

The Jobseeker's Agreement

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. Having a Jobseeker's Agreement is a primary condition of entitlement to Jobseeker's Allowance. It:
 - is agreed between the claimant and a Personal Adviser at the New Jobseeker Interview;
 - must be a helpful and practical aid to jobsearch, containing a reasonable and achievable job goal, details of the claimant's availability for work, a jobsearch plan (regular and one-off, time bound activities) that offers the best prospects of securing employment;
 - contains a level of weekly jobsearch activity that is deemed reasonable and against which actively seeking work will be measured during jobsearch reviews; and
 - should be reviewed regularly and updated (by the claimant's Personal Adviser) in the light of experience
4. The Jobseeker's Agreement also gives important information about the claimant's responsibilities and what they must do to be entitled to Jobseeker's Allowance/National Insurance Credits.

SMART

5. The Jobseeker's Agreement must be **SMART**. That is:
 - **Specific** – it must state the claimant's precise job aims and the specific activity they will take to give them the best chance of finding and securing a job. For example, generic job descriptions such as "Driver" should be avoided and more specific terms such as "bus driver", "HGV driver" or "van driver" used
 - **Measurable** – for activities to be undertaken regularly, how many and how often must be specified. For example, "search jobseeker.direct.gov.uk four times a week"; or "make speculative approaches to 2 possible employers every week". In addition, it should also include specific, one-off, time bound activities. For example, "register with Amber recruitment Agency by 13 May" or "produce a CV by 22 July"
 - **Achievable** – any agreed actions must be actually achievable. Activities that are clearly beyond the claimant's capabilities or that are simply unreasonable should not be agreed

- **Realistic** – job aims and job seeking activity must be realistic, taking into account the claimant’s skills, experience, capabilities, etc and the local labour market. For example, it is pointless agreeing a job goal where the jobs in question are not available within the areas in which the claimant is willing to work
- **Time bound** - activities should be time bound and will be reviewed at appropriate points. Activities may be regular (weekly) and reviewed within Jobsearch Reviews, or be one-off, time bound and reviewed at a specific point

The types of job I am looking for

6. The claimant’s job goals are included in the Agreement, together with the specific Standard Occupational Classification.

I am willing and able to start work

7. Generally, people must be willing and able to start work immediately except in certain circumstances. How quickly the claimant is able to start work must be included.

I want to limit the days and hours I am available for work

8. The Jobseeker’s Agreement must contain a statement about the claimant’s availability for work.

9. Most people are required to be available for a minimum of 40 hours a week but this may be limited to less than 40 hours in certain circumstances.

10. Whether or not the claimant wishes to limit the days and/or hours they are available for work is recorded on the agreement.

11. Only if the claimant wishes to limit their days and/or hours does the agreement need to contain specific details of the times the claimant is available to work, including

- the earliest they can start work each day;
- the latest they can finish work each day;
- the most hours they can work each day. For example, a claimant available for work between 6am to 10pm may not want to work 16 hours a day and may limit the most hours they can work to 8; and
- the total number of hours they can work each week. This must at least 40 hours each week unless a restriction has been agreed (see below).

Other agreed restrictions on my availability or types of work

12. Claimants must be available to work a minimum of 40 hours a week and be prepared to take any job they are realistically capable of doing, **unless** their personal circumstances make these requirements unreasonable.

13. A restriction on availability or types of work may be due to:

- religious or other beliefs;
- a physical or mental condition;
- caring for a child or other caring responsibilities;
- being a Lone Parent with care of a child aged 12 or under;
- engagement in treatment for drug and/or alcohol dependency;
- the level of pay a claimant is willing to accept; or

- other reasonable restrictions.
14. Following an in depth review of the claimant's situation, consideration must be given as to whether restrictions on the claimant's availability can be agreed.

What I will do to identify and apply for jobs

15. Each week, jobseeker's must do **all that can be reasonably expected** to give themselves the best prospect of securing employment.
16. Appropriate jobsearch activities are agreed at the New Jobseeker Interview and must be tailored to the individual claimant's circumstances. Once agreed, they are detailed within the Jobseeker's Agreement.
17. When agreeing what is reasonable, the adviser should consider that a claimant should be able to spend several hours each day engaging in jobseeking activities.
18. For ease of completion, the agreement contains a number of pre-populated fields covering common jobsearch activities. For example, writing, phoning and visiting employers, making speculative approaches, searching online, looking in papers/trade publications and creating/updating a CV. Only those that are appropriate for the claimant need to be populated, taking into account the work they are seeking and what will offer best prospects of employment.
19. All activities are to be specific. For example, if:
- using specific newspapers, trade papers or websites is appropriate, list them and provide information about how often and where they can be accessed;
 - searching online is appropriate, state how often and include website URLs if known;
 - speculative approaches to employers are appropriate, specify how many and make sure they are well targeted; and
 - an email address is important, agree a date by which one will be created if the claimant does not already have one.

