

# Jobseeker's Directions

## Summary

1. Jobseeker's Directions can be used to support specific, one-off activity that will help a claimant to find work or improve their prospects of finding work and that they can reasonably be expected to do.
2. This means that if the claimant does not do the required activity and does not show good reason, a benefit sanction will be applied.
3. Jobseeker's Directions must follow these criteria:
  - It must be personal to the claimant's circumstances
  - Appropriate
  - Specific
  - Reasonable
  - Time bound
  - Contain full information
  - Give clear details of what is required
  - Contain an explanation of consequences
  - Must not contain multiple elements
  - Followed up as soon as possible after the date by which the activity was required to have been undertaken.

## Detail/actions

### Introduction

4. Where a specific, one-off activity is identified, that will help the claimant find work, or improve their prospects of finding work and they can reasonably be expected to do it, the requirement to do so should be supported with a Jobseeker's Direction.
5. This means that if the claimant does not undertake the required activity and does not show good reason, a benefit sanction will be applied.

**Note:** a sanction can only be imposed where the claimant fails, without good reason, to comply with a Jobseeker's Direction which was fair given their individual circumstances.

6. Where a specific activity is being supported by a Jobseeker's Direction, it must be clear to the claimant why the activity is thought to be reasonable and the benefits of doing it. If the claimant sees how the required activity will help improve their employment prospects they should willingly undertake it, but in all cases, you should tell them clearly what will happen if they do not complete the activity without good reason.
7. A Jobseeker's Direction must be:
  - personalised and appropriate given the claimant's individual circumstances;
  - for a specific activity that will improve the claimant's employment prospects;
  - something the claimant can reasonably be expected to undertake;

- time bound and reviewed within 2 to 4 weeks; and
  - given in writing.
8. It must also give full information about the required activity. For example:
- the full name and address (inc. postcode) of any organisation involved
  - exact details of what the claimant is being required to undertake ;
  - the date by which it must be undertaken; and
  - tell them clearly what will happen if they do not complete the activity.

**Note:** Claimant cannot be mandated to undertake an activity until they have served any waiting days. So, although a Jobseeker's Direction can be issued before this date, it must include a period during which the claimant is required to do it, starting with the date after any waiting days have been served.

9. All Jobseeker's Directions issued must be followed-up as soon as possible after the date by which the required activity should have been undertaken.
10. The claimant is required to show they have undertaken a Jobseeker's Direction. The means by which they show they have undertaken the activity cannot be included within the Jobseeker's Direction. In law, a Jobseeker's Direction must be fair in terms of a) improving employment prospects and b) the claimant being able to do it - showing they have undertaken the activity falls into neither of these requirements.
11. Where the claimant refuses or fails to do carry out a Jobseeker's Direction, or cannot show they have undertaken it, the case must always be referred to a decision maker. The claimant's reasons for not doing the activity must be included in the referral.
12. One off activities supported by a Jobseeker's Direction are in addition to the steps a claimant must do each week, to meet the Actively Seeking Employment entitlement condition.

### **When a Jobseeker's Direction must not be used**

13. A Jobseeker's Direction must not be used
- to make a claimant use the My Work Plan booklet or ES4
  - to refer a claimant to a programme supported by separate legislation. For example, when referring a claimant to the Work Programme, the relevant and legally required referral notification (letter) must be used
  - to make a claimant apply for a notified vacancy - see Refusal of Employment action
  - to make people attend an appointment. The requirement to attend these is supported by separate legislation and notifications such as the My Work Plan booklet, ES40 or advisory interview letter
  - for Credits Only claimants
  - where it goes against any religious beliefs or sincerely held conscientious objection
  - to refer claimants to voluntary activities such as Work Clubs, Work Together, Enterprise Clubs, Sector-based work academies, Work Experience or
  - to direct claimants to take part in drug or alcohol treatment, or attend such talks, as these are also voluntary
  - when the activity is to take place on a day(s) which is a waiting day

## **Claim Disallowed**

14. An LMDM referral should not be made if the failure occurred during a period for which the claim has already been disallowed for availability or actively seeking work
15. This is because there is no entitlement to JSA and therefore no obligation on the claimant to meet the conditionality requirements during a period where their claim has been disallowed. However, this does not apply to a period where the claim has been sanctioned.

