

Actively Seeking Employment

16. The Jobseeker's Act provides that a person claiming JSA must actively seek employment in each week of their claim. This means that they must take those steps each week which are reasonable in their case, and which offer the best prospects of securing employment.

Steps to seek employment

17. To satisfy the ASE condition, claimants must do all that can be reasonably expected, in each week of their claim, to give themselves the best prospect of securing employment.

18. The number of steps that the claimant will undertake is detailed within their Jobseeker's Agreement. Claimants are expected to take the number of steps detailed, in each week of their claim, to ensure they fulfil the ASE condition.

19. If a claimant is unable to take the number of steps specified in their Jobseeker's Agreement, they will still have fulfilled the ASE condition if they took all the steps that they could reasonably have taken that week to give themselves the best prospect of securing employment.

Example 1: A claimant is required to take 25 steps each week, and this is stated in their Jobseeker's Agreement. However, their child was taken ill, they accompanied the child to hospital and spent 24 hours there, meaning that they did not complete 25 steps. The claimant would still be considered to have fulfilled the ASE condition if they had taken all the steps they could reasonably have taken in the week to get a job.

Example 2: A claimant is required to take 25 steps each week, and this is stated in their Jobseeker's Agreement. They apply for a job which requires a competency based application and this application takes a day and a half to prepare and complete. As a result, they did not have time to take 25 steps in total. The claimant would still be considered to have fulfilled the ASE condition if they had taken all the steps they could reasonably have taken in the week to get a job.

20. Activities, which improve a claimant's employability, are acceptable steps for the purposes of the ASE condition. The following are single steps which could improve a claimant's employability:

- asking another person, for example an agent, to help the claimant look for work;
- seeking specialist advice, for example from a Disability Employment Adviser, to improve prospects of securing employment;
- drawing up a curriculum vitae;
- obtaining a reference or testimonial from previous employer;
- drawing up a list of employers to contact about the possibility of a job;
- researching employers who, for instance, a claimant may have an interview with;

- seeking information about an occupation with a view to getting a job in that occupation, for example attending an open day.

21. Applying for 3 vacancies counts as 3 steps to seek employment.

22. If a claimant takes no steps at all in a week, they cannot satisfy the ASE condition for that week unless they can be treated as actively seeking employment.

23. A step that would otherwise count towards satisfying the ASE condition may be disregarded if it is done in such a way as to reduce the chances of it being successful. For example, a claimant may attend a seminar which is aimed at helping produce a CV but produces one which is illegible or contains wrong details, this step could be disregarded.

24. Claimants may not always satisfy the ASE condition if they continually take steps to improve their employability without actually looking, or applying, for a job.

Definition of week

25. In most cases a week for ASE purposes is each period of seven days, including Sunday, which ends on the claimant's benefit week ending day. The first and last week of a claim may be shorter than 7 days.

See Example 1.

Example

- a claimant makes a claim on a Monday and their benefit week ending day is Wednesday;
- the first week of the claim will be from Monday to Wednesday inclusive, which is a period of 3 days;
- the benefit week ending is Wednesday and the claimant starts work on Monday;
- the last week of the claim will start on Thursday and end on Sunday inclusive, which is a period of 4 days.

26. When the claimant has a change of benefit week ending day, a week is a period of 7 days ending on each of the claimant's benefit week ending days. Sundays are included in the 7 days.

See Example 2.

Example

- a claimant has a benefit week ending of Thursday 14 November.
- the period of a week runs from the previous Friday 8 November, up to Thursday 14 November;
- when the claimant's benefit week ending day is changed to Tuesday 19 November, the period of a week runs from Wednesday 13 November to the Tuesday 19 November;

- any steps to seek work or improve employability taken on Wednesday 13 November and Thursday 14 November can be counted twice, once in week ending Thursday 14 November and again in week ending Tuesday 19 November.