

Suspending Payment

Suspending payment of Jobseeker's Allowance

1. A payment of Jobseeker's Allowance may be suspended following a change of circumstances if:
 - there is an indication that the amount of JSA may be reduced; and
 - further information is needed before a decision can be made
2. The decision to suspend can be made if evidence is received that raises a doubt about their entitlement, for example, a doubt about the claimant's address.
3. Consider suspending payment of Jobseeker's Allowance (JSA) if a change of circumstances is reported or evidence is received that raises doubts about the claimant's entitlement. For example, the claimant reports receiving income not previously declared.
4. In joint claim cases, consider whether it is appropriate to suspend payment to both members of the claim.

Decision to suspend payment

5. The decision to suspend payment is discretionary and can only be made after Jobseeker's Allowance (JSA) has been awarded.
6. When making a decision:
 - consider individual factors which might make the suspension unacceptable, for example:
 - ill health;
 - children;
 - age;
 - financial commitments which could cause hardship;
 - give the claimant the opportunity to explain any reason they may have for payment not being suspended;
 - think carefully about how long to suspend payment. Only suspend the claimant's JSA for the time it will take to resolve the doubt, for example, if you need to send a form to verify part of the claim and you expect a reply in two weeks:
 - suspend payment for two weeks;
 - if necessary, reconsider the decision to suspend if it takes longer than expected to resolve the entitlement question;

- make sure the case is referred for a decision immediately after the suspension is recorded in dialogue JA210: Maintain Suspension and Decision Details.

See the Decision Makers Guide, Volume 6, Chapter 33.

Right of appeal

7. There is no right of appeal against the decision to suspend payment of Jobseeker's Allowance (JSA). However, any person subject to a decision can seek a Judicial Review of the decision.

Judicial Review

8. During a Judicial Review, a judge from the High Court in England and Wales or a Court of Session in Scotland considers the decision to suspend payment of JSA, to establish if any fault in the decision amounts to an error of law. If the court decides the decision does contain an error of law, the decision is declared invalid. The court does not substitute a new decision.

See the Decision Makers Guide, Volume 1, Chapter 6.

Suspending the claim

9. The decision to suspend a claimant's Jobseeker's Allowance (JSA) is recorded on form A6 and in dialogue JA110: Maintain Notepad. The decision will include the period of the suspension.

Period of suspension

10. The first day of the suspension must be after the claimant's payment up to date. Usually the payment will not, initially, be suspended for more than one calendar month.

11. If payment is suspended because of a question about a claimant's entitlement, the suspension continues until:

- a decision is made to lift the suspension, for example, when appropriate evidence is received; or
- an entitlement question is answered.

Recording the suspension

12. When it is decided to suspend payment of JSA:

Step	Action
1	access dialogue JA210: Maintain Suspension and Decision details, MAINTAIN SUSPENSION AND DECISIONS screen

	JA210213 and record the payment suspension;
2	notify the claimant using draft letter DLJA/102;

13. When the suspension details are input, JSAPS automatically sets a case control to monitor the suspension. When the case control matures, it will appear on the Work Available Report JA72539.

Change of circumstances during the suspension

14. If the claimant reports a change of circumstances during the period that payment is suspended:

Step	Action
1	access dialogue JA091: Maintain Claim Details and record the change as appropriate;
2	JSAPS reassesses the claimant's Jobseeker's Allowance award but does not allow access to dialogue JA405: Compute Payment to pay the revised/superseded award. Any arrears that may be due are not paid until the suspension is lifted.

Lifting a suspension

15. A suspension is lifted when:

- the appropriate evidence is received; or
- an entitlement question is answered.

16. To lift a suspension:

Step	Action
1	access dialogue JA210: Maintain Suspension and Decision and lift the suspension and press [F3] to confirm;
2	access dialogue JA200: Award and Decision and press [F24];
3	access dialogue JA405: Compute Payment and issue any payment due and press [END] to confirm.