

## Changes to Personal Details

### Change of circumstances in personal details

1. There are various changes of circumstances in personal details that may be reported, for example:

- name;
- address;
- correspondence address;
- post office;
- adding other payee Appointee/Agent;
- ending other payee relationship;
- National Insurance number;
- date of birth;
- claimant's sex recorded in error; or
- Male claimant or partner is approaching or has reached Pension Credit age (PCa).

2. If it is not possible to update CIS directly with changes in personal details, a clerical form CIS500 can be sent to CIS Frontline Services. Please note that this is an internal form and should not, under any circumstances, be given to a claimant to complete and submit at a later date. CIS Frontline Services will not accept forms that are not countersigned by an appropriate officer.

### Domestic Violence

3. Claimants whose circumstances have changed because they have been subject to Domestic Violence, they may can be treated as meeting JSA labour market conditions for up to 13 weeks if they disclose they have been subject to actual or threatened domestic violence during the preceding 26 weeks.

4. If a claimant reports that their circumstances have changed due to domestic violence, contact the Jobcentre and ask them to arrange an advisory interview for the claimant as soon as possible.

5. If notification is received that a claimant is being treated as meeting JSA labour market conditions because of domestic violence, update JSAPS.

### Destitute Domestic Violence Concessions for Migrants

6. Individuals who:

- come to the UK; or
- were granted leave to stay in the UK as the spouse or partner of:
  - a British Citizen or
  - someone settled in the UK; and
- whose relationship has broken down due to domestic violence

may be given 3 months **limited leave to remain** in the UK by the United Kingdom Border Agency (UKBA), pending consideration of an application for Indefinite Leave to Remain.

7. See Gathering Evidence for further information on processing these claims.

## **Change of circumstances for a young person**

8. A 16/17 year old claimant is referred to as a young person (YP).

9. Most YPs are not usually entitled to JSA. YPs therefore do not have access to JSA except in special circumstances. See JSA for 16 and 17 year olds guide

## **Change of address**

10. A claimant's change of address could be:

- temporary;
- permanent, within the existing JSA Unit area;
- permanent, in another area.

11. A reported change of address notification should include:

- sufficient information to identify the claimant;
- the new address in full, including the postcode;
- the date of change;
- if appropriate, the claimant's new post office details; and
- the appropriate verification documents.

12. If the claimant states that they no longer have an address, consider whether they are:

- a Person Without Accommodation; or
- a person with No Fixed Address.

## **Change of address updated by another business system**

13. If another business system has updated CIS with a change to a claimant's or Other Payee's address, JSAPS:

- is notified by the next on-line working day, if details are input before 4pm;
- is notified within two on-line working days, if the details are input after 4pm;
- if appropriate, sets a case control to make sure that the change is decided on, if the case is:
  - Live; or
  - Live Not in Payment.

14. The Other Payee's address displays on JSAPS in the AGENT/APPOINTEE DETAILS screen JA400403 in dialogue JA400: Method of Payment, if dialogues PD350: Register Interest and PD375: Input/End Other Payee have been updated with Other Payee's details.

**Note:** No JSAPS action is required to verify the change to the Other Payee's personal details.

15. If CIS is updated due to a Postal Address File scan, the change will be updated on JSAPS. There will be no output for users because these changes are only to the address format.

## **Actioning change of address updated by another business system**

16. Before the change of circumstances can be processed or the entry cleared on the JSAPS report:

Step	Action
1	check in Customer Information System (CIS) View Personal Details whether the change of address is to a: <ul style="list-style-type: none"> <li>• residential address;</li> <li>• correspondence address; or</li> <li>• residential and correspondence address;</li> </ul>
2	issue form JSA3 and, if appropriate, form NHB1A to the claimant to find out details of the new accommodation. In order to have enough information to decide on the change of circumstances, the correct start date for the change of address is needed. For example, the address start date to record on: <ul style="list-style-type: none"> <li>• JSAPS is the actual date of the change of address;</li> <li>• CIS is the date the claimant notifies the change of address;</li> </ul>
3	when there is enough information to make a decision on the change: <ul style="list-style-type: none"> <li>• access dialogue JA060: Register Claim/Event and register the change of circumstances event;</li> <li>• access dialogue JA091: Maintain Claim Details and: <ul style="list-style-type: none"> <li>◦ in the CLAIMS DETAILS PICKLIST screen JA091002, input the date of change in the 'Change of circumstances effective date' field and press [F24];</li> <li>◦ from the PICKLIST access the PERSONAL DETAILS screen JA091003. For correspondence changes input the actual date of change of address in the 'Address Effv Date' field in the CORRESPONDANCE ADDRESS screen JA091085 using the [F6] function key to access the field.</li> <li>◦ return to the PICKLIST and set the evidence complete flags to [Y] and fastpath to dialogue JA200: Award and Decision;</li> </ul> </li> </ul>
4	make a decision on the change on JSAPS as normal.

### **Further change of address received before a decision is made on the first change**

17. If another business system has recorded a further change of address on CIS and it has been broadcast to JSAPS before a decision has been made on a first change of address, JSAPS:

- overwrites the first change of address; and
- displays error message E6667: 'Error: Update not allowed due to pending broadcast. Refer to Technical Guide'.

18. To decide on a first change of address, if payment is due:

Step	Action
1	clerically assess the JSA entitlement for the first address;
2	record the reason for the clerical assessment on form A6;
3	pay clerically any benefit due to the claimant using form JSA14P

	and complete form FF260A. Send JSA14P and FF260A to Finance to issue payment;
4	use clerical form NHB2 to notify the Local Authority of any relevant changes to the claimant's Housing Benefit/Council Tax Benefit;
5	record details of the clerical assessment in dialogue JA110: Maintain Notepad. <b>Note:</b> The claim must be transferred to clerical and rebuilt from the day the last payment was made.

### **Postcode not known by the claimant/Other Payee**

19. If the postcode is not known, for example, the claimant has moved into a new property and does not know the postcode, find out the postcode from:

- the postcode support tool;
- the postcode list;
- Royal Mail.

### **Claimant moving to Northern Ireland**

20. If a claimant is moving to Northern Ireland (NI) from Great Britain (GB) the claimant must:

- notify their Jobcentre/BC in GB with details of:
  - their move;
  - the date they moved or intend to leave GB; and
  - their new address in NI and bank details.
- contact the Northern Ireland Social Security Office (NISSO) with details of:
  - their move;
  - the date they moved or intend to leave GB; and
  - their new address in NI and bank details.

21. The claimant must return their ES40JP to ensure the claim is closed in GB. If the claimant returns it promptly, termination action should be complete before their claim reaches the Benefit Processing Officer in NI.

22. The GB office must ensure that

- any outstanding days are paid;
- all appropriate claim action is complete
- the Jobcentre has been notified of the end of the claim; and
- the claim has been terminated

before sending the claim documentation to NI.

### **Temporary change of address**

23. A temporary change of address is one that is not likely to last for more than 13 weeks. This period could be extended at the discretion of the Decision Maker.

24. If notification is received from a claimant, who is moving to a new address for a temporary period:

Step	Action
1	register the change of circumstances event in dialogue JA060: Register Claim/Event, if appropriate;
2	input the date the change of correspondence address was received in dialogue PD365: Amend Address;
3	access dialogue JA091: Maintain Claim Details. From the PICKLIST access the PERSONAL DETAILS screen JA091003 and record the actual date of change in the 'Address Effv Date' field in the CORRESPONDENCE ADDRESS screen JA091085;
4	record the decision in dialogue JA200: Award and Decision and press [END] in dialogue JA405: Compute Payment. This action prompts the system to issue notification to the claimant;
5	set a case control in dialogue JA530: Case Controls to check on the claimant's return to their original address;
6	notify the relevant Local Authority of the claimant's new address;
7	clerical action: annotate the case papers with the new address, send details to the relevant Local Authority and file the notification.

### Permanent change of address within the existing JSA area

25. If notification is received from a claimant who is moving to a permanent address in the existing JSA area:

Step	Action
1	register the change of circumstances event in dialogue JA060: Register Claim/Event, if appropriate;
2	input the date the change of address was received in dialogue PD365: Amend Address;
3	record the decision in dialogue JA200: Award and Decision and press [END] in dialogue JA405: Compute Payment. This action prompts the system to issue notification to the claimant;
4	clerical action: file the notification and annotate the case papers with the new address.

### Person Without Accommodation

26. A Person Without Accommodation (PWA) is a claimant who does not have any of the accommodation described in the definition of Accommodation and is a homeless person.

27. Claimants who are classed as PWA must be registered on CIS, using the Jobcentre/Jobcentre Plus office as a correspondence address.

28. When a claimant has been classed as a PWA:

Step	Action
1	access dialogue PD365: Amend Address and input the Jobcentre/Jobcentre Plus office address as a correspondence

	address;
2	access dialogue JA400: Method of Payment, GIRO DETAILS screen JA400401 and amend the 'Personal Issue' field to [Y];
3	access dialogue JA110: Maintain Notepad and note that the claimant is PWA;
4	use the MAINTAIN CLAIM ADMINISTRATION DETAILS screen JA091004 in dialogue JA091: Maintain Claim Details to make any changes, if appropriate, to the claim file and/or the benefit week ending day.

29. JSAPS automatically sets a system case control type S053 when the claimant's Personal Issue flag is changed. The case control:

- appears on the work available report JA72539; and
- is cleared when the claimant's payment is processed in dialogue JA405: Compute Payment.

### Definition of accommodation

30. For the purposes of Jobseeker's Allowance, the definition of accommodation is described as:

- an effective shelter from the elements which is capable of being heated; and
- in which the occupants can sit, lie, cook and eat; and
- is reasonably suited for continuous occupation.

31. The site of the accommodation may alter from day to day, but it is still accommodation if the structure is habitable.

32. Material which gives only a small amount of protection from the elements, for example:

- cardboard boxes;
- sleeping bags;
- bus shelters; or
- park benches;

do not fall within the description of accommodation.

### Person with No Fixed Address

33. A claimant who has no permanent residential address but may have an address where they can be contacted is regarded as a Person with No Fixed Address (NFA).

34. when a claimant has been classed as NFA:

Step	Action
1	access dialogue JA091: Maintain Claim Details and in PERSONAL DETAILS screen JA091003: <ul style="list-style-type: none"> <li>• amend the address if necessary; and</li> <li>• set the 'correspondence address exists?' field to [Y];</li> </ul>
2	access CORRESPONDENCE ADDRESS screen JA091085 and enter the Jobcentre/Jobcentre Plus office address as the

	correspondence address;
3	access MAINTAIN CLAIM ADMINISTRATION DETAILS screen JA091004 to make any changes, if appropriate, to the claim file and/or the benefit week ending day.
4	access dialogue JA400: Method of Payment, GIRO DETAILS screen JA400401 and amend the 'Personal Issue' field to [Y];
5	access dialogue JA110: Maintain Notepad and note that the claimant is NFA;

35. JSAPS automatically sets a system case control type S053 when the claimant's Personal Issue flag is changed. The case control:

- appears on the work available report JA72539; and
- is cleared when the claimant's payment is processed in dialogue JA405: Compute Payment.

## Correspondence address

36. A correspondence address is a secure address of a person the claimant knows, usually:

- a friend;
- a relative; or sometimes
- the Jobcentre address.

37. Using the Jobcentre address as a correspondence address is not the same as a personal issue (PI).

38. A post office must never be used as a correspondence address.

## Correspondence address on existing claims

39. If the claimant is allowed to use the Jobcentre as a correspondence address on an existing claim, they will send form JSA460 or JSA1C noted in the 'Other Changes' box 'Correspondence Address Personal Issue – please do not set the PI indicator'. The correspondence address is 'Jobcentre address stamp'.

40. When form JSA460/JSA1C is received, in addition to the action required to make a permanent change of address, the following actions are required:

Step	Action
1	access dialogue PD365: Amend address;
2	input the claimant's postcode and flat or house name/number;
3	press [F9] to generate a correspondence address.

## Customer Compliance

41. Customer Compliance is the term for the action taken to ensure a benefit claimant gives the correct information and reports all relevant changes at the right time during the life of the benefit claim.

42. It is **not** a criminal investigation and Customer Compliance interviews will not be performed under caution.

43. In the vast majority of Customer Compliance cases a robust and challenging, face-to-face interview takes place with the claimant to ensure:

- correct benefit entitlement;
- all information is obtained to enable an overpayment/underpayment to be calculated;
- the causes of the overpayment/underpayment;
- how to stop it happening again; and
- the claimant understands the possible consequences of not complying in the future.

## High Risk cases

44. When it is recognised or when a change in circumstance is identified as being in a high risk category, a case control must be set in dialogue JA530: Case controls.

45. On notification of the following high risk type of cases take the following action in dialogue JA530:

46. Risk C - Recent Separation - JSA IB cases

Step	Action
1	Set a review date of 8 weeks from the date of claim or date the change in claimant circumstances occurred;
2	Insert type U;
3	Input customer compliance risk C in reason/action box;
4	Section -Type 7;
5	Del/Mod/Ins – I.

47. Risk D - Previously Self Employed – JSA C & IB cases

Step	Action
1	Set a review date of 8 weeks from the date of claim or date the change in claimant circumstances occurred;
2	Insert type U;
3	Input customer compliance risk D in reason/action box;
4	Section -Type 7;
5	Del/Mod/Ins – I.

48. Risk E - WFI Sanction – JSA IB cases

Step	Action
1	Set a review date of 4 weeks from the effective date of the sanction in cases where claimants have a sanction on their claim for 4 weeks or more for failing to attend their WFI;
2	Insert type U;
3	Input customer compliance risk E in reason/action box;
4	Section -Type 7;
5	Del/Mod/Ins – I.

49. When the case control matures Customer Compliance Officers will make further investigations in order to support the MVFE agenda.



50. Details all the specific types of referrals, reasons and the suggested method of interview, office or home visit, appropriate to each referral type can be found in the Customer Compliance Guide.

### Referral to Customer Compliance

51. When a case has been identified for activity:

Step	Action
1	complete form A23 and a summary of the circumstances; <b>Note:</b> Many offices use a locally produced stencil.
2	forward the relevant forms to the Customer Compliance team for Customer Compliance activity.

### Change of post office

52. If the claimant notifies a change of post office, the JSA Processor updates Customer Payment Computer System using dialogue CP650: Amend Post Office.

