

Setting work related requirements

Summary

How to set work related requirements including work search and work preparation activities for a claimant in All Work Related Requirements group Intensive 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.

Claimants in the All Work Related Requirements group, Intensive 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 including any Mandatory Work related activities
- 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 and is not aligned to their intervention day.
- 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 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 work coach 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 or 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
- Payment frequency
- Minimum hours per week
- Applies to Claimant Commitment during 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' box.

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 All Work Related Requirements (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

To record a Permitted Period, the WC:

1. Selects 'Job goals'.
2. Selects 'Yes' for Permitted Period.
3. Enters the job title or type
4. Selects the job title or type to get the pay rate.

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 is determined.

Claimants are 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 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.

The claimant's hours of availability are set by the WC, taking into account their circumstances. The claimant must usually have reasonable prospects of finding paid work, more work or better paid work. See [Availability and hours of work search overview](#).

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

Claimants in the AWRR group (Intensive regime) must be willing and able to start work and attend a job interview immediately unless the WC is satisfied that a claimant requires 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 hours' 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. Where '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

Claimants 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.

The claimant's travel to work time is recorded on the 'Availability' section of the claimant's record and is recorded 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.

Setting work-related requirements to give claimants 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 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 WSI and WSRs may need to be amended. The WC considers 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 (including Mandatory Work Activity)

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.

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.

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 WSP by the WC. See [WSP - recording a claimant's mandatory job vacancy applications](#).

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, for example:

- attending a skills assessment
- improving personal presentation
- taking part in training
- taking part in programmes or provision including Mandatory Work Activity
- 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 claimant's work preparation activity hours are equal to or more than their available hours, the WC must tailor the Claimant Commitment to reflect this.

Although the requirement to register and use Universal Jobmatch is entered in the work preparation requirements, it is a work search requirement.

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 do so or until they undertake an alternative activity decided by the WC. 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 tell the claimant and record what they must do if they fail to meet the requirement on time. 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. This (alternative requirement) must also be recorded on the claimant record so that it is noted on the Claimant Commitment.

For example: By (eneter 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
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.	As soon as possible 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
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.	As soon as possible 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
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.	As soon as possible 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](#))

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.

If there are any Mandatory Work Activities to be considered, see, [WSP - recording a claimant's mandatory work activities](#).

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, the following wording must be included in the Claimant Commitment: 'I will apply for any jobs that my adviser tells me to apply for, including any saved by my adviser in the 'Saved Jobs' section of my Universal Jobmatch account'.

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. Claimants 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 MWA/CWP and must undertake a work placement for 30 hours a week. For the remaining 5 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 WSI 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.

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 for 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.

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Potential failure to meet work-related requirements

Summary

Action to take where a claimant fails to meet work-related requirements

Content

Agents may become aware of circumstances where possible sanctions apply through their normal contact with the claimant.

If an agent isn't satisfied that a claimant has met all their work-related requirements, or if a claimant doesn't report a specified change of circumstances immediately that the change occurs, a decision maker (DM) referral is required. See Sanction Hub.

An agent may also receive feedback from a provider that the claimant is failing to meet their requirements whilst undertaking provision, or they have failed to attend a pre-arranged interview or appointment. If circumstances such as these are identified a referral to the DM is required. See Sanction Hub.

High level sanctions

Losing pay or paid work voluntarily or through misconduct

Any questions arising from a claimant losing pay or paid work will usually be identified from:

- the initial Work Search Interview for new claimants, or
- Real Time Information (RTI) feed/self reported earnings for existing claimants

Where it has been identified that the claimant has lost paid work or lost pay (either voluntarily or through misconduct) a form is issued to the claimant for them to give their reasons for leaving, reason for dismissal or loss of pay. The two forms are:

- [UC84 FM Loss of Paid Work](#)
- [UC84a FM Loss of Pay](#)

The form is issued to the claimant either by post or face-to-face but it must be returned fully completed within 7 calendar days. The agent records in the [Work Services Platform](#) (WSP) that evidence has been requested. WSP sets a review date for 7 calendar days (see Sanction Hub

for when this can be changed). If the claimant is on a zero hours contracts, see [Zero hours contract](#).

The form will be issued by a Universal Credit agent with the correspondence address so it can be returned to the correct office.

Failure to participate in Mandatory Work Activity

Referrals to the Decision Making and Appeals Team are usually made directly by the Mandatory Work Activity (MWA) provider. An agent may be required to take action where it is identified that a claimant behaves in such a way that they lose the chance of a place on the MWA programme. Examples of such conduct are where the claimant:

- arrives late or doesn't turn up for an interview
- arrives at the wrong place through their own negligence

If it appears that a claimant may be deliberately avoiding the chance of a place, the agent submits the case to the DM on failure to participate.

