

Initial Work Search Interview

Summary

How to conduct an initial Work Search Interview

Content

The aim of the initial Work Search Interview (WSI) is to encourage claimants to take as much work as they can reasonably do as quickly as possible.

To help this process the work coach (WC) should:

- motivate and challenge claimants to help them identify their needs and skills
- offer flexible advice and support
- support the claimant in developing new skills
- produce and agree a tailored Claimant Commitment
- clearly explain the consequences of not meeting requirements (sanction) and the availability of Recoverable Hardship Payments
- ensure claimants are able to identify and engage third party support. See District Provision Tool (DPT)
- be confident in asking positive, supportive questions/language and in taking a positive approach keeping claimants engaged and moving forward

The WC takes account of individual circumstances and sets requirements (that if complied with) will give the claimant the best possible prospects of finding:

- paid work
- more work
- better paid work

The consequences of not doing this may include:

A claimant not receiving the help and support they need

A claimant not being fully prepared to apply for jobs

All such requirements are recorded in the Claimant Commitment. The claimant must accept their Claimant Commitment in order to receive Universal Credit.

In the case of joint claims the WC explains to the claimant:

- Universal Credit payments are made to the household, but each individual has personalised requirements that need to be met in order for the household to receive payment (this interview is to establish the work-related requirements)
- in the case of joint claims, both eligible claimants within a household are required to accept their individual Claimant Commitments and any work-related requirements are detailed for each person (if one member of the couple doesn't accept their Claimant Commitment, neither will be entitled to Universal Credit and this will apply throughout the lifetime of the Universal Credit claim, not just at the onset of a new claim)
- conditionality is set at an individual level and therefore interviews, including the initial WSI and Work Search Reviews (WSR), must be on an individual basis
- the ultimate goal is to ensure that individuals and their partner increase their earnings and ultimately become independent by progression into work, work retention or by increasing work
- for couples with children, the couple must agree who will be the lead carer – the conditionality

group of the lead carer is determined by the age of the youngest child (if the couple cannot agree who will be the lead carer, both claimants will be placed in the All Work Related Requirements (AWRR) group – intensive regime

- lead carers (including lone parents) with children have a Claimant Commitment that reflects their caring responsibilities and this must include any special educational need and disabilities the children may have (see Diagnosis of claimant capabilities and circumstances) – the WC must also discuss the following depending on the circumstances and age of the child or children:
- available free childcare - the WC must encourage them to start thinking about this and to investigate the childcare available to them
- children aged 3 and 4 are entitled to 15 hours of free childcare per week - this is available to all children and is not dependent of the parent working so the claimant will also be able to access this when they are engaged in work-related activities (from September 2017 this will be further extended to 30 hours in some parts of England to claimants who are working)
- support available from the Local Authority Family Information Service
- provision for children aged 2 to receive 15 hours of free childcare if a claimant is in receipt of certain benefits, including Universal Credit, or are on a low income (Childcare for 2-4 year olds)
- access to the Flexible Support Fund if the claimant needs to pay up-front deposits or joining fees
- claimants who are working and pay for additional childcare, may also be entitled to claim back up to 85% of their childcare costs (up to a monthly

cap of £646.35 per month for one child and £1108.04 for two or more children)

The WC must also

- encourage a claimant to look into and access free childcare available in their area and work coaches should support them in doing this
- consider setting (depending on the claimant's conditionality) a voluntary or compulsory work preparation activity to research childcare provision (see Setting requirements - taking part in work preparation activities)
- record any action the claimant has already taken regarding childcare, whether they already access it and to what extent
- explain that other support may be available, for example Personal Budgeting Support (PBS) which will be discussed later as part of the PBS conversation (during the conversation, the WC identifies if a PBS referral to local authority provision is required and determines if an Alternative Payment Arrangement is needed or a referral to Online Budgeting Support - Money Manager Tool as long as the claimant is able to use digital services and is not considered vulnerable - the WC updates the Claimant Commitment with details of what has been agreed regarding PBS)

After conducting the initial WSI, the IWSI Checklist may be completed by the WC to make sure all relevant actions have been undertaken. Completion of the Checklist is not mandatory but it is recommended that the WC refers to this throughout the interview.

Claimant responsibility - Day 1 Conditionality

Day 1 Conditionality only applies to claimants in the AWRR – Intensive regime.

Claimants will be made aware of the recommendations made by the account developer (AD) when the initial appointment was arranged. These activities may include creating a profile and public CV within Universal Jobmatch, or creating an email account and/or a CV.

If the claimant has completed all day 1 Conditionality activities the WC updates WSP. See Updating the Day 1 Conditionality marker in the Work Services Platform.

The WC then checks if the claimant is a Work Programme completer. See 'Work Programme completers – Day 1 Conditionality' below.

If the claimant has not completed all day 1 Conditionality activities the WC must establish which activity the claimant has not completed:

- if the claimant has not created a Profile and Public CV, the WC must explore the reasons why - see Universal Jobmatch and Work Services Platform under the heading 'Claimant does not have a Universal Jobmatch account'
- if the claimant has created a Universal Jobmatch account but has not given DWP access, the WC must advise them of the benefits of allowing access – see Universal Jobmatch and Work Services Platform under the heading 'DWP access to Universal Jobmatch account'

If the claimant is not yet able to create a profile and public CV within Universal Jobmatch, the WC must instead consider whether it is appropriate for the claimant to:

- create an email account which can be used for employment purposes, and/or
- create a CV which can be used for employment purposes

Having taken account of the claimant's circumstances, if the WC decides it isn't reasonable or appropriate for the claimant to undertake any of these activities at this time, they must refer them for the help and support needed to complete the activities as soon as possible.

Example:

A claimant must not be required to register with Universal Jobmatch if they don't have the necessary IT skills because these skills must be addressed first

The WC establishes that it is reasonable and appropriate for the claimant to completed any or all of the Day 1 Conditionality activities (and the claimant has not yet completed any of these activities), the WC mandates them to do so by recording this within 'Work preparation activities' on their CC.

If the WC decides that it isn't yet appropriate for the claimant to create a profile or public CV on Universal Jobmatch, but it is reasonable for them to have an email account and/or a separate CV for employment purposes, the WC must explain the benefits of this and mandate the claimant by recording it as a work preparation activity in the Work Services Platform (WSP). See Recording a work preparation activity on the Work Services Platform.

The WC must set a review for each outstanding activity in WSP.

The work preparation activities must be followed-up as soon as is reasonable possible (following the initial WSI) preferably to coincide with the next pre-arranged appointment.

The consequences of not doing this may include:

A claimant not receiving the help and support they need

A claimant not being fully prepared to apply for jobs

The WC updates the Day 1 conditionality on WSP. See Updating the Day 1 conditionality marker in the Work Services Platform.

Work Programme completers - Day 1 Conditionality

Work Programme completers:

- whose benefit claim is continuous, or who have had a break of less than 12 weeks, will not be subject to Day 1 Conditionality
- who have re-claimed Universal Credit within 12 weeks will follow the 'Help to Work' package of support
- who break their Universal Credit claim and re-claim after the 12 week linking period, will be subject to Day 1 Conditionality requirements

Multi Agency Public Protection Arrangements

If the claimant has Multi Agency Public Protection Arrangements (MAPPA) restrictions which may prevent access to the Internet or the claimant does not have sufficient IT skills to set up a CV, the WC uses local provision to overcome these barriers.

Interview content

The interview covers core elements leading to a set of requirements to be recorded in the Claimant Commitment. These are:

- information gather and diagnosis of claimant circumstances
- identifying the work a claimant is expected to look and be available for
- establishing work search requirements
- establishing work-preparation requirements
- establishing on-going contact requirements

The WC must develop and record a set of personalised requirements (that when complied with) give the claimant the best prospect of finding work. See Claimant Commitment Hub.

The initial WSI should start with introductions and an explanation of the purpose of the interview. The claimant's identity will have been verified with the personal and account support agent (PASA) before the interview.

If the claimant reports that they have a change of circumstances the WC advises them to report this by telephone.

English language requirements

During the initial WSI if the WC is unsure whether the claimant has English language requirements, they should undertake the English language screening. See English language requirement skills screening.

If it is clear the claimant doesn't have English language requirements, the WC updates the 'English Language Requirements' marker to 'not applicable' on WSP. See Updating the English language requirements marker in the Work Services Platform.

Welsh language requirements (Wales only)

To be considered for Welsh language requirements the WC must establish if the claimant meets the following criteria:

- their ability to speak both the English and Welsh languages is below E2
- they live in an area where Welsh is the predominant language needed for employment
- from the discussion that the absence of Welsh language skills (as opposed to English) is the main barrier to finding employment

If the claimant is a Welsh only speaker with speaking and listening skills below E2 level for Welsh, they would be eligible for the Welsh language option provision.

If it is clear the claimant doesn't have Welsh language requirements, the WC updates the 'English language requirements' marker to 'not applicable' on WSP (WSP does not hold a marker specifically for Welsh language requirements). See Updating English language requirements marker in the Work Services Platform.

If the claimant is a Welsh only speaker and has speaking and listening skills below E2, they must be mandated to attend a course. See English or Welsh language requirements skills training.

If the claimant has speaking and listening skills above E2 in English they are not eligible for English language requirements, regardless of whether they live in a majority Welsh speaking area or Labour Market.

If the WC is unsure whether the claimant has English and Welsh language requirements, they should undertake the English language screening to ascertain if they may have English language requirements. See English or Welsh language requirements skills screening.

Information gather

The following sections are completed during the initial WSI and can be updated at any time. The WC completes the appropriate fields and confirms with the claimant that any pre-populated answers are correct.

The claimant's 'Conditionality group' field must be set as 'All work-related requirements'.

Completing a Work Services Platform record for the claimant

Claim section

The claim section holds dates relevant to the claim for Universal Credit. The claim 'Date' field, 'Linking claim start date' and 'Linking claim end date' will be pre-populated via the Universal Credit Agent Portal.

These dates are used to calculate when the claimant should be referred to the Work Programme.

The WC has previewed the claimant's 'General Notes' to establish whether any requirements for an Alternative Payment Arrangement (APA) and/or PBS exist.

If WSP 'General notes' show: 'Claimant has POca and has not provided any other account details', the WC will need to have a method of payment discussion with the claimant which may identify financial difficulties. The WC considers PBS face to face referral.

Personal

To enable claimants to get into as much work as they can as quickly as possible, the WC talks to the claimant to diagnose their capabilities and personal circumstances.

If the claimant's date of claim is within 12 weeks of their Work Programme end date, this will be noted on the 'General notes' in WSP. The claimant is treated as a Work Programme completer and the Work Programme completer process is then followed.

The WC personalises the claimant's work search and work-preparation requirements using this information. It is important to have all relevant information about the claimant.

This includes the following areas of the claimant's circumstances:

Special requirements

The WC determines with the claimant if they have any complex needs or additional special requirements which are not recorded on the WSP.