53. This change does not need to be recorded in dialogue JA060: Register Claim/Event.

### Change of name

54. When a change of name is reported:

Step	Action
1	register the change of circumstances event in dialogue JA060: Register Claim/Event, if appropriate; <b>Note:</b> if the change of personal details relates to the claimant's Other Payee only, input [02] in the 'Event Type' field and [18] in the 'Event Sub Type' field.
2	input new details CIS in dialogue PD355: Amend Names;
3	complete the notified start date;
4	access dialogue JA091: Maintain Claim Details and input the date of change in the CLAIM DETAILS PICKLIST screen JA091002 for the claimant only;
5	access dialogue JA200: Award and Decision to: <ul style="list-style-type: none"><li>• decide the change, if the change to the personal details relates to the claimant;</li><li>• authorise the change, if the change to the personal details relates to the Other Payee only.</li></ul>

55. CIS updates JSAPS on-line.

### Correcting a name

56. If a name has been recorded in error, do not enter a new notified start date when correcting the error in dialogue PD355: Amend Names.

57. If the start date is left unchanged, this will alert CIS that the previous entry was recorded in error. These records will display in dull text in the view only dialogues for easy identification. They are known as void entries.

### **Changing the claimant's date of birth**

58. After a date of birth (DOB) is input, any changes to the date must be actioned in the following dialogues:

- dialogue PD360: Further Personal Details if the date is classed as not verified (NV);
- dialogue PD053: Management Amendment by the nominated person with an appropriate level of access if the date is classed as verified (V).

59. Documentary evidence must be held to amend a verified date of birth. Any amendment to a verified date of birth must be notified to Newcastle Records on form CA5453.

### **Claimant's sex recorded in error**

60. No one may legally change their sex, except if their sex was wrongly identified at birth.

61. The field is protected for all accounts.

62. Amendments are made by referring the case to the nominated person who will make an amendment to the claimant's sex in dialogue PD053: Management Amendment.

63. Documentary evidence must be held before amending the recorded sex for a claimant.

64. When recording the sex of the claimant/other payee on CIS, make sure when inputting non-gender specific names, for example Hilary, that the correct sex is recorded.

65. The Gender Recognition Act, which came into effect on 4 April 2005 allows transgender people to be legally recognised in their acquired gender and to benefit from any rights and responsibilities relevant to that gender.

### **Change of National Insurance number**

66. There is no on-line facility within CIS to change a National Insurance number (NINO).

67. If a NINO needs changing contact the PD Operations and Live Support Section for details.

### **Change of Payment Details**

68. Claimants who wish to either change to Direct Payment or change their account details can do so by telephone. After verifying the claimant/legally appointed representative's identity, complete the action shown in the [Guide to Completing the DP Tel Form](#). The form must be signed and dated by the member of staff taking the account details in all cases.

69. Either member of a joint-claim couple can request the change.

70. If a claimant does not want to provide account details over the telephone, issue DP Gen – Direct Payment into an account by post to the claimant. If the form is not returned within 7 days telephone the claimant and offer to take the details by telephone.
71. If a claimant wants to change their method of payment and open a Post Office Card Account, follow the Post Office Card Account opening process guidance.
72. If a claimant asks about having their payments made by cheque, advise them that cheque payments are being phased out and that any change made to their method of payment would therefore have to be to either direct payment or a POca account.

### **Adding other payee, Appointee or Agent**

73. To add an 'Other Payee' take the following action on the claimant's account

Step	Action
1	using the claimant's National Insurance number, access dialogue PD375: Input/End Other Payee;
2	Complete screen PD375308 Input/Other Payee using <ul style="list-style-type: none"> <li>• Code 07 for Standing Agent</li> <li>• Code 08 for an Appointee</li> </ul>
3	Confirm Other Payee details in PD375309 Confirm Other Payee, press 'End' to update
4	Access dialogue JA400 Method of Payment and check Other Payee details in screen JA400403 Agent/Appointee Details

### **Ending an other payee relationship**

74. Take the following action on the claimant's account to end the other payee relationship:

Step	Action
1	using the claimant's National Insurance number, access dialogue PD375: Input/End Other Payee
2	record the end date of the other payee relationship and update the dialogue. The other payee will not be able to collect any further payments for the claimant from the date of input;
3	input a new other payee if appropriate (see Adding another payee)

When an other payee relationship is ended in dialogue PD375: Input/End Other Payee, CIS automatically ends the link between the other payee and the claimant.

### **Change to partner or dependant's circumstances**

75. There are different changes that can occur within the assessment unit. These changes will all require specific action, for example, when:

- a partner joins the household;

- a dependant joins the household;
- the partner/dependant(s) has other benefits or capital;
- the partner/dependant(s) leaves the household;
- the dependant child is approaching 16 years of age;
- the dependant child is approaching 17 or 18 years of age;
- the dependant child is approaching 20 years of age.

76. The claimant should notify the office when:

- there is a change in the details of their current partner and/or dependant(s);
- a partner and/or dependant(s) joins or leaves the household.

77. The claimant should notify the changes in the details relating to the claimant's partner/dependant(s) by:

- letter;
- telephone;
- personal visit to the office.

78. When a change of circumstances relating to the claimant's partner/dependant(s) is reported, the claimant will be asked, depending on the nature of the change, to:

- provide appropriate verification documents;
- complete form JSA3; or
- complete form JSA460.

79. If the claimant only receives JSA (C) but the addition of the partner and/or dependant(s) would entitle the claimant to JSA (IB), invite them to complete form JSA3.

80. If the claimant does not want to claim JSA (IB), the change in circumstances does not affect the amount of JSA (C) they receive.

81. If a claimant entitled to JSA (IB) reports a change of circumstances relating to their partner/dependant(s), the change only affects the amount of JSA (IB) that is received for them.

82. When a claimant reports a change in details for their partner and/or dependant(s), always consider whether joint claim criteria may now apply or cease to apply.

83. If a claimant reports a change of circumstances that means joint claim criteria may now apply, check that the necessary action has been taken to make both members of the couple aware of their rights and responsibilities.

## **Partner joins the household**

### **Definition of a partner**

84. A partner is either:

- the claimant's spouse; or
- a person who lives with the claimant as a husband or wife or civil partner.

### **Polygamous marriages**

85. A polygamous marriage is a marriage in which one of the partners is married to more than one person and the ceremony took place under the law of a country which allows polygamy.

86. For benefit purposes, polygamous un-married relationships are not recognised.

87. Members of a polygamous marriage may still be required to form a joint claim.

**See Decision Maker's Guide, Volume 4, chapter 22, Membership of family**

### **System maintained claims: not Joint Claim**

88. For system maintained claims, when the partner joins the household and the joint claim criteria does not apply:

Step	Action
1	ask the claimant to complete form JSA3;
2	access dialogue JA060: Register Claim/Event and record the claim event type [02], and event sub type [06]; <b>Note:</b> A work available report JA72539 is produced prompting further action;
3	access the ABOUT PARTNER screen JA091005 and input [Y] in the 'New Partner?' field; If the partner joining the household is a polygamous partner, access the DEPENDANTS YOU WANT TO CLAIM FOR screen JA091011 and any other screens which need updating with the polygamous partner's details; <b>See Decision Maker's Guide, Volume 4, chapter 22, Membership of family</b>
4	access any other relevant screens which need updating with the partner's details;
5	input the partner's details;
6	access dialogue JA200: Award and Decision to authorise the increase in entitlement, if appropriate. JSAPS issues a notification, advising the claimant of their entitlement. <b>Note:</b> Always consider any joint claims action.

**If E7637 – 'Error Requested Partner has clerical claim' displays in JA091005 and E6323 'Error No record found for this NINO' in PD052 then E6215 'Error Previous partner must be deleted before new partner added'**

Step	Action
1	Access JA035 'Transfer to Clerical' using the prospective partner NINO
2	When TTC completed take action as para 88

### **Clerically maintained claims**

89. For clerically maintained claims, when the partner joins the household and joint claim criteria does not apply:

- re-assess the claim on form JSA14A;

- issue form JSA14J to the claimant, advising them of any change to JSA entitlement.

### System maintained claims: Joint Claim applies

90. For system maintained claims, when the partner joins the household and joint claim criteria applies:

91. To create a joint claim link:

Step	Action
1	Access JA050168 Maintain Joint Claim input: <ul style="list-style-type: none"> <li>• the NINO of the other member in the 'NINO 2' field; and</li> <li>• the first three characters of the other member's surname in the 'Chkbrick' field;</li> </ul>
2	input [Y] in one of the 'Nominated Payee' fields for the member chosen to be the nominated payee; <b>Note:</b> [Y] cannot be input in both fields;
3	if an exemption applies, input the following details in the 'Exemption Period' fields: <ul style="list-style-type: none"> <li>• [01] for the member whose NINO was used to access dialogue JA050 or [02] for the other member in the 'Jobseeker ID' field;</li> <li>• the start date of the exemption in the 'Start Date' field;</li> <li>• the end date of the exemption, if known, in the 'End Date' field;</li> <li>• the appropriate exemption reason in the 'Reason' field;</li> </ul> <b>Note:</b> only one member may be exempt on a joint claim at any one time;
4	press [F1] to redisplay the joint claim details;
5	press [F3] to: <ul style="list-style-type: none"> <li>• go to the OUTSTANDING ACTIONS ON SINGLE CLAIMS screen JA050170 if there are any outstanding actions. These must be cleared before registering a joint claim; or</li> </ul> fastpath to dialogue JA060: Register Claim/Event if there are no outstanding actions.

**If E7637 – 'Error Requested Partner has clerical claim' displays in JA091005 and E6323 'Error No record found for this NINO' in PD052 then E6215 'Error Previous partner must be deleted before new partner added'**

Step	Action
1	Access JA035 'Transfer to Clerical' using the prospective Joint Claimant NINO
2	When TTC completed access <ul style="list-style-type: none"> <li>• PD350: Register Interest</li> <li>• dialogue JA060: Register Claim/Event</li> </ul>

	<ul style="list-style-type: none"> <li>• take action as para 91</li> </ul>
--	--

92. On creating a joint claim link, an entry will be made on reports:

JA72066 Joint Claims report for BPO; and

JA72067 Joint Claims report for ESJ office.

93. If one or both members are a new claim, case control S243 Outstanding actions on J/C will be set to identify that joint claim action is ongoing and that all appropriate action is carried out. The case control will be created for the member whose NINO was used to access this dialogue.

94. If both members have existing claims, case control S226 Outstanding actions on J/C will be set to identify that joint claim action is ongoing and that all appropriate action is carried out. The case control will be created for the member whose NINO was used to access this dialogue.

95. If one member has a special customer record, the other member will be set to the same level. Case control S238 for the other member is created. I.

## **Dependant joins the household**

### **Definition of a dependant**

96. A dependant is either:

- a child under aged 16, for whom the claimant or partner is responsible and who is treated as living in the same household; or
- prior to 10<sup>th</sup> April 2006 a young person, aged over 16 and under 19 who is still in full time education up to and including A level standard, ordinary or higher grades in Scotland, for whom the claimant or partner is responsible and who is treated as living in the same household.
- From 10<sup>th</sup> April 2006 a young person, aged over 16 and under 20 who is still in full time education up to and including A level standard, ordinary or higher grades in Scotland, for whom the claimant or partner is responsible and who is treated as living in the same household. The young persons 19<sup>th</sup> birthday must have been on or after 10<sup>th</sup> April 2006

97. A person aged over 20 cannot be treated as a dependant, except as a partner.

### **The dependant is not a new born child**

98. If the dependant is not a newborn child, ask the claimant to include in their statement who was responsible for the dependant prior to them joining the household.

99. A completed form JSA460 and evidence that the claimant or their partner is responsible for the child is sufficient evidence to assess any applicable amounts of JSA(IB) the claimant is entitled to.

**See Decision Maker's Guide, Volume 4, chapter 22, Membership of the family**

### **The dependant is a new born child**

100. The introduction of Child Tax Credit from April 2004 brought together the income related benefit support for families with children into one system.

101. If the dependant is a new born child, inform the claimant that they must make a claim for Child Benefit and Child Tax Credit as their assessment of JSA(IB) will not include additional elements for children.

**See the New Tax Credits Procedural Guidance Handbook.**

### **Partner/dependant leaves the household**

102. When the partner/dependant leaves the household:

Step	Action
1	ask the claimant to complete form JSA3;
2	remove details for the partner or polygamous partner/dependant;
3	re-assess the amount of JSA the claimant is entitled to.

103. It is important that this type of change of circumstances is actioned immediately, for example, by dissolving the partnership and removing the ex-partner's National Insurance number from the claimant's claim. This is because if the partner claims Income Support (IS) in their own right, the IS Section cannot process their claim on ISCS while they remain a part of the claimant's claim.

104. When a partner or dependant leaves the household decide whether it is appropriate to take action to create or end a joint claim.

### **Removing partner details**

105. To remove details for a partner who is not part of a joint claim:

Step	Action
1	for system maintained claims: <ul style="list-style-type: none"><li>ask the claimant to complete form JSA460 or JSA3 as appropriate;</li><li>access dialogue JA060: Register Claim/Event and record the claim event, type and sub type;</li></ul>
2	access the ABOUT PARTNER screen JA091005 and input [D] in the 'New Partner' field. This will end the claim for the partner and JSAPS will issue a notification to the claimant advising them of any change to JSA entitlement;
3	for clerically maintained claims re-assess the claim using form JSA14A;
4	issue form JSA14J to the claimant, advising them of any change to JSA entitlement.

### **Removing polygamous partner/dependant details**

106. To remove details for a polygamous partner/dependant who is not part of a joint claim:



Step	Action
1	for system maintained claims: <ul style="list-style-type: none"> <li>ask the claimant to complete form JSA460 or JSA3 as appropriate;</li> <li>access dialogue JA060: Register Claim/Event and record the claim event, type and sub type;</li> </ul>
2	access the DEPENDANTS YOU WANT TO CLAIM FOR screen JA091015. Overtyping any entries relating to polygamous partner or dependant with spaces. This will end the claim for the partner or dependant. JSAPS will issue a notification to the claimant advising them of any change to JSA entitlement;
3	for clerically maintained claims re-assess the claim on form JSA14A;
4	issue form JSA14J to the claimant, advising them of any change to JSA entitlement.

### Ending a Joint Claim

107. On ending a joint claim link, an entry will be made on reports:
- JA72066 Joint Claims Report for Benefit Processing Offices; and
  - JA72067 Joint Claims Report for Jobcentres.

