

Initial Assessment Action

Main benefit reply received

1. When JSAPS receives the Main Benefit reply (MBR), if it is:
 - **the same** as the information retrieved by Customer Information System (CIS), JSAPS calculates the payment;
 - **different to** the information retrieved by CIS, case control S091 is created and a manual decision is needed.
2. When case control S091 appears on a WAR, take action as detailed in Jobseekers Allowance System Guidance.

Claimant ends training

3. The action to take for a claimant who ends a period of training depends upon whether the Training Allowance they received was based on JSA(IB) or JSA(C). Further information regarding the actions to take can be found in the Gathering Evidence chapter of this guide.

Registering a claim

4. A claim to JSA is registered by the jobcentre in dialogue JA060: Register Claim/Event and on the Labour Market System initially, then passed to the processing section to complete the registration process.

Claim not registered

5. If there has been no interest registered in CIS or the claim has not been registered in dialogue JA060: Register Claim/Event, for example there is an outstanding action on a previous claim, complete the outstanding action:

Step	Action
1	access; <ul style="list-style-type: none">• dialogue PD350: Register interest;• CP650: Amend Post office: and• dialogue JA060: Register Claim/Event to register the new claim;
2	JSAPS will check CIS for any relevant and recent information on ISCS;
3	press F1 to fastpath to dialogue JA091: Maintain Claim Details;
4	input the date of claim and press F24. If Departmental Central Index (CIS) has not found recent evidence on ISCS take normal action to input the claim details;
5	if CIS has found recent evidence on ISCS, warning message W6872 Warning: more recent IS claim details exist, will display. Press F24 again to transfer the information from ISCS to JSAPS.

Registering clerical claims

6. If the claim needs to be registered clerically, completion of the following forms are mandatory:
 - JSA 14A: assessment panel;
 - JSA14P: payment panel;

- JSA14C: control sheet/form;
- JSA690: benefit enquiry form.

Completion of control form JSA14C

7. Use this card as a storage and control sheet for a JSA clerical record.
8. At the start of the card enter the:
 - claimant's personal details;
 - claim status;
 - date of claim;
 - review dates.
9. The remainder of the card is to record the:
 - issue of forms;
 - relevant Brought Forward (BF) dates;
 - dates of issue of the relevant Prevention of Duplication of Payments forms, in the case of 'Other Benefits'.

Specific action for joint claims

10. Before taking any specific joint claim action, check that joint claims is applicable to the couple.
 11. For joint claims, initial cross screen validation and fastpath to dialogue JA050: Maintain Joint Claim can be preformed.
 12. The 'Contributory received', 'Income Based received' and 'effective dates' will be displayed for each member of the joint claim. If there is no prior JSAPS record for a member, the 'Conts' and 'IB' dates will be set to the joint claim start date input in JA050: Maintain Joint Claim.
 13. If the member was previously claiming JSA(C) only, the 'IB received' and 'effective dates' will be set to the joint claim start date.
 14. The 'Conts' and 'IB' dates will be protected for both members of a joint claim.
 15. The 'joint claim received' and 'effective dates' will be populated using the joint claim start date input in JA050: Maintain Joint Claim. This will only display when event types [15] and [16] are displayed in the Register Joint Claim screen JA060171 of dialogue JA060: Register Claim/Event.
 16. If an exclusion reason is input on a joint claim, JSAPS will issue a warning to end the joint claim.
 17. For joint claims, a hardship reason may exist for each member but will only be awarded to one member. Two passes through dialogue JA091: Maintain Claim Details will be required in these circumstances, one for each member.
- Note:** The decision input will be for the member whose National Insurance number (NINO) was used to access dialogue JA091: Maintain Claim Details.
18. The decision can be amended in the 'Hardship Decision' field if you have not assessed the claim in dialogue JA200: Award and Decision. However, if the decision code is [99], successful, then JSAPS will take you to the EXCEPTIONAL CONDITIONS screen JA091019 to amend the dates.
 19. The following screens are mandatory for joint claims and must be selected from the picklist if the members' details are not already held on JSAPS:
 - MAINTAIN CLAIM ADMINISTRATION DETAILS JA091004;

- OTHER INCOME JA091015, if an other income interest overlaps the joint claim start date;
- WHERE YOU LIVE JA091016
- OTHER benefits JA091020 if an other benefit interest overlaps the joint claim start date;
- BENEFIT LINKING DETAILS JA091022; and
- TAX DETAILS JA091097, if the member is a claimant.

Note: not mandatory if the claimant is a share fisherman.

20. The following screens are mandatory if evidence exists from a prior single claim for either member of the joint claim:

- CURRENT WORK JA091006;
- OCCUPATIONAL/PERSONAL PENSION JA091008;
- PEOPLE WHO LIVE WITH YOU JA091012;
- MONEY JA091013;
- NATIONAL SAVINGS CERTIFICATES JA091014;
- OTHER INCOME JA091015;
- HOME LOAN DETAILS JA091017;
- EXCEPTIONAL CONDITIONS JA091019; and
- OTHER BENEFITS JA091020.

21. The following screens cannot be accessed for joint claims:

- ABOUT PARTNER JA091005; and
- CMB OPENING POSITION JA091026.

22. The DEPENDANTS YOU WANT TO CLAIM FOR screen JA091011 will only be available when retrospective changes of circumstances have been registered on a joint claim for a single claim period.

23. For joint claims, the member number and NINO will display only for both members in the joint claim. The JSA(C) and JSA(IB) dates will be displayed from the database and protected.

Action on new or repeat claims

24. When processing a new or repeat claim:

Step	Action
1	input the claim effective dates for the JSA(C) and JSA(IB) claim, if appropriate;
2	press [F24]. The CLAIM DETAILS PICKLIST screen JA091002 is re-displayed. The screen selection fields appropriate to the claim are available for selection.

25. depending on the type of claim, certain screens must be visited. Any screen visited displays [Y] against the relevant selection field.

26. If the claim is for JSA(C) only, access is limited to certain screens, they are:

- PERSONAL DETAILS JA091003;
- CURRENT WORK JA091006;
- PREVIOUS WORK JA091007;
- OCCUPATIONAL/PERSONAL PENSION JA091008;
- OTHER BENEFITS JA091020;

- SPECIAL CREDITS JA091010;
 - TEMPORARY PERIODS OF UNAVAILABILITY JA091021;
 - EXCEPTIONAL CONDITIONS JA091019;
 - BENEFIT LINKING DETAILS JA091022;
 - TAX JA091097;
 - MAINTAIN CLAIM ADMINISTRATION DETAILS JA091004AND
 - INTERIM PAYMENT REFUSAL JA091032.
27. The tax screens cannot be accessed if the claim is for a training allowance or JSA(IB) and no prior JSA claim exists.
28. If a repeat claim is recorded and the previous claim holds evidence which may be relevant to the current claim, a [Y] displays outside the selection brackets for the relevant screens.
29. Select any or all of these screens to accept or end the evidence displayed by inputting [Y] in the relevant brackets. If these screens are not visited, the evidence ends with effect from the end date of the previous claim.

Action for a change of circumstances

30. A change of circumstances can be recorded for a future or current date, or a previous date providing the date is not earlier than the recorded claim effective date.
31. A claim that was JSA(C) only can be changed to JSA(IB) by recording the:
- change effective and received dates; and
 - Income Based effective and received dates.
32. Processing is similar to that required for a new claim with the exception that the [END] key is not available.
33. To select the appropriate screens:

Step	Action
1	input [Y] against any screen to be accessed;
2	press [ENTER] and the first requested screen displays.

34. When all screens are completed with the available evidence, you will return to this screen before deciding on the claim. Every completed screen displays [F] next to the appropriate field.

To action this screen, input [Y] or [N] in the 'Evidence complete?' fields to indicate if the evidence is complete.

Backdating a claim

35. Backdating information is collected during the CMS gather. A JSA5 will only need to be completed if:
- the PA identifies that additional information is required; or
 - the claimant first asks about backdating during their NJI.

