

# Claimant Commitment

## Introduction

1. For the purposes of section 1(2)(b) of the Jobseeker's Act 1995, the Claimant Commitment is the Jobseeker's Agreement.

## Purpose

2. The Claimant Commitment (CC) is the primary document for agreeing and recording key information about the claimant's availability for work; the types of work they are most suited to do and the high level regular work search activities that the claimant will undertake.

3. The CC is a key source of information used to make sure that claimants remain available for and are actively seeking work.

4. Failure to comply with the CC could result in the claimant's benefit being stopped and a benefit sanction being imposed.

5. The CC should be used with the My Work Plan booklet and the My Jobseeker Profile which together form a Commitment pack. The Commitment pack should be used with other information provided by the claimant and any Jobseeker's Directions, to agree, develop and monitor a personalised plan that, when followed, will give the claimant the best chance of finding and keeping a job.

6. The CC:

- is agreed between the claimant and Work Coach at the Initial Work Search Interview;
- must be a helpful and practical aid to work search, containing;
  - reasonable and achievable type(s) of work a claimant can do
  - details of the claimant's availability for work, and
  - actions for getting into work that offers the best chance of securing employment
- must be reviewed and updated by a Work Coach at appropriate points like a change in the claimant's circumstances, to make sure it remains relevant
- must clearly detail the consequences of not complying with any of the activities set out within the CC, and
- must be signed and dated by both the claimant and the Work Coach

**Note:** If a clerical CC is being created, this must also be signed and date by the Work Coach.

7. The CC must accurately reflect the claimants work related circumstances, if this changes at any time, the CC must be amended accordingly

8. The CC also provides important information about the claimant's rights and responsibilities and what they must do to remain entitled to Jobseeker's Allowance/National Insurance Credits.

## Work Programme Claimant Commitments

9. Claimants who are due to be referred to the Work Programme need to have a Work Programme Claimant Commitment (WPCC).

10. Claimant's who already have a CC in place must have this reviewed and turned in to a WPCC during the Work Programme referral interview.

11. It is important that it is a WPCC being completed as the wording on the template will change to help make sure claimants fully understand their responsibilities to both the WP Provider and also Jobcentre Plus.

12. The WPCC allows selection of 3 new options in the 'My Actions for Getting Work' part of the CC. All three options must be selected for all claimant's being referred to the Work Programme.

### **Changes required to Claimant Commitments for Work Programme participants**

13. JSA Work Programme participants may ask for their CC to be changed at any time during their time on the Work Programme. In these cases, immediately refer the Claimant to a Work Coach.

14. The proposed changes must be discussed with the claimant and where helpful to do so the Work Programme Provider contacted to seek clarification about the changes the participant wants making to their CC.

15. As Providers are not contractually obliged to share this information, there might be instances where a provider is not able to enter in to a discussion about the activities they have asked the participant to carry out. If this occurs, then what is believed to be reasonable based on information provided by the claimant must be agreed. The important thing is to make sure that the CC remains relevant and helpful and not at odds with what the provider wants the claimant to do.

16. Ordinarily, changes requested by claimants are few and far between and where requested should generally be agreed.

17. However, if we cannot agree that these changes are reasonable – even after speaking with the provider, and the claimant is unhappy with our decision not to take the changes into account, follow the usual processes for disputed Claimant Commitments.

### **16/17 year old Claimant Commitments**

18. As the discussion and the agreed activities to be undertaken will reflect the requirement for the claimant to look for training as well as work, a Claimant Commitment (CC) must be created by selecting the 'New Jobseekers Status' tick box.

19. These instructions are still to be used when agreeing a CC with 16/17 year old claimants.

20. References to 'work' must be treated as 'work and/or training' when using this guidance to agree a 16/17 year old CC.

### **Agreeing and Completing the Claimant Commitment**

21. At the Initial Work Search Interview, an in depth conversation must be had with the claimant to build an understanding of their capability and circumstances relating to work. Information gathered must be used to complete the Claimant Commitment.

