

Jobseeker Directions

Guidance Queries and Help

1. If you are unable to find an answer to a particular question regarding policy within this guide you must contact the Jobcentre Plus Live Support Advice Line. Do not give the Advice Line number to claimants or outside bodies under any circumstances, it is for the use of Jobcentre Plus staff only. Details of how to contact them can be found by clicking on the following hyperlink, [Advice Line Home Page](#).
2. Please do not use the 'E-mail page owner' and 'Page information' links at the bottom of each page of guidance to raise policy queries. These should only be used to report broken hyperlinks.

Jobseeker Directions

3. The purpose of a Jobseeker Direction is to make sure that those claimants who are not effectively looking for work, undertake a specific jobsearch activity that will put them in a better position to find a job.
4. This is distinct from those claimants who:
 - are thought not to be Actively Seeking Employment, which is one of the basic conditions of entitlement for Jobseeker's Allowance; and
 - Refuse Employment (RE). That is, those who, without good cause, refuse or fail to apply for or accept a job notified to them by Jobcentre Plus.
5. A Jobseeker Direction may be [appropriate](#) for claimants who are persistently not taking a particular action, or ignoring an obvious route that has been discussed in interviews with an adviser.
6. A Jobseeker Direction is only to be considered when a claimant does not voluntarily undertake a particular action, which will improve their prospects of finding work.
7. A Direction can be used to compel claimants, under risk of loss of Jobseeker's Allowance and/or National Insurance credits, to undertake a specific course of action that the adviser deems necessary to move them closer to finding work, as long as it is reasonable and appropriate.

Example

It may be determined that a claimant is reducing their chances of finding work if they are looking for office work and do not have a bank account. As any salary would be paid into a bank account, the use of a Jobseeker Direction would be appropriate in this case.

However, if the claimant was looking for manual work, there is a reduced likelihood that salary would need to be paid into a bank account. It would therefore be unreasonable to issue a Jobseeker Direction, as the claimant cannot be deemed to be reducing their chances of finding work.

8. Every effort must be made to persuade the claimant to undertake a particular action before resorting to using a Jobseeker Direction. If the claimant refuses, or is reluctant to undertake the action, their reasons should be discussed with them.

9. It should be explained to claimants that they can be directed to undertake the action and that failure to do so may result in loss of Jobseeker's Allowance and/or National Insurance credits.

10. If a claimant fails to carry out a Jobseeker Direction, [a sanction will be imposed on their benefit](#) if they cannot provide acceptable good cause reasons for their refusal or failure.

11. Details of the sanctions that could be imposed can be found in the [Decision Makers Guide](#).

Note: A claimant may be entitled to Jobseeker's Allowance under the hardship provisions if a sanction is imposed.

12. A Jobseeker Direction should be used as a last resort. It should only be used where the claimant, through the usual advisory interview process, has not been persuaded to undertake a particular activity that will improve their chances of getting back to work.

13. A Jobseeker Direction can be given at any point in a claim. For example, at a:

- a New Jobseeker Interview; or
- any other adviser interview.

Appropriateness of a Jobseeker Direction to the claimant

14. When considering whether a Jobseeker Direction is appropriate, there are a number of factors to be taken into account. Advisers must:

- have a full understanding of the claimant's circumstances;
- be aware of what action the claimant has already undertaken;
- know why the claimant does not want to do the particular activity, which has been suggested;
- be sure that the Jobseeker Direction has due regard to the claimant's circumstances, making it achievable;
- be aware that where the claimant has undergone training of at least 2 months, for a particular type of employment, which ended within 4 weeks of a Jobseeker Direction being issued, the direction **must not** relate to a different type of employment;
- check the action required is not within particular restrictions that apply during a permitted period; and
- take account of previously agreed availability restrictions.

15. These should be taken account of when considering whether it is reasonable for a Jobseeker Direction to be applied to a particular action.

16. Claimants must be made aware that the reason Jobcentre Plus has directed them is because they have refused to voluntarily undertake an activity.

