

## SETTING CLAIMANT CONDITIONALITY IN THE WORK SERVICES PLATFORM SETTING WORK RELATED REQUIREMENTS

# Setting claimant conditionality in the Work Services Platform

## Summary

How to populate the Work Services Platform with the claimant's conditionality group and regime

## Content

Universal Credit Agent Portal will determine the correct conditionality regime relevant to the claimant's circumstances.

When a change of circumstances alters the claimants conditionality the account developer (AD) receives one of the following system generated CAMLite tasks:

- Task Type: Conditionality
- Sub Type: Conditionality changed
- SLA: 1 day

or

- Task Type: Conditionality
- Sub Type: CoC Verification & Conditionality
- SLA: 1 day

On receipt of either task the AD must always update Work Services Platform (WSP) with the new conditionally regime shown on UC Agent Portal.

The conditionality regime the claimant is placed within will determine what they need to do to find work (if this is appropriate)

- what is required of them in relation to their [Universal Credit](#) award
- the type of [Claimant Commitment](#) that is agreed

## Conditionality regime

The six conditionality regimes are:

- [All Work Related Requirements](#) (intensive work search)
- All Work Related Requirements (light touch)
- Work Preparation
- Work Focused Interview only
- [No Work Related Requirements](#) (working enough)
- No Work Related Requirements (not Working)

## Setting the conditionality regime

To set the conditionality regime the agent:

1. Selects 'Look up' in the 'Conditionality regime' field. This displays the 6 conditionality groups and an option for 'N/A - Contributory benefit only (no UC claim)'.
2. Selects the relevant conditionality regime from the 'Look up' icon.
3. Selects 'OK'.
4. Selects 'Save'.

## Conditionality groups

The four conditionality groups are:

- No Work-Related Requirements
- Work Focused Interview Requirements only
- Work Focused Interview and Work Preparation Requirements only
- All Work-Related Requirements

The [Work Services Platform](#) (WSP) will automatically populate the conditionality group when the conditionality regime is selected.

## Criteria

WSP displays a look-up table that allows the user to select the Reason (as listed in the table) that are associated with the regime and group previously selected.

Only the criteria that are mapped to the conditionality regime selected will be displayed. They will be displayed on WSP as Reason (see table below).

The agent:

1. Selects 'Look up' in the 'Reason' field
2. Selects the relevant 'Reason' from the 'Look up' icon.
3. Selects 'OK'.
4. Selects 'Save'.

## Date of change

To record the date the claimant's conditionality changed the agent:

1. Selects the 'Calendar' icon from 'Conditionality start date' field.
2. Selects the appropriate date.
3. Selects 'OK'.
4. Selects 'Save'.

## Conditionality table

Conditionality Group	Regime	UC Value	WSP Value
No work-related requirements	NWRR – no work related requirements	LCWRA	LCWRA (WCA Decision)
No work-related requirements	NWRR – no work related requirements	Child Under 1 – Lead Carer Child	Under 1 - Lead Carer (includes Foster Carer).
No work-related requirements	NWRR – no work related requirements	Adopter in 1st Year&	Adopter in 1st Year

No work-related requirements&	NWRR – no work related requirements	Pregnant in MAP Period&	Pregnant in MAP Period
No work-related requirements	NWRR – no work related requirements	Over State Pension Credit Age	Over State Pension Credit Age
No work-related requirements	NWRR – no work related requirements	Full-Time Education	Full-Time Education
No work-related requirements	NWRR – no work related requirements	Caring – at least 35 hours per week	Caring – at least 35 hours per week
No work-related requirements	NWRR – working enough	Individual over CET	Individual over CET
No work-related requirements	NWRR – working enough	Household over CET	Household over CET
No work-related requirements	NWRR – working enough	Self-Employed – MIF Applies	Self-Employed – MIF Applies
Work Focussed Interview–Only	WFI Only	Child Aged 1-2 – Lead Carer	Child Aged 1-2 – Lead Carer
Work Focussed Interview–Only	WFI Only	Family & Friend 1st Year -Child U16	Family & Friend 1st Year -Child U16

Work Focussed Interview–Only	WFI Only	Foster Carer (Lead) – Child 1-15	Foster Carer (Lead) – Child 1-15
Work Focussed Interview–Only	WFI Only	Foster Carer (Lead) – QYP 16-19	Foster Carer (Lead) – QYP 16-19
Work Focussed Interview–Only	WFI Only	Foster Carer - Partner Carer	Foster Carer - Partner Carer
Work Focussed Interview–Only	WFI Only	Foster Carers – 8 Week Break	Foster Carers – 8 Week Break (Lead/Partner)
Work Preparation	Work Preparation	LCW	LCW
Work Preparation	Work Preparation	Child Aged 3-4 – Lead Carer	Child Aged 3-4 – Lead Carer
All work-related requirements	AWRR - Light touch	Household over AET (No Earnings)	Household over AET (No Earnings)
All work-related requirements	AWRR - Light touch	Household over AET (Some Earnings)	Household over AET (Some Earnings)
All work-related	AWRR - Light touch	Individual over	Individual over AET

requirements

AET

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All work-related requirements

AWRR – Intensive work search

Self-Employed – Start-Up Group

Self-Employed – Start-Up Group

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All work-related requirements

AWRR – Intensive work search

Individual (Some Earnings) - under AET

Individual (Some Earnings) - under AET

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All work-related requirements