22. It is important that the CC is completed at the end of the discussion and not during the discussion itself. This demonstrates to the claimant that:

- the claimant has been actively listened to
- the claimant has been given full attention
- the claimant's circumstances have been taken into account when developing the CC, so it is personal to them, and

- the CC is reasonable and achievable.
23. Once the CC has been signed by the Claimant, they must be given a printed copy to keep.
- Note:** If a clerical CC is being created, this must also be signed and dated by the Work Coach.
24. You must always create a Claimant Commitment (CC) for **every** new claimant in the Signature Capture Service (SCS).
25. However, there will be some claimants, in exceptional circumstances, who can't have a CC created in SCS, for example, they do not have a National Insurance Number (NINo), there was an Information Technology (IT) failure or local situation (power cut), which means a clerical CC must be created.

### **Consequences**

26. Not creating a CC means:

- you are not complying with Department for Work and Pension's (DWP's) legal requirement for a CC to be issued
- you will not be providing the claimant with the specific support so they can take the right steps to put themselves in the best position to find work
- the award may be in doubt
- will lead to requests from Quality Assurance causing additional work and resource to respond
- the claimant won't have all the information they should have
- DWP reported error statistics will be incorrect

### **Completing the 'My Jobseeker Profile'**

27. At the end of the work focused discussion the 'My Jobseeker Profile' may be completed before going on to complete the Claimant Commitment (CC). There is no requirement for the claimant to complete the 'My Jobseeker Profile'. However, if the claimant appears reluctant to do so, the Work Coach should explain that it is a summary of the key information discussed in the Work Search Interview about the claimant's capabilities and circumstances relating to work. This will help determine an appropriate and reasonable level of regular work actions for getting work.
28. It is crucial to make sure that the information is described in a positive light and states what the claimant can do. This can help the claimant's self-belief and motivation and can be used by them in applications and interviews.

### **Type of Work/Training**

29. Both you and the claimant must agree the types of work most suited to the claimant's skills, capabilities and experience and you must record these in the 'Type of Work/Training' field. This will help the claimant focus and prioritise their jobsearch and move into work more quickly.
30. However, the claimant is still expected to look and apply for any work they are capable of doing.
31. The Type(s) of Work the claimant considers suitable must be realistic and achievable. When agreeing the Types of Work, the following must be explored:
- Capability for work. Does the claimant have the relevant qualifications, experience, skills etc. required for the job?

- Capacity for work. For example, is there any health or social issues, or caring responsibilities that might make it difficult to find, obtain and keep the job in question?
- Restrictions. Is the claimant placing restrictions on the Type(s) of Work they aspire to? For example, wages, travel or others because of disability or caring responsibilities
- Wage expectations. For example, do the Type(s) of Work pay the wages that the claimant expects?, and
- The local labour market. The type of work the claimant is looking for must be available within the area they are prepared to travel to. If this type of work is unavailable then the goal would be unrealistic.

### **My Qualifications**

32. The 'My Qualifications' field must include details of any educational, vocational or professional qualifications. It is also important to include other information such as licences / certificates that are required in certain occupations. For example, Driving Licences, food hygiene certificates etc.

### **My Employment Strengths/Skills**

33. The 'Employment Strengths/Skills' field must include any skills the claimant has gained, without having a formal qualification and must include transferable skills. For example, the skills a claimant may have gained in their own home. For example, managing the household expenses and ensuring utility bills are paid on time are all skills required for budget management.

### **My Experience**

34. The 'My Experience' field allows the claimant to record details of the different type of work experience they have gained; including any voluntary activities. For example;

- 2 years general household plumbing on a self-employed basis until February 2016, or
- 1 year local authority work, as a teaching assistant, between January 2015 and February 2016

### **My Circumstances**

35. The 'My Circumstances' field must be used to record information about the claimant and their circumstances that are relevant to work and must be described in a positive way. It describes the circumstances which determine what is reasonable. Example:

36. During her Initial Work Search Interview Sarah tells her coach that she cannot work full-time because she has young children and has to do the school run. This must be reflected back to Sarah positively and recorded as "I have caring responsibilities for two children and I can work part-time between the hours of 9am and 3pm".

### **General principles of the fields within the 'My Claimant Commitment' section**

37. The general principal is that a claimant must take all reasonable activities to give them the best chances of finding employment. The 'My Claimant Commitment'

section will outline what that is and will also provide further specific detail about whether a claimant has a permitted period or any other agreed restriction on their availability.