### Action

108. To make a claim ineffective when the joint claim has not been registered in dialogue JA060: Register Claim/Event:

Step	Action
1	Access JA050169 End Joint Claim input the end date in the 'End Date of Joint Claim' field. This date must be the same date as the date in the 'Start Date of Joint Claim' field;
2	press [F1]: <ul style="list-style-type: none"> <li>to save the information recorded and fastpath to the AWARD AND DECISION PROMPT screen JA200200 in dialogue JA200: Award and Decision; and</li> <li>to set Case Control S228 Single claim due to J/C end;</li> </ul>
3	cancel out of dialogue JA200 Award and Decision as JSAPS will deny access to this dialogue;
4	ensure that the appropriate action is taken on the two single claims.

109. To record the intention to end a joint claim:

Step	Action
1	Access JA050169 End Joint Claim input the end date, if different to the system end date, in the 'End Date of Joint Claim' field. <b>Note:</b> Input the day after the last day of the joint claim;
2	input the appropriate reason to the end of the joint claim link;

3	if appropriate, input the termination reasons for one or both of the individual claims in the 'Termination reasons for Individual's claim' fields, NINO 1 and/or NINO 2;
4	press [F1]. The screen will display the following details: <ul style="list-style-type: none"> <li>• the system end date;</li> <li>• a description of the ending of the joint claim link; and</li> <li>• if appropriate, a description of the termination reasons on an individual's claim;</li> </ul>
5	press [F1] to fastpath to dialogue JA200 Award and Decision; <b>Note:</b> a joint claim is not ended until you pass through dialogue JA405: Compute Payment.

### **Dependant child is approaching 16 years of age**

110. To continue payment for a dependant child of 16 or over, the child must be in relevant education of:

- twelve hours or more of study per week; and
- below or equivalent to A level standard, ordinary or higher grades for Scotland.

### **System maintained claims**

111. If the dependant child is approaching 16 years of age, one month before their 16<sup>th</sup> birthday, JSAPS:

- issues a notification to the claimant to determine whether the claimant can still claim for the dependant child; and
- sets a case control to await a reply.

112. If the claimant does not respond to the notification within four weeks, JSAPS:

- sends a reminder to the claimant; and
- sets a case control to await a reply. The claimant's details will also appear on the overdue work report.

113. If a reply is not received, decide if payment should be suspended for the child until a response is received and the assessment can be carried out.

### **Clerically maintained claims**

114. In clerically maintained claims:

- BF the claim for four weeks before the dependant child reaches their 16<sup>th</sup> birthday; and
- when the review date matures, write to the claimant to find out if the child will be continuing in relevant education.

115. If the claimant does not respond to the notification within four weeks:

- send a reminder letter to the claimant; and
- BF the claim for two weeks.

116. If no reply is received within two weeks, decide if the payment should be suspended for the child until a response is received and the assessment can be carried out.

117. If the dependant is to continue in relevant education, BF the claim for four weeks before the dependant child reaches their 17<sup>th</sup> birthday.

## **Dependant child is approaching 17 or 18 years of age**

### **System maintained claims**

118. If the dependant is reaching 17 or 18 years of age, one month before their 17<sup>th</sup> and 18<sup>th</sup> birthday, JSAPS:

- issues a notification to the claimant to find out whether the claimant can still claim for the dependant child; and
- sets a four week case control for a reply.

119. If the claimant does not respond to the notification within four weeks, JSAPS:

- sends a reminder to the claimant; and
- sets a two week case control to await a reply. The claimant's details will also appear on the work available report JA72539.

120. If a reply is not received within two weeks, decide if the payment should be suspended for the child until a response is received and the assessment can be carried out.

### **Clerically maintained claims**

121. In clerically maintained claims:

- BF the claim for four weeks before the dependant child reaches their 17<sup>th</sup> and 18<sup>th</sup> birthday; and
- when the review date matures, write to the claimant to find out if the child will be continuing in relevant education.

122. If the claimant does not respond to the notification within four weeks:

- send a reminder letter to the claimant; and
- BF the claim for two weeks.

123. If a reply is not received within two weeks, decide if the payment for the child should be suspended until a response is received and the assessment can be carried out.

124. If the dependant is to continue in relevant education, BF the claim for four weeks before the dependant child reaches their 19<sup>th</sup> birthday.

## **Dependant child approaching 20 years of age**

### **System maintained claims**

125. If the dependant child is approaching 20 years of age JSAPS sets a case control for one month before the dependant child's birthday. This appears on the Work Available Report JA72539.

126. JSAPS automatically removes the allowance for the dependant from the assessment on their twentieth birthday.

127. Access dialogue JA091: Maintain Claim Details and delete all details of the dependant child, for example other benefits payable for that child.

128. If dialogue JA091 is not accessed, the dependant child's details remain on the enquiry screen of dialogue JA501: Claim Details Enquiry.

129. When the dependant's details are entered on JSAPS, a change of circumstances notification will be issued to the claimant. The notification will tell the claimant the new rate at which they will be paid.

130. Case control S233 'Potential J/C Required' will be set if JSAPS detects that:

- the youngest or only dependant is approaching 20; and
- joint claim criteria may apply to the couple once there is no responsibility for a dependant.

131. Take action to create a joint claim, if appropriate.

### **Clerically maintained claims**

132. A BF will have been set for four weeks before the dependant reaches their twentieth birthday.

133. When the review date matures, re-assess the claim from the dependants twentieth birthday using form JSA14A and notify the claimant of any change to JSA entitlement on form JSA14J

### **Temporary unavailability**

134. When a claimant reports a period of temporary unavailability, it must be established whether the unavailability is due to sickness or for other reasons.

### **Temporary periods of sickness**

135. A claimant who is temporarily sick has the option to:

- remain on JSA for a period of up to two weeks twice in any Jobseeking Period (JSP) or if a JSP exceeds 12 months, each successive 12 months (the first 12 months begins on the first day of the JSP); or
- make a linked Incapacity Benefit (IB) and Income Support (IS) claim or claim Employment Support Allowance (ESA).

136. If the period of sickness links with a previous claim to Statutory Sick Pay (SSP), the claimant cannot remain on JSA unless they are a member of a joint claim and are granted an exemption.

### **The claimant chooses to remain on JSA**

137. When the claimant reports a period of sickness and chooses to remain on JSA, the jobcentre issues them with form JSA28. For further information see 'Temporary periods of sickness' in the Labour Market Conditions Guide.

### **Joint Claims**

138. A person who is a member of a joint claim who also meets the criteria to claim IS/IB, can continue to claim JSA and be granted an exemption from meeting all the JSA conditions. This enables the other member of the joint claim to remain in contact with the Labour Market.

### **The period of sickness links to a previous period of sickness**

139. JSA cannot be paid for a period of sickness if it links, that is, it is within eight weeks of a previous claim to Statutory Sick Pay.

**Note:** This does not apply to joint claims when an exemption is granted.

140. If the claimant cannot be paid for a period of sickness because it links with a claim to SSP, the claimant must be advised to make a claim ESA.

141. If the claimant is a member of a joint claim, they also have the option of continuing to claim JSA and apply for an exemption.

### **Claimant cannot be treated as capable, available and actively seeking employment**

142. A Claimant cannot remain on JSA, if;

- They have had a period of temporary sickness on two occasions in 12 months or in a current jobseeking period; or
- The period of sickness exceeds 14 days; or
- They have had a claim to SSP in the previous eight weeks.

143. In these circumstances the Jobcentre must advise the claimant to make a claim to ESA.

144. If the Claimant insists on claiming JSA, the Jobcentre will forward details to the processing section who must;

- Consider disallowing the award on capability; and
- Terminate the claim.

### **Action on receipt of form JSA28**

145. Take different action when form JSA28 is received depending on if:

- the claim is system maintained; or
- the claim is clerical.

### **System maintained claims**

146. When form JSA28 is received and the claimant wants to continue claiming JSA for the period of sickness:

Step	Action
1	access dialogue JA060: Register Claim/Event and register the appropriate change of circumstances;
2	access dialogue JA091: Maintain Claim Details and on the TEMPORARY PERIODS OF UNAVAILABILITY screen JA091021 input: <ul style="list-style-type: none"><li>• the start date of the sickness in the 'Start date' field; and</li><li>• the end date if known in the 'End date' field.</li></ul>

147. When the details are input, JSAPS produces a warning message, advising the user to consider termination of the JSA claim if :

- the claimant has previously claimed JSA for periods of sickness twice within the same Jobseeking Period (JSP), or if a JSP exceeds 12 months, each successive 12 months.
- the claimant has had a claim to SSP in the previous eight weeks.

The claimants JSA claim needs to be terminated and the claimant should be advised to claim ESA, unless they are a member of a joint claim and an exemption can be granted.

148. If the claimant insists on continuing the claim to JSA:

- suspend the claimant's JSA claim;  
'a decision on capability is required to end the entitlement and terminate the claim. There is no need for a Labour Market Decision in these circumstances.'
- When the decision is received, issue a JSA29B to formally notify the claimant that JSA cannot continue.

**Note:** This action is not appropriate if the claimant is a member of a joint claim and an exemption is granted.

149. If the claimant agrees to claim ESA:

- terminate the claim;
- issue an ESA1, as appropriate.

150. If the claimant can continue on JSA for the period of sickness:

- access dialogue JA530: Case Controls: and
- set a two week case control from the start of the period of sickness to check the period of sickness and date.

#### **The period of sickness ends before the 14<sup>th</sup> day**

151. If the period of sickness ends before the 14<sup>th</sup> day:

- access dialogue JA091: Maintain Claim Details; and
- on the TEMPORARY PERIODS OF UNAVAILABILITY screen JA091021 input the end date.

#### **The period of sickness lasts 14 days or more**

152. On the 14<sup>th</sup> day of sickness, if there has been no notification that the period of sickness has ended, JSAPS produces an entry on a Work Available Report JA72539 advising the JSA claim should be terminated:

Step	Action
1	advise the claimant to make a linked claim to IB and IS or ESA, unless they are a member of a joint claim and an exemption is granted;
2	If the claimant insists on continuing the claim to JSA: <ul style="list-style-type: none"> <li>• suspend the claimant's claim;</li> <li>• pass the claim to the SDM for a decision on the claimant's availability for work;</li> </ul>
3	if the SDM decides that the claimant cannot be treated as available for work, disallow the claim unless an award under the JSA Hardship Provisions is appropriate.

	<b>Note:</b> This action is not appropriate if the claimant is a member of a joint claim and an exemption is granted.
4	If the claimant agrees to make a linked claim to IB and IS or ESA: <ul style="list-style-type: none"> <li>• terminate the claim;</li> <li>• issue a SC1 claim pack and form A1 or ESA1 as appropriate.</li> </ul>

### **Clerically maintained claims**

153. If notification has been received about a period of sickness and the claimant wants to continue claiming JSA for this period:

<b>Step</b>	<b>Action</b>
1	record, in the 'Notes' box of form JSA14C, the: <ul style="list-style-type: none"> <li>• start date of the period of sickness; and</li> <li>• end date if known;</li> </ul>
2	check forms JSA28, JSA14P and JSA14C and any previous system maintained claims to establish if the: <ul style="list-style-type: none"> <li>• period of sickness links to a previous claim to SSP; or</li> <li>• the claimant has previously claimed JSA for periods of sickness twice within the same Jobseeking Period (JSP), or if a JSP exceeds 12 months, twice in each successive 12 months thereafter;</li> </ul>
3	if the circumstances in Step 2 apply, advise the claimant to make a linked claim to IB and IS or claim ESA. If the claimant insists on continuing the claim to JSA the Jobcentre must: <ul style="list-style-type: none"> <li>• suspend the claimant's JSA claim;</li> <li>• pass the claim to the Benefit Delivery Expert (Labour Market) for a decision on the claimant's availability for work;</li> <li>• if the Benefit Delivery Expert (labour Market) decides that the claimant cannot be treated as available for work, disallow the claim unless an award under the JSA Hardship Provisions is appropriate.</li> </ul> If the claimant agrees to make a linked claim to IB and IS or claim ESA; <ul style="list-style-type: none"> <li>• terminate the claim;</li> <li>• issue a SC1 claim pack and form A1 or ESA1, as appropriate;</li> </ul>
4	if the circumstances in Step 2 do not apply and the claimant can continue on JSA for the period of sickness, BF the claim for 14 days from the start of the period of sickness.

### **The period of sickness ends before the 14<sup>th</sup> day**

154. If the period of sickness ends before the 14<sup>th</sup> day, note the end date of the period of sickness on the 'Notes' box of form JSA14C. No further action is required as the claimant carries on claiming JSA as normal.

### **The period of sickness lasts 14 days or more**

155. If, by the 14<sup>th</sup> day of sickness, there has been no notification received that the period of sickness has ended, advise the claimant to either make a linked claim to IB and IS, or claim ESA.

156. If the claimant insists on continuing the claim to JSA:

Step	Action
1	suspend the claimant's claim;
2	pass the claim to the Benefit Delivery Export (Labour Market) for a decision on the claimant's availability for work.

157. If the Benefit Delivery Expert (Labour Market) decides that the claimant cannot be treated as available for work, disallow the claim unless an award under the JSA Hardship Provisions is appropriate.

**Note:** This action is not appropriate if the claimant is a member of a joint claim and an exemption is granted.

158. If the claimant agrees to make a linked claim to IB and IS or claim ESA;

Step	Action
1	terminate the claim;
2	issue a SC1 claim pack and form A1 or ESA1, as appropriate.

### **Temporary unavailability for reasons other than sickness**

159. There are specific actions that must be taken when a claimant reports a period of temporary unavailability other than sickness.

160. Legislation allows claimants to be treated as available for a number of other reasons, these include:

- attending an Open University Residential School;
- domestic emergency;
- caring for children when the normal carer is unwell.

**See the Labour Market Conditions Guide, Chapter 2.**

### **Initial contact**

161. Notification of a temporary period of unavailability for a claimant will be received:

- on a JSA460, if the claimant has attended to report the change;
- on a minute, if the details were reported by telephone call etc.

162. If there is doubt about the claimant's availability:

- suspend the claim using dialogue JA210: Maintain Suspension and Decision Details; and
- refer the case to the Sector Decision Maker.

### **Action on receipt of notification of temporary unavailability**

163. When the notification is received:



Step	Action
1	access dialogue JA091: Maintain Claim Details, TEMPORARY PERIODS OF UNAVAILABILITY screen JA091021;
2	input the appropriate reason code from the Jobseeker's Allowance deskaid; <b>Note:</b> Do not use input code [03] – claimant attending court because the claimant cannot be treated as available when attending court;
3	input start date and end date, if known;
4	set a case control using dialogue JA530: Case Controls for the limit of the period of unavailability.