See: Vulnerability Instructions - Additional Support for Individuals

If there are no special requirements the WC goes to 'Employment history' below.

If the claimant does have additional special requirements, the WC:

1. Selects 'Has special needs' and then the 'Yes' radio button to display the 'Active special need' pane.

2. Selects the 'Active special need' pane.
3. Selects 'Add new special need' from the ribbon menu.
4. Selects the 'Special need type' look-up menu.
5. Selects the appropriate 'Special need type' and then 'OK'.
6. Selects 'Save and close' from the ribbon menu.

Employment history

The WC selects 'Active employment' and then the 'Add new employment' from the toolbar menu. This opens the Employment New screen. The following fields are selected and completed:

- Employment name (mandatory)
- Job title (mandatory)
- Start date (mandatory)
- End date (mandatory)
- Reason for leaving (mandatory)
- Average earnings
- Frequency

The WC records relevant experience and transferable skills gained during the claimant's work history in the 'Relevant experience' field.

Skills and qualifications

The WC:

1. Obtains information regarding a claimant's qualifications by interviewing or by accessing the claimant's Universal Jobmatch account. The WC identifies the qualifications which are needed for the claimant's job requirements.
2. Selects 'Qualifications' from the 'Common' menu. This displays the 'Qualifications', 'Qualification associated view' (this box is pre-

selected and doesn't need to be selected by the WC).

3. Selects 'Add new qualification' from the menu bar. This displays the Qualification new screen and the WC enters the qualification 'Subject' in the Qualification record.
4. Selects 'Date started' in the Qualification record. Dates should be entered using the format (dd/mm/yy).
5. Completes the 'Date completed' field. Dates should be entered using the format (dd/mm/yy).
6. Selects the 'Outcome' from the drop-down list in the Qualification record and selects from the following outcomes:
 - Not known
 - Achieved
 - Part achieved
 - Not achieved
 - Discontinued
 - Exceeded
7. Selects the drop-down list from the 'Skills level' field in the Qualification record. This shows a list of skill levels and the WC selects the appropriate skills level in the 'Qualification New' field.
8. Updates the 'Skills' field. This is a free format text box for the WC to enter additional detail around the screening.

Skills screening

The WC:

1. Uses their judgment to determine if 'Skills screening' is required.
2. Selects 'Add new skill screening'. The screen is pre-populated with the claimant's details and the WC selects the 'Screening type' from a drop-down list. In a new claim interview, the WC selects 'Initial' and enters this in the 'Description' free text box.
3. Conducts the 'Initial skills screening' using the 'Skills Screening and Assessments' guidance and considers if there is a basic skills need.
4. Views the 'Skills screening result look-up view' by selecting the 'Result' field. The WC selects the appropriate result and 'OK' and then updates the 'Description' free text box with the additional detail.

Personal Budgeting Support and Alternative Payment Arrangements

The WC discusses with the claimant if there are financial issues using the PBS conversational prompts. This will highlight to the WC the possible need for PBS (either face to face or using the Online Budgeting Support - Money Manager Tool as long as the claimant is able to use digital services and is not considered vulnerable) and/or an APA. For more information about the steps to take see APA - Alternative Payment Arrangement and Personal Budgeting Support work coach activity.

The WC then updates CAMLite Contact history and WSP Notes with details of the discussion.

Challenges to finding work

The claimant may need additional support to prepare for Labour Market activities, consider signposting to organisations that could offer suitable support/advice. See DPT.

For information on how to determine challenges (such as caring responsibilities), see Diagnosis of claimant capability and circumstances.

The WC:

1. Selects 'Challenges' from the 'Common' menu to view the claimant's challenges.

2. Selects 'Add new challenge' which displays the Challenge new screen. The claimant's details are pre-populated.
3. Enters the 'Challenge' and 'Sub type' by selecting the relevant type in a look-up list and then selects 'OK'. If there are any more challenges to be recorded the WC selects 'Save and new' and adds a new challenge.

Caring responsibilities

If the claimant is providing care for another person with a physical or mental impairment, the WC selects the amount of care provided from the 'Carers' field.

Health condition

If the claimant has a health condition the WC:

1. Selects 'Yes' next to the 'Health barriers to work' field.
2. Selects 'Active health barriers' on the footer bar and then 'Add new health barrier' from the toolbar menu. This opens the Health barrier screen.
3. Selects the appropriate option from the 'Name' look-up and 'OK' to confirm. To save the entry the WC selects 'Save and close' from the toolbar menu.

Claimants with children

For claimants with children the WC will need to record on WSP whilst in discussion with the claimant whether any child or qualifying young person has a disability or special educational needs. See Recording a child disability and or special educational needs on Work Services Platform.

Establishing any other relevant circumstances

The WC establishes any other relevant circumstances which could affect the claimant's work-related requirements, for example:

- criminal convictions
- homelessness
- drug or alcohol dependency
- victim of domestic violence
- voluntary work or paid work being undertaken
- MAPPA

This is not a complete list.

Information recorded in Work Services Platform notes

Some information provided by the claimant may not be able to be recorded in a relevant area of WSP, for example:

- IT skills/ability
- IT access, for example home or local library

This information can be recorded in WSP Notes. This helps support activities held on the Claimant Commitment and provides the work coach with a complete understanding of the claimant's circumstances enabling better support.

The consequences of not doing this may include:

A claimant not receiving the help and support they need

A claimant not being fully prepared to apply for jobs

Claimant is already attached to a Work Programme provider

If the claimant is already a Work Programme participant the WC sends a Work Programme (WP) change of circumstances form UC78 to the provider on the same day, to notify them of the new claim to Universal Credit. The claimant must also be issued with a UC201 and the accompanying leaflet UCWPM. See Identifying contracted provision and notifying a change to the provider.

If the claimant is 18 years of age the WC determines if the claimant is not in employment, education or training (NEET). See Not in employment, education or training (NEET).

Work

If the claimant is working, the WC selects 'Yes' in the 'Currently undertaking part-time work' field. This displays the following fields:

- Variable hours
- Total hours per week
- Work: active working

If the work hours are variable, the WC selects 'Yes' in the 'Variable hours' field. A mandatory 'Work pattern' field will appear which must be completed with details of the claimant's working pattern.

The WC selects 'Active working' and then the 'Add new part-time work' option from the toolbar menu. This opens the work new screen and the WC completes the following mandatory fields:

- Job title
- Hours per week
- Start date

The 'End date' field is only completed when the work has ended.

Availability and expected hours of work

The WC decides the claimant's availability for work and expected hours so that a Claimant Commitment can be tailored to their individual circumstances. See Claimant Commitment Hub.

Establishing the required attendance

The WC determines how they will continue to support the claimant and checks that they are continuing to take the necessary steps to move them into work.

This consists of a tailored level of WC contact (for example by telephone, electronically, or face-to-face) and regular face-to-face Work Search Reviews (every week for the first 13 weeks of a claim and then at least fortnightly) to check progress and that a claimant is meeting their requirements.

When setting the timing and frequency of these contacts, the claimant's personal circumstances must be taken into consideration. Claimants in need of additional support are likely to be seen more often and for longer than those claimants more capable of looking for and finding work themselves. See Managing attendance frequency and channel on Work Services Platform.

The WC determines the date of 13th week of the claim and sets a WSP task to re-consider the frequency of the regular face-to-face Work Search Reviews at the end of the mandatory weekly WSR. The task includes the following details:

- Task: Other
- Subject header: End of weekly WSR
- Body: Consider end of weekly WST due, day/month/year
- Maturity: 13 weeks from the date of claim
- Audience: Referring WC

See CAMLite and Work Services Platform notes.

The WC updates WSP notes with the date the claimant is due to end weekly WSR.

Support for young people

Support for young people is aimed at claimants aged 18-24 if the claimant is not 18-24, see 'Creating a Claimant Commitment' below.

Background of support for young people

The back to work support Universal Credit already has in place is helping many young jobless people into employment. However, given the economic climate, some young people are still finding that getting work is not easy and there is a need to extend existing support and introduce new opportunities.

Additional support for young people is a significant cross-Government response to rising youth unemployment and inactivity by increasing opportunities for young people. Youth employment interventions are designed to complement existing approaches and measures so that they provide solutions which offer real value and support for young people (claimants aged between 18 and 24).

All Universal Credit claimants receive help and support that is personalised to their individual need. However, in recognition of the difficulties being experienced by young people, this is being supplemented for those aged between 18 and 24 with additional WC support.

Intensive Activity Programme

The Intensive Activity Programme (IAP) is a package of intensive support designed to facilitate effective full-time job seeking from Day 1 for young people, aged between 18 and 24, in the AWRR Intensive regime who are not currently in education, employment or training.

The programme aims to accelerate the claimant's movement into work and requires them to follow a structured employability curriculum with most claimants completing, on average, 71 hours of specific IAP activity. This covers a broad range of work focused activities to help secure a positive employment outcome (for example speculative job applications), in addition to a comprehensive work search and work preparation activity in the first 21 days of their claim.

If the claimant is 18-24 not currently in education, employment or training, is in the AWRR (Intensive regime), has a UCB marker or is Work Programme participant or a prison leaver - their circumstances exempt them from the IAP and the WC must set the IAP Status on WSP as 'Exempt'.

The WC:

1. Selects the look-up icon in the 'IAP status' field on the claimant's General screen to display the look-up record.
2. Select the 'Exempt status' check box from the look-up record.
3. Selects 'OK'.

The 'IAP status date' field now displays on the claimant's general screen.

4. Enters today's date in the 'IAP status date' field (dd/mm/yyyy). The field will not accept a future date).

If the claimant's circumstances do not exempt them from IAP the WC determines if the claimant is suitable to take part in the IAP. See Intensive Activity Programme actions at the Initial Work Search Interview.

- if the claimant is suitable for IAP the WC should create a claimant commitment (see 'Creating a Claimant Commitment' below)
- if the claimant is not suitable for IAP the WC considers additional support for young people (see 'Additional support for young people' below)

Additional support for young people

For 18 – 24 year olds in the AWRR Intensive regime, there is additional support available consisting of:

- at least weekly contact from day 1, which will be offered at the discretion of the WC including by what channel they contact the claimant (for example face-to-face interviews, SMS texts, emails, phone calls, Group Information Sessions), and
- from month 5, a weekly face to face appointment focusing on the claimant's work search

Work Service Directorate districts decide how to deliver additional support for young people and document this in their local Young People Plan. Work coaches must ensure that they are familiar with their district's Young People Plan.

At least 50% of Universal Credit claimants will receive the additional support of weekly Work Search Reviews which will be set at the discretion of the WC.

The AWRR Intensive regime 18 – 24 year olds who are required to attend weekly face to face appointments will count towards this overall 50% figure.

The WC sets a WSP task to mature when the claimant has been on Universal Credit for 5 months. See Setting a task on Work Services Platform and CAMLite and Work Service Platform notes.