### **You should consider 10 factors for effective jobseeking**

38. The 10 factors for effective jobseeking are that there is good evidence that:

- **Self Perception** - the jobseeker believes that they can work, find specific jobs, has the capability to do that job, and is confident of being able to gain and keep employment in that job
- **Specific Job Goal** - the jobseeker has a specific and realistic job goal and specific alternatives
- **Local Labour Market** - those specific goals are available in the local market
- **Knowledge Skills and Experience** - the jobseeker has the knowledge, skills and experience to do that job
- **Willingness to do Jobsearch** - the jobseeker is willing to carry out effective and sustained jobsearch
- **Resources for Jobsearch** - the jobseeker has resources for sustained jobsearch
- **Demonstrating Capability for a Specific Job** - the jobseeker is able to demonstrate their capability effectively to employers
- **Presenting themselves to an Employer** - the jobseeker is able to present themselves effectively to potential employers
- **Managing Personal Circumstances** - the jobseeker is successfully managing, or has not got, any barriers to sustained employment
- **Keeping a job** – the jobseeker could keep a job offered by an employer

### **Work Training Restrictions**

39. This field allows the Claimant Commitment (CC) to be personalised and record any restrictions on the type of work the claimant is expected to look for. They are recorded under the following drop down entries:

- No Restrictions agreed; and
- Permitted Period agreed

#### **No restrictions agreed**

40. Unless restrictions apply, this should be used for most claimants. Once selected the following text will be displayed on the CC:

41. I have agreed with my Coach that:

- I will be available for all types of work, and
- I will seek and apply for all types of work that give me the best prospects of securing employment

#### **Permitted Period agreed**

42. From the start of a claim, if appropriate a Permitted Period of between 1 & 13 weeks can be agreed. Providing this gives claimants a reasonable chance of finding work the Permitted Period allows a restriction of the Type of Work they are looking for to:

- employment in their usual occupation, OR
- the usual rate of pay a claimant is willing to accept, OR

- both employment in their usual occupation and at the same level of pay they were used to receiving.

43. In addition claimants can also restrict their jobsearch to jobs at their usual rate of pay for a maximum of 6 months.

44. Where appropriate, the Permitted Period is agreed at the Initial Work Search Interview and a Follow-Up Work Search Interview is arranged for the end of the agreed period, to broaden the types of work the claimant is required to look for and not unreasonably restrict the level of wages that they are willing to accept.

45. The 'Permitted Period Agreed' option is selected to reflect that a Permitted Period has been agreed. Both the dates and the type of work/salary are recorded in the rows below. The form allows for rows to be added and deleted as necessary.

46. At the end of the Permitted Period, the CC will need to be updated to reflect that the claimant no longer has any restrictions on the type(s) of work they are expected to look for.

### **Other Restrictions agreed**

47. This field must be selected to record the type of work the claimant is looking for, taking into account any agreed restrictions they may have. For example, for claimants:

- with sincerely held religious or conscientious beliefs
- with a physical or mental condition, OR
- who want to restrict the type of work they are looking for and they have been deemed to have reasonable prospects

### **Acceptable restrictions examples**

48. I have agreed with my Coach that I can restrict the type of work I am looking for to:

- Work not involving handling of meat products as I am a vegetarian
- Office based work as I have a bad back, OR
- Teaching as I am newly qualified

### **Work/Training Travel Time**

49. Unless a restriction is agreed due to a health condition or disability, claimants must be willing to travel:

- 90 minutes to work in each direction, and
- by a route and means appropriate to their circumstances

50. The entry in the 'Work/Training Travel Time' field will default to 90 minutes.

However, the number of minutes can be reduced to reflect any agreed restrictions for those with a health condition or disability.

Note: Even if a claimant is willing to travel for longer than 90 minutes, the default setting must not be increased above 90 minutes.

51. The 90 minute travelling time is in addition to the period of time that the claimant is available for work.

52. However, when assessing if a vacancy is suitable, everything about the claimant's circumstances must be taken into account to find out if it is reasonable to expect the claimant to travel that length of time.

## **Work/Training Travel Time examples**

Sarah drops her children off at school at 8.45am and picks them back up again at 3pm. As a lone parent, she has restricted her availability for work to 6 ¼ hours each week day.