## **Multiple Referrals**

16. An LMDM referral should not be made if the date of transgression falls within the same period as an availability or actively seeking work doubt. This is because the LMDM will consider availability or ASE doubt first and if disallowed, will cancel any other referrals for the same period as there is no obligation on the claimant to meet the conditionality requirements during a period where their claim has been disallowed.
17. As WSD is not routinely notified of LMDM availability or ASE decisions, LMS should be checked on a daily basis for the outcome of the referral. As these types of decisions are normally made quickly, there should only be a need to undertake one or two such checks. Only if the availability or ASE referral is allowed can any subsequent doubts for the same period be referred to the LMDM which must be undertaken at the very earliest opportunity
18. Where an availability and /or ASE doubt exists alongside a possible additional sanctionable failure, the claimant must be clearly advised that there is more than one doubt and that the JSD question will only be considered if the availability/ASE referral is allowed by the LMDM. The claimant must also be issued with both an ES48 and an ES48S

## **Appropriateness of a Jobseeker's Direction**

19. A Jobseeker's Direction must only be issued where, taking into account the claimant's individual circumstances, it is clear that the activity required will
  - help improve their job prospects and
  - they can fairly, be expected to do.
20. Even though a specific activity is being supported by a Jobseeker's Direction, it must be clear to the claimant why the activity is thought to be fair and the benefits of doing it. The claimant should see the benefits in terms of helping them improve their chances of getting a job and be willing to do carry out the required activity.
21. You must always tell the claimant what will happen if they fail, without good reason, to carry out the activity.

## **Type of Work**

22. The activity to be undertaken must match the type(s) of work the claimant is looking for or capable of doing. For example, requiring a claimant who is looking for work as a bricklayer or similar manual work, to attend a course on hairdressing would be unfair, as this would not improve their chances of finding work as a bricklayer.

23. Where the claimant has undertaken training of at least 2 months for a particular type of work, which ended within 4 weeks of a Jobseeker's Direction being issued, the direction must not relate to a different type of work.

### **Skills and Means**

24. The claimant must have the skills and the available means, to enable them to do the required activity. For example, it is not fair to direct a claimant to create a profile and personal CV in Universal Jobmatch if they do not have the necessary IT skills. Such limitations need to be dealt with first.

### **Restrictions**

25. Any restrictions on the claimant's period of availability that are in place, because of a health condition or caring responsibilities, must be taken into account. For example, it is not fair to expect a lone parent who has restricted their availability to their child's school hours, to attend an ESOL course that is outside, or spans those hours.

### **Other Steps**

26. The claimant's regular work search or other activities the claimant is doing to improve their chances of finding work must also be taken into account, as these may affect the claimant's ability to carry out a Jobseeker's Direction.
27. One way of being sure that the Jobseeker's Direction is fair, is to think of any reasons the claimant might give for not doing it, that would be acceptable to a Labour Market Decision Maker.

### **Content of a Jobseeker's Direction**

28. A Jobseeker's Direction must be:
- linked to an activity that helps a claimant to find work, or improves their chances of finding work
  - personalised and appropriate for that individual claimant
  - related to labour market activities
  - a one-off specific activity, which the claimant can fairly be expected to do
  - time bound and reviewed within 2 to 4 weeks and
  - given in writing
29. It must:
- give full information about the activity. For example, details of the full name and address of the employer or agency involved
  - say exactly what the claimant must do. For example, visit or send a CV to a specific employer or a range of employers in a particular trade
  - give the date by which it must be undertaken and
  - explain what will happen if they do not do it.