At each Work Search Review, consideration is given to whether a weekly WSR remains appropriate or whether the claimant is to revert to fortnightly Job search/Work Search Reviews, provided the 50% ratio is maintained overall.

It is important the claimant understands that if they fail to attend an appointment or any other work-related requirements without good reason, their Universal Credit payments will be cut. These cuts are known as sanctions.

Creating a Claimant Commitment

The WC creates a Claimant Commitment using the information gathered in the initial interview. See Claimant Commitment Hub.

The Claimant Commitment sets out what the claimant's requirements will be and what will happen if they fail to comply. The WC explains that their Universal Credit may be reduced if they do not do what is expected of them as set out in their Claimant Commitment. If they repeatedly fail to do what was expected of them their Universal Credit could be reduced for up to three years.

The WC tells the claimant:

- if they are unable to complete any of the activities as set out in their Claimant Commitment they should contact Universal Credit, as this may prevent a reduction of payment
- they will need to provide good reason if they are unable to complete any of the activities, and that if the reasons provided are not accepted they may lose some or all of their Universal Credit
- if they fail to attend any scheduled appointments without good reason their Universal Credit could be reduced

The WC asks the claimant to read the sanctions information in their Claimant Commitment and Commitment Pack and explains it to them. The WC should at this point give an overview of the Recoverable Hardship Payment policy and the basic eligibility criteria that a claimant would have to meet to get this.

The WC must record in WSP notes that the Claimant Commitment has been agreed by the claimant.

The consequences of not doing this may include:

A claimant not receiving the help and support they need

A claimant not being fully prepared to apply for jobs

Joint claimants

The WC explains that all sanctions are applied on an individual basis. This will affect the overall amount of Universal Credit the claimant and their partner receive. If a sanction is applied, separate notifications will be sent to both the claimant and their partner.

See Claimant Commitment Hub and Claimant Commitment - accepted.

Migrated sanctions

The WC explains the effects that any migrated sanctions from other DWP benefits may have on the claimant's Universal Credit claim. Any unexpired Jobseeker's Allowance (JSA) or Employment and Support Allowance (ESA) sanctions the claimant and/or their partner have will reduce their Universal Credit for the remaining balance of time those earlier sanctions still have to run.

The migrated sanctions may increase the duration of any fixed-length period of a sanctionable failure within their Universal Credit claim (this does not apply for JSA pre-claim higher-level sanctions for leaving, losing or refusing work without good reason).

Loss of pay or paid work

Claimants may be subject to a sanction if they either

- voluntarily terminate their employment
- permanently reduce their pay
- have their employment terminated as a result of misconduct

When the claim information indicates that this is the case, the claimant has to provide the reasons why. The WC considers whether LV/Misconduct action is appropriate, and if so takes the appropriate action. See Earnings - loss of pay or paid work.

If the claimant is on a zero hours contracts, see Zero hours contract.

Notes from the interview

To add a new note the WC selects 'Add a new note' and then 'Save' from the toolbar menu, for example if the claimant is required to take steps to open a new or provide bank, building society or credit union account for cases where the claimant has requested payment into a Post Office card account (POCa).

The WC then selects 'Save' from the toolbar menu.

Following the initial Work Search Interview

Taking the claimant's personal circumstances into account, the WC records all work search requirements, any work preparations activities this required to carry out (including the date when this will be reviewed) and any other agreed work-related activities in WSP.

The WC must also explain to the claimant the consequences of failing to undertake the agreed work search activities and/or any work preparation activities they are required to carry out.

If the IWS checklist has been used, the WC ensures that all relevant actions have been considered and completed.

The claimant is expected to accept the Claimant Commitment and this will be issued with the Commitment Pack. In WSP, the WC selects the claimant's 'General' section and then 'Yes' from the 'Verified' drop-down list.

If the claimant has a partner and has placed restrictions on their availability, the WC should compare the separate Claimant Commitments to determine if there are any duplications or discrepancies that warrant further investigation.

Setting requirements – Taking part in work preparation activities

Summary

Setting the requirements for a claimant's work-preparation activities

Content

The work coach (WC) reviews the Claimant Commitment in conversation with the claimant.

Claimant is carrying out work-preparation activities

The WC or the claimant identifies that work preparation activities will help the claimant move into work.

The WC considers:

- if the claimant's work search, work availability or job interview requirements should continue to apply whilst the claimant is undertaking work-preparation activities
- what work-related requirements are reasonable and supports the claimant into work

Work preparation activities could include:

- work experience
- skills assessment
- improving personal presentation
- Universal Credit training provision

This list is not exhaustive and can relate to anything that will improve the claimant's employment prospects.

The WC considers the claimant's individual circumstances and the level of attendance at work-preparation activities when deciding what level of work-related requirements should be set on a continuing basis.

The WC may continue to set the claimant's work related requirements regardless of whether they or the claimant has identified the work-preparation activity. The claimant can arrange voluntary work-preparation for themselves but the WC must agree that this will enhance the claimant's prospects of obtaining paid work.

The WC can set all or any of the following requirements:

- work search requirements including mandatory job applications
- work availability requirements
- job interview requirements
- other work preparation requirements including Mandatory Work Activity

The WC considers reducing the claimant's current number of hours work search by the number of hours engaged in work preparation.

If the work-preparation activity is voluntary work that the WC has accepted, the claimant's number of hours work search cannot be reduced by more than 50%. The WC may set these or other work-preparation activities as part of the claimant's Claimant Commitment.

Work-preparation activities could include:

- work experience
- skills assessment
- proving personal presentation
- Universal Credit training provision

They can relate to anything that will improve the claimant's employment prospects.

Determining the claimant's current situation

The WC views the claimant's current Claimant Commitment on Work Services Platform (WSP) - if a clerical Claimant Commitment has been issued this will be on the Document Repository System (DRS).

The WC:

- considers if the work-related requirements detailed on the Claimant Commitment are reasonable and supports the work preparation activity
- determines if there are any Work Focused Interviews scheduled which may need to be cancelled or rescheduled due to the claimant taking part in work preparation activity

Claimant's work-related requirements are temporarily switched off

If the WC decides to temporarily 'switch-off' the claimant's work-related requirements, any outstanding appointments will be cancelled and the claimant is informed. See Switching off requirements WSP action.

The WC advises the claimant that this applies until the work preparation activity is completed.

Work Focused Interviews to continue in the Universal Credit outlet

The WC sets the maximum requirements which the claimant can reasonably be expected to do which will support them into work or towards work.

Future Work Focused Interviews to be conducted by telephone

The WC may decide that the claimants Work Focused Interviews should be conducted by telephone if the claimant's work-preparation activity, location and the location of the Universal Credit outlet means that this is the most practical and reasonable. See Claimants who live in remote areas.

This enables the WC to maintain contact and review work-related requirements during telephone interviews which will be booked on WSP.

Action to take where face to face interviews are to continue or where interviews are to be conducted by telephone.

If the next scheduled appointment is not booked within the next week, the WC

- re-arranges this so that it reflects the claimant's work-preparation activities - see Booking appointments
- considers whether the next appointment needs to be rescheduled due to the ongoing work-preparation activity

Reviewing the Claimant Commitment

The WC needs to create a new Claimant Commitment and takes into account the number of hours of the work-preparation activity comparing this to the number of available hours on the claimant's current Claimant Commitment.

Work preparation activity hours are more or equal to availability hours

If the claimant's work-preparation activity hours are equal to or more than the claimant's available hours the WC:

- tailors the Claimant Commitment to reflect what work-preparation activities the claimant is undertaking, for example 'I will attend the training course for the required hours on the required days'
- considers if provision is equal to, or more than the claimant's weekly hours of work search and work preparation, and records the amount of work-preparation activity on the Claimant Commitment (the claimant's work search and work-preparation activity is to attend the provision) - for example, the claimant's current work search and work-preparation requirement totals 35 hours per week, the provision is 35 hours per week therefore the claimant's work search and work-preparation activity is recorded as 35 hours per week

Work preparation activity hours are less than availability hours

If the claimant's work-preparation activity hours are less than their available hours the WC:

- tailors the Claimant Commitment to reflect work-preparation activities the claimant is undertaking. for example: 'I will attend the training course for the required hours on the required days. I will also undertake xxxx hours of work search and work-preparation activity'
- considers if provision is less than the claimant's weekly hours of work search and work-preparation - the balance of hours must be recorded on the Claimant Commitment (for example, the claimant's current work search and work-preparation requirement is 30 hours, provision is 20 hours so claimant's work search and work preparation activity is 10 hours per week)

Creating a Work Services Platform task

The WC creates a WSP task to schedule a work-related interview to review the Claimant Commitment when the work-preparation activities end. See CAMLite and Work Services Platform notes.

The task is set so that the WC can review the effect that the work-preparation activity has had on the claimant's ability to return to work and to review the claimant's work-related requirements.

Updating Work Services Platform notes

The WC updates WSP general 'Notes' with the reasons for the WC decision on the claimant's work-related requirements and that the claimant has been advised this will remain for the period of work preparation activity.

Setting work related requirements

Summary

How to set work related requirements, including work search and work preparation activities, for a claimant in the All Work Related Requirements group (Intensive Work Search regime) during interview

Content

During every work search interview, the work coach (WC) identifies the things that affect the type of work a claimant is expected to look for and accept if offered.

The WC establishes the type, location, hours and pattern of work a claimant is expected to look for and be available for. Claimants are normally expected to look for any work that they are capable of doing that pays the National Minimum Wage (or above) and that is within 90 minutes travelling distance from their home. Claimants are normally expected to look for full time work.

For a lead carer of a child aged 3 or 4, travel to work should be proportionate to their expected hours of work up to a maximum of 560 minutes. See 'Travel to work for lead carers of children aged 3 or 4' below.

Claimants in the All Work Related Requirements (AWRR) group, Intensive Work Search regime must normally be available to attend an interview and take up a job immediately.

A claimant's individual personal circumstances will determine the actual requirements set.

A full diagnosis of the claimant's circumstances and capacity for work helps determine:

- realistic job requirements

- required hours of availability
- availability for interview / to start work
- travel to work time
- work search requirements including mandatory job applications
- work availability requirements
- job interview requirements
- work preparation requirements
- any other work-related activities

These should be reviewed and updated throughout the claim.

Claimants must understand:

- their goal will be to get paid work, more work or better paid work as quickly as possible
- they will be expected to take up a full time job - a claimant is not required to take employment which requires them to work for more hours than the European Working Time Directive which is up to 48 hours per week (for claimants aged 18 and over) or 40 hours per week (for claimants aged 16/17 years)
- they should undertake work search and work preparation activity for up to a maximum of 35 hours a week -for claimants with agreed restrictions on their availability for work (below 35 hours per week), work search and work preparation requirements will be the same number of hours they are normally available for work. Note: A 'week' is defined as any 7 day period
- the work search and work preparation activities must give them the best prospects of finding work quickly
- if without good reason they have not carried out their work-related requirements, their Universal Credit payments will be cut (these cuts are known as sanctions - the information about sanctions in the Claimant Commitment and the

Commitment Pack should be shown to the claimant and explained to them)

Job requirements

If the claimant does not have a Permitted Period they are required to look for and take any job that they are capable of doing that pays the National Minimum Wage or above. However it can be helpful to record job requirements to focus effective work search for the claimant to identify a job or jobs that they are most suited to or most capable of doing.