Time limits for claiming

36. A claim for JSA can be backdated for up to one month or up to three months depending on the circumstances for the delay. See Decision Maker's Guide, **Chapter 2** - Extending the time for claiming IS and JSA, for details of the circumstances where backdating is appropriate.

Backdating National Insurance Credits

37. An application for credits of National Insurance contributions (NICs) must always be considered when an application for backdating is made. National Insurance Credits can be allowed even if the JSA backdating application is refused.

Note: There is no time limit for making a backdated claim to credits. Claimants making belated claims for past periods, may find it harder to show that they were available/ actively seeking for the backdated period.

38. If there is no entitlement to JSA, treat the backdated claim as a belated credits application.

39. If, after having already completed a backdated claim, the claimant decides not to pursue a backdated claim, then proceed to withdraw the backdated claim.

40. The process is the same for all backdated requests, however when a request is received from one of the following there is initial action to take before proceeding to check if backdating is appropriate, for:

- a joint claim;
- share fishermen;
- non claimants.

41. For further information on backdating NI credits see the Labour Market Conditions Guide.

Backdating request from joint claims

42. Different action is required for certain backdated requests from joint claims.

Action is required if:

- both members apply for backdating for the same period;
- both members apply for backdating for different periods; or
- only one member wishes to backdate their claim.

43. In all cases:

- check joint claim eligibility criteria; and
- possible exemptions;
for the whole of the backdated period.

Backdating request from share fisherman

44. A Good Cause Decision Maker's decision on whether the share fisherman has shown good cause for not claiming earlier, should be made before the share fisherman is allocated their attendance/Benefit Week Ending (BWE) day, and the claim set up on JSAPS.

45. Take this action while the share fisherman is in the office so that the correct attendance/Benefit Week Ending day can be given by the New Claim Advisor at the outset of the claim.

46. If this is not possible, the BWE day allocated should be seven days from the date of initial contact with the jobcentre, pending a decision on the backdated claim.

47. Subsequent action will depend on whether the Decision Maker has accepted that the share fisherman has shown good cause for not claiming earlier.

Backdating request for credits from non claimant

48. If a non-claimant makes a belated application for credits, they must complete:

- a non-claimant stencil obtained from the jobcentre; and
 - form JSA NC1 to apply for National Insurance credits for claimants not claiming Jobseeker's Allowance".
49. They do not complete claim form JSA1 or JSA4 (Rapid Reclaim). Process the claim taking action as normal for a belated application for credits.
50. See also belated application for credits received.
51. When the decision to award credits has been made it is the responsibility of the benefit processing section to ensure that credits are awarded, using eNIRS or CA5481 as appropriate, if backdating has been allowed.

Special circumstances regarding the date of the backdated request

52. The action to be taken when a claimant makes a backdated claim depends on when the backdating application was made.
53. Take the following action if the backdating claim is made:
- between the end of an Incapacity Benefit/ESA claim and the date of contact with jobcentre to claim JSA;
 - during a weekend or bank holiday/privilege day;
 - after being disallowed for failing to attend a New Jobseekers Interview;
 - after they have transferred from another office.
 - An existing claim is held on JSAPS

Labour Market decision

54. When the backdating application is made, the Personal Advisor considers whether a Labour Market (LM) doubt exists and notes the backdating claim form (JSA5) as straightforward or doubtful.

Labour Market conditions are straightforward

55. If the LM conditions are straightforward, the Personal Advisor records in dialogue JA070: Backdated Claim Details, the dates of the backdating request and that the LM conditions are satisfied.
56. The claim form and JSA5 are then passed to the Benefit Processing Officer (BPO) to consider backdating under the Claims and Payments Regulations.

Labour Market conditions are doubtful

57. If the Labour Market conditions are doubtful, the Personal Advisor will only record the dates of the backdating request in dialogue JA070: Backdated Claim Details. JSAPS will automatically set a suspension for the backdating period.
58. The Personal Advisor will send a copy of the JSA5 and claim form to the labour market Sector Decision Maker (SDM) to consider.
59. The original JSA5 is noted with the SDM location and fax number and is sent to the BPO with the claim form.
60. Ensure that the JSA1 and JSA5 are clearly noted when the backdating request is from an ex-Incapacity Benefit/ESA claimant.
61. If the SDM decides that the LM conditions are not satisfied, a formal decision cannot be made until the BPO has decided on the date of claim.
62. If the SDM decides that the Labour Market (LM) conditions are satisfied they will return the papers to the Personal Advisor to record the decision in

dialogue JA070: Backdated Claim Details and give a copy of the decision to the BPO.

The Benefit Processing Officer's decision

63. When the Benefit Processing Officer (BPO) receives the backdating form JSA5, before they make their decision they should consider if:

- the time for claiming can be extended;
- the labour market decision has not been made;
- the labour market decision has been made.

64. If there is a delay in making a decision on the claim, either because of the backdating application, or another reason, the JSA section should consider making interim payments.

No labour market decision made

65. The BPO can record the decision in dialogue JA070: Backdated Claim Details whether or not the Labour Market (LM) decision has been made.

66. When the backdated claim is for an ex-Incapacity Benefit claimant:

Step	Action
1	the jobcentre: <ul style="list-style-type: none">• decides if the claimant is, or can be treated as available, for the day the claim is made; and• passes the backdating form JSA5 with form JSA1 to the benefit processing team clearly marked ex-Incapacity Benefit/ESA and period in doubt from xx to xx;
2	the benefit processing team make a decision on the backdating request taking into account whether: <ul style="list-style-type: none">• the claimant contacted the jobcentre;• it was reasonable to do so; or• the claimant had other good reasons for a delay in making contact.

67. The BPO must fax a copy of their decision to the Sector Decision Maker (SDM) immediately.

68. When the SDM decision is returned to the Personal Advisor they update the labour market system and record the decision in dialogue JA070: Backdated Claim Details.

69. JSAPS sets case control S172 to prompt the BPO to record their decision on the whole claim.

70. The BPO can record a claim in dialogue JA091: Maintain Claim Details before the LM decision is made but JSAPS will prevent the user changing the Evidence Complete field until both decisions are recorded.

Labour Market decision made

71. If the Labour Market decision has been made the BPO records their decision in dialogue JA070: Backdated Claim Details. The JSA claim can now be processed.

72. The Jobcentre must be notified of the decision, so that LMS can be updated.

Backdating decision for an ex-Incapacity Benefit/ESA claimant

73. The action to take when processing a backdated claim from an ex-Incapacity Benefit/ESA claimant is different when:

- the ESA to JSA Transitions process applies;
- backdating is allowed;
- backdating is not appropriate.

74. If the ESA to JSA Transitions process applies, backdating information will be collected as part of the CMS gather.

Backdating is allowed for an ex-Incapacity Benefit/ESA claimant

75. If the benefit processing Decision Maker (DM) allows the period of backdating for an ex-Incapacity Benefit/ESA claimant, the Personal Advisor must update dialogue JA070: Backdated Claim Details immediately and should confirm with the Benefit Processing Officer (BPO) that their action is complete.

76. A claimant is due a credit for any complete week within an allowed period.

77. If there is a part week at the beginning of the period, JSA staff are responsible for awarding mixed credits if appropriate.

Backdating is not appropriate for an ex-Incapacity Benefit/ESA claimant

78. When the Personal Advisor submits a JSA5 for an ex-Incapacity Benefit or ex-ESA claimant who is not/cannot be treated as available from the date of claim they may not be able to update dialogue JA070: Backdated Claim Details immediately as the Sector Decision Maker's (SDM) decision is awaited.

79. If the benefit processing DM does not allow the period of backdating they must still make a decision on reasonableness.

80. This decision must be sent urgently to the SDM considering the availability or actively seeking employment doubt, making it clear that this decision relates to an Ex-Incapacity Benefit/ESA claimant.

