

Claimant Commitment - cooling-off period

Summary

Information about the 5 working days 'cooling off' period when a claimant does not accept their Claimant Commitment

Content

If a claimant does not accept their Claimant Commitment, they have a 'cooling off' period of 5 working days from the date they failed to accept it. This period of time is to allow the claimant to reconsider their decision not to accept the Claimant Commitment.

Exceptionally, the 5 working days can be extended in circumstances where the claimant has a good reason for not being able to accept the Claimant Commitment within that period, for example if they are ill in hospital.

Recording the start of the cooling-off period

To record the start of the cooling-off period, the agent:

1. Accesses the Claimant Commitment screen in the Work Services Platform (WSP).
2. Amends the Claimant Commitment status to 'Not accepted – in cooling-off period'. This action must be completed on the day of the interview as WSP automatically calculates the cooling-off period and sets a task for action to be taken.
3. Issues the claimant with a UC216 letter about the cooling-off period. If there is a partner, the agent issues the UC215.
4. Sets a WSP task (for new claims only) to check that the 'Verified' field on the claimant's 'General' section has been updated. This should be set to 'Yes' if the Claimant Commitment has been accepted during the cooling-off period or at the second opinion interview. See CAMLite and Work Services Platform notes.
5. Selects 'Notes' from the information tab.
6. Enters a note in the free text box to record that the Claimant Commitment has not been accepted face to face, by letter, e-mail or by telephone and that a cooling-off period letter has been issued.

Claimant responsibilities during the cooling-off period

A claimant who is in the cooling-off period and is deciding whether or not to accept their disputed Claimant Commitment, must continue to undertake the activities in the last Claimant Commitment that they accepted.

The claimant may be sanctioned if, without good reason, they do not undertake these requirements. This is with the exception of claimants who are:

- in the initial claim stage and no previous Claimant Commitment exists

- now in a lower intensity regime where those requirements do not apply (for example, if they were in the Intensive Work search regime and have moved to the Work Preparation regime – they would not be expected to carry out, or be sanctioned if they did not carry out, the work search activities on their last Intensive Work Search Claimant Commitment)

Claimant decides to accept the Claimant Commitment during the cooling-off period

During the cooling-off period all claimants have the option to accept the Claimant Commitment.

If a claimant wishes to accept the Claimant Commitment during the cooling-off period, the claim continues from the original date of claim. See Claimant commitment - accepted.

Requesting a second opinion

A claimant in the All Work Related Requirements regime who has work search and availability requirements (this can include claimant's in the In Work Progression trial), also have the option to request a second opinion.

If a claimant requests a second opinion before the cooling-off period ends, the consequences of requesting this interview must be explained to them before the interview is booked. See Claimant Commitment – booking a second opinion interview.

Claimant does not accept the Claimant Commitment or request a second opinion during the cooling-off period

If a claimant has not accepted the Claimant Commitment or requested a second opinion interview within the cooling-off period, the agent creates a WSP task to close the claim. See Claimant Commitment - cooling-off period expires.