Other activities I will do to improve my chances of finding a job

20. The 'other activities' narrative box is used to capture any other activities that will help improve job prospects or overcome things that might be making it harder to find work. For example, attending provision; attending appointments with other service providers, exploring/making caring arrangements or visiting the library to use the internet. The box is particularly useful for one-off, time bound activities, which should be removed from the agreement when completed, although regular weekly activities can also be included. As with the rest of the entries on the Jobseeker's Agreement, the activities within the 'other activities' box are to be SMART.

NOTE: Any activities in relation to the creation of a profile and public CV and / or the use of Universal Jobmatch must not be recorded on the Jobseeker's Agreement until the claimant has created their profile and public CV in Universal Jobmatch.

Where I will work

21. Claimants must be willing to travel up to 90 minutes to work in each direction, by a route and means appropriate to their circumstances, unless a restriction is agreed due to their health condition. For example, car for some, public transport for others, walking etc.

22. The maximum travel to work time appropriate to the claimant is recorded under the 'Where I will work' sub-heading on page 4 of the Jobseeker's Agreement. It may be helpful to list some of the towns this travel time includes in the 'Other activities' part of the agreement on page 3.

Considering restrictions when matching/submitting to vacancies

23. At the point a suitable vacancy is identified, further consideration must be given as to whether the claimant would have good reason for refusing that job given all of their circumstances and restrictions recorded on the Jobseeker's Agreement, including the start time, the time taken to travel to the job, caring responsibilities etc, before matching and/or submitting to that job.

24. These might include:

- Carers;
- Parents;
- People with a health condition; and
- Limited transport facilities.

Carers

25. A claimant with caring responsibilities until 8.45am, would be able to consider a job that would take 90 minutes to travel to if it started at 10.30am but not if it started at 10.00am. However, they would be able to consider a job that started at 9am that took only 10 minutes to travel to.

Example

Claimant is available to work 40 hours per week, between Monday and Friday. They have alternative childcare arrangements for their 12 year old son and therefore, their earliest start times are 7am each day and the latest end times are 9pm each day. However, they do not want to work more than 8 hours on any one day. In this situation, the Jobseeker's Agreement includes:

- the fact that the claimant wants to restrict their availability;
- the earliest and latest start and finish times for each day between Monday and Friday (7:00 to 21:00);
- the most hours they can work each day (8);
- the most hours they can work in a week (40); and
- a Travel to work time of 90 minutes each way from home.

Parents

26. If the claimant takes their child to school, consideration should be given to the location of the child's school, the time it would take to travel from there to the proposed place of work and the start time of the job before submitting to a particular vacancy.

Example

Claimant is a Lone Parent who restricts their availability from 9am to 3.30pm, Monday to Friday, as these are the times during which their 8 year old child is at school.

In this situation, the Jobseeker's Agreement includes:

- the fact that the claimant wants to restrict their availability;
- the earliest and latest start and finish times for each day - between Monday and Friday (9:00 to 15:30);
- the most hours they can work each day (6.5 hours each day);
- the most hours they can work in a week (32.5); and
- a travel to work time of 90 minutes each way from home.

Health Condition

27. A claimant may restrict their travel time to less than these minimums if they have a physical or mental health condition, **which affects their ability to travel**. Such restrictions can only be agreed if they are reasonable in light of the health condition. If this restriction cannot be agreed, the claimant may ask for the matter to be considered by a Decision Maker.

Example

Following an operation on their back, a claimant is available to work but wishes to restrict his availability because he attends a follow-up Pain Management Course every Wednesday morning.

They also state that although they can travel by some means of transport comfortably, they cannot sit on a bus for more than 20 minutes at a time and do not currently own a car.

Whilst there is some flexibility as to when they can work, they are not able to work more than 20 hours per week initially.

In this situation, the Jobseeker's Agreement includes:

- the fact that the claimant wants to restrict their availability;
- the earliest and latest start and finish times for each day as follows:
 - Monday and Tuesday 09:00 to 17:00; and
 - Wednesday 12:00 to 17:00;
- Thursday to Sunday 09:00 to 17:00
- the most hours they can work each day (5 hours each day);
- the most hours they can work in a week (20); and
- a Travel to work time of 20 minutes each way from home.