81. If a backdated period is disallowed by the benefit processing DM, but is subsequently allowed by the SDM because the claimant is able to prove their availability and actively seeking employment, the DM must consider the award of credits.

82. If the SDM cannot allow the period because the claimant cannot prove availability and actively seeking employment, a credit is not due because the claimant cannot be deemed available and actively seeking employment.

Withdrawal of a backdated claim

83. A claimant who has made a backdated claim may withdraw it at any time before a decision has been made. The request should be made in writing.

84. The decision may be made by a Personal Adviser, DMA Sector Office or a benefit processing Decision Maker.

85. To withdraw a backdated claim:

Step	Action
1	access the BACKDATED CLAIM DETAILS screen JA070071 in dialogue JA070: Backdate Claim Details;
2	input [Y] in the Backdated Claim Withdrawn? Field. There is no need

	to input any from and to dates;
3	press [END] to save the information.

Belated application for credits

86. An application for credits must always be considered when an application for backdating is made. However, the claimant may ask for backdating of credits of National Insurance contributions only. These decisions are made by the Benefit Processing Officer (BPO).
87. National Insurance contributions can be allowed even if a JSA backdating application is refused.
88. This is because the rules for awarding the National Insurance contributions differ from those for awarding JSA.
89. There is no statutory time limit for a belated application for credits.
90. A person does not have to be a current claimant to make a belated application for credits.
91. The award of belated credits does not form jobseeking periods (JSPs). If a JSP has already been established, the first effective day (FED) of the JSP is not affected by the award of belated credits.
92. There is no JSAPS support for processing belated application for credits, so the action to take is clerical.
93. Notify the National Insurance and PAYE System (NPS) of the NI credits awarded using eNIRS or CA5481 as appropriate

Belated application for credits received

94. When the jobcentre sends a belated application for credits, ensure that:
 - throughout the period the jobcentre is satisfied the claimant satisfied the labour market conditions; and
 - the claimant satisfied all other entitlement conditions.
95. Action for belated application for credits depends on whether the:
 - claimant satisfies the Labour Market conditions;
 - claimant does not satisfy the Labour Market conditions.

Labour Market conditions satisfied

96. If the Personal Advisor decides the claimant satisfied the labour market (LM) conditions during the period for which they are applying for credits, the decision is noted on form JSA5. The JSA1 or JSA NC1 and form JSA5 are passed to Benefit Processing Officer to award credits.
97. The Benefit Decision Maker can accept a late application for credits, if the claimant:
 - would have been entitled to credits if they had applied at the relevant time;
 - can show that they were available for and actively seeking work throughout the period; and
 - satisfied certain other conditions if the period they are applying for is before 6th April 1975.

98. The Benefit Processing Officer must use the National Insurance and PAYE system of the awarded NI credits using eNIRS, CF201 or CA5481 as appropriate

Labour Market conditions not satisfied

99. If the Back To Work Team has doubts about whether the claimant satisfies the Labour Market conditions during the period they are applying for credits, they must request further information from the claimant.
100. If the claimant supplies evidence which is still unsatisfactory, the Personal Advisor:
- completes the reverse of Form JSA5;
 - asks the Sector Decision Maker (SDM) office for an opinion on the labour market entitlement; and
 - passes the completed JSA5, SDM office opinion JSA1/JSA4 (Rapid Reclaim), or JSA NC1 to the benefit processing section for assessment of an award of credits.

Backdating a joint claim

101. A backdated claim for a joint claim couple can only be input if the dates for which the couple request backdating are the same.
102. Input the following individual decisions for each member of the joint claim couple, even if the dates of the decisions are not the same:
- labour market;
 - benefit entitlement good cause;
 - national insurance credits.
103. Once labour market and good cause decisions have been recorded for both members of a joint claim, a notional start date for the joint claim will be set.
104. The system start date will always be the Treat As Made (TAM) date of the claim.
105. In the case of a backdated claim only, the notional date will be automatically calculated by JSAPS.
106. When considering a backdated claim for a joint claim, check that joint claim criteria applied throughout the backdated period.
107. Always make individual entries to dialogue JA070: Backdated Claim Details to record the labour market, Benefit Processing Officer's and credit decisions, for each claimant.
108. It is only possible to record a backdated claim period for a joint claim as part of the new claim process if neither claimant has a current claim, that is, the claim is recorded by JSAPS as an event type 14 in the REGISTER JOINT CLAIM screen JA060171 of dialogue JA060: Register Claim/Event.
109. Current validation on JSAPS will prevent the registration of a clerical backdated event if there is not a previous claim on JSAPS. Action when the backdated dates are the same
110. Where both members of a joint claim request that their claim is backdated for the same period:

Step	Action
1	register the claim as a joint claim in dialogue JA050: Maintain Joint Claim;
2	register the claim in dialogue JA060: Register Claim/Event and input [Y] in backdated claim;
3	record the backdated claim dates in dialogue JA070: Backdated Claim Details;
4	record individual labour market decisions for the backdated period if possible.

111. When a claim is received with a request for backdating for the same period from a joint claim couple take the following action:

Step	Action
1	obtain a decision for each claimant on "Reasonableness" from the benefit decision maker for the backdated period and the award of credits for the period;
2	record the benefit and credit decisions individually in the BACKDATED CLAIM DETAILS screen JA070071 of dialogue JA070: Backdated Claim Details;
3	complete the assessment of the claim as normal.

Action if one member requests backdating

112. In the following circumstances, do not input any evidence on the single claim for any period after the date from which the couple wish to make a joint claim.

113. This is to allow the correct start date of the joint claim to be recorded.

114. If only one member of the joint claim couple wishes to backdate their claim take the following action:

Step	Action
1	check the available details to decide whether the period in question is for one claimant or if a claimant and partner claim is appropriate;
2	complete the assessment of the single or claimant/partner claim. This will include obtaining decisions on the backdated period. If necessary record the income and capital of the claimant who is not backdating their claim on the single claim;
3	register the joint claim from the earliest date from which both claimants wish to claim.

115. Notify the Back to Work Team immediately as they will need to record evidence in dialogue JA470: Attendance for any period after the joint claim start date.

Action when both members request backdating but the dates are different

116. Where a claim is received from a potential joint claim couple but the dates for which they wish to backdate their claims are not the same, take the following action:

Step	Action
1	check the available details to determine the earliest date from which joint claim criteria may apply;
2	if a joint claim is appropriate for any of the backdated period register the joint claim from the Treat As Made date. Record a backdated claim for the period that is common. Record the individual decisions for reasonableness and credits;
3	access dialogue JA091: Maintain Claim Details and input all details relevant to each claimant. On the BENEFIT LINKING DETAILS screen JA091022 input the dates of the earlier allowed backdated period for the correct claimant as type 05 complete the award mixed credit? field as appropriate.

117. In any situation where claimants have requested backdating from the same date but the decisions on any aspect of the labour market or good cause decisions mean that the individuals have their claims disallowed for the different periods, then the notification issued by JSAPS will be inaccurate.

118. Any payments and award of credits will be accurate as will be any information held on JSAPS.

119. Where the decisions about a request for backdating result in the dates from which the labour market and reasonableness decisions differ, DLJA103 must be sent for each claimant giving the dates from which the claim for that claimant has been allowed.

Action when a request for backdating is made and one claimant has a current claim

120. If a request to backdate a claim is received from one member of a joint claim and the other member of the couple has an existing live claim take the following action:

Step	Action
1	register the joint claim as normal;
2	check the labour market and reasonableness decisions on the requested period of backdating;
3	record a change of circumstances event type 18 in the REGISTER CLAIM/EVENT screen JA060062 in dialogue JA060: Register Claim/Event;
4	access dialogue JA091: Maintain Claim Details and on the BENEFIT LINKING DETAILS screen JA091022 input the dates of the allowed backdated period for the correct claimant as type 05. Complete the award mixed credit? field as appropriate. Complete the change of

	circumstances event as normal.
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Action when one claimant requests backdating, after a backdating decision has already been made for the other member.

