

## **Claimant Commitment – conducting a second opinion interview**

### **Summary**

How to conduct the second opinion interview when a claimant doesn't accept the Claimant Commitment

### **Content**

At the second opinion interview, the disputed Claimant Commitment is reviewed and a determination made to decide if it should be changed.

The disputed Claimant Commitment should only be changed if, in the opinion of the work coach (WC) conducting the second opinion interview, the work search and /or availability requirements were unreasonable based on the claimant's personal circumstances.

To review the Claimant Commitment:

- the Claimant Commitment is previewed, see Claimant Commitment - viewing a specific Claimant Commitment
- the claimant is asked to give their reasons why they did not accept the Claimant Commitment
- the reasons are discussed with the claimant and challenged where necessary
- this should include a review of the claimants circumstances and capabilities to ensure these have been correctly taken into account in the Claimant Commitment
- a determination is made as to whether the work-related requirements and work availability requirements detailed on the Claimant Commitment are reasonable
- the decision is explained to the claimant

### **Disputed Claimant Commitment is upheld as reasonable**

The claimant is informed:

- their claim and their partner's claim will be ended
- their claim will be closed and if they are in receipt of Universal Credit they will receive no payments for the assessment period in which their claim is closed
- they must submit a new claim online from the following day if they wish to claim Universal Credit again
- that if their circumstances remain unchanged, the Claimant Commitment will be the same

The WC then updates the Work Services Platform (WSP). See 'Updating the Claimant Commitment status on the Work Services Platform' below.

### **Disputed Claimant Commitment is not upheld**

If it is decided that the work-related requirements and/or work availability requirements in the disputed Claimant Commitment were unreasonable, they should be amended and a new Claimant Commitment created.

The Claimant Commitment being previewed cannot be edited.

To create a new Claimant Commitment on WSP, see Claimant Commitment hub.

The revised Claimant Commitment should be discussed with the claimant and they must then be asked if they wish to accept it.

### **Claimant accepts the new Claimant Commitment**

If the claimant accepts the revised Claimant Commitment, and has had no other changes of circumstances affecting their entitlement to Universal Credit, the claim will continue from the original date of claim. See Claimant Commitment - accepted.

If it is a new claim to Universal Credit, the WC:

1. Updates the 'Verified' status in WSP.
2. Selects the 'General' section.
3. Selects 'Yes' from the 'Verified' drop-down list.

### **Claimant does not accept the new Claimant Commitment**

If the claimant does not accept the new Claimant Commitment, they are advised that their claim (and their partner's claim if appropriate) will be ended. The claimant must also be made aware that there will not be any further cooling-off period or second opinion for this Claimant Commitment.

If they wish to submit a new claim, the claimant must wait until the following day and submit this online.

Once this has been explained to the claimant, they must be asked again if they wish to accept the Claimant Commitment:

- if the claimant accepts their Claimant Commitment, see Claimant Commitment - accepted
- if the claimant does not accept their Claimant Commitment, see 'Updating the Claimant Commitment status on the Work Services Platform' below

### **Updating the Claimant Commitment status on the Work Services Platform**

If the disputed Claimant Commitment is upheld as reasonable, or it has been revised but not then accepted by the claimant, the WC accesses the Claimant Commitment screen in WSP and the status of the relevant Claimant Commitment is changed to:

- 'Claim not pursued' if it is a new claim
- 'Closed' if it is an existing claim

The WC then creates the following manual CAMLite task:

- Task type: Termination / Suspension
- Sub Type: Make Decision on Evidence
- Start Task From: Today's Date
- SLA: 5 days
- Notes: 'Universal Credit to be closed on (dd/mm/yyyy), following second opinion interview'
- Assigned to: UC - Termination

See CAMLite and Work Services Platform notes.

On receipt of this task, an account developer will terminate the claimant's Universal Credit claim, notify interested third parties, deactivate WSP and issue a termination notification. See Suspensions, termination and withdrawals.