As with other elements of the Jobseeker's Agreement, the adviser should plan to review the person's health condition on a regular basis, to determine the impact this is having on the claimant's ability to find suitable vacancies.

Limited transport facilities

28. Claimants living in rural areas may not be able to travel the same distance as those in more built up areas, due to limited public transport facilities.

Example

Claimant has no private transport and lives in a rural area with limited public transport. They must walk for 20 minutes to reach the nearest bus stop to catch the first bus at 8.30am during the week and at 11am at weekends.

In this situation, the Jobseeker's Agreement includes:

- the earliest and latest start and finish times for each day as follows:
 - Monday to Friday 08:00 to 21:00; and
 - Saturday to Sunday 08:00 to 18:00;
- the most hours they can work each day (8 hours each weekday, 6 hours Saturday and Sunday);

- the most hours they can work in a week (40); and
- a Travel to work time of 90 minutes each way from home.

If a vacancy is found in the area where they live, the claimant could start work at 8am. However, if they rely on public transport to travel to work, they may not be able to start until 9am.

Permitted Period

29. Where a Permitted Period is agreed, the details are included on the Agreement.

Agreed number of weekly activities

30. Claimants must do all that can be reasonably expected, in each week of their claim, to give themselves the best prospect of securing employment.

31. The Personal Adviser must agree, through discussion with the claimant, all the activities that the claimant can reasonably be expected to do each week to look for work, considering any restrictions they may have.

32. When determining this, Personal Advisers must keep in mind that looking for work should be a significant part of a claimant's every day activities, taking several hours each day. As such it would be entirely reasonable to expect a claimant to take multiple steps each day to look for work.

Example

An example of doing all that's reasonable each week might be for a claimant to:

- write to at least 4 employers a week. This would count as 4 separate steps;
- phone at least 5 employers a week. This would count as 5 separate steps;
- visit 2 employers a week. This would count as 2 separate steps;
- check Universal Jobmatch at least 5 times a week. This would count as 5 separate steps. **NOTE:** Any activities in relation to the creation of a profile and public CV and / or the use of Universal Jobmatch must not be recorded on the Jobseeker's Agreement until the claimant has created their profile and public CV in Universal Jobmatch;
- ask family, friends and people they have worked with before if they know of any vacancies once a week. This would count as 1 step;
- look in their local newspaper for jobs once a week. This would count as 1 step; and
- check trade related websites 3 times a week. This would count as 3 separate steps.

This example would total 21 steps per week.

Please note: this is purely an example and each claimant's circumstances should be considered individually.

33. The number of steps (not including "one off" items such as preparing a CV) should be checked before completing the Jobseeker's Agreement to ensure that it meets the minimum requirement for the claimant, given their circumstances.

34. If the number of steps does not meet the minimum requirement for the claimant, i.e. the Personal Adviser feels they could be reasonably expected to do more, they should be reviewed before making a referral to a Labour Market Decision Maker.

35. If the minimum requirements have been met, the Jobseeker's Agreement is completed on LMS, printed, and the number of agreed steps counted and recorded in the box in the 'my responsibilities' section on page 1.

36. Claimants should not be set a minimum number of jobs to apply for each week as such a requirement is unenforceable. If a claimant is unable to find enough jobs to apply for this may be through no fault of their jobsearch, whilst if a claimant were to find more than the minimum number, specifying a lower number to apply for is actually unhelpful. It is reasonable to state 'I will apply for all jobs that I find that I am capable of doing'.

Signature and contact details

37. The Jobseeker's Agreement must;

- be signed and dated by the jobseeker (claimant) and the adviser;
- include the adviser's name and contact telephone number, for the claimant's reference; and
- include the Treat as Made date.

38. The claimant must be given a copy of their signed Jobseeker's Agreement, with a paper copy stored in their Labour Market Unit.

Claimants with literacy problems

39. Claimants with literacy problems must fully understand their Jobseeker's Agreement. They must be aware of actions they have agreed to take in order to find a job and understand what they must do to be eligible for Jobseekers Allowance.

40. A sentence should be added to the signed declaration stating that the Jobseeker's Agreement has been read to the claimant.