121. If one member of a joint claim couple has requested a period of backdating and the other member did not submit a backdated claim at the outset of the claim, but later wishes to do so, take the following action.

Step	Action
1	record a change of circumstances, event type 02, sub event type 18 in the REGISTER CLAIM/EVENT screen JA060062 in dialogue JA060. Register Claim/Event;
2	access dialogue JA091:Maintain Claim Details and on the BENEFIT LINKING DETAILS screen JA091022 input the dates of the allowed backdated period for the correct member as type 05. complete the award mixed credit field as appropriate. Complete the change of circumstances event as normal.
3	pay any arrears of benefit due for the period before the joint claim via dialogue JA490 Clerical Computation of Payment . This will be using screen JA490491 CLERICAL COMPUTATION OF PAYMENT. Input payment type 1 and component 22, issue payment.
4	adjust Taxable Benefit and Total Benefit fields in JA100 Taxation dialogue.

122. Notify the National Insurance and PAYE System of the awarded credits using, eNIRS, CF201 or CA5481 as appropriate.

123. Issue DLJA103 to claimant explaining the decision for the backdated period

Backdating claim after failing to attend a New Jobseeker Interview

124. If the claimant reclaims after failing to attend their New Jobseeker Interview (NJI) or New Jobseeker Interview Rapid Reclaim (NJI (RR)), jobcentre staff are responsible for deciding whether the Treat as Made (TAM) date needs to be changed.

125. The Labour Market decision is based on whether the claimant had a good cause for not attending the original NJI or NJI (RR).

126. If the jobcentre accepts good cause, the original TAM date will stand.

127. If the jobcentre do not accept good cause and the claimant still wants to claim from their original date of contact, they must make a claim for backdating.

128. A Benefit Processing Decision Maker then decides good cause in the same way as claimants who want their claims backdating prior to first contact.

Backdating when claimant transferred from another office

129. If a claimant transfers from one jobcentre to another, they should attend the new jobcentre on, or before, the day they were due to attend the old office.

130. If they attend on the correct date their claim to JSA is taken as normal.

131. If the claimant attends the new office after the day on which they were due to attend the old office and there are no doubts about the claimant's availability for work, the jobcentre refer the backdated claim to the processing section to consider if the claimant had good cause for attending late.

An existing claim is held on JSAPS

132. When the Labour Market decision is made further action depends on whether backdating has been allowed

133. If backdating is **not** allowed by both:

- Labour Market Conditions not being satisfied, and
- the time for claiming cannot be extended

For any period whether it is

- the whole period applied for
- any part of the period applied for

the claimant must be notified that backdating for that period has been disallowed

134. Record the decision clerically and issue on DLJA103 telling the claimant the period of the application that has been disallowed

135. Note that Belated Application for Credits must always be considered

136. If backdating is allowed for:

- the whole period applied for, or
- any part of the period applied for by both
- Labour market conditions being satisfied, and
- the time for claiming has been extended then JSA can be paid for that period

137. The allowed period of backdating must be recorded on JSAPS to allow taxable allowance, linking and cumulative totals to be calculated correctly

138. To record the claim

Step	Action
1	clerically calculate any payment due
2	issue any payment due to the claimant. Dialogue JA490 Clerical Computation of payment can be used to issue payment
3	register a backdated claim event in dialogue JA060 Register Claim/Event – event Type 10, event sub type blank
4	input the start and end dates of the allowed backdating period in dialogue JA070 Backdated claim detail
5	register a change of circumstances event in dialogue JA060 Register claim/Event - event type 02, and sub event for changes to linking – sub event type 16
6	input the allowed backdating period as a linking clerical claim in JA091022 Benefit Linking Details screen. Record the following information Effective Linking Y JSA(C) Linking Type 05 JSP/PIW Date Input the JSP start date – note this may link back to a previous claim

	LED Last effective day of allowed backdating period Award Mixed Credit Y Cum Tots input the number of days backdating is allowed for Waiting Days Served input the number of waiting days served JSA(IB)/IS Linking type 06 only complete this field if JSA(IB) is paid for the backdating period Claim Paid to Date date JSA(IB) paid for backdated period Is HED appropriate Y or N as appropriate
7	recalculate and input any CMB opening position from the new claim start date
8	Return to JA091002 Claim Details Picklist, input Y in Evidence Complete fields. Press F1.
9	adjust Taxable Benefit and Total Benefit fields in dialogue JA100 Taxation Details by adding the amount of taxable benefit paid for the backdated period. If the tax year record is closed access to this field will be denied. In these cases take clerical action to adjust Total and taxable benefit see Taxation Guide.
10	record the amount and details of the payment in dialogue JA110 Maintain Notepad. This step is NOT necessary if JA490 Clerical Computation of Payment is used to issue the payment. Payment details will display in JA502 Payment Enquiry screen.
11	Complete CF201(JSA) or CA5481 or input any credits due to eNIRS as appropriate
12	Issue draft letter DLJA/103 to the claimant to inform them of the decision

JSA Claims where the previous claim was closed as Failed to Attend/failed to provide a signed declaration

Background

139. A Commissioners Decision in 2004 clarified the position for claimants who fail to attend the fortnightly jobsearch review/provide a signed declaration (FTPaSD) and whose claim is closed because they do not make contact within 5 working days.
140. Many of these claimants will make a new claim following such a claim closure and will be eligible to make a Rapid Reclaim.
141. Many claimants in these circumstances request a Crisis Loan which may not be necessary because the Commissioner concluded that the decision to close the claim could be reconsidered.
142. For details of the Jobcentre Action see the Labour Market Conditions Guide.

Male Claimant or male partner approaching Pension Credit age (PCa) date – Consider entitlement to Pension Credit

143. Everyone who has reached Pension Credit age (PCa) date, or are within four months of it can apply for Pension Credit.

PCa is the same for both men and women. Between 2010 and 2020 the minimum age from which a person can claim Pension Credit will increase in

stages for **both** men and women in line with changes to women's State Pension age. To calculate relevant date, based on the State Pension age for women see: State Pension Age Calculator.

144. Male claimants/ partners approaching PCa are offered a better off calculation to help them decide whether to claim Pension Credit or remain on JSA.

145. For further information about the identification of these claimants see the JSA New Jobseeker Interviews guidance.

146. For instructions on the termination action required when Pension Credit is claimed, and for the action required for clerical cases, see the Changes to income, benefits and capital section of this guide.

Gender Change

147. Any enquiries from claimants who have undergone a Gender change and may now qualify for Pension Credit must be referred to Pension Credit. If Pension Credit is awarded, PC will liaise with JSA to offset any JSA paid against the PC due. See the Gender Recognition guidance for further information.

Automatic Credits and Automatic Jobseeking Periods

148. For this category of claimant, also see instructions on the Conditions of entitlement for Automatic Jobseeking Periods and the issue of form CR8 for auto credits.

Conditions of entitlement for Automatic Jobseeking Periods / Automatic Credits

149. An Automatic Jobseeking Period (Auto JSP) is a Jobseeking Period (JSP), which includes a period of claim to JSA, during or after the tax year containing date that the male claimant reaches Pension Credit age. An Auto JSP can continue automatically without the claimant having to attend the office.

150. The claimant must not be receiving JSA(C) due to:

- entitlement to JSA(C) having ended;
- the contribution conditions not being satisfying;
- pension payments extinguishing the claimant's entitlement.

151. An Auto JSP continues until the claimant:

- reaches State Pension age (SPa); or
- works for more than 12 consecutive weeks.

152. Form CR8 must be issued to the claimant.

Note: See Automatic Credits for further information.

See also Male Claimant or male partner approaching Pension Credit age (PCa).

Check for an Automatic Jobseeking Period

153. When a JSA claim is received from a male claimant who is Pension Credit age (PCa) or over, check whether they were previously in an Automatic Jobseeking Period (Auto JSP) and still satisfy the entitlement conditions for an Automatic Jobseeking Period.