164. Some reasons may only be used once in a 12 month period or Jobseeking Period (JSP), others may be used repeatedly.

165. If JSA is to remain in payment, that is, the claimant is treated as available, payments will be issued automatically without the need for any input in dialogue JA470: Attendance, provided the input in dialogue JA091: Maintain Claim Details is done before attendance is due.

166. If there is any doubt about a claimant's availability, for example court attendance, suspend the case, if this has not already been done, using dialogue JA210: Maintain Suspension and Decision Details.

167. When the case control matures, check that the claimant has become available again. If there is any doubt, suspend the case using dialogue JA210: Maintain Suspension and Decision Details.

168. Case control S207 – 'Unavailability Period' is created when a period of unavailability is entered without an end date in the TEMPORARY PERIOD OF UNAVAILABILITY screen JA091021.

169. When an end date is received access dialogue JA091: Maintain Claim Details, TEMPORARY PERIOD OF UNAVAILABILITY screen JA091021 to input an end date.

170. Either or both members of a joint claim can have individual temporary periods of unavailability. These periods may be at different times or may overlap. For example each claimant can attend an Open University course of up to one week per course.

### Action on receipt of notification of domestic violence

171. When notification is received from the Jobcentre that the claimant has been granted a 4 week easement as the victim of domestic violence:

STEP	ACTION
1	access dialogue JA091: Maintain Claim Details, <u>TEMPORARY PERIODS OF UNAVAILABILITY screen JA091021</u> ;
2	input the temporary periods of unavailability reason code [11]; <b>Note:</b> Temporary periods of unavailability reason code [11] is usually applied when a claimant is engaged in one of the

	special occupations. However, until a new code can be added to JSAPS, reason code [11] must also be used for victims of domestic violence.
3	input the start date and end date of the 4 week period;
4	set a case control using <u>dialogue JA530: Case Controls</u> for the limit of the period of unavailability.

172. When notification is received from the Jobcentre that the claimant has been granted the full 13 week easement as the victim of domestic violence:

STEP	ACTION
1	access dialogue JA091: Maintain Claim Details, <u>TEMPORARY PERIODS OF UNAVAILABILITY</u> screen JA091021;
2	input the temporary periods of unavailability reason code [11]; <b>Note:</b> Temporary periods of unavailability reason code [11] is usually applied when a claimant is engaged in one of the special occupations. However, until a new code can be added to JSAPS, reason code [11] must also be used for victims of domestic violence.
3	Input the start date and end date of the full domestic violence easement; <b>Note:</b> the start date should be the day after the end of the 4 week period <b>Note:</b> the end date should be 9 weeks after the start date.
4	set a case control using <u>dialogue JA530: Case Controls</u> for the limit of the period of unavailability.

## Notification of admission to hospital

173. When notification of admission to hospital has been received, action can vary depending on if the person admitted is now classed as a hospital inpatient.

174. Notification of admission to hospital could be reported by the:

- claimant when they attend the office;
- hospital, on medical certificate form MED10 or form BR409.

175. Most hospitals complete form BR409 when patients are admitted. It gives:

- details of the patient, for example:
  - when they were admitted;
  - some benefit details;
- the patient's permission for the hospital to notify Jobcentre Plus of their admission.

176. However, there is no legal requirement for hospitals to complete form BR409 or to notify when people are admitted. If information about admission and discharge dates is required, send form BF9 to the hospital.

177. If an excessive number of overpayments caused by failure to report admission to hospital are received, ask a senior officer to contact hospitals, Social Services or Social Work Departments in the area and ask them to use form BR409.

178. Keep stocks of forms BR409 and issue them to hospitals on request.

### **Action for different members of assessment unit**

179. When taking action for someone in the assessment unit who has been admitted to hospital, the action varies depending on whether the person:

- is the claimant;
- is the claimant's partner
- is a child or young person under the care of the claimant or claimant's partner;
- is a third party whom the claimant or claimant's partner have care of;
- is admitted direct from Care Home; or
- has private health insurance.

### **Hospital inpatients**

180. Hospital inpatients are people:

- receiving free medical treatment in a:
  - National Health Service(NHS) hospital; or
  - military hospital; or
  - NHS funded treatment abroad; or
- getting medical or other treatment in any other establishment which is subsidised by public funds;

181. 'Partner', 'child' and 'young person' refer to persons included in the claimants JSA (IB) award.

182. These instructions do not apply if:

- the claimant is in hospital for more than two weeks. This is because, after two weeks, the claimant could not be meeting the labour market entitlement conditions;
- the claimant or the claimant's dependant is meeting the cost of hospital treatment in full from a private source. In these circumstances, the dependant's personal allowance is not downrated while they are a hospital inpatient;
- if the partner, child or young person is not included in the claimant's JSA award.

**See Decision Maker's Guide, Volume 4, Chapter 24, Special cases**

### **Claimant in hospital**

183. Usually, when a claimant is admitted to hospital, they cannot claim JSA because they do not satisfy the labour market entitlement conditions.

184. However, claimants have the option to continue claiming JSA while they are unavailable due to sickness for periods of up to two weeks twice in any jobseeking period (JSP). But if the JSP lasts for more than a year, claimants

have the option to continue claiming JSA while they are unavailable due to sickness for periods of up to two weeks twice in each successive 12 months, starting from the beginning of the JSP.

### Action for claimant admitted to hospital

185. If the claimant has been admitted to hospital:

Step	Action
1	access dialogue JA110: Maintain Notepad and input the hospital's name and address;
2	access dialogue JA091: Maintain Claim Details, EXCEPTIONAL CONDITIONS screen JA091019 and complete the: <ul style="list-style-type: none"> <li>• 'Person No' field to show code [01];</li> <li>• 'Reason code' field to show code [07];</li> <li>• 'D/start' field to show the date of admission;</li> </ul>
3	Access dialogue JA530: Case Controls and set a user case control for 2 weeks to review if claimant is still in hospital.

### Linking Periods in hospital

186. If somebody is re-admitted to hospital within 28 days of discharge, the days spent in hospital are said to link and count as one continuous period in hospital.

187. When working out linking periods, the days of admission are not counted as days in hospital, but the days of discharge are counted as days in hospital.

### Partner in hospital

188. When a partner is admitted to hospital, JSA (IB) may need to be adjusted after:

- 28 days if:
  - the claimant receives Carer's Allowance (CA) for caring for their partner; or
  - the partner receives Disability Living Allowance (DLA) or Attendance Allowance (AA). This is because DLA mobility component and DLA care component, AA and CA are all withdrawn after 28 days in hospital;
- 84 days if the partner is a carer who was paid CA before going into hospital;
- 52 weeks in all other cases.

189. When notification is received stating the claimant's partner is in hospital:

Step	Action
1	check if there are any linking periods as an inpatient;
2	access dialogue JA110: Maintain Notepad and input the hospital's name and address;
3	access dialogue JA091: Maintain Claim Details, EXCEPTIONAL CONDITIONS screen JA091019 and complete the:

	<ul style="list-style-type: none"> <li>• 'Person No' field to show code [02];</li> <li>• 'Reason' code field to show code [07];</li> <li>• 'D/start' field to show the date of admission;</li> </ul>
4	<p>check if the partner has made a linked Incapacity Benefit (IB) claim or ESA claim by:</p> <ul style="list-style-type: none"> <li>• contacting the relevant Section; or</li> <li>• accessing the Common Enquiry Service and viewing the enquiry dialogues;</li> </ul>
5	<p>if the partner:</p> <ul style="list-style-type: none"> <li>• has claimed but not received IB/ESA, send form IS(R)1 to the Section asking for any award to be withheld so that JSA can take recovery action;</li> <li>• is being paid IB or ESA, review the JSA award, that is: <ul style="list-style-type: none"> <li>◦ access dialogue JA091: Maintain Claim Details, OTHER BENEFITS screen JA091020 and input the partner's IB/ESAdetails and any other changes needed to revise/supersede the claimant's award;</li> <li>◦ access dialogue JA200: Award and Decision to decide;</li> <li>◦ refer the claim to Debt Management;</li> </ul> </li> <li>• has not claimed IB/ESA, send form IS(R) to relevant Section and then go to step 6;</li> </ul>
6	<p>access OTHER BENEFITS screen JA091020 and check whether:</p> <ul style="list-style-type: none"> <li>• the claimant receives CA for caring for their partner;</li> <li>• the partner receives CA as a carer or DLA/AA for themselves;</li> <li>• JSA (IB) includes any premiums linked to CA, DLA or AA awards.</li> </ul> <p>If any of these conditions are satisfied, go to step 7. If none of these conditions are satisfied, go to step 8;</p>
7	<p>if any of the conditions at step 6 are satisfied:</p> <ul style="list-style-type: none"> <li>• access dialogue JA530: Case Controls and set a user case control for the 28<sup>th</sup> day of hospital inpatient treatment, taking account of any linked periods;</li> <li>• notify the relevant departments that their payee has been admitted to hospital using: <ul style="list-style-type: none"> <li>◦ form BF600 for DLA/AA;</li> <li>◦ a minute for CA and ask them to advise when CA is withdrawn;</li> </ul> </li> <li>• if the partner is getting CA access dialogue JA530: Case Controls and set a user case control for a date 84 days after the date of admission;</li> <li>• send the claimant leaflet NI9 and a suitably completed form JSA30. Form JSA30 tells the claimant when their JSA (IB) will reduce;</li> <li>• when the user case control appears on the work available report JA72539, take appropriate action;</li> </ul>

8	<p>if none of the conditions at step 6 are satisfied:</p> <ul style="list-style-type: none"> <li>• access dialogue JSA530: Case Controls and set a user case control for a day 51 weeks after the date of admission for hospital inpatient treatment, taking account of any linking periods;</li> <li>• send the claimant leaflet NI9 and a suitably completed form JSA30: Form JSA30 tells the claimant when their JSA (IB) will reduce:</li> <li>• when the user case control appears on the WAR, take appropriate action.</li> </ul>
---	---

## **28 days user case control for partner appears on the work available report**

190. When the 28 days user case control appears on the work available report JA72539 (WAR), contact the hospital/relevant benefit Section to find out whether the partner is still in hospital.

191. This needs to be done because, if the partner is still in hospital:

- any Disability Living Allowance (DLA) mobility component or DLA care component will stop;
- any Attendance Allowance (AA) will stop;
- any premiums paid to the claimant on account of AA/DLA care component paid at the higher or middle rate and/or Carer's Allowance (CA) must be checked.

## **Partner discharged**

192. If the partner has been discharged before the 28<sup>th</sup> day and returned home:

- access dialogue JA091: Maintain Claim Details, EXCEPTIONAL CONDITIONS screen JA091019 and complete the 'D/end' field to show the date of discharge; and
- notify the relevant departments that their payee has been discharged from hospital using:
  - form BF600 for DLA/AA; or
  - a minute for CA.

## **Partner still in hospital**

193. If the partner has been in hospital for 28 days, find out whether during the 28 days period, the partner has spent any periods on hospital leave or if they have been discharged and readmitted.

194. If the partner has been out of hospital during the 28 days:

- clerically recalculate the 28<sup>th</sup> day as an inpatient;

**Note:** Remember that days of admission and readmission are counted as days out of hospital.

- access dialogue JA530: Case Controls and set another case control for the recalculated 28<sup>th</sup> day.

195. When the partner has been in hospital for 28 days:

Step	Action
1	<p>check entitlement to premiums, that is, if the:</p> <ul style="list-style-type: none"> <li>partner receives AA, DLA mobility component or DLA care component, access dialogue JA901: Maintain Claim Details: <ul style="list-style-type: none"> <li>OTHER BENEFITS screen JA091020 and complete the 'D/end' field for the AA, DLA mobility component or DLA care component to show the date of the 28<sup>th</sup> day;</li> <li>EXCEPTIONAL CONDITIONS screen JA091019 and extend any Disability Premium, Higher Pensioner Premium as appropriate from the day after AA/DLA withdrawn. The Disability Premium, Higher Pensioner Premium is not affected by the partner's stay in hospital;</li> </ul> </li> <li>claimant receives CA for caring for their partner, access dialogue JA091: Maintain Claim Details: <ul style="list-style-type: none"> <li>OTHER BENEFITS screen JA091020 and complete the 'D/end' field for CA to show the 28<sup>th</sup> day;</li> <li>EXCEPTIONAL CONDITIONS screen JA091019 and extend the carer premium to 56 days after CA is withdrawn. This is because the carer premium is not affected until eight weeks after CA is withdrawn;</li> </ul> </li> </ul>
2	access dialogue JA530: Case Controls and set a user case control for a date 51 weeks after the date of admission to consider hospital adjustments;
3	when the user case control appears on the WAR take appropriate action.

**See Decision Maker's Guide, Volume 4, Chapter 23, Normal Amount Payable**

### **84 days user case control for partner appears on work available report**

196. When the 84 days user case control appears on the work available report (WAR), contact the hospital/Incapacity Benefit (IB) Section to find out whether or not the partner is still in hospital.

197. If the partner is still in hospital, the Carer's Allowance (CA) Unit must be contacted for advice about whether CA should stop.

**See Decision Maker's Guide, Volume 10, Chapter 60, Carer's Allowance**

### **Partner discharged**

198. If the partner has been discharged before the 84<sup>th</sup> day and has returned home:

Step	Action
1	access dialogue JA091: Maintain Claim Details, EXCEPTIONAL CONDITIONS screen JA091019 and complete the 'D/end' field to

	show: <ul style="list-style-type: none"> <li>the date of discharge; and</li> <li>the end of exceptional condition code [08];</li> </ul>
2	access dialogue JA200: Award and Decision to decide;
3	notify the relevant departments that their payee has been discharged from hospital using: <ul style="list-style-type: none"> <li>form BF600 for Disability Living Allowance/Attendance Allowance; or</li> <li>a minute for CA.</li> </ul>

### Partner still in hospital

199. If the partner is still in hospital at the 84<sup>th</sup> day, find out whether during the 84 day period, the partner has spent any periods on hospital leave or if they have been discharged and readmitted.

200. If the partner has been out of hospital during the 84 days:

- clerically recalculate the 84<sup>th</sup> day as an inpatient; and
- access dialogue JA530: Case Controls and set another user case control for the recalculated 84<sup>th</sup> day.