Homeless claimants

41. If a claimant has nowhere to live, or is living in temporary accommodation, it may be difficult for them to be contacted by employers, employment agencies or those who may be able to help them find work. They may also have to spend much of their time in the week in looking for accommodation rather than in job search. These factors should be taken into account when deciding what actions are reasonable for the claimant to take in any week.

42. Being homeless may limit the actions a claimant can take but they could still search for work by, for example:

- Reading newspaper advertisements;
- Making personal calls on employers and employment agencies;
- Using Jobcentre IADs;
- If available, using the internet in local libraries.

The above list is not exhaustive.

43. In setting the JSAg, advisers must consider how the claimant's homelessness situation, their need to find accommodation and any other issues will affect the steps that are reasonable for a homeless claimant to take in any week.

44. As homelessness should be a temporary situation, the JSAg should be reviewed regularly to ensure that the steps set are still relevant and applicable.

45. Please also see the Homelessness Guide for more information.

Credits Only Claimants

46. There is no requirement under The Social Security (Credits) Regulations 1975 for a JSAg (or JSA Claimant Commitment) to be in place before a credit is awarded. As credits can still be awarded even if there is no JSAg/CC in place, an LMDM referral should not be made for credits only cases where the claimant refuses to enter into a JSAg/CC. Any such referrals received will be cancelled by the LMDM. However referrals should still be made where the claimant seeks a variation to or disputes the reasonableness of an existing JSAg/CC.

47. A credits only claimant still needs to be available for and actively seeking work in order to receive a credit. Therefore, a JSAg or CC needs to be in place in order for compliance with these requirements to be determined.

48. If a claimant refuses to enter into a JSAg/CC, they should be advised that:

- they will still be assessed against the contents of the JSAg/CC (even though they have not accepted it) and
- will be expected to meet the requirements contained within them; and
- they may lose their credit if they fail to do so.

A copy of the JSAg/CC should still be given to the claimant.

49. LMS should be noted that the claimant has refused to enter into a JSAg/CC.

50. An availability or actively seeking work doubt should be raised and sent to the LMDM if the claimant does not meet those conditions. The referral should clearly advise the LMDM that the claimant is credits only and that they refused to enter into a JSAg/CC. A copy of the JSAg/CC should also be included as part of the referral.

Jobseeker's Agreement DMA Referrals

51. Where a realistic Jobseeker's Agreement cannot be agreed between the claimant and the adviser, every effort should be made to resolve any issues locally before making a referral to the Labour Market Decision Maker.

Credits only

52. There is no requirement under The Social Security (Credits) Regulations 1975 for a JSAg (or JSA Claimant Commitment) to be in place before a credit is awarded. As credits can still be awarded even if there is no JSAg/CC in place, an LMDM referral should not be made for credits only cases where the claimant refuses to enter into a JSAg/CC. Any such referrals received will be cancelled by the LMDM.

53. However referrals should still be made where the claimant seeks a variation to or disputes the reasonableness of an existing JSAg/CC.

The use of the Action Plan and Jobseeker's Agreement

54. Although the Jobseeker's Agreement is the main means by which we set, monitor and revise jobsearch plans and activities, it is currently supplemented by an Action Plan, which also records the jobseeking activities that the claimant has agreed to take.

55. Whilst this can be helpful, it involves a duplication of effort. Districts have discretion to cease using Action Plans, therefore. This will strengthen the importance of the Jobseeker's Agreement and be less wasteful of staff and other resources.

Action required when making a referral to "PRaP" provision

56. Where Action Plans are not in use, a workaround **must** be used to create a 'skeleton' Action Plan on LMS when making a PRaP referral. This is required to allow the claimant data to be transferred to providers via the LMS/PRaP interface. Full details on how to create an Action Plan can be found in the LMS User Guide, Chapter H Part 3. However, all that needs to be done to create the 'skeleton' Action Plan, is for "ALL ACTION RECORDED ON THE JSAG" to be typed in the 'Action Item Field' and:

- "today's date" included in the 'Target Date' field; and
- "PA", from the dropdown list included in the 'Assigned To' field.

Jobseeker's Agreement - Additional claimant information

57. The following include information relating to particular claimants and their Jobseeker's Agreement's:

- Claimant's with a Health Condition or Disability also Employment Rights and Access Rights;
- Claimant's who are deaf or have a speech or hearing impairment;
- Claimants requiring an Interpreter – (the onus is on Jobcentre Plus to provide an interpreter for any scheduled interview to last longer than 15 minutes);
- Completing the Jobseeker's Agreement for Young People (16/17 Year Olds); and
- Jobseeker's Agreements for Non Claimants.