### **Multiple elements to a Jobseeker's Direction**

30. A Jobseeker's Direction must be for a one-off specific activity, which the claimant can reasonably be expected to do.

31. The law requires claimants to comply with a Jobseeker's Direction – not individual actions within it. Therefore, the more elements to an activity, the greater the risk of the claimant not completing the whole activity and so, not complying with the Jobseeker's Direction.
32. If claimants are mandated to do an activity with multiple elements, this is not a correct use of the Jobseeker's Direction. It would be considered unfair to mandate a claimant to multiple activities in one Jobseeker's Direction and not in line with the intention in the regulations. So, if the required activity includes multiple elements, a Jobseeker's Direction must be issued for each element.

### **Example**

- If a claimant fails to attend day 3 of a 5 day course and the Jobseeker's Direction included attendance for all 5 days, the claimant has failed to carry it out as soon as they do not attend the third day without good reason.
- No action can be taken against the claimant if they do not attend the final two days. If they are still required to attend the two remaining days, a further Jobseeker's Direction would need to be issued.
- In this situation, the correct action is to issue separate Jobseeker's Directions for each day's attendance.

### **Creating a Jobseeker's Direction**

33. Jobseeker's Directions are completed using the relevant LMS functionality - see the LMS User Guide.

### **Notifying a Jobseeker's Direction**

34. A Jobseeker's Direction must be given to the claimant in writing. The letter produced from LMS contains standard paragraphs and spaces, to enter specific details about the required activity.
35. A copy of each letter issued is kept to support any Decision Making Activity if the claimant fails to do what is required of them.
36. When issuing a Jobseeker's Direction, the claimant is informed:
  - of the requirement to do the action and that failure to do so without a good reason may result in a sanction being imposed
  - they are required to attend an interview within the next 4 weeks to follow-up the Jobseeker's Direction and
  - they must show they have carried out the activity when they attend this interview
37. If at the time of issuing a Jobseeker's Direction, the claimant says they are not going to carry it out, the case is referred to a Labour Market Decision Maker, together with the claimant's reasons for refusing to do it.
38. Unless the circumstances above apply, a follow-up interview is arranged and scheduled as soon as possible after the activity should have been completed. The length of time allowed for the claimant to carry it out depends upon the nature of the activity, but should be between 2 and 4 weeks.

## Follow-up

**Note:** a Jobseeker's Direction must (**by law**) be followed up.

39. If the claimant fails to show the agreed action has been undertaken, thought should be given to contacting others involved, e.g. a provider or agency etc., to which the claimant was directed.
40. A claimant can be asked to show their evidence in a certain way (such as by email) but cannot be required to do so and DMA action cannot be taken in this regard. For example, a claimant may be required to create a CV but they cannot be required to send that CV in by email. This is because the legislation requires the claimant to do the labour market activity (that is, create the CV). It does not require them to provide the evidence of doing this in any particular way.
41. If the claimant shows evidence that they have undertaken the activity in another way (such as showing a paper CV) then the Jobseeker's Direction has been carried out.
42. If the activity to be carried out included access to a provider or agency, this follow-up action must only take place to confirm if the activity was completed, if the provider or agency is likely to have a record of the activity having been carried out.
43. All action must be noted against the particular Jobseeker's Direction on the stencil, or on the claimant's LMS record, via the 'Directn' button.