**Note:** Remember that days of discharge and readmission are counted as days out of hospital;

201. When the partner has been in hospital for 84 days:

Step	Action
1	contact the CA Unit for advice about whether CA is still payable to the partner as a carer after 84 days hospital;
2	if the CA Unit advise CA will not stop, take action according to their advice;
3	if the CA Unit advise CA must stop: <ul style="list-style-type: none"> <li>access dialogue JA091: Maintain Claim Details: <ul style="list-style-type: none"> <li>OTHER BENEFITS screen JA091020 and complete the 'D/end' field for CA to show the date of the 84<sup>th</sup> day;</li> <li>EXCEPTIONAL CONDITIONS screen JA091019 and extend the carer premium to 56 days after CA is withdrawn. This is because the carer premium is not affected until eight weeks after CA is withdrawn;</li> </ul> </li> <li>if the person for whom the partner was a carer gets Income Support (IS), notify the IS Section for them to consider awarding the Severe Disability Premium now that CA has stopped;</li> <li>access dialogue JA530: Case Controls and set a user case control for a date 51 weeks after the date of admission;</li> <li>take appropriate action when the user case control appears on the WAR.</li> </ul>



**See Decision Maker's Guide, Volume 4, Chapter 23, Normal Amount Payable**

**52 weeks in hospital, user case control for partner appears on work available report**

202. When the 51 weeks user case control appears on the work available report, contact the hospital/relevant benefit Section to find out whether the partner is still in hospital.

203. If the partner is still in hospital after 52 weeks, the decision must be made as to whether the stay in hospital should be considered as permanent.

**Partner discharged**

204. If the partner has been discharged before the 52nd week and has returned home:

Step	Action
1	access dialogue JA091: Maintain Claim Details, EXCEPTIONAL CONDITIONS screen JA091019 and complete the 'D/end' fields to show: <ul style="list-style-type: none"><li>• the date of discharge; and</li><li>• the end of exceptional condition code [08];</li></ul>
2	access dialogue JA200: Award and Decision to ensure details of the decision are correct;
3	notify the relevant departments that their payee has been discharged from hospital using: <ul style="list-style-type: none"><li>• form BF600 for Disability Living Allowance/Attendance Allowance; or</li><li>• a minute for Carer's Allowance.</li></ul>

**Partner still in hospital**

205. If the partner has been in hospital for 52 weeks, find out whether during the 52 week period, the partner has spent any periods on hospital leave or if they have been discharged and readmitted.

206. If the partner has been out of hospital during the 52 weeks:

- clerically recalculate the 357<sup>th</sup> day as an inpatient; and
- access dialogue JA530: Case Controls and set another user case control for the recalculated 357<sup>th</sup> day.

**Note:** Remember that days of discharge are counted as days in hospital but days of readmission are counted as days out of hospital.

207. When the partner has been in hospital for 357 days, it must be decided whether the stay in hospital should be considered as permanent.

**Making a decision**

208. Whenever possible, make a decision within 14 days.

209. When making a decision:

- consider all the available evidence and guidance; and
- decide whether:
  - the couple should continue being treated as a couple; or
  - the couple should be treated separately.

**See Decision Maker's Guide, Volume 3, Chapter 18, Hospital Inpatients and Decision Maker's Guide, Volume 4, Chapter 22, Membership of the family**

### **Decision to treat as a couple**

210. Refer to the Decision Maker's Guide and decide whether the claimant and partner should continue to be assessed as a couple.

### **Decision to treat couple separately**

211. If the decision is that the claimant and partner should be treated separately:

Step	Action
1	send draft letter: <ul style="list-style-type: none"><li>• DLJA355 to the claimant telling them why they and their partner must be paid separately; and</li><li>• DLJA356 to the partner to invite the partner to claim Income Support;</li></ul>
2	revise/supersede the claimant's JSA award removing all premiums paid in respect of the partner in hospital.

### **Partner in hospital permanently**

212. If the claimant notifies, or it becomes clear, that their partner will be in hospital permanently, decide whether the couple should be treated separately.

### **Child or young person in hospital**

213. When a child or young person is admitted to hospital, JSA (IB) is adjusted after 84 days in hospital. This action will only apply to non-migrated cases where an element of JSA(IB) is still payable for children.

214. Where Child Tax Credit is in payment, notify Her Majesty's Revenue and Customs - Tax Credit Section.

215. When it is known that a child or young person is in hospital in non-migrated cases:

Step	Action
1	check if there are any linking periods as an inpatient;
2	access dialogue JA110: Maintain Notepad and input the hospital's name and address;
3	access dialogue JA091: Maintain Claim Details EXCEPTIONAL CONDITIONS screen JA091019 and complete the: <ul style="list-style-type: none"><li>• 'Person No' field to show the child/young person's code</li></ul>

	number; <ul style="list-style-type: none"> <li>• 'Reason' code field to show code [07];</li> <li>• 'D/start' field to show the date of admission;</li> </ul>
4	access dialogue JA501: Claim Details Enquiry and check whether: <ul style="list-style-type: none"> <li>• anybody receives Carer's Allowance (CA) for caring for the child or young person;</li> <li>• Disability Living Allowance (DLA) is paid for the child or young person;</li> </ul> if either of these conditions are satisfied, go to Step 5 if neither of these conditions are satisfied, go to Step 6
5	if either of the conditions at Step 4 are satisfied, notify the relevant departments that the child or young person has been admitted to hospital using: <ul style="list-style-type: none"> <li>• form BF600 for DLA;</li> <li>• a minute for CA;</li> </ul>
6	access dialogue JA530: Case Controls and set a user case control for a date 84 days after the date of admission, taking account of any linking periods;
7	send the claimant leaflet NI9 and a suitably completed form JSA30. Form JSA30 tells the claimant when their JSA (IB) will reduce;
8	take appropriate action when the user case control appears on the Work Available Report.

### **Dependant discharged from hospital**

216. When the claimant's dependant, or somebody for whom the claimant or partner receives Carer's Allowance, is discharged from hospital, the adjusted JSA (IB) award must be revised/superseded to:

- increase the award, if appropriate;
- include any relevant premiums.

**See Decision Maker's Guide, Volume 4, Chapter 23, Normal amount payable**

### **84 days user case control for child/young person appears on the work available report**

217. When the 84 days user case control appears on the work available report, contact the hospital to find out whether the child or young person is still in hospital.

218. If the child or young person is still in hospital:

- the personal allowance for the child or young person reduces to the hospital personal allowance rate;
- any Disability Living Allowance (DLA) mobility component, DLA care component payments for the child or young person stop;
- the Carer's Allowance (CA) Unit must be contacted for advice if the claimant or their partner receives CA for looking after the child or young person.

**See Decision Maker's Guide, Volume 10, Chapter 60, Carer's Allowance**

### Child or young person discharged

219. If the child or young person has been discharged before the 84<sup>th</sup> day and has returned home:

Step	Action
1	access dialogue JA091: Maintain Claim Details, EXCEPTIONAL CONDITIONS screen JA091019 and complete 'D/end' field to show date of discharge;
2	if appropriate, notify the relevant departments that the child or young person has been discharged from hospital using: <ul style="list-style-type: none"><li>• form BF600 for DLA; or</li><li>• a minute for CA.</li></ul>

### Child or young person still in hospital

220. If the child or young person has been in hospital for 84 days, find out whether during the 84 day period, the child or young person has spent any periods on hospital leave or if they have been discharged and readmitted.

221. If the child or young person has been out of hospital during the 84 days:

Step	Action
1	clerically recalculate the 84 <sup>th</sup> day as an inpatient; <b>Note:</b> Remember that days of discharge and readmission are counted as days out of hospital;
2	access dialogue JA530: Case Controls and set another user case control for the recalculated 84 <sup>th</sup> day.

### See Decision Maker's Guide, Volume 4, Chapter 24, Special cases

222. When the child or young person has been in hospital for 84 days:

Step	Action
1	access dialogue JA091: Maintain Claim Details, EXCEPTIONAL CONDITIONS screen JA091019 and input exceptional condition code [08] to zero the applicable amount for the child or young person;
2	access dialogue JA200: Award and Decision, CLERICAL COMPONENTS screen JA200203 and input the hospital personal allowance rate as a clerical component in the 'Amount' field. This amount is included in the claimant's JSA (IB) for as long as the child or young person is treated as being a member of the claimant's household; <b>See Decision Maker's Guide, Volume 4, Chapter 22, Membership of the family</b>
3	check if the claimant or partner receives: <ul style="list-style-type: none"><li>• DLA mobility/care component for the child/young person in hospital; or</li><li>• CA for caring for the child or young person in hospital;</li></ul>

4	<p>if the claimant or partner:</p> <ul style="list-style-type: none"> <li>• receive DLA mobility/care component or CA for the child/young person in hospital, go to step 5;</li> <li>• do not receive DLA mobility/care component or CA for the child/young person in hospital, go to step 8;</li> </ul>
5	DLA mobility/care component always stops after a child or young person has been in hospital for 84 days. CA usually stops when a child or young person has been in hospital for 84 days;
6	<p>if the claimant or partner receives DLA mobility/care component for the child or young person in hospital, payments of DLA mobility/care component will stop after the child/young person has been in hospital for 84 days. In these circumstances, access dialogue JA901: Maintain Claim Details:</p> <ul style="list-style-type: none"> <li>• OTHER BENEFITS screen JA091020 and complete the 'D/end' field for DLA mobility/care component to show the date of the 84<sup>th</sup> day;</li> <li>• EXCEPTIONAL CONDITIONS screen JA091019 and extend any Disabled Child Premium from the day after DLA is withdrawn. The Disabled Child Premium is not affected by the child/young persons stay in hospital;</li> </ul> <p><b>See Decision Maker's Guide, Volume 4, Chapter 23, Normal amount payable</b></p>
7	<p>if the claimant or partner receives CA for the child or young person in hospital:</p> <ul style="list-style-type: none"> <li>• contact the CA Unit for advice about whether CA is still payable after 84<sup>th</sup> days in hospital;</li> <li>• if the CA Unit advise CA will not stop, take action according to their advice;</li> <li>• if the CA Unit advise CA must stop, access dialogue JA091: Maintain Claim Details: <ul style="list-style-type: none"> <li>○ OTHER BENEFITS screen JA091020 and complete the 'D/end' field for CA to show the date of the 84<sup>th</sup> day;</li> <li>○ EXCEPTIONAL CONDITIONS screen JA091019 and extend the carer premium to 56 days after CA is withdrawn. This is because the carer premium is not affected until eight weeks after CA is withdrawn;</li> </ul> </li> </ul> <p><b>See Decision Maker's Guide, Volume 4, Chapter 24, Special cases</b></p>
8	<p>access dialogue JA530: Case Controls and set a user case control for an appropriate period to check if payments for the child/young person should continue based on whether or not the claimant or partner maintain regular contact with the child/young person in hospital.</p> <p><b>See Decision Maker's Guide, Volume 4, Chapter 22, Membership of the family</b></p>

### Third party in hospital

223. If a third party for whom the claimant or the claimant's partner receives Carer's Allowance (CA) is admitted to hospital, JSA (IB) is adjusted after:

- 28 days because CA stops after an adult has been in hospital for 28 days;
- 84 days because the carer premium stops eight weeks after CA payments stop.

224. When notified that a third party for whom the claimant or the claimant's partner receives CA has been admitted to hospital:

Step	Action
1	check if there are any linking periods as an inpatient;
2	access dialogue JA110: Maintain Notepad and input the hospital's name and address;
3	access dialogue JA530: Case Controls and set a user case control for the 28 <sup>th</sup> day of hospital inpatient treatment, taking account of any linking periods;
4	notify Carer's Allowance unit by minute that their payee has been admitted to hospital and ask them to notify you when CA is withdrawn;
5	send the claimant leaflet NI9 and a suitably completed form JSA30. Form JSA30 tells the claimants when their JSA (IB) will reduce;
6	take appropriate action when the user case control appears on the Work Available Report.

### 28 days user case control for third party appears on Work Available Report

225. When the 28 days user case control appears on the Work Available Report, contact the hospital/Incapacity Benefit (IB) Section to find out whether the third party is still in hospital.

226. If the third party is still in hospital:

- the Carer's Allowance (CA) paid to the claimant or claimant's partner for caring for the third party will stop;
- the carer's premium paid in the claimant's JSA (IB) will need to be reviewed.

### Third party discharged

227. If the third party has been discharged before the 28<sup>th</sup> day and the claimant or the claimant's partner has resumed their carer role, no further action is needed.

### Third party still in hospital

228. If the third party has been in hospital for 28 days, find out whether during the 28 day period, the third party has spent any periods on hospital leave or if they have been discharged and readmitted.

229. If the third party has been out of hospital during the 28 days:

Step	Action
1	clerically recalculate the 28 <sup>th</sup> day as an inpatient;
2	access dialogue JA530: Case Controls and set a user case control for the recalculated 28 <sup>th</sup> day.

**See Decision Maker's Guide, Volume 4, Chapter 24, Special cases**

230. When the third party has been in hospital for 28 days:

Step	Action
1	access dialogue JA091: Maintain Claim Details: <ul style="list-style-type: none"> <li>OTHER BENEFITS screen JA091020 and complete the 'D/end' field for CA to show the date of the 28<sup>th</sup> day; and</li> <li>EXCEPTIONAL CONDITIONS screen JA091019 and extend the carer premium to 56 days after CA is withdrawn. The carer premium is not affected until eight weeks after CA is withdrawn;</li> </ul>
2	write to the claimant reminding them that they must let the JSA Unit know if they or their partner re-apply for CA when the third party is discharged.

### **Admission direct from a Care Home**

231. If any of the claimant's dependants go into hospital for less than 28 days, it is not usually necessary to adjust the claimant's JSA (IB) award. However, if a dependant goes into hospital direct from a care home, special rules apply.

**See Decision Maker's Guide, Volume 4, Chapter 24, Special cases**

232. From 21<sup>st</sup> May 2003 all claimants who are in Care Homes will have their benefit downrated to the hospital personal allowance rate only after they have been in hospital for a period of 52 weeks.

### **Private health insurance**

233. If the claimant or the claimant's dependant receives money from a private health scheme, reduce the JSA (IB) award immediately by the full amount paid by the scheme.