### **Example 2**

Sarah's coach finds her a part-time job in a café just down the road from school. The hours are 9am until 2:30pm. As these hours fit in with Sarah's availability and there is no additional travelling required, it would be reasonable to expect her to apply for the job.

### **Example 3**

Sarah finds a job in a Café in Leeds. Sarah lives in Sheffield so this means she will need to commute to work. It takes Sarah 15 minutes each way from the school to the railway station and from Leeds station to the café and the train journey is 40 minutes. Altogether, Sarah would be expected to travel to and from work for 70 minutes each way. The hours of the job are 10am – 1:30pm. It would therefore be reasonable to still expect Sarah to apply for this job. If the hours of the job were 9am – 1:30pm it would be unreasonable to expect Sarah to apply based on her circumstances.

## **Work Training, Availability, Availability Restrictions and Work/Train Hours each week' fields**

53. The following paragraphs will help you to complete these fields.

### **Restrictions on availability for work**

54. Claimants must be available to work a minimum of 40 hours a week, **unless** their personal circumstances make these requirements unreasonable.

55. A claimant may reasonably restrict their availability for work due to:

- caring for a child or other caring responsibilities
- being a lone parent with care of a child aged 12 or under
- a physical or mental health condition, OR
- engagement in treatment for drug and/or alcohol dependency

56. Following a detailed review of the claimant's situation, consideration must be given to identify if any agreed restrictions on the claimant's availability can be applied.

### **Availability for a job interview**

57. Claimants must be willing and able to attend a job interview immediately, unless they have an agreed restriction in place.

58. How quickly the claimant is expected to attend a job interview, taking into account their circumstances, is recorded by selecting the appropriate drop down entry:

- immediately
- within 48 hours, OR
- within 1 week

## Availability to start work

59. Claimants must be willing and able to start work immediately, unless they have an agreed restriction in place:

60. How quickly the claimant is expected to start work, taking into account their circumstances, is recorded by selecting the appropriate drop down entry:

- immediately
- within 24 hours
- immediately after the end of my notice period
- after giving one week's notice, OR
- within 28 days

## Hours of availability

61. Claimants are required to be available for a minimum of 40 hours a week but this can be limited to less than 40 hours in certain circumstances.

62. If the claimant has no restrictions on the days and hours they are available for work then 'No Restrictions on availability' must be selected on the CC. Once completed, the appropriate information will be displayed in the CC.

63. If it is agreed that the claimant can restrict the days and/or hours they are available for work, 'Restricted Availability' must be selected from the drop down menu. This will enable the coach to record details of the claimant's availability in the table provided.

### Hours of availability example

Jenny has caring responsibilities for a child of school age. She has the use of a breakfast club on two days a week and an after school club on one. Her partner also doesn't work on Wednesdays. She has agreed the following hours of availability .

Day	Earliest start time	Latest finish time	Most hours I can work
Monday	9:00am	15:00pm	6
Tuesday	8:00am	15:00pm	7
Wednesday	7:00am	18:00pm	8
Thursday	8:00am	15:00pm	7
Friday	9:00am	18:00pm	8
Saturday	9:00am	17:00pm	8
Sunday			
Most hours I can work each week:			40

64. It must be noted that the number of hours recorded against each day, is the total number they are **available** to work on that day.

65. It must also be noted that the most hours a claimant can work each week **is not** simply a total of the number of daily hours multiplied by the number of days.

66. For example, claimants can be available to work 6 hours each weekday but only able to work a total of 25 hours a week.

## Selecting Generic Actions for getting into work

67. To make sure that it is reasonable for the claimant to undertake each 'Generic Action', they must be personalised and specifically tailored to each claimant's circumstances.



68. Therefore, the following must be considered when assessing the activities it is reasonable for each claimant to undertake:

- The type(s) of work the claimant is capable of doing
- The skills of the claimant
- The means required to undertake the activity, and
- Any restrictions to the claimant's period of availability, either because of a health condition, or caring responsibilities

69. Once the actions have been agreed, each one is recorded on the Claimant Commitment (CC) by selecting the appropriate options from the 'Generic Action' list.

70. To meet the entitlement condition for actively seeking employment each week, claimants must take all reasonable actions to give themselves the best chance of securing employment.

