

Supplementary Guidance

Entitlement conditions

1. In order to receive JSA, a claimant must satisfy the basic entitlement conditions. They must:
 - be available for employment;
 - have entered into a JSAG which remains in force;
 - be actively seeking employment;
 - satisfy either the contribution conditions for JSA; and/or the conditions for income based JSA;
 - not be engaged in remunerative work or involved in a trade dispute;
 - be capable of work;
 - not be receiving relevant education;
 - be under pensionable age; and
 - be in Great Britain.

Reserved Decisions

2. A Decision Maker may, in certain circumstances, decide to reserve a decision. This will normally be when a sanction is appropriate, but cannot be imposed because the claimant does not have a current claim.
 3. In these cases the DM will send a DMAS produced notification to the Jobcentre advising them of this, and at the same time, LMS will be automatically updated with this decision.
 4. There is no input to JSAPS for reserved decisions.
 5. The case must be re-referred to the DM by the Jobcentre if the claimant reclaims within a timescale:
 - as specified by the DM in their reserved decision; or
 - equal to the maximum sanction period applicable for the case.
- Note:** This is done as a new referral on LMS.
6. If there is any doubt about whether or not a case should be re-referred, then the case must be re- submitted to the DM.
 7. If a case is re-submitted and the claim was originally a joint claim for JSA, it is important to ensure that the details held on LMS are up to date. It should be established whether the claimant is still part of a joint claim and if so, full details of the other member at the time that the decision was made, must be indicated in the referral.

Labour Market doubts for determination by Jobcentre Plus

Question	AR code	AR code for an opinion decision
Refusal to enter into a JSAG	JSA/540	JSA/540O
Whether JSAG reasonable – dispute	JSA/541	JSA/541O
Proposed variation to JSAG	JSA/543	JSA/543O
Termination of JSAG	JSA/544	JSA/544O

Availability:	JSA/550	JSA/550O
Study 16 hours or less	JSA/550S	JSA/550SO
Time Limits	JSA/550A	JSA/550AO
Restrictions-hours	JSA/550B	JSA/550BO
Restrictions-nature	JSA/550C	JSA/550CO
Actively seeking employment	JSA/552	JSA/552O
Not regarded as available - prisoner on temp release/women in receipt of MA/MP	JSA/553	JSA/553O
Not regarded as available - full time student	JSA/553S	JSA/553SO
Exemption from satisfying certain JSA entitlement conditions* (joint claims for JSA)	JSA/557	N/A
Discharge from HM forces	JSA/650	N/A
Leaving employment voluntarily	JSA/660	N/A
Losing employment through misconduct	JSA/680	N/A
Neglect to avail of employment	JSA/690	N/A
Refusal of employment	JSA/710	N/A
Giving up a place on a training scheme /employment programme	JSA/713	N/A
Losing a place on training / employment programme through misconduct	JSA/714	N/A
Refusing or failing to apply for a place on a training/employment programme	JSA/715	N/A
Failing to accept a place on a training /employment programme	JSA/715	N/A
Neglect to avail of a place on a training/ employment programme	JSA/716	N/A
Failure to attend a training/employment programme	JSA/717	N/A
Refusal/failure to carry out a jobseeker's direction	JSA/718	N/A
Refusal/failure to carry out a jobseeker's direction to create a profile and public CV in Universal Jobmatch	JSA/718UJ	N/A
Failure to attend an advisory interview or Jobsearch review	JSA/719S	N/A
Failure to attend an advisory interview or Jobsearch review – decision made by local AO Decision Maker	JSA/719S(LO)	N/A
Failure to provide a signed declaration	JSA/719A	N/A
Trade dispute - stoppage of work	JSA/720	JSA/720O

Trade dispute – withdrawal of labour	JSA/721	JSA/721O
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8. Opinion decisions may be given by LMDMs on most entitlement questions other than JSA/719A and JSA/557. However, a submission to the LMDM for an opinion decision must not be made for 'credits only' claimants who committed a sanctionable 'offence'. This is because the credit regulations do not support the disallowance of credits solely because a claimant committed a sanctionable 'offence'.

Retention of documents

FORM	RETENTION PERIOD
ES19	14 months from date of LMDM's decision
ES66	14 months from last case is decided
ES84	14 months from date of LMDM's decision
ES85	6 months ineffective, otherwise 14 months from the date of LMDM's decision
ES85A	6 months ineffective, otherwise 14 months from the date of LMDM's decision
ES85AS	6 months ineffective, otherwise 14 months from date of LMDM's decision
ES85M	6 months if ineffective, otherwise 14 months from date of LMDM's decision.
ES85SF	6 months if ineffective, otherwise 14 months from date of LMDM's decision.
ES85Y	6 months if ineffective, otherwise 14 months from date of LMDM's decision.
ES86LV	14 months from date of LMDM's decision
ES86MSF	14 months from date of LMDM's decision
ES86T	14 months from date of LMDM's decision
ES86Y	14 months from date of LMDM's decision
ES95	14 months from date of LMDM's decision
ES122	14 months from date of LMDM's decision
ES133	14 months from date of LMDM's decision
ES195(E)	14 months from date of LMDM's decision
ES195(N)	14 months from date of LMDM's decision
ES195(NTA)	14 months from date of LMDM's decision
ES195(RE)	14 months from date of LMDM's decision
ES195(T)	14 months from date of LMDM's decision
GL24	14 months from date of LMDM's decision
ES541	14 months
ES567	14 months from the date the last case is decided

ES567V	keep in unit while voluntary work is being undertaken and for 14 months after extraction
ES567S	keep in unit while study being undertaken and 14 months after extraction
ES589	no general rule, however keep those relating to possible fraud indefinitely and those supporting other forms as long as the form in question
ES673	14 months from date on form
ES674	12 months after last date on form