### **Death of a claimant, partner or dependant**

234. Notification of death may be received from various sources. It may be:

- by telephone;
- by letter;
- on form JSA460;
- On form BD8
- On form 334SI (Scotland)
- by death certificate
- from the National Insurance Pay as You Earn System (NPS)
- from the Customer Information System (CIS)

- by email from DWP Bereavement Service
235. When notification of death is received it must be dealt with swiftly and tactfully.
236. When a claimant or member of their family reports a death directly to the office, make sure they are aware of any assistance, which may be available to them.
237. The cost of essential funeral expenses may be met from the Social Fund (SF). However, if a claimant's funeral has been arranged, the circumstances of the person making the arrangements determine whether a SF funeral payment is made.
238. Any funeral expenses met from the SF are recovered from the deceased's estate.
239. It is important to take appropriate action depending on whether the death has been:
- the claimant;
  - the claimant's partner;
  - the claimant's dependant(s).
240. This includes notifying interested parties of the death, whether that be the death of the partner or the death of a dependant.
241. The effective date, when dealing with all change of circumstances as a result of death, is always the day following the date of death. This ensures the system will assess entitlement correctly because benefit is due up to and including the date of death.

## **Death of a claimant**

242. When notification of a claimant's death is received, record on form A6, the:
- date of death;
  - date the notification is received;
  - name of the person notifying the death;
  - name of the person dealing with the late claimant's affairs and their relationship to the claimant.
243. It is important to check in these circumstances if the claimant has been survived by a partner.

## **Verification of the death**

244. Primary verification is:
- A form BD8 (Registrars issue a Certificate of Registration of Death (BD8) if there is a 'benefit interest')
  - A verified date from CIS
  - A verified date from NPS
  - Any statutory certificate of death
  - Email from DWP Bereavement Service stating that the date of death can be regarded as verified



### **Verification by DWP Bereavement Service.**

245. DWP Bereavement Service (BS) will ask a number of Identity Verification (IDV) questions to the caller. If the caller passes these IDV questions the email from the BS states "Knowledge of deceased: Passed (regard date of death as verified)".

246. If the claimant cannot answer the IDV questions the email states "Knowledge of deceased: Failed (regard date of death as not verified)."

### **Date of death recorded on CIS**

247. When a claimant's date of death is recorded on CIS, all other payee relationships are automatically ended. For further details see the Agents, Appointees, Attorneys and Deputies Guide.

## **Recording Death of a Claimant and Paying Arrears**

### **Death not verified**

248. If the death is not verified:

Step	Action
1	access Dialogue JA210: Maintain Suspension and Decision Details and suspend the claim;
2	access Customer Information System (CIS) Personal Details Screen to check if the Date Of Death (DOD) has been recorded: <ul style="list-style-type: none"><li>• if the DOD has been recorded, check that the correct date has been input and [NV] (Not Verified) has been recorded as the verification type; or</li><li>• if the DOD has not been recorded, access dialogue PD360: Further Personal Details and input the specified date and verification type [NV];</li></ul> Verification of death is essential before the death can be registered on JSAPS. Obtain form BD8/334SI from the person who notified the death or any known relative of the deceased;
3	access dialogue JA530: Case Controls and set a case control for seven days and await the reply.

### **System maintained claims**

249. When verification of the claimant's death has been received, to input the details onto JSAPS/CIS:

Step	Action
1	register the event as a change of circumstances in dialogue JA060: Register Claim/Event. A JSAPS Report will be produced, prompting further action;
2	if appropriate access dialogue JA060: Register Claim/Event and input event type [02] and event sub type [01];

3	<p>access dialogue PD360: Further Personal Details and if the DOD has:</p> <ul style="list-style-type: none"> <li>• not been recorded, input the DOD and verification type [V];</li> <li>• already been recorded, check the date is correct and if appropriate, amend the verification type to [V];</li> <li>• been recorded incorrectly, overwrite the details with the correct date and verification type [V];</li> </ul>
4	Press end to update CIS.
5	Access JA400 Method of Payment and set method of payment to Personal Issue
6	<p>access the CLAIM DETAILS PICKLIST screen JA091002 in dialogue JA091: Maintain Claim Details and:</p> <ul style="list-style-type: none"> <li>• input the date the notification of death was received;</li> <li>• input the effective date of the change (this is the day after the DOD) and press [F24];</li> <li>• select the PERSONAL DETAILS screen JA091003 and press [Enter] to fastpath to dialogue JA099: Record Claim Termination Details;</li> </ul> <p><b>Note:</b> CIS will transfer the DOD details onto JSAPS. Therefore, the DOD will already be displayed in the 'date of death' field. Any amendment to the DOD must be done via CIS;</p>
7	<p>in dialogue JA099: Record Claim Termination Details:</p> <ul style="list-style-type: none"> <li>• if appropriate, overwrite any incorrect termination details, and</li> <li>• press [F1] to accept the details;</li> <li>• if Personal Issue Indicator has not been set in JA400 Method of Payment the E9658 Error: Jobseeker deceased – set method of payment to Personal Issue will display in JA405 Compute Payment</li> </ul> <p>or if it is a joint claim, in dialogue JA050: Maintain Joint Claim:</p> <ul style="list-style-type: none"> <li>• end the joint claim;</li> <li>• change the nominated payee for the final payment, if necessary;</li> <li>• enter the individual termination reason and date;</li> <li>• press [F1] to accept the details;</li> </ul>
8	access dialogue JA200: Award and Decision, and decide on the claim termination;
9	Press F24 to go to dialogue JA405: Compute Payment
10	Press END. Any correspondence, including arrears payments, will be sent to the processing office rather than the claimant;
11	Access dialogue JA530: Case Controls and take action to clear any outstanding case controls;
12	Where at all possible, payment of arrears <b>must</b> be made by direct payment into the account of the person who has made the application for the arrears. Ensure that death arrears payee details on noted on form JSA14A/J for any payments made clerically;

13	Access dialogue JA110: Maintain Notepad and enter details of the death arrears and clerical payment;
14	Send form BR330 or BD8/334SI for the death arrears payee details if unknown and enter a note 'Death arrears outstanding' in dialogue JA110: Maintain Notepad. See claiming benefit arrears;
15	It may also be necessary to notify other third parties and specialist sections that a claim has terminated. Dialogue JA094: Claim Administration shows Special Interest Indicators which may suggest relevant third parties and specialist sections requiring notification, for example: <ul style="list-style-type: none"> <li>• Third party Deductions</li> <li>• Overpayments</li> <li>• Social Fund</li> <li>• Fraud</li> <li>• Legal Aid</li> </ul>
16	If the claimant was part of a joint claim, take appropriate action to reassess the remaining claimant's claim.

**Note: Please ensure that when correspondence is received at the processing office, care is taken to ensure that it is not sent on to the deceased claimant.**

### **Clerically maintained claims**

250. In clerically maintained claims:

Step	Action
1	re-assess the claim using form JSA14A. Ensure the death arrears payee details are recorded;
2	retain form JSA14J;
3	notify the claimant's Jobcentre/Jobcentre Plus office of the DOD on form JSA1C;
4	terminate the claim.

### **Incorrect date of death verified in error**

251. If an incorrect DOD has been verified in error in dialogue PD360: Further Personal Details, refer the case to Band D grade officer or nominated person with the appropriate level of access.

252. The nominated person will access dialogue PD053: Management Amendment and amend the DOD accordingly. The nominated person will then refer the case back to the JSA Processor to continue the action.

### **Claiming benefit arrears**

253. Possible benefit arrears can be claimed:

- on form BR330 or form BD8/334SI;
- by letter.

254. Only certain people can claim benefit owing to a deceased person. If more than one person claims, pay benefit in this order of priority:

Priority	Who to pay
1	the same person as nominated by the Incapacity/ESA Benefit Section;
2	personal representatives, that is executors of the deceased's will or if they die without leaving a will, the estate administrators;
3	a person taking responsibility for the cost of the funeral expenses. However, only pay arrears up to the cost of these expenses;
4	a person who maintained the beneficiary before death, for example care homes but only: <ul style="list-style-type: none"><li>• if there is benefit left after funeral costs have been paid from outstanding benefit;</li><li>• to the extent of the outstanding fees;</li></ul>
5	legatees;
6	next of kin;
7	any other creditor.

255. As JSA is paid in arrears, benefit may be due unless the deceased died on the day they last signed for benefit

256. The final payment cheque and any Tax Refund cheque will have been sent to the BC, as the Personal Issue indicator has been set.

257. Pay these arrears clerically by direct payment wherever possible, to the appropriate person, as the claimant's claim has now terminated.

### **The claimant is survived by a partner**

258. If a claimant is survived by a partner, the partner's circumstances dictate the options available.

259. If there are no surviving dependants, advise the partner, depending on their age, that they may claim:

- JSA if under State Pension age (SPa) (SPa is age 65 for men. To calculate relevant age/ date for women see: State Pension Age Calculator).
- Employment Support Allowance
- Income Support (IS) if not required to be available for work;
- Pension Credit;
- Bereavement Allowance for widows/widowers aged 45 or over;
- Bereavement Payment.

### **The surviving partner has dependants**

260. If the claimant or partner dies leaving a surviving partner with dependants, the benefits available to them include:

- Income Support. The partner is now a Lone Parent with dependants and therefore exempt from registering for JSA;
- JSA. The requirements for a lone parent to register is voluntary so the surviving partner can choose whether to register or not;
- Employment Support Allowance

- Pension Credit;
- Widowed Parent's Allowance which is payable to widows/widowers responsible for at least one child under 19;
- Bereavement Payment which is a lump sum payable to widows/widowers under State Pension age or over State Pension age if their husband or wife was not receiving Retirement Pension when they died.

## **Scottish Law**

261. Scottish Law recognises a form of irregular marriage by cohabitation with habit and repute. The existence of such a marriage can be:

- accepted by the Department for Work and Pensions, following a reference to their solicitor;
- confirmed by a decree of declarator of marriage pronounced by the Court of Session.

262. For advice on both Marriage by Cohabitation with Habit and Repute and Declarator of Marriage contact Adjudication and Constitutional Issues Scotland (ACIS).

263. If such a marriage is confirmed, there may be an entitlement to a Bereavement Benefit and other related benefits.

264. If the claimant received Housing Benefit or Council Tax Benefit, consider whether the surviving partner may be entitled to them. Consult the Local Authority if more detailed advice is required.

## **Action when a claim is terminated**

265. If the claim is terminated, due to death of the claimant, make sure all interested parties are informed.

266. If the claimant was having deductions taken from their JSA, advise the appropriate section of the claim termination, for example, Third Party Deductions, Social Fund etc, so that they can complete their action. This can be done:

- on form A6;
- by telephone.

267. If the claimant received Housing Benefit or Council Tax Benefit, JSAPS produces form NHB (JSA) for issue to the Local Authority (LA).

268. When a claimant dies, send Recovery from Estates (RFE) section forms Reg113 and JSA113, form Reg113(S) in Scotland, as soon as possible after notification is received. RFE section have two months after the death is registered, to claim recovery or an overpayment against an estate.

269. Failure to take immediate action may result in a claimant's estate being distributed before the RFE section can register a claim for recovery with the executor or legal personal representative.

270. If the total JSA paid was under £50 and stopped because of increased assets, unless there is an outstanding overpayment of more than £40:

- do not complete the forms JSA113 and Reg113/113(S);
- note form A6 'No JSA113 or Reg113/113(S)...(initials and date)' to show that no Reg form is issued and why.

271. If forms JSA113 and Reg113/113(S) were sent in error, cancel them by minute, quoting the claimant's details and the date of death shown on the form.

272. If the date of death was incorrectly recorded or the form was incorrectly completed, cancel the original JSA113 and Reg113/113(S) either by:

- minute; or
- sending a duplicate headed 'amended' in red.

273. For tax action, send Form P45U(MAN) to the Inland Revenue.

## Death of a partner

274. When notification is received the death of a claimant's partner:

Step	Action
1	record on form A6 the: <ul style="list-style-type: none"><li>• date of death;</li><li>• date the notification was received;</li><li>• name of the person notifying the death;</li><li>• name of the person dealing with the deceased's affairs;</li></ul>
2	establish whether the deceased partner had a claim in their own right by: <ul style="list-style-type: none"><li>• checking JSAPS or CIS; or</li><li>• requesting the information from the person dealing with the deceased's affairs;</li></ul>
3	take action to close the claim, if there is a claim for the deceased partner or the deceased partner forms part of a joint claim.

275. Take appropriate action if the date of death has already been input into the system but now needs to be changed.

276. Ensure all interested parties are notified of the death.

## System action for death of a partner

277. When verification of the death of a claimant's partner is received and the claim is not a joint claim, to input the change of circumstances on the claimant's claim:

Step	Action
1	<ul style="list-style-type: none"><li>• access dialogue JA060: Register Claim/Event and input:<ul style="list-style-type: none"><li>– event code [02] in the 'Event type' field;</li><li>– the appropriate code in the 'Event sub type' field. This alerts JSAPS of a change in the claimant's circumstances.</li></ul></li><li>• press [F1]. JSAPS displays the CLAIM DETAILS PICKLIST screen JA091002, in dialogue JA091: Maintain Claim Details</li></ul>
2	input: <ul style="list-style-type: none"><li>• the date that notification of the death was received;</li><li>• the effective date of the change. This is the day after the date of death;</li></ul>

3	access the ABOUT PARTNER screen JA091005 and input the date of death in the 'Date of death' field; Warning message W5907: 'Warning: Relationship will be ended at new Date of Death' displays;
4	JSAPS automatically ends the partner relationship by removing information held about the partner. However, if capital or other income details are held for the partner, remove them first. If these details are not removed, error message E6674: 'Error: Remove future capital/income evidence to enter date of death' displays. JSAPS automatically deletes other information recorded for the partner, for example, other benefits. Warning message W9083: 'Warning: Person you wish to delete has other evidences' displays;
5	check that the correct evidence is held before deciding the claim. When satisfactory evidence is shown on JSAPS, press [ENTER] to accept the information held. JSAPS automatically updates the latest evidence input and fastpaths to dialogue JA405: Compute Payment. The new adjusted benefit amount is issued to the claimant along with an accompanying change of circumstances notification.

### **Clerical action for death of a partner**

278. In clerically maintained claims, re-assess the claim using form JSA14A. Issue form JSA14J to the claimant, advising them of the change in entitlement.

### **Changing the date of death for a partner**

279. A date of death for a partner can only be amended or removed on JSAPS if it has not been recorded as verified on JSAPS.

### **Date of death verified**

280. If the date of death had been verified, the 'Date of Death' and 'Verified Status' fields are protected.

### **Date of Death not verified**

281. If the date of death for a partner has been input incorrectly, the action required depends on whether the date of death needs removing or amending.

