each week, to get a job.

38. Claimants should ideally come to the Work Search Review with a plan of the specific actions they intend to do in the next 2 weeks, in the My Work Plan document. This should have been discussed with them during their Work Search Interview.

39. If their planning is insufficient the Assistant Coach should encourage and make suggestions about how it could be improved. The claimant should be advised to think about their next steps and record what they are going to do either in the review (time permitting) or if not, immediately after their review whilst the discussion is still fresh in the claimants mind.

40. The claimant's forward plans should include what other activities they are going to undertake as part of their regular work search activities outlined on their Claimant Commitment but may also include any follow-up action from previous commitments such as:

- following up job applications and speculative contacts; or
- preparing for interviews with employers.

### **Claimant does not use the 'My Work Plan' booklet to provide evidence**

41. The benefits of using the 'My Work Plan' booklet will have been explained to the claimant at the Initial Work Search Interview. The My Work Plan booklet benefits the claimant by:

- enabling a claimant to plan and structure work search activities
- acting as a reminder of the commitments they have agreed
- making it easier for the claimant to record the detailed actions they have taken to meet those commitments.

42. We would strongly encourage claimants to use this booklet as a helpful tool to plan their work search. Whilst it is not mandatory claimants must provide sufficient evidence of their work search activity to satisfy the Actively Seeking Employment condition, the 'My Work Plan' booklet is therefore any easy way for them to do this.

43. However, for those claimants who choose not to use the 'My Work Plan' booklet and who do not appear to be providing sufficient evidence by another means, a referral to their Work Coach may be appropriate, to re-emphasise the benefits of using it and that it will make it easier for the claimant to provide their evidence. See the good practice guidance about making effective plans for more information.

### **Doubt regarding claimant's Work Search Activity / availability**

44. If there is a clear doubt as to whether the claimant has carried out the required level of Work Search Activity each week or been available for work, as agreed in the Claimant Commitment, the claimant should be formally told about the doubt and details should be immediately referred to a Decision Maker. If further consideration needs to be given before the case can be referred to a Decision Maker a Work Coach or Team Leader should be consulted.

45. If it is determined that a referral to a Decision Maker is appropriate:

- a labour market declaration is taken, either on the appropriate form ES24 or on Signature Capture Service;
- dialogue 470 is input in JSAPS, unless this is automatically done via Signature Capture Service;
- the claimant's benefit payment is suspended on JSAPS; and
- a referral is made using LMS and DART.

### **Decision made by Decision Maker**

46. Details of the action taken when a Decision Maker has made a decision can be found in the Labour Market Conditions Guide.

### **Claimant attends a Work Search Review following a suspension**

47. When the claimant attends a Work Search Review following a suspension and whether they have met the Availability and Actively Seeking Employment entitlement conditions is no longer in doubt, a labour market declaration is taken for the period following the suspension up to the date they attend.

### **Updating LMS**

48. The outcome of the review must always be recorded on LMS.

49. That is, confirmation that the Claimant Commitment is still current (if not, the case should be referred to a Work Coach) and that the claimant has met or not met the Actively Seeking Employment condition.

**Note:** Failure to do so will incur an official error for Monetary Value Fraud and Error purposes.

### **Universal Jobmatch**

50. As part of making use of the resources available to them to look for work, we can reasonably expect most claimants to make best use of Universal Jobmatch.

51. However, there will be instances where claimants are not able to use Universal Jobmatch or may not appear to be using Universal Jobmatch to their best advantage. In these instances the Assistant Work Coach may need to search for suitable vacancies on behalf of a claimant and in some instances formally require claimants to apply for these jobs. For example:

- the claimant is not yet able to make best use of self-help vacancy channels (if this is the case, support should be provided to address the need); or
- there are doubts about the activities the claimant says they are undertaking. For example, they claim to be going online, but say that no suitable vacancies are available.

52. Further information about how to require claimants to apply for jobs can be found in Chapter 3 of the Universal Jobmatch Toolkit.

53. The Assistant Work Coach must follow-up on any jobs the claimant has been required to apply for to identify whether Refusal of Employment action needs to be taken. That is, where the claimant has failed, without good reason, to apply any vacancies that they have formally been told to apply for.

### **Referring to a Work Coach for more help**

54. There may be circumstances that arise during the Work Search Review that require a discussion with, or a referral to, a Work Coach. For example:

- additional Work Search support is needed;
- the claimant has questions that cannot be responded to within the confines of the Work Search Review; or
- Refusal of Employment action is required.

55. Locally arranged steps should be in place to conduct this referral.

### **Provision referrals**

56. Referrals to provision must always be made by a Work Coach and in response to a clearly diagnosed need. Failure to do so runs the risk of inappropriate and wasteful referrals. If a potential need for specific support is



identified at a Work Search Review, the claimant must be referred to Work Coach, for further consideration before any referral to provision is made.

### **In-work financial advice – Tax Credits, etc**

57. General information may be provided during the review but only a Work Coach should provide more in-depth advice, including a personalised In-work Better Off Calculation.

### **Part-time work and or Reported Changes of Circumstances**

58. Appropriate action must be taken if the claimant declares that they have undertaken part time work or a change of circumstances.

### **Labour Market Declaration**

59. The claimant must be invited to **read** the Labour Market declaration, either on the appropriate ES24 or on the Signature Capture Service pad, before signing it.

### **JSAPS**

60. Where entitlement to benefit has been confirmed and clerical ES24JP forms are being used, dialogue JA470 is updated to confirm their attendance in JSAPS and if appropriate, dialogue JA504 checked, to confirm payment details are held.

### **Additional Action**

61. Some claimants may require additional consideration at their Work Search Review. If the claimant falls within one of these categories, additional guidance is available as appropriate:

- Drug and/or alcohol dependency;
- Potentially Violent claimants;
- Claimant is homeless/a person without address;
- Lone Parent restrictions;
- Childcare and recording child details;
- Volunteers;
- Import and Export of Benefit;
- Restrictions for Claimant's with caring responsibilities for children; and
- Disabled claimant with more complex support needs arising from their disability - see ES18 page 2

### **Quality standards**

62. Quality standards should be set and monitored using the Work Search Review Quality Assurance Framework.

### **Undertaking Work Search Reviews for Lone Parents**

63. All Work Search Reviews for Lone Parents should be conducted by Assistant Work Coaches who have received training to deal with Lone Parents.

## **Undertaking Work Search Reviews for claimants participating in the Work Programme**

64. Claimants referred to the Work Programme (WP) must continue to attend face-to-face Work Search Reviews with Jobcentre Plus, on at least a fortnightly basis. See the Work Search Reviews for Claimants on the Work Programme guidance for more information.

## **Undertaking Work Search Reviews for claimants participating in sector-based work academies**

65. Claimants participating in sector-based work academies are required to be actively seeking work and available for work. The exception to this is where pre-employment training is between 16 and 30 hours a week.

66. In these cases, the claimant is not required to be Actively Seeking Employment or Available for work during the time they are undertaking the training element of sbwa.

67. However, policy intent is that claimants should still attend Work Search Reviews, to show that they are taking steps towards gaining employment. The sector-based work academies guidance details the action to take.

## **JSA Full-Time Training Flexibility (England only)**

68. Claimants participating in JSA Full-Time Training Flexibility are not required to be Actively Seeking Employment or Available for work. However, policy intent is that claimants should still attend Work Search Reviews to show that they are taking steps towards gaining employment. The Skills Guide details the action to take.