Looking for any job and accepting the first job offered, will help the claimant back into work as quickly as possible. Once the claimant is in paid work they can continue to look for their preferred job.

Claimants should have job expectations that are realistic and achievable. For each type of work the WC should explore the following with the claimant:

- capability for work - does the claimant have the relevant qualifications, experience, skills, etc?
- capacity for work - for example are there any health conditions, social issues or caring responsibilities that might make it difficult to find, obtain and retain the job in question
- wage expectations - for example, does the job requirement pay the wages that the claimant is looking for (the WC should explain how Universal Credit can help while in work (for example, childcare, housing support and determine if the claimant understands how much the National Minimum Wage is)
- the local Labour Market - consideration must be given to what jobs are available within that area (if the work the claimant is looking for is not available within the claimant's travel to work area, the job requirement is not realistic)

Recording job requirement

The claimant's agreed job requirement(s) are recorded on the 'Job goals' section of the claimant's record.

To input job goals for the claimant, the 'Active job goals' field is selected on the footer bar, then 'Add new job goal' is selected from the toolbar menu. This opens the 'Job goal' screen and the following fields are selected and completed:

- Job title or type (mandatory free text box)
- Claimant (already populated with the claimant's name)
- Rate of pay - optional
- Payment frequency - optional
- Minimum hours per week - optional
- Applies to Claimant Commitment during Permitted Period – leave blank unless the claimant is in the permitted period

The entry is saved by selecting 'Save and close' from the toolbar menu. The job goal(s) will then show in the 'Active job goals'.

Permitted Period

If a claimant has a strong work history the WC can allow them to limit their work-related requirements to look for work relating to a particular type of job and salary that they have recent experience of.

The WC must be satisfied that the claimant has reasonable prospects of getting a job that fits this limitation before agreeing it. This is known as a Permitted Period and can apply for a period up to a maximum of 3 months.

The Permitted Period starts from either:

- the date of claim if the claimant moves straight to the AWRR group (Intensive Work Search regime), or
- if a claimant is placed in the No Work Related Requirements (NWRR) group (Working Enough regime) initially (based on their earnings being above the Conditionality Earnings Threshold) - the date they move to the AWRR group (Intensive Work Search regime) following a drop in earnings

Any Permitted Period agreed runs continuously and is not broken by any periods of work. After this period, the claimant is required to look for any work they can do of at least the National Minimum Wage.

See Overview and setting of a Permitted Period and Reviewing the claimant's work search Permitted Period.

Recording a Permitted Period

Claimants in the Permitted Period must have a job requirement recorded showing the particular type of job they wish to look for, or the rate of pay.

To record a Permitted Period, the WC:

1. Selects 'Job goals'.
2. Enters the job title or type.
3. Enters the rate of pay if provided by the claimant.
4. Selects the 'Applies to the claimant during Permitted Period' field.

Availability

After gathering all the relevant information regarding the claimant's circumstances, the WC determines the number of hours the claimant is required to be available for work. They must usually have reasonable prospects of finding paid work, more work or better paid work. See Availability and hours of work search overview.

A claimant is normally expected to be available for full-time work (full-time should take its natural meaning and applies to the hours deemed as 'full-time' for a particular job type), but consideration must be given to the claimant's circumstances to identify whether any limitations on their hours or pattern of availability should be applied. On particular, adjustments must be applied if a claimant has childcare responsibilities.

Lead carers of children:

- aged 3 or 4 are expected to be available for up to a maximum of 16 hours per week
- aged 5 to 12 are expected to be available for up to a maximum of 25 hours per week
- aged 13 or older are expected to be available for up to 35 hours per week

A lower number of hours may be agreed taking into account the claimant's circumstances. See Diagnosis of claimant capability and circumstances.

For further information on setting requirements for lead carers of children, see Safeguarding and support for lead carers - case studies.

Recording availability

The claimant's availability for work and any agreed restrictions are recorded on the 'Finding and taking work' section of their Claimant Commitment.

When recording the claimant's availability, see [Setting availability on the Work Services Platform](#).

Availability to start work and attend a job interview

A claimant in the AWRR group (Intensive Work Search regime) must be willing and able to start work and attend a job interview immediately unless the WC is satisfied that they require a longer period because they:

- are undertaking voluntary work - if the WC is satisfied that the claimant needs a longer period because they are undertaking voluntary work, they can agree that the claimant is able to take up employment on being given up to one week's notice and / or attend a job interview with up to 48 hour's notice
- have caring responsibilities - if the WC is satisfied that the claimant needs a longer period because they are a nominated responsible carer or relevant carer for a child or disabled person, they can agree that the claimant is able to take up employment on being given up to one month's notice and / or attend a job interview with 48 hours' notice
- are employed under a contract of service - claimants who are required to give notice must be willing and able to take up employment immediately following the statutory or contracted period of notice they are required to give their employer to end the contract of employment and attend a job interview with 48 hours' notice

Recording availability to start work and attend a job interview

The claimant's availability to start work and attend a job interview is recorded on the 'Availability' section of the claimant's record.

The claimant's availability to attend an interview is recorded by selecting the drop-down list in the 'Availability for interview' field and selecting either:

- Immediately
- Within 48 hours

The claimant's availability to start work is recorded by selecting the drop-down list in the 'Available to start work' field and selecting either:

- Immediately
- Within 7 days
- Within one month
- From

If 'From' is selected, the 'Available to start work date' field will appear. The earliest possible date by which the claimant can start work is recorded from information provided by the claimant. This option is used when the claimant is not available to start work within one month, for example if the claimant has broken a limb and the cast is to be removed on a specific date. If 'From' is used, a specific task should be set to review this or a Work Search Interview booked to discuss further and consider the effect in the Claimant Commitment.

Travel to work time

A claimant must be willing to travel 90 minutes each way to work, by a route and means of transport appropriate to their circumstances (for example, by car for some, public transport for others or walking etc). Limitations can be agreed due to health conditions or caring responsibilities if this means that a shorter distance is necessary.

A claimant's travel to work time is recorded on the 'Availability' section of the claimant's record and is entered by selecting the drop-down list in the 'Travel time in minutes' field and then selecting the appropriate time. This will default to 90 minutes but can be changed if limitations have been agreed.

Travel to work for lead carers of children aged 3 or 4

Travel to work for lead carers of children aged 3 or 4 should be proportionate to their expected hours of work. For these claimants, the travel to work time is capped at the following:

- up to 10 hours expected hours of work per week
- capped at 30 minutes
- 10 to 16 hours expected hours of work per week
- capped at 60 minutes

Claimants will not be asked to travel longer than this and depending on their circumstances, including childcare arrangements, and proportionate to the hours of work they can do, they may be required to travel fewer minutes. However, if a lead carer has good public transport links to childcare provision and areas where there is

work, the WC must consider maintaining the maximum 60 minute travel to work time for lead carers.

For further information on setting requirements for lead carers. see Safeguarding and support for lead carers - case studies.

Setting work-related requirements to give a claimant the best prospects of finding work

Work-related requirements can be mandatory or voluntary.

Mandatory work-related requirements are recorded as either work search requirements or mandatory work- preparation requirements.

Voluntary requirements can be set for claimants in the following regimes:

- AWRR - Intensive Work Search
- Work Preparation
- Work Focused Interview only (all work preparation activities are voluntary)

These should be set as 'Other work related activities' in WSP. Failure to complete these requirements is not sanctionable but they will be activities that help the claimant prepare for work such as voluntary work, activities the claimant chooses to do or stretching activities where the WC would not want to sanction them, for example, attending counselling. See Setting Other Work Related activities on WSP. The WC considers if the claimant's work search or work preparation should be tailored and should continue to apply while the claimant is undertaking intensive work preparation activities. The WC should also be mindful that the claimant's attendance at Work Search Interviews and Work Search Reviews may need to be amended to consider what work-related requirements are reasonable and help to support the claimant into work.

In setting requirements, the WC sets out a detailed plan of action, articulating the steps a claimant must take to give themselves the best prospects of getting paid work quickly.

The WC can set all or any of the following requirements:

- work search requirements (including mandatory job applications)
- work availability requirements
- other work preparation requirements

It is important the claimant understands that if they fail without good reason to complete a mandatory work preparation, work search or interview requirement then their Universal Credit payments will be cut. These cuts are known as sanctions. The WC should ask the claimant to read the sanctions information in their Claimant Commitment and Commitment Pack, explain it to them and describe the length and the amount of the sanction that may apply in relation to each requirement and that sanctions may be longer for each successive failure.

A WC should mandate any work preparation activity they think will make it more likely that the claimant will obtain paid work, more paid work or better-paid work and be mindful that their attendance at a WSI or WSR may need to be amended to accommodate any mandatory work preparation activities.

A claimants must take all reasonable actions to get paid work. They must usually engage in work search and work preparation activity for the same number of hours as they are available for work up to a maximum of 35 hours a week. For example, if they are expected to be available to work for 30 hours per week, they must spend at least 30 hours each week on their work search and work preparation requirements. If they undertake 10 hours of work preparation a week, they will be expected to spend 20 hours of work search.

The number of hours lead carers are usually expected to engage in work search and work preparation activity are:

- lead carers of children aged 3 and 4 - up to a maximum of 16 hours per week
- lead carers of children aged 5 to 12 - up to a maximum of 25 hours per week
- lead carers of children aged 13 and over - up to a maximum of 35 hours per week

Work coaches must set work search and work preparation requirements that meet this expectation, taking into account the claimant's personal circumstances. These should be the most effective activities which (when undertaken) give the claimant the best possible chance of getting paid work quickly.

Looking for work often and in the right way is critical in terms of securing employment quickly. See Work preparation activities overview.

The claimant's work search requirements and work preparation requirements must be **SMART**. That is:

- **Specific** – it must state the claimant's precise job requirements and the specific activity they will take to give them the best chance of finding and

securing a job (for example, generic job descriptions such as 'driver' should be avoided and more specific terms such as 'bus driver', 'HGV driver' or 'van driver' used

- **Measurable** – for work search activities to be undertaken regularly, how many and how often must be specified
- **Achievable** – any activities set must be achievable (activities that are clearly beyond the claimant's capabilities or that are simply unreasonable should not be included)
- **Realistic** – job requirements and work-related requirements must be realistic, taking into account the claimant's skills, experience, capabilities, etc. and the local labour market
- **Time bound** – activities should be time bound and will be reviewed at appropriate points (activities may be regular (weekly) and reviewed within Work Search Reviews, or be one-off, time bound and reviewed within Work Search Interviews or Work Search Reviews)

If the claimant has been mandated to apply for any vacancies these must be recorded on the Work Services Platform (WSP) by the WC. See 'Requiring a claimant to apply for a specific vacancy' below.