Note: PCa is the same for both men and women. Between 2010 and 2020 the minimum age from which a person can claim Pension Credit will increase in

stages for **both** men and women in line with changes to women's State Pension age. To calculate relevant date, based on the State Pension age for women see: State Pension Age Calculator.

154. To find out whether the claimant was previously in an Auto JSP, check:
- form CR8 supplied by the claimant to see when they went into an Auto JSP;
 - by looking at the claimant's JSA file; or
 - form RD26 from eNIRS2 showing:
 - 'automatic jobseeking period';
 - a 'from' date; and
 - an office code number indicating which JSA Section started the claimant in their Auto JSP.
155. If the claimant was not previously in an Auto JSP start preparations for an Automatic Jobseeking Period.

Start preparations for an Automatic Jobseeking Period

156. Start action to consider an Automatic Jobseeking Period (Auto JSP) well before the claimant reaches Pension Credit age (PCa).
157. If a claimant makes a new claim in the year before they reach PCa, check whether they qualify for JSA (C) and take the following action if:
- the claimant qualifies for JSA (C);
 - the claimant does not qualify for JSA(Cont).

Claimant receives JSA (C)

158. If the claimant receives JSA (C):

Step	Action
1	check when their JSA (C) will exhaust;
2	if the claimant's JSA (C) will exhaust before they reach Pension Credit age (PCa), take the same action as for a claimant who does not receive JSA (C);
3	if the claimant's JSA (C) will not exhaust before they reach PCa, action is as below; <ul style="list-style-type: none"> • for system maintained claims: <ul style="list-style-type: none"> • access dialogue JA530: Case Controls and set a user case control for 2 weeks before the claimant's JSA (C) is due to exhaust to tell the claimant about Automatic Jobseeking Periods and issue CR8. (Note: The date that the current JSP began should be recorded in the box at the bottom of the CR8 prior to issue);
4	for clerically maintained claims: <ul style="list-style-type: none"> • BF for 2 weeks before the claimant's JSA(C) exhausts to tell the claimant about Auto JSP and issue CR8. (Note: The date that the current JSP began should be recorded in the box at the bottom of the CR8 prior to issue).

Claimant does not receive JSA (C)

159. If the male claimant will not receive JSA (C):

- for JSAPS maintained claims;
 - access dialogue JA530: Case Controls and set a case control for 2 weeks before the claimant reaches Pension Credit age (PCa) to tell the claimant about Auto JSPs and issue CR8;
- for clerically maintained claims;
 - BF for 2 weeks before the claimant reaches PCa to tell the claimant about Auto JSPs and issue CR8.

(Note: The date that the current JSP began should be recorded in the box at the bottom of the CR8 prior to issue).

Claimant worked for more than 12 consecutive weeks in an Automatic Jobseeking Period

160. Take the following action:

Step	Action
1	check if their Automatic Jobseeking Periods (Auto JSP) have been broken by a period of work of more than 12 consecutive weeks. If the claimant was entitled to Statutory Sick Pay at any time during the period of work, treat them as days worked;
2	ask the claimant if they have done any other work, not shown on their claim form, since their previous claim;
3	record details of any work the claimant has done on form JSA589;
4	if it is clear from the evidence the claimant provides that their work was for 12 weeks or less: <ul style="list-style-type: none">• tell them that they do not need to make a new claim as their Auto JSP continues;• ask the claimant whether they want to;<ul style="list-style-type: none">• continue attending and satisfying the labour market conditions; or• claim Pension Credit instead;
5	if any period of work lasted more than 12 consecutive weeks, the Auto JSP is broken by the first period of work lasting more than 12 weeks. Action when: <ul style="list-style-type: none">• the Automatic JSP is broken;• there is doubt if Automatic JSP is broken.

161. If the claimant works for more than 12 consecutive weeks, the Automatic Jobseeking Period (Auto JSP) stops, however low the number of hours worked.

162. If the claimant worked more than 12 weeks, the Auto JSP is broken from the beginning of the period of work.

163. In these circumstances, a new Auto JSP can only start if:

- the claimant makes a claim for, and receives, JSA again; and
- JSA (C) is not payable.

Doubt about if Automatic Jobseeking Period is broken

164. If there is doubt about if the claimant's Auto JSP is broken:

Step	Action
1	take full new claim action: for system maintained claims: <ul style="list-style-type: none">• input the claim on JSAPS; for clerically maintained claims: <ul style="list-style-type: none">• assess the claimant's JSA;
2	for system maintained claims: <ul style="list-style-type: none">• JSAPS will establish the new first effective day; for clerically maintained claims: <ul style="list-style-type: none">• calculate new first effective day;
3	do not send form BF1001 to NIRS2 until form RD26 is received and it is certain that the claimant's Automatic JSP is broken.

Automatic Jobseeking Period is broken

165. Form CR8 tells the claimant to claim JSA if they work for more than 12 consecutive weeks and then become unemployed again.

166. This is because:

- a period of more than 12 weeks employment breaks the claimant's Auto JSP from the beginning of the period of employment; and
- the claimant may become entitled to JSA (C) with a new Jobseeking Period.

167. If the claimant's Auto JSP is broken:

Step	Action
1	take full new claim action: for system maintained claims: <ul style="list-style-type: none">• and input the claim on JSAPS; for clerically maintained claims: <ul style="list-style-type: none">• assess the claimant's JSA;
2	for system maintained claims: <ul style="list-style-type: none">• JSAPS will establish the new first effective day; for clerically maintained claims: <ul style="list-style-type: none">• calculate new first effective day;
3	complete form BF1001 to show at box 8 the termination date of the claimant's previous Automatic JSP, the day before the date the claimant started the period of more than 12 weeks work;
4	send form BF1001 to NIRS2.

Linking

168. JSA is termed a linking benefit, because Jobseeking Periods (JSPs) can link together and can be linked by other benefits where there is a gap of twelve weeks or less.

Note: The gap must be no more than 84 consecutive days. When calculating the gap, the last day of the old claim/ JSP and the first day of the new JSP are not included.

169. The term linking is used to describe the:

- joining of JSPs; and
- process by which JSPs link to other benefits.

170. Members of a joint claim have individual JSPs and individual linking.

Linking previous JSA claims

171. When registering a claim for JSA, consider whether the claimant has made a previous claim to JSA that links.

Factors involved in linking

172. The main points to consider in a linking claim for JSA are:

- jobseeking periods (JSPs);
- linked periods;
- waiting days;
- linking periods; and
- relevant income tax years (RITYs).

Jobseeking Periods

173. When a claimant makes a claim to JSA, the period of the effective claim is known as the Jobseeking Period (JSP).

174. A JSP is defined as any period of one or more days, known as effective days, when the claimant satisfies or is treated as satisfying the entitlement conditions for JSA. The entitlement conditions are that the claimant:

- actively seeks employment;
- is available for work;
- capable of work;
- enters into a Jobseeker's Agreement which remains in force;
- is under State Pension age (SPa);
- is not in:
 - remunerative work, that is, 16 hours per week or more;
 - relevant education;
- is in Great Britain.

175. The 'start' of the JSP' is not necessarily the start date of the current claim, as there may be a linking period which affects this date.

Effect of sanctions and disallowances on Jobseeking Periods

176. A period that has a sanction in force, will:

- form part of a JSP;
- count towards the maximum entitlement of 182 days of JSA (C).

177. A period of disallowance can form part of a JSP if hardship has been awarded.

Linked Periods

178. A linked period is a period where a claimant formerly claimed and met the conditions for certain benefits. (This information is available via eNIRS2 or on form RD45 from NIRS2).
179. Linked periods are any period when the claimant is:
- entitled to Carers Allowance (CA); or
 - incapable of work or is treated as incapable of work; or
 - has LCW or is treated as having LCW; or
 - applicable to the welfare to work 52 week linking rule for partners; or
 - entitled to Maternity Allowance; or
 - doing training and a training allowance is payable;
 - in employment or waged option in a New Deal Pathfinder Area;
 - required for Jury Service;
 - not paid JSA but still counts as a linked period.
180. A period of CA can only act as a linked period for JSA to enable the claimant to satisfy the contribution conditions for JSA (C) and for no other purpose.
181. To obtain confirmation of the dates that the claimant was getting CA, send the request form D751ADP or JSA751 to: Carers Allowance Unit.

