

Switching-off requirements (easements) for Labour Market regime interventions

Switching-off requirements (easements)

In some circumstances a claimant's work-related requirements may need additional support if their ability to carry out their work-related requirements is disrupted for a temporary period of time due to their personal circumstances.

See Switching-off work availability and work-related activities for more details. Unless there is reason to change it, the claimant remains in the same Labour Market regime during the period that their work-related requirements are switched-off requirements. Contact is maintained with the claimant to periodically review the situation and see how the claimant is doing.

Compulsory switching-off requirements (easements)

The table below shows the discretionary switch-off requirement, duration and information by column:

Switching-off requirements	Duration	Information
Unfit for work	Work search and availability requirements must be switched-off for up to the first 14 days of a period of sickness, when it is the first or second episode of sickness in a rolling 12-month period	<p>Work Focused Interview and Work Preparation requirements may be set at any point, if this is reasonable, based on the claimant's health condition. Currently, while claimants have a valid fit note, they are not expected to take up a new job, so have no availability requirements.</p> <p>If the claimant reports a third episode of sickness in a rolling</p>

		<p>12-month period, or the sickness continues beyond 14 days, this does not warrant an automatic switching-off of work search requirements. Discretion should be used to decide whether to switch-off or tailor work-related requirements to reflect the claimant's health condition and capabilities.</p>
<p><u>Treated as Limited Capability for Work (LCW)</u> <u>Treated as Limited Capability for Work and Work Related activities</u> (LCWRA)including terminally ill.</p>	<p>Until the outcome of a Work Capability Assessment (WCA)</p>	<p>For claimants treated as LCW, work search and work availability requirements must be switched-off pending outcome of their WCA. Work Focused Interviews and Work Preparation activities may still be set (if reasonable) based on the claimant's health condition.</p> <p>For claimants treated as having LCWRA, all work-related requirements must be switched-off pending the outcome of a WCA.</p>
<p>Temporary absence abroad to receive medical treatment or accompanying a child or partner abroad</p>	<p>Up to 6 months</p>	<p>Switch off requirements if receiving medically approved treatment abroad or accompanying partner or child.</p>
<p>Bereavement of a partner or child</p>	<p>6 months</p>	<p>Mandatory work-related requirements must be switched-off for all claimants subject to them and sanctions must not be applied.</p> <p>Claimants should be exempt from conditionality for the first 3</p>

		<p>payment periods following the loss of a partner or child. After the initial 3 months, optional support (such as re-introduction of Work Focused Interviews) may apply for a further 3 months without sanctions.</p>
Domestic violence or abuse	<p>13 weeks initially, extended for a further 13 weeks (to a maximum of 26 weeks) if the claimant is the main carer of a child and is in the All Work Related Requirements group</p>	<p>Where claimants meet the criteria, the requirements must be switched off.</p> <p>Those in the Intensive Work Search and Light Touch regimes will be offered voluntary Work Focused Interviews after the first 13 weeks (where they have children and are eligible for the 26 week switching off requirements, easements).</p> <p>If the claimant remains in the same household as the person who inflicted or threatened the domestic violence, they are not eligible for the domestic violence switching-off requirements (easements). In these circumstance, if the claimant has provided relevant evidence of the domestic violence or abuse, the <u>Domestic Emergency</u> switching-off requirements (easements) can be used where it is appropriate to switch-off all requirements for a period of time.</p> <p>Refer to Switching-off availability and work-related activities for more information</p>

Responsible carer for a child in considerable distress	Up to one month in any 6 month period for a maximum of 2 years	<p>Must switch-off requirements if there is a need to provide additional support to a child:</p> <p>following the death of a parent, sibling, previous responsible carer or a person living in the same household as the child (excluding lodgers)</p> <p>if the child witnessed or experienced violence or abuse (switching-off requirements (easements) can be applied once every 6 months for a total period of 2 years)</p>
Drug/alcohol dependent	Up to 6 months but needs to be reviewed regularly to encourage engagement and to confirm attendance.	Work-related requirements must be switched-off as long as the claimant remains in structured recovery orientated treatment for drug or alcohol dependency. A claimant may only have one such period in any rolling 12-month period, calculated from the last day of any previous drug or alcohol related switch-off.
Carrying out a public duty	Period covered by the circumstances	<p>Examples of public duty include:</p> <p>volunteer fire fighter</p> <p>lifeboat crew member</p> <p>volunteer coastguard</p> <p>councillor</p> <p>Armed Forces reservist</p> <p>attending jury service</p> <p>core participants in a public inquiry (see Switching off work availability and work-related activities for more information)</p> <p>attending court or tribunal as a party to any proceedings or as a witness</p> <p>where the claimant is undertaking an Open University</p>

		course and is attending a residential camp as a requirement of that course
Witness protection	Up to 3 months	For claimants for whom arrangements have been made under section 82 of the Serious Organised Crime and Police Act 2005 . (link is external)
Prisoners	For up to 6 months following imprisonment if the claimant received housing costs within their Universal Credit award	Any work search and work-related requirements are switched-off whilst a claimant is in prison and in receipt of housing costs

Discretionary switching-off requirements (easements)

The table below shows the discretionary switch-off requirement, duration and information by column:

Switching-off requirements	Duration	Information
Domestic emergency	<p>No defined duration but normally up to 1 month.</p> <p>Cases must be reviewed monthly to consider whether to extend the switching-off period or offer alternative support.</p>	<p>This covers a wide range of circumstances not defined in legislation allowing us to respond appropriately on a case by case basis, such as:</p> <p>a domestic emergency, for example:</p> <ul style="list-style-type: none"> when a claimant becomes homeless or is at risk of homelessness when a claimant has suffered domestic violence but is still living with the abuser <p>where a claimant's child is not in school (either excluded or is</p>

		<p>awaiting a school place) and the claimant cannot reasonably be expected to make childcare arrangements</p> <p>where a close relative of the claimant is ill in hospital</p> <p>attending the funeral of a relative or close friend</p> <p>organising a funeral</p> <p>is undertaking an agreed Work Preparation requirement or voluntary Work Preparation requirement and it would be unreasonable to impose work search or availability requirements (this is likely to apply only in exceptional circumstances)</p> <p>other temporary circumstances where staff are satisfied that it would be unreasonable to require the claimant comply with those requirements</p>
<u>Homeless</u> (classed as a domestic emergency)	Normally up to one month	Staff to determine if it's unreasonable to impose work-related requirements. If so, requirements are switched-off temporarily but reviewed regularly to check that the claimant is resolving their accommodation issues. This might be when a claimant has a house fire and becomes homeless, or is at risk of homelessness, and needs time to sort out alternative accommodation
Temporary childcare responsibilities	Period covered by the duration of the circumstances	<p>Examples include:</p> <p>usual carer is unavailable</p> <p>paternity leave</p> <p>legal order to provide care for a child.</p>

		<p>Switching-off is reviewed monthly to establish that the claimant is taking steps to resolve the issue.</p>
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