Additional Information to aid the claimant's Work Search

The National Employer and Partnership Team have developed a number of sector specific pages on 'Finding a Job in'.

These are based on insight from employers and have been designed to enable work coaches to provide bespoke advice and support on finding jobs in these sectors. Each page includes examples of job search activities which could be included in a Claimant Commitment if appropriate and if agreed between the work coach and claimant. There are also examples of activities that work coaches can do to learn more about the sectors and/or how claimants can demonstrate that they have completed the activity.

For further information see Finding a job sector pages

Mandatory work preparation requirements

Mandatory work preparation requirements are those specific activities that a claimant must take for the purpose of making it more likely in the opinion of the WC that they will obtain paid work, more paid work or better-paid work. These may include:

- attending a skills assessment
- improving personal presentation
- taking part in training
- taking part in programmes or provision
- undertaking work experience or a work placement
- developing a business plan

This is not an exhaustive list and the requirements must be SMART.

If the claimants work preparation activity hours are equal to or more than their available hours, the WC must tailor the Claimant Commitment to reflect this.

The requirement to register with Universal Jobmatch is either:

- a specific work search requirement (AWRR claimants) – see Work search activities overview
- a work preparation requirement (Work Preparation claimants) – see Work preparation activities overview

Using Universal Jobmatch to look for work will be recorded as a work search activity on the Claimant Commitment. See Work Search Activities overview.

For an overview of Universal Jobmatch, how and when to mandate a claimant to Universal Jobmatch and considerations around allowing DWP access, see Universal Jobmatch and Work Services Platform.

If a claimant fails to comply with a mandatory work preparation activity this attracts a low level sanction. A low level sanction has two elements :

- an open-ended period equal to the number of days from the date of failure until the day before the requirement or alternative requirement is met or lifted, followed by
- a fixed period of 7, 14 or 28 days (dependent on whether there are any previous failures in the 364 days before the current failure)

When setting a mandatory work preparation requirement the WC must explain that if the claimant fails to do that activity Universal Credit will be cut for a period equal to

the number of days between the date of failure until they complete that activity or if they are unable to complete that activity, until they contact their WC to arrange an alternative activity which they then do complete. Their payments will then be cut for a further fixed period of up to 28 days (depending on how many requirements they failed to meet and when).

When setting the mandatory work preparation requirement the WC must ensure the claimant understands what to do to meet the requirement or if they haven't met it on time, what actions they must take to reach compliance as quickly as possible. This means that they need to complete the original activity as soon as possible after the original completion date, however where a claimant can no longer reasonably complete the original requirement they must know what they should do instead to achieve compliance. Their open-ended period of sanction will continue uninterrupted until they do this.

If the requirement is an on-going task for example, creating a CV by a set date, and if the claimant does not do this - their Universal Credit payments may be cut for the number of days from the date of failure until they meet the requirement (which is that they create a CV).

If the requirement set is time-limited, for example attending a forklift truck driving course on 8th March - once 8th March has passed the claimant cannot meet the requirement.

It is essential when setting a requirement the WC considers and tells the claimant what they must do if they fail to undertake the original requirement. If it is possible to agree an alternative requirement up-front they this can be recorded on the claimant record so that it is noted on the Claimant Commitment.

Example:

'By (enter date) I will open a Universal Jobmatch account. I will achieve this by using the public access computers in Oldham Library. Otherwise I shall use the public access computers in Oldham Jobcentre to achieve this. If I am unable to complete this action by the date specified above, I will contact the Service Centre on the appropriate 0345 number to explain why'.

Work preparation requirements (and specific work search requirements) should be recorded on the Claimant Commitment as follows:

Section 2: Specific actions I will take

By

Review

Attend and fully take part in a forklift truck training course on (enter date) at ABC training. If I cannot attend, I will contact my WC to arrange an alternative	15th June	17th June
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As soon as possible

If without good reason I don't do this, my Universal Credit payments will be cut by (amount) for each day until I contact my WC. My payments will then be cut by (amount) a day for a further period of up to 28 days.

after 15th June

I will create a profile and public CV within Universal Jobmatch by the 15th June. If I cannot do this, I will contact my WC.

15th June	17th June
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As soon as possible

If without good reason I don't do this, my Universal Credit payments will be cut by (amount) for each day until I have done so. My payments will then be cut by (amount) a day for a further period of up to 28 days.

after 15th June

Bring my CV to my appointment on 17th June. If I cannot do this, I will contact my WC.

17th June	17th June
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As soon as possible

If without good reason I don't do this, my Universal Credit payments will be cut by (amount) for each day until I bring my CV to this office. My payments will then be cut by (amount) a day for a further period of up to 28 days.

after 17th June

In some circumstances the WC may also agree that the claimant should undertake a voluntary work preparation activity. There is no sanction if the claimant does not do this activity, however if a claimant fails to do the voluntary activity they must make up the extra time in their work search. See Setting Other Work Related activities on WSP.

For example, if the claimant agrees to do 5 hours of voluntary work preparation activity (such as attending their local work club for 5 hours a week), this may be deducted from the amount of time they are expected to undertake work search (see Setting work search activities below). If the claimant does not do their voluntary activity in a particular week they need to make up their expected hours of work search. The WC must explain this to the claimant.

Recording work preparation activities

The claimant's mandatory work preparation requirements are recorded on the 'Work preparation activities' section of the claimant's record. To enter a new work preparation action, the WC:

1. Selects 'Add new work preparation action' from the toolbar.
 2. Completes the 'Specific action' field.
 3. Enters the dates the activity is to be completed and reviewed by.
- if there are more work preparation activities to be considered, the WC selects 'Save and new' and adds a new activity
 - if the work preparation activity is to be completed before the next Work Search Review, the WC sets a task to follow up the agreed action (See Setting a task on the Work Services Platform and CAMLite and Work Services Platform notes.)

The details of the work preparation action are recorded and the entry is saved by selecting 'Save and close' from the toolbar menu. The work preparation action will then show in the 'Work preparation actions' field.

Voluntary work preparation activities are recorded on the 'Other work-related activities' section of the claimant's record.

Requiring a claimant to apply for a specific vacancy

A WC can require a claimant to apply for a specific vacancy that they are capable of doing by recording this as work preparation activity.

The WC will need to include all of the information that the claimant will require to identify the vacancy. Although this is recorded in the work preparation activities section of the claimant record it attracts a high level sanction.

If a WC requires the claimant to apply for a specific vacancy on Universal Jobmatch they must:

- record the matched jobs separately and specifically on the Claimant Commitment as a mandatory job vacancy application
- have discussed the vacancy with the claimant

- ensure that the Claimant Commitment is accepted

See WSP – recording a claimant's mandatory job vacancy applications.

For further details on how to update a Universal Jobmatch account, see Universal Jobmatch and Work Services Platform.

Setting regular work search activities

Work Search Activities are those that the claimant is expected to undertake regularly (unless they have been 'switched off' temporarily).

The claimant must take all reasonable action for the purpose of obtaining paid work and the WC must set work search activities such that the claimant will conduct work search for their expected hours. This will be 35 hours a week unless there are agreed restrictions on the claimant's availability for work, in which case the number of hours of work search will be the same as their availability.

Work search hours will also reflect any time spent undertaking agreed work preparation activities, voluntary work and paid work. However, the amount of time spent on agreed work preparation activities (and/or voluntary work) should not mean that there is no time for a claimant to undertake regular work search. A claimant should undertake regular work search activity each week and work coaches need to balance the need for work search activities with any work preparation activity.

Example 1:

A claimant has had their expected hours limited to 20. They have told their WC that they are undertaking voluntary work (where a maximum of 10 hours can count towards their expected hours) but the WC also wants them to attend an ELR course for 10 hours a week. In this example, the WC is likely to need to agree a lower number of hours that the claimant can spend on voluntary work, down from 10 hours, so that they can spend time on work search. The amount of time they need to spend on work search will be determined by the WC and the number of hours of voluntary work (that count towards their expected hours) reduced accordingly.

Example 2:

The claimant does not have any restrictions on their work availability. They have been referred to local provision and a work placement of 25 hours per week has been arranged for the remaining 10 hours they would be expected to undertake work search.

Any paid work (including part time or casual self-employment) the claimant undertakes can be considered by the WC to reduce the usual requirement for looking and preparing for work. This is at the discretion of the WC and should be recorded on the Claimant Commitment.

The claimant must be prepared to give up the paid work, including part-time or casual self-employment to take up employment to move them over their individual threshold. This could also include combining their part time or casual self-employment with another job or increasing the hours of their part time or casual self-employment to move them over their individual threshold.

Accounting for self-employment

A reduction to the claimant's expected work search hours is most likely to be identified at a Work Search Interview following a Gateway Interview.

When considering the appropriate number of hours to apply as a relevant deduction in the case of self-employment, the WC must take account of the following:

- the self-employed activity has not been deemed gainful self-employment during the Gateway Interview and therefore should not be regarded as such
- the relevant deduction must be appropriate for the work undertaken and the payment received

The WC checks WSP 'General notes/Archived notes' and looks at the reason for the decision that the claimant is not gainfully self-employed. This may help to decide how the self-employed activity should be treated at the WSI. To locate WSP archived notes see Work Services Platform guide (claimant records - maintaining claimant records).

When deciding how much time to deduct, the WC considers, the amount the claimant earns from self-employment divided by the National Minimum Wage (NMW) for the claimant's age group. This gives an approximate number of hours to use as a guide for making a relevant deduction from the claimant's expected hours of work.

Example:

A small amount of self-employed work is considered useful to keep a claimant's skills current by the WC. This could provide a return to work route if the claimant has a long period of absence. The WC may also consider whether earnings from self-employment were lower than usual in a month because of normal business patterns rather than because the claimant was spending less time doing this, and whether earnings are likely to increase in the near future. In these cases the WC considers allowing a greater number of hour's deduction than suggested to reflect the self-employed activity by dividing the claimant's self-employed earnings by the National Minimum Wage.

The WC may consider that a reduction in hours is not appropriate as the self-employment is not significant enough to change the Claimant Commitment.

If the reason for the original 'not gainfully self-employed' decision no longer applies and the WC considers that a new Gateway Interview will lead to a different result, the WC considers booking another Gateway Interview. For example, if the claimant was deemed 'not gainfully self-employed' because they were unable to provide significant development plans for their business, but have since produced a credible business plan and carried out significant marketing activity, a repeat Gateway Interview would be appropriate.

If the WC considers that further support will develop the claimant's self-employment further giving a better chance of them being deemed gainfully self-employed in the future, the WC considers referring or signposting the claimant to the appropriate support.