## Claimant refuses or fails to comply with a Jobseekers Direction

44. If a claimant refuses or fails to carry out / cannot show they have carried out a Jobseeker's Direction, the case must always be referred to a Labour Market Decision Maker (LMDM).
45. The claimant's reasons for refusing or failing to carry out the Jobseeker's Direction are included in the referral. If it becomes known that the claimant has failed to carry out the Jobseeker's Direction before the follow-up interview has taken place, the claimant is asked to provide their reasons, either in person, or in writing, if more appropriate.
46. A new referral is created on the LMS 'View referral/decision details' screen, using AR code JSA718 or JSA718UJ if the Jobseeker's Direction was to create a profile and CV in Universal Jobmatch.
47. The following action is required on LMS:

Step	Action
1.	The [Dec] or [NoDec] button is selected in the Client Details window.
<b>Note:</b> If no previous DMA action has been taken, a New Referral/Decision Details window is displayed. If one or more is already held, [New] is selected.	
2.	The [Question] hotspot is selected
3.	In the Question window, the appropriate options are selected. That is: <ul style="list-style-type: none"><li>• JSA'</li></ul>

	<ul style="list-style-type: none"> <li>• 'Refuse/Fail Jobseeker Directn', or</li> <li>• 'Refuse/Fail Jobseeker Directn (UJ)' if the direction was to create a profile and public CV in Universal Jobmatch, from the drop down menu</li> <li>• 'The Source is recorded as appropriate</li> </ul>
4.	The Ref to is recorded as 'LM DMA Office'
5.	Click [Save]

### Face to face contact

48. If the claimant is present when the doubt is identified, the following action is taken:

Step	Action
1.	Tell the claimant that a doubt has arisen on their claim for Jobseeker's Allowance because they have refused or failed to carry out a Jobseeker's Direction.
2.	Inform the claimant that the details will be passed to a Decision Maker who will determine whether or not they had good reason for their refusal/failure and whether a sanction should be imposed on their benefit.
3.	Tell the claimant that if the Decision Maker decides a sanction should be applied then JSA cannot be paid to them under the normal rules for the period of the sanction, but a payment may be made under the hardship rules. Those claimants who may get hardship must be told how to apply.
4.	Tell the claimant that if they are getting Housing Benefit, this could be affected if a sanction is imposed on their Jobseeker's Allowance, so the claimant will need to check with their Local Authority (if their benefit is sanctioned) to make sure payment of Housing Benefit continues.
5.	Print Referral Notification Letter ES48S from LMS.
6.	Note details of the claimant's statement as to why they refused or failed to carry out the Jobseeker's Direction in DART.  <b>This must be a full record of their reasons.</b>
7.	The statement is checked, to decide if there are any other doubts, such as availability or actively seeking employment (ASE). If there are, the steps in Other Doubts are followed.
<b>Note:</b> The information from DART is copied into the LMS notes box for the correct decision, to make sure that details of the referral are maintained for reconsideration or appeal purposes.	
8.	If there are doubts about the claimant's Availability or Actively Seeking Employment, the action in Other Doubts is followed. Otherwise, the submission is sent to the LMDM using DART.

## Verifying the claimant's identity

### Signature capture service is in use

49. If Signature Capture Service is going to be used to capture the claimant's signature on the claimant commitment and/or the declaration of availability, the biometric check it undertakes acts as the verification of identity. No further action must be taken.

### Signature capture Service is not in use:

Step	Action
1.	If verification of the claimant's identity has not been done during the claimant's attendance at the office, you must verify the claimant's identity, by applying <u>standard 4 or 6</u> , as appropriate.
2.	If the claimant has provided documentary evidence and it is not necessary for this to be used to undertake the verification: <ul style="list-style-type: none"><li>• thank the claimant for bringing the documents</li><li>• advise the claimant that you don't need to see the them</li></ul>
3.	Update LMS recording any documents used to undertake the action, or input the text 'Biographical Questions' in LMS if no documents used.