Carers Allowance acting as a linked period

182. If a claimant had been awarded Carers Allowance (CA), decide entitlement to JSA (C) as follows:
- by using the Relevant Income Tax Years (RITYs) appropriate to:
 - the start of the relevant Jobseeking Periods;
 - the beginning of any earlier linked period; or
 - if the claimant does not qualify as above, take into account the two RITYs relevant to the start of the award of CA; and
 - issue form JSA751 to the Carers Allowance unit to request details of periods spent on CA.
183. If the last effective date of the CA claim is within 12 weeks of the JSA claim start date, then the claims link and the RITYs used will be the same.
184. When JSAPS identifies any previous periods spent on CA, JSAPS sets a case control that appears on a Work Available Report JA72539 prompting a check of previous CA linking details.

Periods of Incapacity for Work

185. Periods of Incapacity for Work (PIWs) can act as a link between Jobseeking periods (JSPs).
186. If a claimant has a previous claim to Incapacity Benefit (IB)/Severe Disablement Allowance (SDA) which links back to another JSP, the two JSPs are treated as one JSP. This is because the IB/SDA claim acts as a linked period for the two claims to JSA.

Limited Capability for Work

187. Limited Capability for Work (LCW) means that the claimant's capability for work is limited by their physical or mental condition, and work is limited by their health condition.
188. Periods of LCW can act as a link between Jobseeking periods (JSPs).

Employment or waged option in a New Deal Pathfinder area

189. Claimants on New Deal or in an employment zone may also form linked periods if they meet the normal 12 week linking rule.

See, Decision Maker's Guide, Volume 4, Chapter 21 JSA labour market questions

Claimant starts an employment or waged option in a New Deal Pathfinder Area

190. If a claimant starts an Employment or waged option in a New Deal Pathfinder area, that is, before 6 April 1998 there are two linking scenarios that may arise.
191. These are when the participant started an employment or waged option on New Deal prior to 6 April 1998, leaves after 6 April 1998 and returns to JSA:
- within 12 weeks of the option ending; or
 - not within 12 weeks of the option ending.
192. In either scenario, as the participant joined the option prior to JSAPS release 3.5, this will not automatically identify them because the New Deal termination codes were not available, but as they have left after 6 April 1998 the special linking functionality will be available.
193. When the participant returns to JSA, the New Deal officer annotates the period of the option in the official use box on claim form JSA1 and sends it to the Benefit Processing Section along with a copy of the leave notification form.
194. If the leave notification form is not immediately available, they will forward it as soon as possible.
195. On receipt of claim form JSA1, and if available, the leave notification form, assess the claim as normal and input the period of the option as a linking period on the BENEFIT LINKING DETAILS JA091022 in dialogue JA091: Maintain Claim Details, using code 10.
196. If the participant returns to JSA within 12 weeks of the option ending, that is, the claim links, and has mortgage interest qualifying dates recorded on their previous JSA claim; input the existing qualifying dates on the HOME LOAN DETAILS JA091017 screen;
197. in dialogue JA091: Maintain Claim Details using code 10.

Linking for partners to whom the Welfare to Work rules apply

198. As an incentive, from 5 October 1998 the period of linking was extended to 52 weeks for people who leave the following benefits to start work or to undertake Work Based Training for Adults (WBTA):
- Incapacity Benefit (IB);
 - Severe Disability Allowance (SDA); or
 - "credits only" due to incapacity.

199. If the claimant's partner takes advantage of this incentive to return to work, the:

- IB claimant is given form BF220B at the end of their claim which states that they are entitled to retain 52 week linking; and
- claimant may lose entitlement to JSA (IB) and:
 - claim credits only; or
 - stop claiming JSA.

200. If the claimant subsequently makes a further claim or requests a review because the partner is no longer working, check form JSA1 or JSA3 carefully to verify whether extended linking applies. This is because the claimant may become immediately entitled to:

- housing costs; and/or
- the Disability or Higher Pensioner Premium.

201. If a JSA claim is received and qualifies for the extended linking rules:

Step	Action
1	access dialogue JA091: Maintain Claim Details, BENEFIT LINKING DETAILS JA091022 and input details of the partner's previous claim;
2	<ul style="list-style-type: none">• access HOME LOAN DETAILS screen JA091017; and overwrite the 50% AND 100% qualifying date fields with the appropriate dates. Repeat for further loans if necessary;
3	access OTHER benefits screen JA091020, and input details of other benefits as appropriate to ensure JSAPS correctly pays any premiums due.

Maternity Allowance acting as a linked period

202. Maternity Allowance (MA) can act as a link between Jobseeking Periods (JSPs).

203. The period the claimant was awarded MA for can link to a new JSP if a claim to JSA is made within 12 weeks after the MA ceases.

Approved Training acting as a linked period

204. A period of Approved Training can act as a linked period if there is a gap of no more than 12 weeks between the end of the Approved Training and the Jobseeking Period.

RD45s from NIRS2

205. NIRS2 only sends form RD45 when the previous claim was Unemployment Benefit (UB).

206. If form RD45 is received:

- check that form RD45 relates to a previous UB claim;
- forward form RD45 to the office that last held the claim.

207. When jobcentres get the form, they will send any linking details or claim papers they still hold relating to payment of benefit.

208. If form RD45 is received for a claim and the previous claim was for JSA, raise an incident via the Dialogue Expert.

Jury Service

209. If a claimant has been on jury service, two Jobseeking Periods (JSP) can be treated as one JSP providing the jury service:
- immediately followed the last claim; and
 - immediately preceded the new claim to benefit.
210. To verify a period of jury service, ask the claimant to provide a certificate of loss of earnings/National Insurance benefits.

JSA not payable but still counts as a linked period

211. Days when JSA (C) has been claimed but not paid, can count towards linking if the only reason(s) for non payment is that the claimant:
- does not satisfy the contribution conditions;
 - is currently getting a hardship payment;
 - exhausted their entitlement to JSA (C);
 - did not get JSA (C) because it had been extinguished by an occupational or personal pension(s);
 - has not served their waiting days.

Waiting days

212. The first three effective days at the start of a Jobseeking Period (JSP) or Period of Incapacity for Work are waiting days. A claimant is not entitled to get JSA whilst serving the three waiting days. One of the purposes of linking is to avoid the need for claimants to serve three waiting days when there are short breaks between claims to JSA.
213. The following conditions apply to waiting days:
- if a JSA claim links to a previous JSA claim, waiting days are not served again;
 - if a JSP is less than three days, the number of effective days of the JSP will be treated as waiting days and the balance may be served in the next linking JSA claim.
214. Entitlement to Housing Benefit/Council Tax Benefit is retained during the waiting days when entitlement to JSA (IB) is awarded immediately after the three waiting days.

Exceptions to serving waiting days

215. Claimants do not have to serve waiting days if:
- their entitlement to JSA begins within 12 weeks of the end of their entitlement to:
 - Income Support (IS); or
 - Incapacity Benefit/Severe Disablement Allowance; or
 - Employment Support Allowance (ESA); or
 - Carer's Allowance; or
 - JSA as a joint claim couple;
 - they are 16 or 17 years old and are only entitled to JSA because of severe hardship;
 - they are a non-claimant;

- the nominated member of a joint claim couple is currently getting a training allowance; or
- they claim JSA; and
 - the claimant or their partner has an existing award of IS or JSA; and
 - the Decision Maker (DM) ends that award on the day immediately before the new claim takes effect;
- they make a joint-claim for JSA, and they or their partner has had an entitlement to another benefit in the last 12 weeks: JSA, IS, ESA, IB or CA.