71. During the Initial Work Search Interview, the claimant will agree a set of activities that they can reasonably be expected to undertake. It is not intended to be a detailed plan, but rather high level categories of work search. When deciding what activities a claimant must do and how frequently they must do something the claimant's individual circumstances must be taken into account.

72. If set properly, these activities will cover the full span of effective work search activities which, when taken, give the claimant the best possible chance of getting paid work quickly.

73. When selecting the appropriate actions from the 'Generic Action' list, you must also select the frequency of the 'Generic Actions' from the 'How Often' drop down menu.

74. You will need to set more specific actions where claimants are not using the 'My Work Plan' document to set more specific actions for getting work.

75. If you are considering whether to include the generic activity for a claimant to log in to and use their UJ account. You first need to establish if the claimant already has a UJ account and if not, whether it is reasonable to expect them to have an account.

**Note:** Any activities in relation to the creation of a profile and public CV and / or the use of Universal Jobmatch must not be recorded on the CC until the claimant has created their profile and public CV in Universal Jobmatch.

76. Claimants must not be set a minimum number of jobs to apply for each week as such a requirement is unenforceable.

77. If a claimant is unable to find enough jobs to apply for this may be through no fault of their jobsearch, whilst if a claimant were to find more than the minimum number, specifying a lower number to apply for is actually unhelpful. It is reasonable to state 'I will apply for all jobs that I find that I am capable of doing'

78. Chapter 3 of the Universal Jobmatch Toolkit includes further information about the considerations that need to be taken into account before requiring any claimants to create a profile and public CV in Universal Jobmatch (UJ).

79. For claimants who do have an account, before agreeing how often the claimant needs to log in to their account, it must be established if the claimant has regular access to a computer and is willing to use their own computer to look for work. If they do, then they could reasonably be expected to log in every day. However, if the claimant is using a DWP Internet Access Device to do this, it may only be reasonable to expect them to use this method to look for work once or twice a week.

80. When agreeing the actions for getting work, it must be explained that meeting this requirement is challenging and requires detailed planning and by undertaking this detailed level of activity using the 'My Work Plan' booklet they will be able to demonstrate that they are meeting the requirement to take all reasonable steps to

find work. Claimants not using the 'My Work Plan' booklet are still required to do the same level of planning.

81. 'Generic Actions' must be reviewed regularly, to make sure that they remain appropriate to each claimant, in light of the claimant's experience of job search and any enhancement of their work search skills.

82. Once a 'Generic Action' has been completed, or it is no longer appropriate, it must be deleted from the CC by selecting the '+' symbol in the 'Action' column.

83. On agreeing the regular work search activities, you must explain how the claimant needs to turn these into realistic and challenging commitments in their My Work Plan booklet.

### **Personal Actions List**

84. There is also the facility to include other personal actions on the CC that would be appropriate for a claimant to do.

85. The 'Personal Action List' fields must be used to enter details of any specific actions or steps to be taken by the claimant.

**Note:** Each field has a maximum limit of 450 characters.

86. A personalised action is not a Jobseeker's Direction and must not be treated as such. If a Jobseeker's Direction is issued for an action that is recorded as a personalised action it must be removed from the CC.

### **Type(s) of work**

87. Each 'Generic or Personal Action' must reflect the type(s) of work each claimant is capable of doing.

88. For example, expecting a claimant who is looking for work as a bricklayer to look and apply for hairdressing jobs would be unreasonable.

### **Claimant skills**

89. Claimants must have the skills to be able to undertake the 'Generic or Personal Actions' expected of them, for those actions to be reasonable.

90. For example, it is unreasonable to expect a claimant with no IT skills to browse employment-related websites or contact employers by email.

91. However, accessing local newspapers and contacting employers by telephone, in writing or face to face would be reasonable.

92. Any lack of skills must be addressed before a claimant is expected to undertake a particular activity.

### **Means to undertake the activity**

93. The 'Generic or Personal Actions' must reflect the availability of the tools/equipment required to undertake an activity, giving regard to the claimant's circumstances.

94. For example, expecting a claimant without immediate access to the Internet to use that means as regularly as someone with access at home would be unreasonable.

### **Restrictions**

95. Claimants are only required to look for work during their hours of availability. Once any restrictions are agreed, claimants must not be expected to undertake any

'Generic or Personal Actions' outside of these, as it is unreasonable for them to do so.