Voluntary work

When considering voluntary work, the WC deducts the hours the claimant spends undertaking agreed voluntary work, up to a maximum of 50% of the claimant's expected hours:

Example:

Mary's Claimant Commitment requires her to be available for work for 28 hours per week. These are her expected hours and she does voluntary work for a local charity for 18 hours per week. Mary's WC can deduct 14 hours (being 50% of the 28 hours that she is available for work) from the hours that she is available for work when determining the amount of time she must spend on work search activities. Mary can still do more hours at the charity but these will not count as work search or work preparation activities.

The work search activities set should be the most effective activities which, when undertaken, give the claimant the best possible chance of getting paid work quickly. How long any particular activity will take will vary from claimant to claimant and the WC must judge this in line with the claimant's circumstances and abilities.

Work search activities will differ for each claimant based on their job requirements and circumstances and may include for example:

- using Universal Jobmatch
- registering with and using other job search websites
- carrying out other activities to look for work
- making applications
- registering with an employment agency
- seeking references

This list is not exhaustive and all work search activities must be SMART.

Having set all the reasonable and effective actions that the claimant could do, they will have met their work search requirements if they undertake all these actions.

If the claimant does not undertake these actions the WC considers whether they have done all that can be reasonably expected of them. See Work Search Reviews.

Recording work search activities

The claimant's work search activities are recorded on the 'Work search activities' section of the claimant's record.

To enter a new work search activity, the WC selects 'Add new work search activity' from the toolbar. The details of the work search activity are then recorded and the entry is saved by selecting 'Save and close' from the toolbar menu. The work search activity will then show in the 'Work search activities' field.

Temporarily switching off requirements

Work coaches may identify circumstances which mean that the claimant's work search and availability requirements will be temporarily switched-off.

Regulations give a list of the particular circumstances where this is appropriate, for example if a claimant:

- with a self-certificate/medical evidence reports illness of up to 14 days
- is homeless, see Switching off requirements - homeless claimants
- is receiving medical treatment or is convalescing outside Great Britain (for up to 6 months) or accompanying a partner, child or qualifying young person (for whom they are responsible) for medical treatment or convalescence
- is attending jury service or attending court or a tribunal as a witness, see: Switching off requirements – Jury Service
- whose partner, child or qualifying young person has died (for up to 6 months from the date of death): see: Switching off requirements - bereavement
- who is a responsible carer of a child in distress due to bereavement or being a victim/ witnessing violence and abuse (including domestic violence

and abuse). See: Switching off requirements - Child in considerable distress

- is participating in a structured recovery orientated course of alcohol or drugs dependency treatment (for up to 6 months), see: Switching off requirements – Drug and Alcohol Dependency
- is a prisoner (detained in custody pending trial or sentence or on temporary release)
- has arrangements made by a protection provider for up to 3 months (this can be extended in exceptional circumstances)
- is engaged in a public duty– for example a volunteer fire-fighter, lifeboat crew member, Territorial Army reservist, see Switching off requirements – Carrying out Public Duty
- is attending a residential camp as a requirement of undertaking an Open University course

Work coaches have the discretion also to switch-off or tailor work preparation and any Work Focused Interview requirements on the claimant, in addition to switching-off work search or availability requirements.

However there is no expectation that these need to be switched-off and WC'S can decide that a claimant is still be able to undertake some work preparation activity or attend Work Focused Interviews, if this is reasonable based on the claimant's circumstances.

See Considering claimant temporary unavailability - switch-off requirements.

Victims of domestic violence

If a claimant notifies Universal Credit that they have been a victim of domestic violence in the past six months, they are not living at the same address as the perpetrator, and they have not had access to this easement in the last 12 months, they must be given an exemption from all work-related requirements for one month. During this time the claimant has the opportunity to provide relevant evidence from a person acting in an official capacity and, if they do so, will have this exemption extended to 13 weeks in total.

- if claimants feel (before this 1 month or 13 week easement is over) that they wish to reconnect with their work search or preparation activities, they should be able to do so on a voluntary basis

until the end of the easement period - at which point the claimant's appropriate work-related requirements will be re-applied

- if a claimant does wish to begin to carry out work-related activities before their exemption period is over, it should be explained to the claimant that they will not be able to 'bank' this time and access it later on after the easement period has ended

If the claimant is the responsible carer of a child, work search and work availability requirements must not be imposed for a further 13 weeks, bringing the period to 26 weeks in total. However work coaches may consider work preparation or Work Focused Interview requirements during this 13 week period.

Claimants who have been a victim of domestic violence but are outside the scope of this specific easement period, may need to access a temporary lifting of work search and availability requirements as a result of temporary circumstances which are directly or indirectly related to their experience of domestic violence.

Example:

If a claimant was obliged to move accommodation in order to ensure their safety or the safety of their children, work search and availability requirements can be temporary lifted to accommodate this if necessary.

For further information, see Switching off requirements - domestic violence.

Claimant is not available for work or work search activity

If the claimant has had work search or work availability requirements switched-off, the WC selects 'No' from the 'Available for work' drop-down list and records the reason(s) in the 'Reason For Unavailability' field.

If the claimant is available for work from a specific date, the date is recorded in the 'Available from date' field. The date that this will be reviewed is recorded in the 'Review date' field.

The claimant's required weekly work search hours are recorded in the 'Work search hours per week' field. This defaults to 35 but can be changed if required.

Diagnosis of claimant capability and circumstances

Summary

How to determine the issues that affect the work a claimant is expected to look for and accept if offered

Content

Diagnosing claimant work capability and capacity work-related requirements

During work search interviews, the work coach (WC) must identify issues that affect the work a claimant is expected to look for (and accept if offered) and use these to determine their requirements.

A claimant in the All Work Related Requirements (AWRR) group is normally expected to look for and accept any suitable employment paying the relevant National Minimum Wage rate that is within 90 minutes travelling distance from their home. A claimant is usually expected to look for full time work, or work in line with their agreed hours of availability, for example:

- work that is within 90 minutes travelling distance from their home (or 60 minutes maximum if they have a youngest child aged 3 or 4)
- they are available to attend an interview immediately (or within 48 hours if they have caring responsibilities)
- they can take up a job immediately (or within 48 hours if they have caring responsibilities)

A claimant's personal circumstances will determine the actual requirements set and a full diagnosis of their circumstances and capacity for work will help the WC determine:

- a realistic job requirement
- availability requirements
- travel to work time
- work search requirements including mandatory job applications
- work preparation requirements including Mandatory Work Activity
- any other work-related requirements

These should be reviewed and updated throughout the claim.

Claimants must understand:

- they will normally be expected to search for work for the number of hours they are available for work (this will be agreed with the WC depending on their circumstances so may be reduced due to any caring responsibilities or health conditions, but will not be more than a maximum of 35 hours per week)
- they need to take all reasonable steps to give themselves the best chance of finding work, more work or better paid work as quickly as possible
- that their work-related requirements have been set taking into account all of their relevant personal circumstances
- if they don't carry out their work-related requirements they will be sanctioned, unless they can show they had a good reason
- the date and time of their next appointment
- the consequences of failing to attend their Work Search Reviews
- where they have an unspent sanction from a previous claim, this will have an effect on the amount of Universal Credit they receive and any future failure to comply with requirements
- if they work and earn the required amount for 26 weeks, their sanction will be ended – if they have worked since the sanctionable failure, this could count towards their 26 weeks (the claimant should be asked their periods of work and earnings and this should be recorded in the Work Services Platform (WSP) in 'Employment history') - see Initial Work Search Interview

Caring responsibilities

When setting a claimant's individual work-related requirements, the WC considers any caring responsibilities the claimant has, for example, childcare or any other relevant caring for a relative or family member. If alternative care arrangements need to be made to allow the claimant to attend a job interview or start work, additional time should be allowed for this (this means that the claimant would not be expected to be available for an immediate start).

The WC must look at the impact of caring responsibilities on the claimant's capacity for work, overall hours or specific times of availability, and tailor requirements accordingly. This may include:

- reducing their overall hours of availability (and the impact on expected hours where availability is reduced below the 35 maximum expected hours)
- specific caps that must be applied, for example if the claimant is the lead carer of children aged under 13, and
- using discretion to ensure the requirements set are reasonable

Reasonable hours of availability, work-related activities and travel to work time will be determined by the WC in discussion with the claimant - taking into consideration all the claimant's circumstances.

A WC can consider reducing the expected hours of work for a lead carer who has one or more of the following;

- difficult travel time to a childcare provider, for example, poor public transport links when taking and picking up the child from childcare provision
- a health condition and the claimant is awaiting the health assessment
- lack of childcare availability in the claimant's area that is suitable for the needs of the child

Tailoring of the expected hours of work and availability is required if the claimant has part-time or temporary caring responsibilities. This could be for an elderly relative or where a claimant has

caring responsibilities for a child for whom they are not the lead carer, for example where claimants is separated or divorced. This does not apply to claimants who are full-time carers or have additional Universal Credit for caring in payment as they will be placed in No Work Related Requirements (NWRR) group and so are not subject to any work-related requirements.

Universal Credit expectations are that a claimant only needs commit to the number of hours that has been agreed with the WC which must be no more than the specific cap for their circumstances.

For further advice on setting requirement for lead carers of children, see Safeguarding and support for lead carers - case studies.

Lead carer for a child aged 3-4

For lead carers with a youngest child aged 3 or 4, there is a reduced expectation on hours of availability. This is capped at a maximum of 16 hours per week. The travel to work time for lead carers with a youngest child aged 3 or 4 should be proportionate to their expected hours of availability, up to a maximum of 60 minutes. For these claimants, the travel to work time or area is capped at the following:

- up to 10 hours expected hours of availability – capped at 30 minutes
- 10 to 16 hours expected hours of availability – capped at 60 minutes

They will not be asked to travel longer than this and depending on their circumstances (including childcare arrangements), and proportionate to the hours of work they can do, they may be required to travel less than the cap limits.

However, if a lead carer has good public transport links to childcare provision and to areas where there is work, the WC must consider maintaining the maximum 60 minute travel to work time for lead carers. See Setting work-related requirements.

Work coaches must ensure that they adjust the travel to work time in WSP from the default value of 90 minutes each way to the new agreed time, or 60 minutes – using whichever is lower.

For further information on setting requirement for lead carers of children, see Safeguarding and support for lead carers - case studies.

Lead carer for a child aged 5-12 (or an older child where the child has exceptional care needs)

Lead carers with a youngest child aged 5 to 12 are required to be available for paid work for as many hours as their caring responsibilities allow and which is compatible with these responsibilities.

If the child is at school, this will be the child's normal school hours (set at 25 hours), including the time it takes to travel to and from school. This must be set in discussion with the claimant, taking into account the number of children and/or schools attended and the cumulative total travel time to and from these to drop off and collect.

The WC should also consider whether the claimant does this every day at the same time or if this is shared with someone else. When deducted from the 25 school hours, this will give the lowest value to be used. The claimant can always opt to do more, but Universal Credit expectation is capped at a maximum 25 hours per week. This must be applied so that the claimant is not expected to do more than this.