Linking periods

216. Two or more Jobseeking Periods (JSP) can be treated as one JSP when they are separated by a period comprising of:

- 12 weeks or less;
- a Linked Period;
- any period of no more than 12 weeks falling between:
 - two linked periods; or
 - a JSP and a linked period;
- a period where the claimant is on jury service.

This is known as the linking rule.

217. The linking rule mainly affects JSA (C), but applies to JSA (IB) for the application of waiting days and housing costs.

218. JSPs and linked periods help identify:

- which Relevant Income Tax Years (RITYs) apply to the JSA claim as linking rules may mean a JSA (C) claim is based on contributions that were paid some years before;
- whether any waiting days need to be served on a new or repeat claim.

Linking action for JSA (C) claims

219. When all the linking information is received:

Step	Action
1	<p>access dialogue JA091: Maintain Claim Details and on the CLAIM DETAILS PICKLIST screen JA091002 select the appropriate screens by inputting [Y] in the appropriate fields:</p> <ul style="list-style-type: none"> • BENEFIT LINKING DETAILS JA091022, having identified and verified linking details, such as; <ul style="list-style-type: none"> • jury service; • Maternity Allowance, NIRS2 notifies the paying office to forward the details; • periods of Incapacity for Work (PIW), NIRS2 notifies the paying office to forward the details; • Carers Allowance; • Unemployment Benefit; • JSA (C) clerically maintained claims; • JA091010: SPECIAL CREDITS, if the claimant has attended approved training that JSAPS does not know of;

2	for system maintained claims: <ul style="list-style-type: none"> • on the BENEFIT LINKING DETAILS JA091022 screen, complete the appropriate fields inputting the relevant codes from the current JSA Desk aid; • JSP/PIW Date, input the start dates of the above periods; • last effective date, input the end dates of the above periods; for clerically maintained claims: <ul style="list-style-type: none"> • if the claimant claimed elsewhere send form A51, Request for claim transfer, to the claimant's previous office, in order to obtain the claimant's previous claim details;
3	input any periods of approved training unknown by JSAPS on the SPECIAL CREDITS screen JA091010.

Linking action for JSA (IB) claims

220. When all the linking information is received:

Step	Action
1	if the claimant claimed they or their partner received Income Support (IS), or JSAPS indicates they received IS, use the Income Support Computer System enquiry dialogues to obtain the period and details of the claim;
2	if there is any entitlement to mortgage interest assistance, either through the claimant or their partner, clerically calculate the entitlement;
3	for system maintained claims: <ul style="list-style-type: none"> • access dialogue JA091: Maintain Claim Details and on the BENEFIT LINKING DETAILS JA091022, complete the appropriate fields inputting the relevant codes from the current JSA Desk aid; for clerically maintained claims: <ul style="list-style-type: none"> • if the claimant claimed elsewhere send form A51, Request for claim transfer, to the claimant's previous office, in order to obtain the claimant's previous claim details;
4	input any periods of approved training, unknown by JSAPS on the SPECIAL CREDITS screen JA091010;
5	access dialogue JA301: Maintain Mortgage Direct, to input any mortgage interest entitlement due to the claimant or their partner.

Employment Support Allowance Linking

221. ESA claims link to JSA claims if there is a gap of no more than 12 weeks the Last Effective Day (LED) of the ESA claim of the First Effective Day (FED) of the JSA claim.

222. If the ESA claim was processed on JSAPS then JSAPS will hold the linking information.

223. A warning message, **W3479 Warning: Input Linking Details for ESA**, will display in dialogue JA060062 'Register Claim/Event', prompting the processor to input benefit linking details.

ESA Claim links to JSA Claim.

224. If the ESA (C) claim links to the JSA claim, ESA details will automatically display in dialogue JA091 BENEFIT LINKING DETAILS JA091022 screen.

225. Take the following action;

Step	Action
1	The effective linking JSA (C) field is 'Y' and protected
2	JSA (C) 'Linking Type' is ESA and protected.
3	'Period FED' and 'Period LED' is unprotected, ESA linking dates should be entered.
4	The Job Seeking Period (JSP) date is the Limited Capability for work (LCW) date of the ESA claim and waiting days served is 3
5	Input [Y] in the award mixed credit field if the LED of the ESA claim is the day before the FED of the JSA claim. Input [N] if there is a gap.

226. Where the Claimant or Partner also had a claim to ESA(IR), take the following action;

Step	Action
1	Input [Y] in the 'Effective Linking' field
2	Input code 14 for the Claimant and/or 54 for the partner in the JSA (IB) field.
3	Type 14/54 will decode as ESA

Note: If the JSA claim does not link to the ESA claim then no ESA claim details will display.

227. Where a prior claim for ESA (C) exists but the ESA claim was not processed on JSAPS a warning message will display, **W3479 Warning; Input Linking details for ESA**.

228. Contact the ESA office responsible for paying the ESA claim, as shown in Claimant information system (CIS) and once details are obtained for the ESA claim take the following action;

Step	Action
1	Access JA091022 'Benefit Linking Details'
2	Input [Y] in 'Effective Linking JSA (C) field
3	Input 13 in JSA (C) Linking Type field. Type 13 will decode to ESA (C)
4	Input the FED of the ESA claim in 'period FED' field
5	' E7202 Error: Date will not be prior to ESA 'A' day ' displays if a date earlier than 27/10/08 is input.
6	Input the LED of the ESA claim in the 'Period LED' field
7	Input the number of waiting days served on the ESA claim
8	Input 'Award Mixed Credit' [Y] if the LED of the ESA claim is the day before the FED of the JSA claim. If there is a gap input [N]

229. 191 Where a prior claim for ESA (IR) exists for the Claimant and/or Partner, and the ESA claim was not processed on JSAPS, contact the relevant ESA office responsible for paying the claim and obtain details of the ESA claim.

230. the following action should be taken;

Step	Action
1	Input [Y] in the 'Effective Linking' field
2	Input code 14 for the Claimant and/or 54 for the partner in the JSA (IB) field.
3	Type 14/54 will decode as ESA

Additional linking on JSA (IB) claims

231. The action to take to determine if linking exists will be the same regardless of whether the claim is for JSA (C) or JSA (IB).

232. Dates of linking for JSA (IB) determine if there is additional entitlement to:

- Mortgage interest;
- Carer premium;
- Transitional addition.

233. For joint claims, the most advantageous linking is used to determine entitlement for JSA (IB).

Mortgage interest

234. Assistance with mortgage interest is available to claimants who are:

- homeowners; and
- claiming JSA (IB).

235. If the JSA (IB) claims link, the claimant does not lose any entitlement to mortgage interest assistance accrued during an effective claim.

Carer premium

236. If a claimant qualified for a carer premium under IS, they retain the premium on JSA (IB) claims for up to eight weeks after the cared for person:

- entered a home; or
- was being cared for by someone else; or
- has died.

237. The claimant is treated as receiving Carers Allowance (CA) for eight weeks after payment ceases.

238. They will retain entitlement to the carer premium for this period.

Linking for transitionally protected claims

239. Claimants who have transitional protection due to changes in the benefit system have an amount for transitional addition added to their benefit.

240. They retain the addition when a JSA claim links to a previous transitionally protected claim or an earlier linked period to Income Support.

241. The linking period in these cases is eight weeks.

First Effective Date and Last Effective Date

242. The First Effective Date (FED) can be the first date of the current claim or the first effective date of any linking claim that forms the Jobseeking Period (JSP).
243. When a Decision Maker has decided to treat a claim as made in advance the claim is treated as made on the date from which entitlement will first arise. (See DMG Ch 2 – para 02425 et seq.)
244. The Last Effective Date (LED) can be the last date of the current claim or the last effective date of any linking period or claim that forms the Jobseeking Period.