96. For example, it is unreasonable to expect a claimant to attend an ESOL training course between the hours of 9am and 5pm if they have exercised their right to restrict their availability for work to their child's school hours of between 9am and 3pm.

97. However, it may be reasonable for that same person to attend an event to up-skill their CV knowledge, between 10am and 1pm on a day their child is at school.

## **My Rights**

98. This makes it clear to the claimant that if there is a disagreement about their Claimant Commitment (CC), they can ask for it to be referred to a Decision Maker. It also makes clear that if there is a dispute about the claimant's benefit, their benefit could be removed. However, all claimants have the right to ask for an explanation or revision of their decision. If they are still not happy with the outcome, they can then appeal to the First-tier Tribunal.

## **Changes in my circumstances**

99. Claimants are required by law to inform Jobcentre Plus of any change in their circumstances which could affect their entitlement to Jobseeker's Allowance. Failure to report a change in circumstances could result in prosecution.

## **The Claimant Declaration**

100. When the Claimant Commitment (CC) has been agreed by both the claimant and Work Coach, it must be signed by the claimant and they must be given a printed copy to keep.

**Note:** If a clerical CC is being created, this must also be signed and dated by the Work Coach.

101. Make sure the Treat as Made date is accurately recorded. This should either be the claimants date of claim for new claims or the date the CC is revised in an on-going claim.

## **Claimants with problems that may affect their understanding of the Claimant Commitment**

102. Claimants with problems that may affect their understanding of the Claimant Commitment (CC), for example those with learning difficulties and/or literacy problems must fully understand both their obligations in the CC and the consequences of not doing something outlined in their CC before agreeing to it. They must understand the actions they will be required to take in order to find a job and what they must do to remain entitled to Jobseeker's Allowance.

103. Asking the claimant if they understand, does not guarantee that the claimant has understood their CC.

104. The claimant must be asked to explain what they are going to do to confirm they have understood. For example, 'Which agency are you going to register with?' or 'Which website are you going to look at daily?' before asking them to sign the Claimant Commitment. It may also be beneficial to ask the claimant if they understand what will happen if they do not undertake the actions.

## **Claimant Commitment DMA Referrals**

105. Where a realistic Claimant Commitment (CC) cannot be agreed between the claimant and the Work Coach, every effort must be made to resolve any issues locally, before making a referral to the Labour Market Decision Maker.

## **Security, Storage and Retention**

### **Signature Capture Service (SCS) and Claimant Commitments (CCs)**

106. Paragraphs 9 and 10 and paragraph 55 in the SCS CC user instructions for jobcentres contain information on how CCs created in SCS are stored and retained.

107. Therefore, it isn't necessary to store or retain a signed copy of a SCS CC in the Labour Market Unit (LMU).

108. The Quality and Assurance and Performance Measurement teams will use the Document Repository System (DRS) to look at the relevant CC for the period they are checking.

### **Claimant Commitments (CCs) created Clerically**

109. All signed copies of CCs created clerically must be filed in the LMU and retained in line with Department for Work and Pensions (DWP) records management policy. This means they must be retained in the LMU for 1 month after the last date of claim. The three exceptions to this rule are where the LMU must be retained for 14 months after the last date of the claim if it contains:

- documents supporting a decision to disallow entitlement or apply a sanction; or
- a fraud, appeal or overpayment marker; or
- selected by Performance Management for checks.

110. It's important that you do this because the Quality and Assurance and Performance Management teams need to see the relevant CC for the period they are checking. If a CC can't be supplied to the checking teams, errors will be raised.

### **Claimant Commitments (CCs) created using the tactical desktop solution**

111. The tactical desktop solution must no longer be used to create a CC under any circumstances.

112. However, claimants who started on the Work Programme (WP) before their office went live with SCS CCs, could be on the tactical desktop solution until July 2017, at which point a new SCS CC must be completed if they return to JSA.

113. Only the latest version of the CC should have been saved in the shared folder, replacing the previous version.

114. All signed copies of CCs created in this way must also be filed in the LMU and retained accordingly as per the Records Management Policy.

115. This means they must be retained in the LMU for 1 month after the last date of claim. The three exceptions to this rule are where the LMU must be retained for 14 months after the last date of the claim if it contains:

- documents supporting a decision to disallow entitlement or apply a sanction; or
- a fraud, appeal or overpayment marker; or
- selected by Performance Management for checks.