### Telephone contact

50. If the claimant is not present when the doubt is identified, an attempt must be made to contact them by telephone.

Step	Action
1.	If the claimant can be contacted by telephone their identity must be verified before their statement is gathered.
2.	Explain to the claimant that a doubt has arisen on their claim for Jobseeker's Allowance because they have refused or failed to comply with a Jobseeker's Direction.
3.	Inform the claimant that the details will be passed to a Decision Maker who will determine whether or not they had good reason for their refusal/failure and whether a sanction should be imposed on their benefit.
4.	Tell the claimant that if the Decision Maker decides a sanction should be put on their benefit then JSA cannot be paid to them under the normal rules for the period of the sanction, but they may get a payment under the hardship rules. Those claimants who may get hardship must be told how to apply.
5.	Tell the claimant that if they are getting Housing Benefit, this could be affected if a sanction is put on their Jobseeker's Allowance, so the claimant will need to check with their Local Authority (if their benefit is sanctioned) to make sure payment of Housing Benefit continues.
6.	Print Referral Notification Letter ES48S from LMS, and send it to the claimant by post.



7.	Take a statement from the claimant using DART outlining their reasons for refusing or failing to apply for work.  The claimant's reasons must be fully covered.
8.	Check the statement ensuring it shows if there are any other doubts to be considered, such as availability or actively seeking employment (ASE).  If there are then see, Other Doubts for further information.
9.	Copy the information from DART into the LMS notes box for the relevant decision.  This is to make sure that details of the referral are kept for reconsideration or appeal purposes.
<b>Note:</b> DART is used to submit the case to the LMDM, for a good reason decision.	
<b>Note:</b> When contacting a claimant by telephone, using #1470 must be considered, so that the call details do not display as a private number.  If you fail to make contact the first time you ring the claimant you must try at least once more to give the best chance of getting the information you need.  If you cannot contact the claimant by telephone you should write to them asking for their reasons.	

### Written contact

51. It is better that claimants give their reasons for refusing or failing to carry out a Jobseeker's Direction either face to face, or by telephone.
52. However, if the claimant is not present when the doubt arises, or cannot be contacted by telephone, they must be contacted in writing.
53. The following action is taken:

Step	Action
1.	Update form ES589 with the claimant's name and National Insurance number and the following introduction to the statement: 'I did not carry out the direction to... (terms of direction) because .....
2.	Print the Referral Notification Letter ES48S from LMS
3.	Send form ES589 and the ES48S to the claimant and ask them to give a statement of the reasons why they refused or failed to carry out the Jobseeker's Direction.
4.	Note the date of issue of the ES589 on the appropriate LMS 'View referral/decision details' screen, in the Notes and the entry initialled and dated.
5.	Enter an LMS Workflow for 7 calendar days from the date of issue is set.

**Note:** The claimant is told to give their reasons for refusing or failing to carry out the Jobseeker's Direction and that they have 7 calendar days to do so.

The claimant is told that the case will be sent to the LMDM, either on the day they return form ES589 or in 7 calendar days, whichever is earlier.

### Action on return of the claimant statement

54. Claimants are allowed, by law, 7 calendar days to return the filled in ES589. On its return, the following action is taken:

Step	Action
1.	Record the receipt of form ES586 in the Notes using the appropriate LMS 'View referral/decision details' screen.
2.	Record / Type the reason given by the claimant for refusing or failing to carry out the Jobseeker's Direction into DART.  It is essential that the information given on the ES589 is copied word for word.
3.	Check the statement ensuring it shows if there are any other doubts to be considered, such as availability or actively seeking employment (ASE).  If there are then see, Other Doubts for further information.
4.	Copy the information from DART into the LMS notes box for the relevant decision.  This is to make sure that details of the referral are kept for reconsideration or appeal purposes.
<b>Note:</b> The submission is sent to the LMDM, using DART, for a good reason decision.	
<b>Note:</b> If the claimant has a JSA Claimant Commitment a copy must be included with the referral.	

