

In cases where a customer does ask a question, rather than request recorded information, we do our utmost to provide the recorded information that best answers

the question. Once the public authority has provided the recorded information or confirmed that no such recorded information is held, it has met its obligations under the Act. Interpretation of any information provided is left to the requestor.

As there is no legal requirement for Jobseeker's Allowance (JSA) claimants to undertake a specific number of hours of work search activity each week, no legislation or national guidance stating otherwise exists. However, to be helpful you may find the following explanation useful about the entitlement condition for JSA claimants to actively seek work. This has however been provided outside our obligations under the Freedom of Information regime.

In order to qualify for JSA, a person must be actively seeking work in each week of their claim. This means they are generally expected to do all they reasonably can each week to give them the best prospects of securing employment. The actions that it would be reasonable for the claimant to take will be personalised and tailored to the individual and will be specified on their JSA Claimant Commitment.

Evidence shows that claimants who engage in active, effective and persistent jobsearch activity are more likely to find work quickly compared to those that don't. Therefore, the expectation is that for most JSA claimants, looking for work will be a full time job in itself. Claimants are expected to spend several hours each day looking for work, taking into account any restrictions applied to their availability. However, there is no 'set' time that a person must be engaged in looking for work whilst claiming JSA, rather it is a legal requirement for them to do all that is reasonable for them to do each week.

In terms of Universal Credit (UC) claimants, I have included Knowledge Management available to Jobcentre Plus staff dealing with Universal Credit claimants in Annex 1 to this letter. Specifically, the highlighted paragraphs may be of particular interest.

If you have any queries about this letter please contact us quoting the reference number above.

Yours sincerely,

DWP Central FoI Team

Your right to complain under the Freedom of Information Act

If you are not happy with this response you may request an internal review by e-mailing freedom-of-information-requexx@xxx.xxx.xxx.uk or by writing to: DWP, Central FoI Team, Caxton House, Tothill Street, SW1H 9NA. Any review request should be submitted within two months of the date of this letter.

If you are not content with the outcome of the internal review you may apply directly to the Information Commissioner's Office for a decision. Generally the Commissioner cannot make a decision unless you have exhausted our own complaints procedure. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow Cheshire SK9 5AF www.ico.org.uk/Global/contact_us or telephone 0303 123 1113 or 01625 545745

Annex 1

Universal Credit Knowledge Management

Availability and hours of work search overview

Summary

How to determine a claimant's availability for work including the type, location and hours of work, and the hours of work-preparation and work search

Content

Availability for work

Typically, [claimants](#) in All Work Related Requirements (AWRR) conditionality will be required to look for and be available for any work:

- regardless of type and salary (as long as it pays at least the [National Minimum Wage](#))
- on a full time basis (generally a minimum of 35 hours that takes them above the [conditionality earnings threshold](#) (CET) and up to 48 hours a week for over 18s and 40 hours a week for 16/17 year olds)
- that is within 90 minutes of their home

In some circumstances it is not appropriate to require claimants to meet the full work availability requirements and limitations must be applied. The claimant will be required to provide evidence of any restrictions to the work (hours, type, or location) they are looking for before the work coach (WC) can determine if a limitation is reasonable.

The circumstances in which the three elements of the work availability requirement can be limited are set out below.

Restrictions on the type of work and the salary may be permitted where the claimant:

- has a strong and sustained work history in a specific occupation (the claimant may be allowed to limit their work search to look for particular

work they have recent experience in (this is called a 'permitted period' (see [Overview and setting of a permitted period](#)))

- has a health condition which may prevent them undertaking certain work
- is 16/17 and can look for a combination of work, training and education

A limitation on hours or pattern of availability may apply where a claimant:

- has a health condition (see [Diagnosis of claimant capability and circumstances](#))
- has caring responsibilities - either for a disabled person or young children (see [Diagnosis of claimant capability and circumstances](#))
- has sincerely held religious beliefs - for example, cannot work on a particular day of the week if it is a holy day (see [Sincerely held religious beliefs or conscientious objections](#))
- is participating in agreed work preparation activities
- is engaged in public duties (for example magistrate, volunteer fireman)
- is in certain types of permitted education

Restrictions on travel to work time or area

Claimants with significant factors which have an adverse effect on their ability to obtain and travel to work, such as a health condition or caring responsibility, can have their travel to work time or area limited to take account of this.