For the lead carer of a child aged 5-12, the normal default of a maximum 90 minutes travel to work each way applies.

If the WC adjusts the claimant's work-related requirements, the adjustments must be reasonable and connected with the claimant's caring responsibilities for that child.

If a WC adjusts the claimant's work-related requirements for reasons not connected to the care of that child, they must be satisfied that they have reasonable prospects of getting paid work in light of these adjustments.

For further information on setting requirement for lead carers of children, see Safeguarding and support for lead carers - case studies.

Lead carer for a child aged 13 or over

Lead carers with a youngest child aged 13 and over are expected to be available for paid work for 35 hours per week. The WC can use their discretion to tailor this to meet their caring responsibilities.

For further information on setting requirement for lead carers of children, see Safeguarding and support for lead carers - case studies.

Carers for a person(s) who has a physical or mental impairment (under 35 hours a week)

Carers who have regular caring responsibilities (under 35 hours a week) for a person(s) who have a physical or mental impairment, are required to be available for paid work for as many hours as their caring responsibilities allow.

They may have their hours of availability adjusted at the WC's discretion taking into account their caring responsibilities. The claimant must have reasonable prospects of finding paid work, more work or better paid work.

Parents of a child who are not the nominated responsible carer, but have caring responsibilities for the child

A parent of a child who is not the nominated responsible carer, but has caring responsibilities for the child, is required to be available for paid work for as many hours as their caring responsibilities allow.

They may have their hours of availability adjusted at the WC's discretion taking into account their caring responsibilities. The claimant must have reasonable prospects of finding paid work, more work or better paid work.

Exercising discretion

In exercising discretion, the WC should consider:

- that a claimant is expected to do all that is reasonably possible to fit their caring responsibilities with the local Labour Market
- other care arrangements which may be available (including childcare)
- the impact of their caring responsibilities on the hours that they are able to work
- the care requirements of the individual being cared for

Health conditions

If a claimant has a physical or mental impairment which substantially affects their ability to carry out paid work, they are required to be available for paid work for as many hours as their health condition allows.

For claimants in the Work Preparation Group (as they have Limited Capability for Work) consider if the Enhanced Support Offer is appropriate, and if so discuss the various initiatives the claimant can volunteer for.

The WC should adjust the claimant's work-related requirements taking into account the:

- claimant's health condition
- regular treatment regime related to the claimant's health condition
- hours their health condition allows them to work
- type of employment their health condition allows them to do
- environmental conditions their health allows them to work in, for example lighting, background noise, dust
- impact of their health condition on their ability to travel

For example, if a claimant with a health condition states that they have limited capacity to stand and need to sit frequently, the WC would explore with them what they are able to do:

- can they sit without a problem?
- can they walk without a problem?
- what other skills do they have?
- how do they spend their day?

An example statement for the Commitment Pack would be: 'I am able to undertake work which does not involve maintaining one position for a prolonged period'.

If the WC adjusts the claimant's work-related requirements because of their health condition, the claimant does not have to have reasonable prospects of getting paid work. However, the adjustments must be reasonable and connected with their health.

If a WC also adjusts the claimant's work-related requirements for reasons not connected to their health condition, they must be satisfied that the claimant has reasonable prospects of getting paid work in light of these adjustments.

Other relevant circumstances

The WC must consider anything else (for example, legal restrictions) that could have an effect when setting the claimant's work-related requirements.

Some specific circumstances, for example drug or alcohol dependency or domestic violence, have an associated adjustment that must be applied to the claimant's requirements. See [Switching off requirements - WSP action](#).

In other circumstances, the WC must understand the impact of complex needs and apply a defined adjustment as above or use their discretion to tailor requirements to what the claimant is able to do at that particular time. See [Complex needs](#).

In circumstances where a claimant may require additional care or support, the WC can consider signposting them to relevant organisations that can offer suitable support or advice. See [District Provision Tool](#).

Work coach consideration on receipt of the day 29 Work Services Platform task

The WC as part of the claimant's journey should have regular contact arrangements in place with them and a relevant Claimant Commitment.

The actions the WC must consider on receipt of the day 29 WSP task depends on whether the claimant is:

- terminally ill
- treated as having Limited Capability for Work (LCW) or Limited Capability for Work and Work Related Activity (LCWRA), or
- has reached the 28th day of sickness

The WC must also have regard to when contact was last made with the claimant and the current actions agreed as part of the Claimant Commitment.

The WSP task may only be treated as complete once the WC has fully ensured that the claimant has sufficient, relevant and current work preparation or work search actions on a suitable Claimant Commitment, and that on-going contact arrangements are in place, if applicable.

The types of WSP tasks are:

- for claimants who indicate they may be terminally ill:

- Target: Work Coach Task Team
- Start: Immediate
- Notes: 'Claimant reported sick from (dd/mm/yyyy). Claimant considered as terminally ill pending WCA outcome, claimant referred for WCA on (dd/mm/yyyy)'
- for claimants where Universal Credit has established they are 'treated as LCW/LCWRA':
 - Target: Work Coach Task Team
 - Start: Immediate
 - Notes: 'Claimant reported sick from (dd/mm/yyyy). Claimant considered as having LCW/LWCRA pending WCA outcome. Claimant referred for WCA on (dd/mm/yyyy)'
- For claimants who have reached the 28th day of sickness:
 - Target: Work Coach Task Team
 - Start : Immediate
 - Notes: 'Claimant reported sick from (dd/mm/yyyy). 28th day of sickness now reached. Claimant referred for WCA on (dd/mm/yyyy)'

Work Coach consideration on receipt of a Work Services Platform task from a decision maker advising the claimant has been awarded LCWRA

Following the Work Capability Assessment (WCA) outcome, when the claimant is considered as having LCWRA, the decision maker (DM) creates a WSP task for the WC. When the task is received, the task notes will include: 'Following WCA outcome claimant is considered as having LCWRA'.

As part of the claimant's journey, the WC is likely to have had regular contact with them to support them in meeting their Claimant Commitment requirements. On receipt of the WSP task (confirming that a claimant has been awarded LCWRA), consideration should be given to previous engagement discussions to inform the approach the WC may want to take to any future offer of support.

Any future support provided to claimants found to have LCWRA is on a voluntary basis and the WC has discretion when offering this support (based on their previous engagement with the claimant). This includes whether the WC should make contact with the claimant to discuss any help or assistance available to them or whether an agreement may be suitable for contact at some point in the future.

When making this decision the WC must also consider that the DM will have independently contacted the claimant, as part of the overall WCA process. This will have been to discuss the LCWRA decision and to agree a generic Claimant Commitment for a claimant in the NWRR group and the contract type 'Too sick to Work', sub type 1a (LCWRA).

Skills

Claimants who do not have the skills that are valued in the Labour Market will be required to start, participate in and complete appropriate skills assessments or training.

The WC will conduct a skills screening to fully understand the needs and capabilities of the claimant. This will help the WC determine if their goals are realistic and if they require any additional support. This can be conducted as part of an Initial skills screening, or an in-depth skills assessment.

The initial skills screening determines if the claimant is lacking skills such as English language, literacy, maths or computer skills.

If the WC believes there may be a skills gap but confirmation is needed, they must be referred (for an in-depth skills assessment and/or careers advice) to an initial interview with a provider or direct to training.

All these referrals should be included as either work preparation (mandatory) or other work-related activities (for provision funded by the Devolved Administration in Wales and for Careers Advice in Scotland and Wales).

Overview of work-related requirement sanctions in Universal Credit

Summary

Information on the various sanction levels and the reasons and durations applicable to Universal Credit

Content

Universal Credit will focus on setting suitable work-related requirements, tailored to the claimant's circumstances. These requirements are important because claimants are more likely to enter full-time work if they meet them.

Work-related requirement sanctions (sometimes known as conditionality sanctions for Jobseeker's Allowance) should act as a deterrent for claimants against failing to meet these important requirements. Therefore Universal Credit must ensure that claimants fully understand both the requirement and the sanction consequences of not meeting it.

Sanctions can only be effective in encouraging claimants to meet work-related requirements if the possible sanctions they may face are communicated to and understood by the claimant. Evidence shows that claimants are more likely to meet a requirement if they understand they will receive a sanction if they fail to do so.

Agents must ensure that sanctions are explained when requirements are set and be clear to claimants that if they fail to meet a requirement without a good reason they will receive a sanction.

The agent must explain that a sanction means their Universal Credit payments will be cut. The more times that a claimant fails to meet requirements, the longer a sanction will be.

A sanction will cut a claimant's Universal Credit payment by a daily amount. That daily amount, and how long the cut could last for, is recorded on the Claimant Commitment. Further important information is in the Commitment Pack. This information should be drawn to the claimant's attention and explained to them.

The claimant should be made aware of help available to them if they are subject to a sanction. The process for claiming Recoverable Hardship Payments (RHP) and the basic eligibility to make a claim for a RHP should be explained.

Where a claimant is aware that a requirement is mandatory but nevertheless fails without a good reason to meet a suitable requirement that was clearly notified to them, then a sanction should be applied.

A trained decision maker determines whether the claimant had good reason and if a sanction should apply.

Differences and similarities exist between legacy Jobseekers Allowance (JSA) and Employment and Support Allowance (ESA) sanctions regimes and the Universal Credit sanctions regime.

The consequences of not identifying sanctions may include

Sanctions from legacy benefits not identified leading to overpayment of Universal Credit

Missed sanctions gives the wrong message to the claimant for example , Universal Credit will not pursue the legacy benefit sanction

For Universal Credit there will be four sanction levels:

- higher
- medium
- low
- lowest

JSA and Universal Credit

The higher level sanction periods are the same for JSA and Universal Credit, the only difference is that under Universal Credit the sanctions are expressed in days.

In JSA there is disqualification for failure to be available for, or seeking work followed by an intermediate sanction. Under Universal Credit there is no disqualification for these failures and a medium level sanction is applied instead (note also that the work search and availability requirements in Universal Credit are different to JSA).

In JSA the low level sanctions are for fixed periods. In Universal Credit the low level sanctions will have two elements – an open-ended period which will run for a period equal to the number of days from the date of failure until the day before the claimant meets a compliance condition, followed by a fixed period.

ESA and Universal Credit

The low level sanctions in ESA will work in the same way in Universal Credit, that is, an open ended period followed by a fixed period. The only difference is that they will be expressed in days.

In Universal Credit there will also be lowest level sanctions for claimants in the Work Focused Interview Only group.

How sanctions will operate for Universal Credit

For higher, medium and low level sanctions, claimants will be sanctioned an amount broadly equivalent to 100% of their Standard Allowance. For lowest level sanctions they will be sanctioned an amount equivalent to 40% of their Standard Allowance.