### Claimant statement not received within 7 days

55. If the claimant has not returned the ES589 within 7 calendar days, and they are still claiming JSA, the following action is taken:

Step	Action
1.	Select the correct LMS 'View referral/decision details' to record non receipt of the ES589 in the Notes.
2.	Note the fact that the claimant has not sent a completed ES589 back after 7 days on DART.
3.	Copy the information from DART into the LMS notes box for the correct decision.  This is to make sure that details of the referral are kept for

	reconsideration or appeal purposes.
4.	Send the submission to the LMDM, using DART, for a good reason decision.
<p><b>Note:</b> If the claimant has a JSA Claimant Commitment a copy must be included with the referral.</p> <p>If the claimant has not sent the ES58 9 back within 7 calendar days but they are no longer claiming JSA, do not send the case to the LMDM. The Labour Market Unit (LMU) and LMS Conversations must be noted that action remains outstanding if the claimant reclaims.</p> <p>The case must be sent to the LMDM if the claimant reclaims within 4 weeks of the last day paid and they have refused or failed to carry out a Jobseeker's Direction issued for any other reason.</p> <p>In such cases, the LMDM will need to know why there was a delay in submission and the reason why the claim was terminated initially.</p>	

### Submission action

56. Before sending the case to the Labour Market Decision Maker (LMDM), you must find out whether:

- if the claimant is getting benefit, by using JSAPS dialogue JA504: General Enquiry.
- the reason given by the claimant for their failure can be treated as straightforward

### Claimant in receipt of benefit

Step	Action
1.	If a claimant is getting JSA, the case must be sent to a LMDM for a good reason decision. However, before sending to the LMDM, the claimant must be issued with an ES48S letter, the issuing of which must be noted in LMS conversations at the time the doubt is identified. This is to support quality and compliance checks and confirms the claimant has been made aware of what happens next.
2.	Check the 'View Referral / Decision Details' screen, on LMS, to make sure that details of the referral are kept for reconsideration or appeal purposes. You must check that all of the information from the DART referral has been copied from DART into the LMS notes box for the correct decision.
3.	Send the submission to the LMDM using DART, to enable them to make a good reason decision.  For further information see the DMA Referrals Instructions.
<p><b>Note:</b> If the claimant has a JSA Claimant Commitment a copy must be included with the referral.</p>	
4.	Tell the claimant that a decision will be made on whether they had enough good reason for refusing or failing to carry out the Jobseeker's Direction. Tell the claimant that if it is decided

	that they did not have good reason, their JSA will be affected.
5.	If the claimant is <b>not in receipt of benefit</b> , do not refer to the LMDM.

### Treat as Straightforward (TaS)

57. From 2 November 2015, Work Coaches will have facility to treat certain JSD failures as straightforward. This will remove the need for a LMDM referral.
58. For JSD failures arising from events which are known about in advance, TaS cannot be applied as the expectation is that the claimant will notify DWP in good time and if they do not, they will need to demonstrate good reason for their failure to the LMDM.
59. A claimant's past history of failures should also be taken into account when considering if TaS should be applied as repeated failures, without supporting evidence, may cast doubts on the genuineness of the reason given.
60. Where there is any doubt, it should be referred to the LMDM with a clear explanation of why the case is not being treated as straightforward.
61. A failure can be treated as straightforward if any of the following **unexpectedly** apply for the whole or some of the compliance period **and** it would not be reasonable to expect the claimant to complete the activity in any time remaining:
  - Claimant is sick **and** JSA28 completed
  - Claimant is undertaking voluntary work
  - Claimant has caring responsibilities
  - Claimant is providing a service
  - Claimant is taking a child or young person abroad for medical treatment
  - Claimant is manning a lifeboat, p/t fire-fighter or working for the benefit of others in an emergency
  - Claimant is a member of couple and is needed to care for a child while the usual carer is abroad and alternative child care could not be arranged
  - Claimant is temporarily looking after a child full-time because the normal carer is ill or temporarily absent from home, or looking after a family member who is ill and alternative care could not be arranged
  - A domestic emergency has arisen (including serious illness, death, funeral or emergency affecting a relative or close friend or death of someone for whom the claimant is caring)
  - Claimant was detained in police custody for 96 hours or less then released
  - Claimant was required to attend court or tribunal for up to 8 weeks
  - Claimant has attended a job interview and can provide sufficient evidence for example, letter from employer / name of interviewer
  - Claimant declares part time work which does not result in claim termination
  - Adverse weather conditions
  - Claimant is caring for a child and is subject to a parenting order or a parenting contract. The child may be excluded from school