282. If the date of death needs to be removed completely, action depends on whether CIS has been updated in the overnight batch.

283. If the batch has not been run:

Step	Action
1	access dialogue JA091: Maintain Claim Details and remove the date of death;
2	rebuild the relationship by re-inputting the partner's details in dialogue JA091: Maintain Claim Details.

284. If CIS has already been updated with the date of death:

Step	Action
1	access dialogue JA091: Maintain Claim Details and remove the incorrect date of death;
2	wait for CIS to be updated again before rebuilding the relationship. This normally takes 24 hours.

285. If a rebuild of the relationship is attempted before CIS is updated, error message E4618: 'Error: Unable to take record – client dead' displays.

286. If the date of death needs to be amended:

Step	Action
1	access dialogue JA091: Maintain Claim Details and remove the incorrect date using a date prior to the previous change of circumstance date, that is, the date of death or earlier;
2	input the correct date from the new change of circumstances date, that is, the new date of death plus 1.

**Note:** a date of death cannot be removed or amended once it has been recorded as verified on JSAPS.

287. If any change is made to the date of death, the following entry shows on exceptional activity report (EAR) JA7232 'Change to partner's date of death'.

288. Ensure that the partner's date of death has been changed correctly and that the date has been verified.

## Notifying interested parties of the partner's death

289. Notify all the interested parties of the claimant's partner's death. These may include:

Interested party	When to notify them
Direct payments	If any deductions were for the partner only, for example, fines or Child Support Agency deductions, notify the appropriate sections or departments by: <ul style="list-style-type: none"> <li>• minute;</li> <li>• telephone.</li> </ul>
Local Authority	If the claimant receives Housing Benefit, send a JSAPS produced form NHB(IS), or a locally produced form for clerical claims, to the appropriate Local Authority.
Social Fund (SF)	Deductions may be being taken for a SF loan originally paid to the partner. Tell the SF section of the partner's death to amend their records. This can be done by: <ul style="list-style-type: none"> <li>• minute;</li> <li>• telephone.</li> </ul>
Recovery from Estates	If the partner received JSA in their own right, send form Reg113/113(S) Scotland or JSA113 to the appropriate Recovery from Estates section.



## Death of a dependant

290. If the claimant's dependant dies, this may affect the amount of JSA (IB) payable to the claimant.

291. It is important to notify all interested parties of this change of circumstances within the claim.

292. When notification of the death of a claimant's dependant has been received:

Step	Action
1	record on form A6, the: <ul style="list-style-type: none"><li>• the name of the deceased;</li><li>• date of death;</li><li>• date the notification was received;</li><li>• name of the person who notified the change;</li></ul>
2	check whether Child Benefit (CHB) is in payment for the deceased by: <ul style="list-style-type: none"><li>• checking JSAPS/the clerically maintained records; or</li><li>• asking the claimant for the information;</li></ul>
3	if CHB is in payment, notify the Child Benefit Centre (CBC) of the dependant's death, giving the date and whether or not this date is verified, by: <ul style="list-style-type: none"><li>• telephone, if telephoning the CBC, confirm the information in writing by sending them form BF90 to Child Benefit Office, Claims and Amendments Section, Waterview Park, Washington, Tyne &amp; Wear; or</li><li>• fax.</li></ul>

## System action for death of a dependant

293. When notification of the death of the dependant is received:

Step	Action
1	register the event as a change of circumstances in dialogue JA060: Register Claim/Event. A Work Available Report JA72539 (WAR) is also produced, prompting further action. When notification is received: <ul style="list-style-type: none"><li>• access dialogue JA091: Maintain Claim Details; and</li><li>• press [Enter]. The CLAIM DETAILS PICKLIST screen JA091002 displays;</li><li>• access dialogue JA060: Register Claim/Event and input:<ul style="list-style-type: none"><li>◦ event code [02] in the 'Event type' field;</li><li>◦ the appropriate code in the 'Event sub type' field. This alerts JSAPS of a change in the claimant's circumstances;</li></ul></li><li>• press [F3]. JSAPS displays the CLAIM DETAILS PICKLIST screen JA091002, in dialogue JA091: Maintain Claim Details;</li></ul>
2	input:

	<ul style="list-style-type: none"> <li>• the date that notification of the death was received;</li> <li>• the effective date of the change. This is the day after the date of death;</li> <li>• [Y] in all the screens and press [Enter], to visit all the screens and remove all the information held about them. Further action may be required if the claimant receives a benefit for the dependant;</li> </ul>
3	check that the correct evidence is held before deciding the claim. When satisfactory evidence is shown on JSAPS, press [Enter] to accept the information held. JSAPS automatically updates the latest evidence input and fastpaths to dialogue JA405: Compute Payment. The new adjusted benefit amount is issued to the claimant along with an accompanying change of circumstances notification.

### **Clerical action for death of a dependant**

294. In clerically maintained claims, re-assess the claim using form JSA14A. Issue form JSA14J to the claimant, advising them of the change in entitlement.

### **Notifying interested parties of the death of a dependant**

295. Notify any interested parties of a dependant child or a young person's death. This may include:

<b>Interested party</b>	<b>When to notify them</b>
Local Authority (LA)	If the claimant receives Housing Benefit or Council Tax Benefit, JSAPS will produce form NHB(JSA) for issue to the appropriate LA as the dependant's death could affect their claim.
Child Benefit Centre (CBC)	If the CBC are not aware of the claimant's deceased dependant: <ul style="list-style-type: none"> <li>• send full details to the CBC by minute or fax;</li> <li>• ask the claimant to return the Child Benefit (CHB) order book to CBC.</li> </ul>
Child Support Agency (CSA)	If maintenance is being collected directly from the Non Resident Parent, notify the CSA of the relevant change in circumstances.

### **Notification of imprisonment**

#### **England and Wales**

296. In England and Wales, the Prison Services' Prisoner Notification Group (PNG) provides the social security office with a monthly list on computer tape of newly convicted prisoners.

297. CIS uses the tape from PNG to run a monthly trace. The trace matches prisoner details supplied by the Prison Services with details of people claiming benefits.

298. If a match is found, report RIS24003 Notification of Admission to Prison goes to all benefit centres noted as having a claim from someone with matching details.

## **Scotland**

299. At present, there are no arrangements in place to inform the Prison Liaison Section at Newcastle that a claimant has been detained in prison.

## **Report RIS24003**

300. Report RIS24003 is printed locally via the secured print spool of the Income Support Computer System. The report is addressed to the Benefit Processing Section Manager.

301. When report RIS24003 is received from the Income Support (IS) section, use the report to identify and cross check JSA claims for prisoners who are still receiving JSA.

302. It will not be possible to trace a claimant's partner or dependant who has been admitted to prison by using report RIS24003.

303. If the claimant is getting more than one benefit and the relevant benefit section is located on the same site, make sure that RIS24003 is sent to the other benefit section(s).

304. Report RIS24003 lists the:

- claimant's:
  - name;
  - National Insurance number;
  - date of birth;
  - last known address.
- prisoner's:
  - name;
  - phone number;
  - date of first reception;
  - sentence;
  - sentence start and end dates;
  - earliest release date;
  - benefit in payment.

305. Report RIS24003 is not issued for prisoners sentenced to less than three weeks in prison.

## **Action on receipt of notification of imprisonment**

### **Action by the JSA Processing Section Manager**

306. When report RIS24003 is received:

- transfer the claimant's details shown on RIS24003 onto form A98; and
- pass report RIS24003 to the JSA Processor for tracing action.

307. If a discrepancy in report RIS24003 is found, the report will be returned to the Section Manager to action.

## Tracing action by JSA Processor

308. When report RIS24003 is received from the JSA Processing Section Manager:

Step	Action
1	trace the claimant's claim using the: <ul style="list-style-type: none"><li>• JSAPS enquiry dialogues; and</li><li>• clerical file;</li></ul>
2	if a positive match cannot be found between report RIS24003 and a claimant's claim, take appropriate action;
3	there is different action to take depending on whether a positive match is found at the: <ul style="list-style-type: none"><li>• local JSA Unit; or</li><li>• another JSA Unit.</li></ul>

309. If a discrepancy in report RIS24003 is found, return the report to the Section Manager to action.

## JSA claim not found

310. If a positive match cannot be found in the local JSA Unit or at any other JSA Unit, return report RIS24003 to the Prisoner Notification Group (PNG) with 'No trace' noted next to the name.

311. PNG's address is on the RIS report.

312. When report RIS24003 is returned to PNG with 'No trace' next to a name, PNG check if any of the 'No trace' prisoners are the partner or dependant of someone on benefit.

313. If PNG find a trace, they send the report to the appropriate office with the relevant details.

## Positive match found at another JSA Unit

314. If a positive match cannot be found in the office that received the RIS24003 but the claimant's account is held at another JSA Unit:

- contact the holding JSA Unit by phone and tell them about the details shown on the report; and
- send the report to that JSA Unit.

## Positive match found at the local JSA Unit

315. If a positive match has been found at the local JSA Unit, compare the date of sentence shown on report RIS24003 with the date of claim displayed on JSAPS.

316. If there is a discrepancy, do not automatically assume fraud is involved. Check the JSA claim form for further information that may suggest the date of claim:

- is before the date of sentence; or
- was made on the same day or later than the date of sentence.

### **Date of claim is before the date of sentence**

317. If the date of claim is before the date of sentence:

<b>Step</b>	<b>Action</b>
1	access dialogue JA300: Maintain General Deductions and terminate any direct payments;
2	access dialogue JA099: Record Claim Termination Details and complete the following fields: <ul style="list-style-type: none"><li>• 'Claim termination date' input the date of sentence;</li><li>• 'Reason code' input code [15];</li></ul>
3	access dialogue JA200: Award and Decision and decide on the termination;
4	if the claimant has not nominated a person to receive the final payment, take action to withhold the payment;
5	if the claimant has nominated someone to receive their payment, access dialogue: JA405: Compute Payment and either: <ul style="list-style-type: none"><li>• issue payment and notifications to the claimant in prison, by making cheques payable to HM Prison Services. Further information regarding this is available in the LPS Generic User Manual; or</li><li>• issue payment and notifications to the person the claimant has nominated to receive their payment.</li></ul>
6	send form JSA1C to the Personal Adviser showing: <ul style="list-style-type: none"><li>• details of the claimant;</li><li>• the current claim start date at 'Current period of jobseeking';</li></ul> tick the box marked 'Imprisoned from' and the date the claimant was imprisoned – this is shown on report RIS24003;
7	notify the JSA Processing Section Manager of the action so that they can update form A98.

### **Date of claim is on or after sentence**

318. If the date of claim is on or after the date of sentence shown on report RIS24003, phone the prison authorities to find out if the prisoner has been released.

319. If the prison authorities confirm the claimant was released on or before the date of claim, take the same action as for a date of claim before the date of the sentence.

320. If the prison authorities confirm that the prisoner was released after the date of claim or is still in prison, write up a report on form A6 detailing what has been discovered and refer form A6 to the JSA Processing Section Manager with:

- report RIS24003;
- computer printouts of the claim.

## **Discrepancy discovered on report RIS24003**

321. If the JSA Processor discovers a discrepancy on report RIS24003, they should refer the RIS report to their Section Manager with:

- a print out of the claimant's JSAPS record; and
- form A6 giving an explanation of why they have referred the matter.

322. When the Section Manager receives the referral they will:

- confirm that there is a discrepancy between the date of claim and date of sentence; and
- if there is a discrepancy:
  - refer to fraud by completing a Fraud Referral Form (FRF) where appropriate.

323. When the investigation is complete they will decide whether the JSA claim should:

- continue;
- be terminated.

324. When the decision has been made:

- record the decision:
  - on form A6; and
  - access dialogue JA110: Maintain Notepad and record the decision; and
- pass form A6 showing the decision to the JSA Processor.

## **When claimants have been temporarily abroad**

325. One of the conditions for receiving JSA is that the claimant is in Great Britain (GB).

326. If a claimant is absent from GB for a whole day or more, for example on holiday abroad, they are not usually entitled to JSA.

327. If the claimant's partner goes abroad, specific action must be taken to record the details.

328. However, in certain circumstances it may be that a claimant who is temporarily absent from GB can be treated as being in GB if they:

- attend a job interview abroad;
- accompany a child or young person for treatment abroad;
- accompany their partner abroad;
- are travelling to Northern Ireland;
- get a training allowance;
- are going abroad for National Health Service (NHS) funded treatment.

**Note:** A claimant can be treated as being in GB, available and actively seeking employment for a period of seven days or less whilst they are attending an interview in any country.

## **Attending an interview abroad**

329. If a claimant intends to go abroad temporarily to attend a job interview, they may be treated as being in Great Britain (GB) for up to seven days if they satisfy all the following conditions:

- the claimant goes abroad to attend a job interview and they give notice of their intended absence before leaving; and
- the claimant is temporarily absent abroad for three days or more that week;
- when they return to GB, the claimant satisfies Jobcentre Plus that they attended the job interview.

**Note:** If the claimant is temporarily absent from GB for part of a day, then that does not count as a day of absence from GB; and

330. If, on their return, the claimant satisfies the above conditions, the JSA Processor may decide that full payment can be made for up to seven days.

331. Consider if the days the claimant travels to, and from abroad, can be treated as days in GB.

**See Decision Makers Guide, Volume 4, Chapter 21, JSA – Labour Market Questions**

### **Accompanying a child/young person abroad**

332. If a claimant intends to accompany a child or young person abroad, they may be treated as being in Great Britain (GB) for up to eight weeks if they satisfy all the following conditions:

- the claimant accompanies a child or young person who is going abroad for treatment; and
- arrangements have been made for the child or young person to receive treatment for a disease or a bodily or mental disablement; and
- the claimant is responsible for the child or young person; and
- the claimant is entitled to JSA before the absence; and
- the claimant satisfies or is treated as satisfying the JSA entitlement conditions while they are absent; and
- the claimant is temporarily absent abroad for three days or more in each week; and
- the period abroad is unlikely to exceed 52 weeks.

**Note:** If the claimant is temporarily absent from GB for part of a day, then that does not count as a day of absence from GB.

333. A definition of child/young person is given in the Decision Makers Guide.

**See Decision Makers Guide, Volume 4, Chapter 20, JSA and IS – conditions of entitlement**

334. If the claimant satisfies the above conditions, it may be that full payment can be made for up to eight weeks during their absence.