Failure to apply for a particular vacancy and failure to take up the offer of paid work

A claimant can receive a sanction where (without good reason) they fail to apply for a particular vacancy for paid work. If the vacancy is for a zero hours contracts, see [Zero hours contract](#).

It should be made clear to the claimant, at the time they are informed about a suitable vacancy, that refusal or failure to apply for the position, or subsequent non-acceptance of the job when offered without good reason, will result in a reduction of Universal Credit. This ensures that the claimant makes their decision in the full knowledge of all the possible consequences.

Claimant's behaviour

Claimants may behave in such a way that they lose the chance of employment, for example if they arrive late for an interview or go to the wrong place through their own negligence. In these cases a DM referral is required. See: Sanction Hub.

Exempt vacancies

There may be occasions when a vacancy has been notified to a claimant by an agent. Where the claimant refusals or fails to accept or apply for employment, further action is not appropriate. These include:

- a job is vacant because of a trade dispute

- the job notified is self-employed work

This list is not exhaustive.

Medium level sanctions

Failing to comply with a work search requirement

A work search requirement is a requirement that a claimant takes:

- all reasonable action, and
- any particular action that has been specified by the Secretary of State

to get paid work, more paid work or better paid work.

When deciding if the work search 'all reasonable action' requirement has been met, agents should have regard to:

- the time spent by the claimant looking for work, and
- the quality of the claimant's work search including the range of actions that they have taken (for example, contacting employers, registering with employment agencies, investigating self-employment opportunities etc)

For more information, see [Work Search Reviews](#).

Failing to comply with a work availability requirement

To be available for work, a claimant must be:

- able and willing immediately to take up paid work, more paid work or better-paid work
- available in an active, positive sense and draw attention to their availability (claimants will not be available for paid work if they are passive and merely waiting for someone to find and offer them work)

In order for the claimant to demonstrate that they are willing and able immediately to take up paid work they should:

- be physically able to take up work within the appropriate timescale
- be contactable (through mail, email or phone) for interviews or work
- be willing and able to give up any commitments which may interfere with their ability to start work (subject to agreed restrictions)
- attend all job interviews that have been arranged for them
- consider their appearance and behaviour to ensure that this doesn't reduce their prospects of finding paid work

For more information, see [Work Search Reviews](#).

Low level sanctions

Referrals to a decision maker

The agent must refer a case to the DM for consideration if a claimant fails without good reason to comply with:

- a work-focused interview requirement
- a work-preparation requirement
- a work search requirement (but only in relation to a requirement to take particular action specified by the Secretary of State)

Or a requirement to:

- take part in an interview about the imposition of or compliance with a work-related requirement
- provide information or evidence of compliance with a work-related requirement
- report loss of employment within 5 working days

Employment programmes

A claimant is deemed to have failed to comply with a requirement if they fail to take part in any activity which is specified by the Secretary of State in relation to:

- the specific placement with a provider, or

- any requirements imposed by the provider that is considered reasonable and acceptable

Individual programmes are not defined in Universal Credit legislation, but relevant employment programmes include:

- Day One Support for Young People
- The Derbyshire Mandatory Youth Activity Programme
- Full-time training or education in England and Scotland
- Part-time training or education in England and Scotland
- Part-time or full-time training in Wales funded by DWP
- an in depth skills assessment delivered by the National Careers Service or by a training provider in England and by Skills Development Scotland or a training provider in Scotland
- careers advice in England
- New Enterprise Allowance
- a sector-based work academy
- Prince's Trust programmes
- traineeships (currently being developed)
- a skills programme
- the Work Programme

All these employment programmes aim to support Universal Credit claimants towards or into paid work, more paid work or better paid work. They also address various issues, for example a lack of experience of work and associated skills needed within the work place, which can have a significant effect on the opportunities of unemployed people.

Work experience placements in Work Programme or sector-based work academies

Participation in a work experience opportunity is voluntary, and claimants who leave or lose a place on such a placement are treated as having good reason for the failure to comply, unless they lose the place through gross misconduct.

Gross misconduct is not defined in legislation but suggests that it is:

- blatantly wrong, or
- unacceptable

This is taken to mean that the conduct is so serious that only one instance of such behaviour will warrant the employer's immediate termination of the work experience opportunity.

Lowest level sanctions

When a lowest-level sanction applies

A lowest level sanction is a reduction of Universal Credit for a sanctionable failure by a claimant who:

- falls within the work-focused interview (WFI) only group, and
- fails without good reason to take part in a WFI

Failure to comply with this requirement will be identified when the claimant fails to take part in a work-focused interview.

Notifying the claimant that a work-related requirement may not have been met

The agent notifies the claimant by letter which explains Universal Credit isn't satisfied they have met a work-related requirement and that they will have the opportunity to provide further evidence. To ensure consistency, the letter is populated by copying and pasting the relevant Claimant Commitment requirement(s) from WSP.

If it is a low or lowest level sanction the letter must remind the claimant of their compliance condition.