Establish First Effective Date

245. To find out the First Effective Date (FED), use the date of claim to JSA considering any linking periods, which may form part of the Jobseeking Period (JSP).
246. The FED, or the first day of the linked period, will decide which Benefit Year (BY) will be used.
247. The Benefit Year (BY) will help decide which Relevant Income Tax Years (RITYs) are used for assessment.
248. Once the FED has been established, enter the date on form JSA14C for all clerical claims.

Shift workers

249. A claimant who does shift work is treated as being in paid work on the days they start and stop work irrespective of the time the work starts or stops.
250. Labour market conditions allow claimants to claim for the day the claimant starts and finishes work on the grounds that they are available for and actively seeking work. However JSA cannot be paid because they are in paid work.

Relevant Benefit Year

251. A 'benefit year' starts on the first Sunday in January each year and ends on the Saturday immediately before the first Sunday of the following year. The 'relevant benefit year' is the benefit year which includes the beginning of the jobseeking period or any linked period.

Relevant Income Tax Years

252. The first day of the Jobseeking Period (JSP) or where appropriate linked JSP usually determines which Income Tax years are used to assess a claim to JSA (C).
253. The Income Tax years used in the assessment are called Relevant Income Tax Years (RITYs).
254. If there is a previous linked benefit, the RITYs used are those relevant to the benefit year that includes start of the Jobseeking period or any linked period.
255. The RITYs used are usually the last two complete Income Tax years, before the start of the benefit year in which the start of a JSP falls. However, if a linked period falls within 12 weeks of a JSP, the start date of the earlier linked period determines the RITYs used.

256. The RITYs are checked to determine if the claimant has paid, or been credited with, enough National Insurance contributions (NICs) to satisfy the contribution conditions.

Duration of JSA(C) and qualifying for further JSA(C) entitlement

257. A claimant can only be paid a maximum of 182 days entitlement to JSA(C) on any one set of Relevant Income Tax Years (RITYS).

258. There is **no provision** for a claimant to receive JSA(C) on the 'same two' RITYS again after exhausting the 182 days entitlement.

259. A claimant can qualify for JSA(C) using the latter of the previously used RITYS with a 'different' RITY, where contribution conditions are satisfied. This can only apply where the claimant is in a later JSP than the one in which they exhausted.

260. A claimant may qualify for JSA(C) again if contribution conditions are met. The RITYS must include a tax year, which is later than the 2nd RITY which was used to decide previous entitlement to JSA(C). For example:

- Previous entitlement based on RITYs for 2009
 - 2006/07 and 2007/08, cum tot 182.
- New entitlement based on RITYs for 2010
 - 2007/08 and 2008/09, JSA(C) payable again.

How to work out Relevant Income Tax Years

261. To work out how much JSA (C) a claimant is entitled to, use the last two complete tax years before the Benefit Year (BY) in which the First Effective Date (FED) falls

262. To find the RITYs, follow these three steps:

Step	Action
1	identify the FED;
2	identify the BY in which the FED falls;
3	identify the last two complete tax years before the start of the BY.

263. The two Relevant Income Tax Years will be checked to see if the claimant has paid, or been credited, with enough National Insurance contributions to be entitled to JSA (C). These RITYs will apply throughout the Jobseeking Period (JSP) and will only change if a new JSP starts in a new BY.

Jobseeker's Allowance claims made towards the end of or at the beginning of a benefit year.

264. If a claimant wishes to claim Jobseekers Allowance (JSA) towards the end of or at the beginning of the 'benefit year', it is important to tell them about the Relevant Income Tax years used to determine whether the contribution conditions for JSA(C) are satisfied.

265. It is especially important that claimants are made aware of this if they do not satisfy the Second Contribution Condition in the current 'benefit year', as they may do so if they wait until the following 'benefit year'.

266. This is equally important if they have no entitlement to Income Based JSA.

267. Whether a claim is treated as made in advance or the claimant decides to delay making their claim until a new benefit year the claimant can make a separate claim to NI credits as a non-claimant for the intervening period.
268. Claimants should be given this information even if they do not ask about it.
269. This will enable the claimant to make an informed decision about whether to claim from a date in the current benefit year or wait until the start of the new benefit year.
270. The claimant will need to consider:
- whether the claim starts a new Jobseeking Period; or
 - if considering 'backdating', they wish to claim JSA from a date in the previous 'benefit year'.

Action to take

271. The following information should be explained to the claimant:
- that the 'benefit year' starts on the first Sunday in January. For 2012 the first Sunday is 1 January 2012;
 - that a claim made for a date in the previous benefit year will depend on contributions paid and credited in different RITYs than a claim made from a date in the current benefit year:
 - if a claim were accepted on or before 31 December 2011, the RITYs would be 2008/2009 and 2009/2010
 - if a claim were accepted on or after 01 January 2012, the RITY's would be 2009/2010 and 2010/2011
 - about other factors which may have an effect on JSA(C), such as Jobseeking Periods, the 12-week linking rule, the change to the FCC and periods of disallowance and sanction.
272. If the claimant is not sure if they have enough contributions to receive JSA, check with e-NIRS but explain that the information held on screen may be incomplete and that the decision will be theirs and that you cannot be responsible for telling them when to claim from.
273. If a claimant wishes to back date a claim which would take the date of claim back to an earlier benefit year, advise them to consider what affect this may have but do not try and influence their decision.
274. If the claimant decides not to claim until the new benefit year they could still claim their NI contribution credits as a non-claimant until the benefit year changes.
275. Further information please see guidance on Non-claimants

Example

276. A claimant attends the Jobcentre on 18 November 2011 but his contribution record show he will only qualify for JSA(C) from 1 January 2012. The claimant can become a non-claimant from 18 November 2011 to 31 December 2011 providing they are available for and actively seeking employment.

Weekend and bank holidays

277. When a claimant contacts a jobcentre to enquire about making a claim to JSA, jobcentre staff determine the treat as made (TAM) date taking into account factors such as:

- whether an out of hours service (OOHS) payment was requested over the weekend;
 - did the claimant contact a social security office late on Friday?
278. Jobcentre staff must be made aware of any such contact.
279. If a claimant asks that their claim is taken from a date earlier than the TAM date, they must complete form JSA5 to explain:
- why they did not make contact earlier, and
 - when they were first told that they may be able to claim benefit.
280. For a request to be successful, the conditions in claims and payment regulations 19(6) and 19(7) must be satisfied.

Weekends

281. Although Regulation 19(7)(a) allows for backdating when 'the appropriate office where the claimant would have been expected to make a claim was closed and alternative arrangements were not available', this does not mean that claims should be automatically backdated to cover normal weekends. Nor does Regulation 19(7)(a) mean that it can only be used in times of crisis, for example fire, flood, bomb threats etc.
282. Each claim must be considered on its own merits.
283. The officer acting on behalf of the Secretary of State must consider whether it would have been reasonable for the claimant to notify the Secretary of State of their intention to claim earlier.
284. In particular, they should consider:
- the date the claim would have been received if the office had been open;
 - at what point the claimant identified that they needed to claim benefit.
285. The principle of establishing a date of claim on the balance of probabilities still applies.

Bank holidays and civil service privilege days

286. Requests for backdating for a period when the office was closed that includes a bank holiday or privilege day, should normally be treated sympathetically, provided the request was made immediately after the period of closure.

Requests for the weekend immediately before the holiday

287. If the claimant requests backdating for the weekend immediately before a bank holiday/privilege day, allow backdating for the whole period provided they make contact at the earliest opportunity.

Requests for the bank holiday/privilege day only

288. If the claimant contacts the office on a day following a bank holiday or privilege day asking for backdating for the bank holiday/privilege day only and stating that they attempted to make contact on the previous day but the office was shut, consider the request favourably.

Appendix 1 - Useful addresses

Department for Work and Pensions

International Pension Centre, [redacted], Tyneview Park, Whitley Road, Whitley Road Benton, Newcastle, NE98 1BA;

- [redacted]

Carers Allowance

Carers Allowance, Palatine House, Preston PR11HB;

- Tel: 0845 6084321
- Textphone: 0845 6045312.