116. It's important that you do this because the Quality and Assurance and Performance Management teams need to see the relevant CC for the period they are checking. If a CC can't be supplied to the checking teams, errors will be raised.

117. The CC shared folders, must continue to be securely managed.

118. On going actions for the Information Asset Manager and the Work Service Manager can be found in the Managing in Jobcentre Handbook: Chapter 17 - Security & Business Controls System Checks Introduction –Security

## **Handling Special Customer Records**

### **Pre-interview action**

119. Before conducting interviews for claimants who have been given Special Customer Record status you will need to consult the Nominated Officer prior to the interview, who will:

- release the LMU for the period of the intervention; and
- advise on any special arrangements required for the intervention to take place

### **Claimant transfers to a different Local Office**

120. In instances where a claimant transfers to a different location, you will need to contact the previous owning office to get the claimant's Labour Market Unit (LMU). When transferring restricted personal data, DWP Security standards must be followed.

### **Homeless claimants**

121. If a claimant has nowhere to live, or is living in temporary accommodation, it may be difficult for them to be contacted by employers, employment agencies or those who may be able to help them find work. They may also have to spend much of their time in the week looking for accommodation rather than in job search. These factors must be taken into account when deciding what actions are reasonable for the claimant to take in any week.

122. Being homeless may limit the actions a claimant can take but they could still search for work by, for example:

- reading newspaper advertisements
- making personal calls on employers and employment agencies
- using Jobcentre IADs/WADs, OR
- if available, using the internet in local libraries

**Note:** The above list is not exhaustive.

123. In setting the CC, the claimant's homelessness situation must be considered, their need to find accommodation and any other issues will affect the steps that are reasonable for a homeless claimant to take in any week.

124. As homelessness should be a temporary situation, the CC must be reviewed regularly to make sure that the steps set are still relevant and applicable.

125. Please also see the Homelessness Guide for more information

## **Prison Leavers**

### **New claim made before release**

126. Prisoners have the option of making a claim to JSA before they leave prison and will agree a Claimant Commitment (CC) with the Employment and Benefit Work Coach. Further information about the content of the interview can be found in the Employment and Benefit Advisers in Prisons guidance.

## **New claim made after release**

127. Prison leavers who make their new JSA claim after release will agree a CC at their Initial Work Search Interview.

## **Action Plans**

128. It is not necessary to use Action Plans for claimants who have a Claimant Commitment (CC) as all the planning is done in the My Work Plan booklet, except where the claimant is being referred to:

- The Work Programme, or
- Other contracted provision via PRaP

## **Work Programme referrals for claimants who have a Claimant Commitment in place**

129. The Work Programme referral guidance details the steps that must be taken to refer a claimant to the Work Programme where they have a Claimant Commitment (CC) in place.

## **Referrals to contracted provision via PRaP for claimants who have a Claimant Commitment in place**

130. As a Jobseeker's Agreement will not be created on LMS for these cases, in order to transfer the relevant information to providers through PRaP the following steps must be taken on LMS:

- review and update the 'More Box' and 'Quals/Assmt' section, if appropriate;
- create an 'Action Plan' and within the 'Aims' box record:
  - the Types of Work from the Claimant Commitment My Jobseeker Profile
  - any availability or work restrictions agreed on the Claimant Commitment
  - a reference stating 'JSA Claimant Commitment Case' as this will signal the difference to providers

## **Clerical Claimant Commitment**

### **Completion**

131. A clerical version of the Claimant Commitment (CC) must be used in exceptional circumstances, for claimants who can't have a CC created in SCS, for example, they don't have a National Insurance Number (NINo), there was an Information Technology (IT) failure or local situation (power cut).

132. The reason why a clerical claimant commitment is being used must be recorded in the 'Additional Notes' field within the 'More' box on LMS. If there is insufficient room to record the reason in this field, the reason must be recorded in LMS 'Conversations' instead.

133. Offices must print and retain a copy, or a stock, of the clerical CC to duplicate, or use, in the event of the above circumstances.

134. However, when the claimant has obtained a NINo or the IT failure has been resolved, a CC must be created in SCS at the next intervention.