- Claimant is caring for a child because of school holidays and they can not obtain affordable and appropriate childcare.
62. If any of the above applies but the Work Coach thinks that the claimant could still have reasonably completed the JSD activity, the doubt should be referred to the LMDM with a clear explanation of the reasons for the referral and why it is thought that the activity could have been completed.
63. Any LMDM referral will be cancelled if TaS could have been applied and there is no explanation of why it was not appropriate to do so.

### **Decision made by the Labour Market Decision Maker**

64. Once the LMDM has typed their decision into DMAS the details of the decision will show in the LMS Referral/Decision Details screen.
65. The LMDM will email their decision notification to JSA Maintenance team from DMAS for action; so no further action is needed in the Jobcentre.

**Note:** If copies of the decision notification and/or case papers are received at the Jobcentre, they must be kept for monitoring purposes.

Where a LMDM decides the claimant did not have good reason, a lower level sanction will be applied on their JSA.

### **Hardship**

66. Some claimants may be able to claim JSA Hardship when a Sanction has been put on their JSA. See JSA Hardship Awards for further information. If a referral to the LMDM is appropriate, the Work Coach must make the claimant aware of the availability of hardship and record in LMS Conversations that a discussion has taken place.

### **Reserved Decisions**

67. A LMDM may decide to reserve a decision. This will normally be when a sanction is the right action but cannot be put on their benefit because the claimant is no longer claiming JSA.
68. In these cases, the LMDM will send a DMAS produced notification to the Jobcentre telling them of this and at the same time, the details of the decision will show in the LMS Referral/Decision Details screen.
69. There is no input to JSAPS for reserved decisions.
70. The case must be sent back to the LMDM, as a new referral on LMS, if the claimant reclaims within a certain amount of time:
- as specified by the LMDM in their reserved decision or
  - equal to the maximum sanction period applicable for the case.
71. If a case is re-submitted and the claim was originally a joint claim for JSA, it is important to make sure that the details held on LMS are up to date. You must find out if the claimant is still part of a joint claim and if so, full details of the other member at the time that the decision was made must be shown in the referral.

### **Additional Information**

#### **Claimant changes their mind**

72. If a claimant who at first refuses to carry out a Jobseeker's Direction changes their mind, they have not refused to carry it out if they:
- can still achieve something by following the Jobseeker's Direction and

- tell an Employment Officer that they have changed their minds.
73. If a claimant who at first failed to carry out a Jobseeker's Direction changes their mind, they have not failed to carry out the Jobseeker's Direction if they:
- can still achieve something by following the Direction; and
  - actually carry out the Jobseeker's Direction.

## **Other Doubts**

### **Availability and Actively Seeking Employment**

74. If the reason given by the claimant for refusing or failing to carry out the Jobseeker's Direction raises a doubt on their Availability or ASE, a referral to the LMDM regarding the Availability or ASE doubt must be made, unless they can be treated as Available and/or ASE. Further information can be found in the Availability and Actively Seeking Employment and the Treated as Available and Actively Seeking Employment chapters.

### **Refusal of Employment**

75. Where a specific vacancy has been talked about with the claimant and they refuse or fail to apply for or accept it, Refusal of Employment action should be considered. Further information can be found in the Refusal and failure to apply for or accept employment chapter.

### **Cancelling a Jobseeker's Direction**

76. There may be times where a Jobseeker's Direction is no longer reasonable, giving regard to the claimant's circumstances.
77. To cancel the Jobseeker's Direction created on LMS, the LMS Client Directions details screen is cleared.
78. Forms/letters  
My Work Plan booklet  
ES40  
ES589  
ES48S