17. Claimants must understand the consequences of any refusal, or failure to undertake a particular action.

Jobseeker Directions and provision

18. A Jobseekers Direction may be used to direct a claimant to attend an initial discussion with a provider about any provision, such as ESOL, to see if the provision will be helpful in getting them back to work. If they refuse to take the Jobseekers Direction, the appropriate action to raise the doubt must be taken. If the claimant does take the Jobseeker Direction, this only requires

attendance at the initial discussion; it does not require the claimant to participate in the provision.

Content of a Jobseeker Direction

19. A Jobseeker Direction must be:

- linked to an action to improve the claimant's chances of finding work;
- tailored to the specific needs of the claimant. It must not be in the form of a standard phrase covering an action which could be used over a number of cases;
- related to labour market activities;
- a one-off specific activity, which the claimant can reasonably be expected to perform;
- time bound and reviewed within 2 to 4 weeks; and
- given in writing.

20. It must:

- give full information about the activity. For example, details of:
 - the full name and address of the employer, or agency referred to;
- say exactly what the claimant must do. For example:
 - visit, or send a CV to a specific employer, or a range of employers in a particular trade
- give the date by which it must be done; and
- explain what will happen if they do not comply.

Notifying a Jobseeker Direction

21. A Jobseeker Direction is notified to the claimant in writing, using an LMS produced letter. The letter contains standard paragraphs and spaces, to enter specific details about the claimant and the Direction.

22. A copy of each direction issued is to be kept, to support any Decision Making Activity, if the claimant fails to do what is required of them.

23. The letter must contain clear and concise details of the Jobseeker Direction.

24. When issuing a Jobseeker Direction, the claimant should fully and clearly understand the position. This must include an explanation that they will be required to attend another interview within the next 4 weeks, to review their actions.

25. Where the claimant accepts the direction, a follow-up interview is arranged for a suitable time, as soon as possible after the action should have been completed. The length of time allowed for the claimant to comply will clearly depend upon the nature of the activity. In general, this should be between 2 and 4 weeks.

26. The appropriate [Flexible Intervention Interview](#) should be used to arrange this review.

27. The claimant should be advised to produce evidence that they have undertaken the task, when they attend this review.

28. If the claimant refuses to carry out the Direction, the case must be referred immediately to the Labour Market Decision Maker.

Note: A further direction is only to be issued once the outcome of the previous one is known.

Follow-up

29. If it is not possible for the claimant to produce evidence that the agreed action has been completed, contacting the employer or agency to which the claimant was directed should be considered.

30. This follow-up contact should only take place where a serious doubt as to whether the claimant has complied exists and if the firm or agency is likely to have a record of the action the claimant was required to take.

31. All action should be noted on the claimant's LMS record.

32. If the claimant has not carried out the Jobseeker Direction(s), or there is strong doubt that they have not and they cannot show that they have undertaken the action(s), the case should be referred to the Labour Market Decision Maker.

When a Jobseeker Direction should not be used

33. A Jobseeker Direction should not be used:

- where a referral to a Decision Maker on another question would be more appropriate. For example:
 - Actively Seeking Employment; or
 - Refusal of Employment;
- as a means of filling programmes or meeting targets;
- where it might be construed as unlawfully discriminatory. An example of this could be where a Direction requires action that goes against any religious beliefs held by the claimant.

34. It is important therefore, not to give Directions which may breach the requirements of the:

- Sex Discrimination Act 1975;
- Race Relation Act 1976; or
- Disability Discrimination Act 1995;

35. For example, Directions which relate specifically to a claimant's:

- gender;
- religion; or
- nationality; or

36. Similarly, if a Direction would be at odds with a conscientious belief that the claimant can show is sincerely held, it should not be given.

37. In such cases, where the claimant objects to the Jobseeker Direction, it must be clear that some element of the direction conflicts with the principle on which the objection is based.

38. If the adviser considers that the objection does not make the action so unreasonable as to be given as a Jobseeker Direction, the question of good cause needs to be considered by the Labour Market Decision Maker.

Cancelling a Jobseeker Direction

39. There may be occasions where a Jobseeker Direction is:

- Unreasonable, giving regard to the claimant's circumstances; or
- required to be carried out at a time when it cannot be carried out.

40. To cancel the Jobseeker Direction, the LMS Client Directions Details screen is cleared.