For Universal Credit, sanctions will run consecutively and the claimant's award amounts will therefore be reduced for the entire duration of all sanctions. So where a claimant is subject to one sanction and receives another, the period of the second sanction will be added to their Total Outstanding Reduction Period (TORP).

This is different to the current position in JSA whereby if a claimant is subject to one sanction and receives another, the sanctions run concurrently with one reduction suppressed so that for the period in which the two sanctions overlap the second sanction has no impact.

Once a decision maker decides that a sanction should apply, then that sanction period will be added to the claimant's TORP. The TORP is the total of all sanction days imposed on a claimant which has not yet resulted in a reduction to the award and is limited to 1095 days. A new sanction which would take the TORP over 1095 days must be reduced in length accordingly.

Daily sanction amounts

The daily sanction amount for claimants has been determined in accordance with a formula based on the Standard Allowance for each category of claimant.

For claimants receiving a high, medium or low level sanction the formula will be: Standard Allowance x 12 divided by 365, rounded down to the nearest 10p.

For lowest level sanctions it will be 40% of the Standard Allowance x 12 divided by 365, rounded down to the nearest 10p.

In cases where there are joint claimants the formula is based on half of the joint Standard Allowance paid to the couple.

A claimant's Standard Allowance is based on their age and whether they are single or part of a joint claim. For a list of daily sanction amounts for each category of claimant see Advice for Decision Makers (ADM).

Application of a reduction to the claimant's award in Universal Credit

The reduction for a particular assessment period is then calculated (based on the daily sanction amount on the last working day of that assessment period). In cases where the TORP is less than the number of days in the given assessment period, then the reduction will be calculated by multiplying the number of days in the TORP by the daily sanction amount for the claimant.

In cases where the TORP exceeds the number of days in the given assessment period, the reduction will be calculated by multiplying the number of days in the assessment period by the daily reduction amount. Any residual sanction days are carried forward and applied to future assessment periods.

If the reduction would exceed the Standard Allowance (or half the Standard Allowance for a joint claimant) the sum is reduced accordingly so it does not exceed these amounts.

16/17 year olds

16 and 17 year olds will be able to claim Universal Credit in their own right in some circumstances and, depending on their capability and circumstances, could fall into any one of the four conditionality groups:

- All Work-Related Requirements
- Work Preparation
- Work-Focused Interview Only
- No Work-Related Activity Requirements

The sanctions regime for 16 and 17 year olds mirrors the adult regime but has lower sanction amounts and shorter durations. The durations are set out alongside the over 18 periods below.

16 and 17 year olds will be sanctioned 40% of the Standard Allowance.

Sanction levels

There are four levels of sanction:

- higher
- medium
- low
- lowest

Sanction durations range from fixed higher level sanctions of up to three years for claimants who repeatedly fail to meet their responsibilities to lowest level sanctions which are open-ended and build up, usually until the claimant meets a compliance condition.

Where a claimant has good reason for a failure, a sanction won't be applied.

Higher level sanctions

Higher level sanctions will be applied to claimants subject to All Work-Related Requirements who without good reason:

- fail to undertake Mandatory Work Activity
- fail to apply for a particular vacancy
- fail to take up an offer of paid work
- by reason of misconduct or voluntarily and without good reason:
 - cease paid work
 - lose pay

For claimants aged 18+ high level sanctions will usually be for a fixed duration of:

- 91 days for a first failure
- 182 days if there has been a 91 day higher level sanction applied for a failure in the 365 days prior to the current failure date.
- 1095 days if there has been a 182 or 1095 day higher level sanction applied for a failure in the 365 days prior to the current failure date.

For claimants aged 16-17 higher level sanctions will usually be for a fixed duration of:

- 14 days for a first failure
- 28 days if there has been a 14 or 28 day higher level sanction applied for a failure in the 365 days prior to the date of the current failure.

Pre-claim failures –higher level sanctions

Where a claimant:

- leaves employment voluntarily

- loses pay voluntarily
- loses employment or pay because of misconduct&
- fails to take up an offer of employment

Before applying for Universal Credit the applicable sanction period will be reduced by the length of time between that failure and the date of the Universal Credit claim.

Sanctions for pre-claim failures do not count for the purposes of escalation, so if a claimant fails to meet a higher level requirement any pre-claim higher level sanction in the preceding 365 days is ignored for the purposes of escalation.

If the pre-claim failure relates to employment which was expected to last for a limited period, the applicable sanction period will be the shorter of the standard duration or the length the employment was expected to last, minus the number of days between the failure and claim.

Medium level sanctions

Medium level sanctions will be applied to claimants subject to All Work-Related Requirements who without good reason:

- fail to undertake all reasonable work search action
- fail to be able and willing to immediately take up work

Medium level sanctions for claimants aged 18+ will be of a fixed duration of:

- 28 days for a first failure
- 91 days if there has already been one or more medium level sanctionable failures in the 365 days before the date of the current failure.

Medium level sanctions for claimants aged 16-17 will be of a fixed duration of:

- 7 days for a first failure
- 14 days if there has been one or more medium level sanction applied for a failure in the 365 days before the date of the current failure

Low level sanctions

Low level sanctions will be applied to claimants who are subject to All Work-Related Requirements or are in the Work Preparation Group (subject to work-preparation and Work Focused Interview requirements) and who fail without good reason to meet any work-related requirement (or connected requirement) that is not sanctionable at the higher or medium level.

There will be two components to a low level sanction for claimants aged 18+. An open ended component equal to the number of days from the date of failure until:

- the day before the date the claimant meets a compliance condition
- the day before the date the claimant moves to the No Work-Related Requirements Group
- the day before the date the claimant is no longer required to undertake a particular action under the work-preparation requirement
- the date the award is terminated (other than by reason of the claimant ceasing to be or becoming a member of a couple)

plus

- a fixed period of 7 days
- 14 days if there has been a lower level sanction with a fixed period of 7 days applied for a failure in the 365 days prior to the date of the current failure.
- 28 days if there has been a lower level sanction with a fixed period of 14 or 28 days applied for a failure in the 365 days prior to the date of the current failure

For claimants aged 16-17, low level sanctions will be for an open period which will run for a period equal to the number of days from the date of failure until:

- the day before the date the claimant meets a compliance condition
- the day before the date the claimant moves to the No Work-Related Requirements Group

- the day before the date the claimant is no longer required to undertake a particular action under the work-preparation requirement
- the date the award is terminated (other than by reason of the claimant ceasing to be or becoming a member of a couple)

plus

- for second and subsequent failures with a previous failure within the 365 days prior to the current failure, a fixed period of 7 days

Lowest level sanctions

Lowest level sanctions will be applied to those claimants subject to Work-Focused Interview Only requirements who fail to attend or participate in a Work-Focused Interview without good reason.

Lowest level sanctions will be open-ended for a period equal to the number of days between the date of failure and:

- the day before the date the claimant meets a compliance condition
- the day before the date the claimant moves to the No Work-Related Requirements Group
- the date the award is terminated (other than by reason of the claimant ceasing to be or becoming a member of a couple)

Compliance condition

A compliance condition is the action a claimant must take to stop the open-ended element of the sanction building.

To end the open-ended period of a low or lowest level sanction, the claimant must complete the original requirement or, where that is no longer possible, another activity that has been agreed upon. In the case of this being Failure to Attend, then this would be arranging and attending another appointment.

If a claimant can no longer reasonably complete the original requirement, they must know what they should do instead to achieve compliance. Their open-ended period of sanction will continue uninterrupted until they do this.

It can be the original requirement imposed on the claimant or a new requirement where the original is no longer appropriate, for example if the original requirement is time-limited, such as a training course on a specific day.

Escalation of sanctions

Sanctions will only escalate when there is a previous sanction at the same level (higher, medium or low). Only previous sanctions with a date of failure in the 365 days prior to the current failure date are counted.

The date of failure is used to determine progression up the sanctions ladder.

A previous higher level sanctionable failure with a failure date prior to the date of the Universal Credit claim (a pre-claim failure) is disregarded for escalation purposes.

A previous sanctionable failure at the same level is disregarded for the purposes of escalation if it occurred in the 13 days immediately preceding the date of the current failure.

Escalation of sanctions does not apply to lowest level sanctions.

Sanctions in place until exhausted

Where a claimant's award is terminated and they subsequently reclaim and receive a new award of Universal Credit, any unexpired TORP will apply to the new award.

The reduction remains in place until exhausted. Therefore, the TORP is reduced by one day for each day a sanctioned individual does not have a Universal Credit award.

Termination of sanctions

Sanctions will remain in place until exhausted subject to three exceptions:

1. All unexpired sanctions will be terminated (that is the TORP is reduced to zero) if the claimant can prove they have been in employment earning at or above their earnings threshold for at least 26 weeks since their last sanctionable failure. The period in employment above the threshold need not be continuous.
2. The sanctionable amount will be reduced to zero whilst a claimant has been assessed as or treated as having both a Limited Capability for

Work (LCW) and a Limited Capability for Work Related Activity (LCWRA). Sanctions will remain in place whilst claimants await the Work Capability Assessment (WCA) determination

3. The TORP will be reduced to zero where a claimant with a sanction dies.

Change to sanction amount when claimant moves conditionality group

For claimants who move into the No Work-Related Requirements group on the grounds of childcare responsibilities, the sanction amount will change to 40% of the Standard Allowance.

This includes:

- a responsible carer for a child under 1
- a claimant who is pregnant and it is 11 weeks or less before her expected week of confinement
- claimants who adopt a child and it is 52 weeks or less since the date the child was placed with the claimant
- claimants who adopt a child and have elected that the 52 weeks should run from a date within 14 days before the child was expected to be placed, that date

General principle of sanctions

The daily reduction amount used to calculate the reduction for an assessment period should reflect the claimant's conditionality and circumstances on the last day of the assessment period for which the award is being reduced.

This approach is intended to avoid the situation whereby different daily reduction amounts apply in the same assessment period because claimants move between conditionality groups.

Failure to report change of circumstances

Claimants are required to report the loss of a job within 5 working days unless they fall into the No Work-Related Requirements Group for a reason other than earnings above the conditionality earnings threshold. However, in practice initially, a sanction will only be imposed if as a result of the loss of a job their pay has reduced so that they/their household are below the lower conditionality threshold (subject to full work search requirements).

The sanction starts from the fifth day after losing the job and stops building when the claimant notifies Universal Credit.

Similarly, loss of pay/paid work sanctions will also only apply if as a result of the loss their pay has reduced so that they/their household are below the lower conditionality threshold (subject to full work search requirements).

Fraud penalties

Work-related sanctions will be suspended when a fraud penalty is in effect. The work-related requirement sanction will resume once fraud penalty has expired. This approach will ensure that claimants will serve the full duration of both sanctions without both amounts being deducted at the same time.

A previous fraud/Loss of Benefit penalty will not count towards escalation of conditionality sanctions.

The 1095 day cap on the TORP will only apply to work-related requirement sanctions. Fraud penalties may be over and above this.