General tailoring and reasonable prospects of work

The availability for work requirement should always be tailored to the individual claimant.

As well as considering any restrictions that may apply, the work coach will need to explore with the claimant and evaluate what is realistic here in terms of job goals (particularly hours and pattern of work). Whilst the European Union Working Directive is set at 48 hours per week, [Universal Credit](#) will not expect everyone to be looking for exactly 48 hours or restrict a claimant to those hours.

WC's will need to take into account the number of hours deemed as full-time for a job type. For example, outside of London, full-time in the Civil Service is defined as 37 hours, for a postman it is 40 hours and a foundry worker in Leicester it is 48 (4 x 12 hours shifts).

When considering tailoring hours available to work, the WC will need to ensure that the limitations do not prevent the claimant from taking up a job or restrict them to such an extent that no jobs would be available to the claimant.

Once any limitations have been agreed the claimant must have a reasonable prospect of finding paid work within their hours of availability (this does not apply to any restrictions determined by claimant's physical or mental impairment). See **Diagnosis of claimant capability and circumstances**.

The claimant should be prepared to consider how any paid work/casual self-employment they are engaged in will fit with their efforts to find (and availability to take up) further employment that will move them into or towards full time employment. This might include:

- combining their current work/casual self-employment with another job
- increasing the hours of their current work/casual self-employment
- being prepared to give up their existing employment to take up more work or better paid work

Details of regular work and/or casual self-employment must be recorded in the work section on the claimant's [Work Services Platform \(WSP\)](#) record.

Once availability for work has been agreed these details are recorded on WSP and the [Claimant Commitment](#).

Hours of work search (work-related activity)

It is important that claimants are clear on work search expectations and that the WC knows the level of activity claimants should be meeting. Claimants in the AWRR Intensive regime are broadly expected to spend the same amount of time looking and preparing for work as they are expected to be in work.

Claimants in the AWRR Intensive regime are expected to spend a minimum of 35 hours a week engaged in work-search activities, unless significant restrictions have already been agreed to reduce availability for work below this figure.

These will include consideration of restrictions as above, and applying the standard limitations for those with child care responsibilities in this regime, for example those who are the lead carer of a child aged 5 to 12 are not expected to be available for work outside of school hours so their hours of availability are capped at 25 hours per week.

In these situations the 'Expected hours of work' field within the Universal Credit Agent Portal must be updated because this reduction impacts the claimant's CET. This should also be adjusted for health and some caring responsibilities.

Claimants engaged in work-related activity

Claimants however may already be engaged in work-related activities that should also be taken into account.

If these are a defined and regular activity, these hours too can be deducted from the anticipated hours of work search so that the claimant has a better idea of what they should be doing. These include:

- specific regular work preparation activity (for example, one afternoon each week spent doing work experience)
- voluntary work (this is limited to 50% of the total number of hours - see [Work coach considers the impact of voluntary work on a claimant in the AWRR group](#))
- regular paid work or self-employment (where this is an established pattern, a stable average or the lower limit is known so the number of hours deducted doesn't need to be changed each week/month)

Hours can be deducted from the anticipated hours of work search and the final total is then entered on WSP and the Claimant Commitment is populated with this information so the claimant knows 'This means I will normally spend [variable number of hours] each week looking and preparing for work.'

In these situations the 'Expected hours of work' field within the Universal Credit Agent Portal must not be updated because this reduction does not impact the claimants CET.

The WC can then use the anticipated hours of work search as the guideline figure, both when agreeing new specific activities to be completed, and when reviewing the claimant's actual activity against what is in their Claimant Commitment.

The aim is that looking across all work-related activities the claimant is engaged full time in activity that either directly or indirectly is helping them in getting a job. See Work search review action on WSP

Switching off work search requirements and/or availability requirements

If the agent determines that a claimant's work search and availability requirements need to be switched off, this must be recorded on their WSP record. See [Switching off requirements – WSP action](#).