335. Payment is made to the claimant by their normal payment method unless they arrange, before departure, for payment to a nominated person.

336. To receive benefit after eight weeks, the partner remaining in GB could claim:

- Income Support as a lone parent if they have other dependant children;
- other benefits in their own right if they do not have other dependant children and satisfy the necessary entitlement conditions.

337. If the absence is expected to exceed 52 weeks, the claimant is not entitled to JSA even for the first eight weeks.

338. The claimant's partner must therefore claim benefit in their own right from the start of the absence.

**See Decision Makers Guide, Volume 4, Chapter 21, JSA – Labour Market Questions**

### **Accompanying a partner abroad**

339. If the claimant is one of a couple and intends to accompany their partner abroad for any reason, they may be treated as being in Great Britain (GB) for up to four weeks if they satisfy all the following conditions:

- any pensioner/disability or severe disability premiums are payable for the partner; and
- the claimant is entitled to JSA before the absence; and
- the claimant satisfies or is treated as satisfying the JSA entitlement conditions while they are absent; and
- the claimant is temporarily absent abroad for three days or more in each week; and
- the period abroad is unlikely to exceed 52 weeks.

**Note:** If the claimant is temporarily absent from GB for part of a day, then that does not count as a day of absence from GB.

340. If the claimant satisfies the above conditions, it may be that full payment can be made for up to four weeks during their absence.

341. Payment is made to the claimant by their normal payment method unless they arrange, before departure, for payment to a nominated person.

342. If the absence is expected to exceed 52 weeks, the claimant is not entitled to JSA even for the first four weeks.

**See Decision Makers Guide, Volume 4, Chapter 21, JSA – Labour Market Questions**

### **Travel to Northern Ireland**

343. If the claimant intends to go to Northern Ireland for any reason, they may be treated as being in Great Britain (GB) for up to four weeks if they satisfy all the following conditions:

- the claimant is entitled to JSA before the absence; and
- the claimant satisfies the JSA entitlement conditions while absent; and
- the period abroad is unlikely to exceed 52 weeks.

344. If the claimant satisfies the above conditions, it may be that full payment can be made for up to four weeks during their absence.

345. Payment is made to the claimant by their normal payment method unless they arrange, before departure, for payment to a nominated person.

346. If the absence is expected to exceed 52 weeks, the claimant is not entitled to JSA even for the first four weeks.

**See Decision Makers Guide, Volume 4, Chapter 21, JSA – Labour Market Questions**



## **Claimant going abroad for National Health Service funded treatment**

347. When a claimant states that they are going abroad for National Health Service (NHS) funded medical treatment, they should complete JSA460 and provide supporting medical evidence.

348. They will need to provide medical evidence for the whole absence from Great Britain (GB).

**Note:** For a claimant's entitlement to JSA to continue for a period of NHS funded medical treatment abroad, they must have satisfied in full the conditions of entitlement immediately before the beginning of the temporary absence.

349. Ask the claimant to provide the details of a contact name, address and telephone number for our use during the absence abroad. In return give them details of a named contact in your office to notify any further change of circumstances.

350. Using Informed Choice discuss the best method of payment during their absence.

351. Advise the claimant that any further change of circumstance arising during the absence must be notified to us as soon as possible.

352. For claimants in receipt of JSA (C), check whether the exhaustion date occurs during the absence and issue the appropriate claim forms for JSA (IB) so that the claim can be processed at the earliest opportunity after the exhaustion date.

353. Inform the claimant that they will need to contact their local office immediately they return to GB. If it is known that on their return they will not be able to work they can be issued with the relevant claim forms to make an advance claim for a more appropriate benefit.

354. Record in LMS Conversations and in dialogue JA110: Notepad, complete form ES673JP and attach to the front of the claimant's Labour Market Unit.

## **Action for claimant going abroad for funded treatment**

355. On receipt of the claimant's written declaration on form JSA460, together with medical evidence:

Step	Action
1	system action: set a case control for the next fortnightly benefit week ending date; clerical action: set a BF for the next fortnightly benefit week ending date;
2	contact the OS Adviceline for instructions on how to proceed further.

## **Action when claimant returns to Great Britain**

356. Inform the claimant that normal fortnightly attendance will resume and they should once again be actively seeking work and be available for work.

357. A referral should be made to a more appropriate benefit if the claimant is still not fit for work.

## Joint claims

358. Claimants who are members of a joint claim can also be treated as being in GB, being capable of, available for and actively seeking work during a period of temporary absence from GB for NHS funded medical treatment.

359. This provision applies to whichever of the claimants is the patient.

## Notification of intention to go abroad

360. When a claimant is going abroad temporarily, notification may be made via the:

- claimant in person, in writing or by phone;
- case appearing on a work available report following suspension by the Jobcentre/Jobcentre Plus adviser.

361. If just the claimant's partner goes abroad, or the claimant has returned from abroad, specific action must be taken to record the details.

## Notification received direct from claimant

362. If the claimant notifies the processing section direct that they intend to go abroad temporarily, tell them to contact the Jobcentre/Jobcentre Plus adviser.

363. The advisor must establish if, while the claimant is temporarily absent from Great Britain, they can be treated as satisfying the labour market entitlement conditions.

## Claimant informs Jobcentre Plus

364. The main point of contact for claimants is the Jobcentre/Jobcentre Plus office.

365. If a claimant intends to go abroad, they will usually tell their Personal Adviser and will complete form JSA460.

366. The action taken depends on whether or not the claimant:

- is going abroad on holiday;
- is not going abroad on holiday.

367. It is important to be told of this change in circumstances as, depending on why the claimant is temporarily abroad, they may:

- be treated as being in Great Britain;
- not be treated as being in Great Britain.

**See the Labour Market Conditions Guide, Chapter 2, Section 3.**

## Claimant going abroad for reasons other than holiday

368. If the claimant is going abroad for any reason other than a holiday:

Step	Action
1	note the details on form JSA460;
2	for system cases only: access dialogue JA210: Maintain Suspension and Decision Details and suspend the claimant's payments pending a decision by the Sector Decision Maker. If the payments are suspended, an entry appears on the Work Available

	Report prompting further action by the JSA Processor;
3	refer form JSA460 to the JSA Processor. <b>Note:</b> If the claimant receives a training allowance, a Sector Decision Maker's decision is not needed because the claimant is not required to meet the labour market entitlement conditions.

**See Decision Makers Guide, Volume 4, Chapter 21, JSA – Labour Market Questions**

### **Claimant going abroad on holiday**

369. There are three ways the Jobcentre may advise the JSA Processor that the claimant intends going abroad:

- form ES676B is received;
- an entry appears on the work available report (WAR) following suspension;
- form JSA460 is received.

370. If the claimant is going abroad on holiday:

<b>Step</b>	<b>Action</b>
1	access dialogue JA099: Record claim termination details to initiate the action to terminate the claimant's claim to JSA on JSAPS;
2	complete form ES676B with the dates the claimant will be abroad; and
3	send form ES676B to the JSA Processor.

### **Claimant returns from abroad**

371. Do not send out claim forms to confirm that the claimant has returned from abroad.

372. A form will only be issued if the claimant contacts the office to notify them that they have returned and that they wish to reclaim JSA.

### **Form ES676B received**

373. When form ES676B is received from the Personal Adviser stating that the claimant is going abroad on holiday:

<b>Step</b>	<b>Action</b>
1	check: <ul style="list-style-type: none"> <li>• when the claimant intends to go abroad; and</li> <li>• the period of absence;</li> </ul>
2	terminate their JSA claim.

### **Entry appears on the work available report**

374. If an entry about the claimant's suspension appears on the WAR, check to see whether or not form JSA460 has been received from the Personal Adviser.

375. If form JSA460 cannot be found, phone the Personal Adviser to find out details of the claimant's absence and ask for form JSA460.

## Form JSA460 received

376. The Personal Adviser sends form JSA460 if the claimant is going abroad for reasons other than on holiday.

377. When form JSA460 is received, check whether the case has been referred to the Sector Decision Maker (SDM) for a decision on the labour market entitlement conditions.

378. The SDM's decision may be:

- outstanding;
- not outstanding.

## Sector Decision Maker's decision outstanding

379. If a SDM's decision is outstanding, await the outcome before:

- a decision on entitlement can be made; and
- processing the JSA claim further.

## Clerical action if Sector Decision Maker's decision is outstanding

380. If a SDM's decision is outstanding:

Step	Action
1	suspend the claimant's JSA;
2	wait for the Sector Decision Maker's decision;
3	take action when the Sector Decision Maker's decision is received.

## Sector Decision Maker's decision received

381. If the SDM's decision is completed or is not needed:

Step	Action
1	check form JSA460 to find out why the claimant is going abroad;
2	complete form A6 from the information shown on form JSA460;
3	decide whether the claimant can be paid for any part of the temporary absence abroad.

## The decision

382. Whenever possible, make the decision within 14 days of receiving the request.

383. To make a decision:

- consider all the available evidence;
- decide whether:
  - the claimant can be treated as being in Great Britain (GB) for the period/part of the period the claimant is abroad;
  - the claimant cannot be treated as being in Great Britain for the period/part of the period the claimant is abroad;
- record the decision on form A6.

**See Decision Makers Guide, Volume 4, Chapter 21, JSA – Labour Market Questions**

## Claimant returns from abroad

384. When either form JSA1 or JSA4(RR) is received stating that the claimant has returned from abroad, consider disallowing the claim for the period the claimant was outside Great Britain (GB).

### See Decision Maker's Guide, Volume 4, Chapter 21, JSA – Labour Market Questions

385. Write to the claimant to advise them that:

- their claim was disallowed for the period they were absent from Great Britain;
- they are not entitled to credits for the period they were away and therefore cannot be treated as being in GB.

386. JSA is only paid up to the claimant's normal day of attendance before going abroad.

387. The claimant will receive any payment due for days up to the start of the period abroad after confirmation that the claimant has returned.

## Claimant to be treated as being in Great Britain

388. If it is decided that the claimant can be treated as being in Great Britain (GB) for all or part of their temporary absence abroad:

Step	Action
1	access dialogue JA091: Maintain Claim Details, TEMPORARY PERIODS OF UNAVAILABILITY screen JA091021 and complete the following fields from the information noted on forms A6 Reason code: <ul style="list-style-type: none"><li>• input code:<ul style="list-style-type: none"><li>◦ input the appropriate code from the Jobseeker's Allowance deskaid;</li></ul></li><li>• Start date:<ul style="list-style-type: none"><li>◦ input the start date of the temporary period of unavailability as shown on form JSA460;</li></ul></li><li>• End date:<ul style="list-style-type: none"><li>◦ input the end date of the temporary period of unavailability as shown on form JSA460;</li></ul></li></ul> for clerical action: BF the case for a fortnightly intervention so that payment can go to the claimant as normal;
2	press: <ul style="list-style-type: none"><li>• [End] to save the details you have input; or</li><li>• [Enter] to continue processing the details input;</li></ul>
3	access dialogue JA530: Case Controls and set a user case control to mature when the claimant's temporary absence ends, that is, the date input in the 'End date' field; for clerical action: BF the case to mature at the end of the period of absence.

389. When the above details have been input, JSAPS will issue payment on the due date during the period of temporary absence.

390. The claimant can elect to have their benefit paid to a nominated person also.

### **Case control appears on the work available report**

391. When the case control appears on the work available report, check whether or not the claimant has reported their return to Great Britain.

392. If the claimant has contacted the JSA Unit following their return from abroad, take no further action.

393. If the claimant has not reported their return, decide if payments of JSA can continue.

### **Claimant cannot be treated as being in Great Britain**

394. If it is decided that the claimant cannot be treated as being in Great Britain during their temporary absence abroad, terminate their JSA claim.

### **Claimant's partner goes abroad**

395. The partner of a claimant is not required to be available for work or actively seeking employment to be included in an entitlement assessment.

396. The exception to this statement is within a joint claim, where both members of the claim must satisfy Labour Market Conditions.

397. When a claimant reports that their partner is going abroad, the JSA Processor must decide whether the partner can still be included in an entitlement assessment.

398. Whenever possible, make a decision within 14 days. When making a decision:

- consider all the available evidence and guidance;
- decide if the absence:
  - can be treated as temporary;
  - should be treated as permanent;
- record their decision on form A6.

399. In certain circumstances, the couple rate of JSA is paid for the first four weeks of the partner's absence abroad.

**See Decision Makers Guide, Volume 4, Chapter 21, JSA – Labour Market Questions**

### **Absence to be treated as temporary**

400. If the absence is to be treated as temporary:

Step	Action
1	continue paying the claimant as normal;
2	access dialogue JA110: Maintain Notepad and record details of the partner's absence;
3	access dialogue JA530: Case Controls and set a case control to

	mature 52 weeks from the start of the partner's absence from Great Britain (GB).
--	--

### **When the case control matures**

401. When the case control matures, check if the partner has returned to GB.

If the partner has:

- returned to GB, no further action is needed; or
- not returned to GB decide whether the partner can be included in an initial assessment.

### **Absence to be treated as permanent**

402. If the absence is to be treated as permanent:

Step	Action
1	access dialogue JA060: Register Claim/Event and input sub event type [18];
2	press [F1] to access dialogue JA091: Maintain Claim Details and remove the claimant's partner from the assessment. The date of change is the day after the claimant's partner left Great Britain;
3	pay any benefit due to the claimant;
4	access dialogue JA110: Maintain Notepad and record the reason why the partner is removed from the assessment.

### **Useful Addresses**

#### **Recovery from Estates contact details**

- England & Wales: [redacted]  
Courier address: [redacted]
- Scotland: [redacted]  
Courier Address: [redacted]
- Northern Ireland: [redacted]

#### **HMRC NI Contributions Office**

- HMRC NI Contributions Office, [redacted]

#### **Prisoner Notification Group**

- [redacted]

#### **PD Operations and Live Support**

- PD Operations and Live Support, Room B1503, Benton Park View, Longbenton.

#### **Carer's Allowance Unit**

- Carer's Allowance Unit, Palatine House, Preston, PR1 HB;

- Telephone: 0845 6084321
- Textphone 0845 6045312 (for hearing or speech difficulties).

**CIS Frontline Services**

- CIS Frontline Services, Room 157A, Benton Park View, Longbenton, Newcastle Upon Tyne.

**Adjudication and Constitutional Issues Scotland (ACIS)**

- Adjudication and Constitutional Issues Scotland, Room D311, Argyle House, 3 Lady Lawson Street, Edinburgh, EH3 9SH.