AWRR – Intensive work search

Individual – No Earnings

Individual – No Earnings

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N/A – Contributory Benefit only (no UC claim)

N/A – Contributory Benefit only (no UC claim)

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## No Work-Related Requirements

- claimants who are found to have Limited Capability for Work and Work-Related Activity after a Work Capability Assessment (WCA)
- claimants with regular and substantial (at least 35 hours per week) caring responsibilities for a severely disabled person
- claimants who are the lead carer for a child under the age of 1
- pregnant women during the period 11 weeks before and 15 weeks after the expected date of confinement
- single or nominated adoptive parents for a period of 1 year from the date the child moves into the household or from up to 14 days earlier
- claimants who are above the qualifying age for State Pension Credit

- some claimants in full-time education who are allowed to claim Universal Credit while they are undertaking the course
- individuals with earnings over their individual conditionality earnings threshold
- individual in a household with earnings over the household conditionality earnings threshold
- self-employed people where the Minimum Income Floor applies

Claimants in this group are not required to look for work or attend work-related interviews.

## Work Focused Interview Requirements

- [lone parents](#) or nominated carers of a child aged between 1 and under 5 (school age)
- single foster carer or nominated carer in a fostering couple with a foster child aged under 16 placed with them
- single foster carer or nominated carer in a fostering couple where in exceptional circumstances there is evidence that a foster child aged 16-17 has proven full-time care needs
- single foster carer or nominated carer in a fostering couple where there is no child placed with them can continue to remain in this conditionality group for up to 8 weeks until they get another foster child
- family and friend carers in the first year that the claimant has responsibility for that child. (in Scotland, a foster carer or kinship carer with whom a child is placed under the Looked After Children (Scotland) Regulations 2009)

## Work Focused Interview and Work Preparation Requirements

- claimants who are found to have limited capability for work at their WCA
- claimants in residential care receiving treatment for drug and alcohol dependency

## All Work-Related Requirements

- claimants who have a [fit note](#) and are awaiting a WCA
- claimants who have been found not to have limited capability for work at the WCA and are appealing against this outcome
- who have some paid work but are earning below conditionality earnings threshold
- claimants who do not fall into any other group

If a claimant falls into more than one conditionality group, they must be placed in the group where the lowest conditionality applies to them.

## Work Focused Interview Requirements

Claimants in this group must attend work focused interviews when asked to do so. The Work Coach will decide how often the claimant needs to be seen.

Claimants who are gainfully self-employed are seen quarterly.

## Work Preparation and Work Focused Interview Requirements

Claimants in this group must attend interviews at a Universal Credit outlet when asked to do so. They must also take reasonable steps to prepare to get work as agreed in their Claimant Commitment.

## All Work-Related Requirements

Claimants in this group must be available for full-time work of any type and look for this within 90 minute travelling time from their home. Restrictions can be applied to looking for work, the type of work and hours of work where it is appropriate due to the claimant's capability and circumstances.



Claimants must be engaged in work search and work preparation activities for at least the number of hours they are available for work. Claimants must take all reasonable action to obtain paid work.

Work Coaches must set work search activities for the claimant to search for work for their expected hours (This is the number of hours that the claimant is available for work or 35 hours, whichever is the lower figure) less deductions from this for the allowable time spent undertaking agreed work-preparation activities, voluntary work and paid work.

The claimant will have met their work search requirements if they undertake all the actions set out by the Work Coach on their Claimant Commitment.

If the claimant has not completed all their work search activities, the Work Coach must consider whether they have done all that they reasonably could to find paid work in that week. If they have, then the claimant has met their work search requirements.

The following should be taken into account:

- whether the claimant has done all that can be reasonably expected even if it is less than their expected hours
- time the claimant has spent on agreed work-preparation activities
- time the claimant has spent doing paid work that week
- time the claimant has spent doing voluntary work, the number of hours worked must be agreed and will not be more than half of their expected hours
- other temporary circumstances which may have had an impact on the activities the claimant could reasonably undertake

Claimants must be available immediately to:

- take up work, more work or better paid work
- attend an interview

In certain circumstances claimants may be given longer, for example:

- claimants who must arrange childcare before attending an interview will be given up to 48 hours to attend (they may be allowed one month to take up a job)
- claimants who are doing voluntary work may be given up to 48 hours to attend an interview and a week to take up work
- claimants who already work will be given 48 hours to attend an interview (they will not be required to take up work until they have served their notice period)
- claimants who have a fit note will not be required to take up work that they are not capable of doing until their fit note ends
- claimants who have recently left prison are not required to take up work within the first seven days of release

To meet their requirements, a claimant must demonstrate, that they are both willing and able to take up work within the required time. In order to do this claimants must:

- attend reviews as required to provide evidence of their work search and work preparation activity
- attend work search interviews as required by the Work Coach
- be contactable (using phone, mail or email) for interviews or employment to be arranged. If a claimant is not answering their phone, has gone away, or can't receive post, they may not be meeting their work related requirements
- apply for any vacancies from all sources including Universal Jobmatch (in particular, those notified by DWP or a [Work Programme](#) provider) and attend all job interviews that have been arranged

## Restricting work search or availability requirements

Agents must take into account the claimant's abilities and personal circumstances when setting work-related requirements. See [Setting work related requirements](#).

The claimant is expected to be available for work for as many hours as their circumstances allow. See [Diagnosing capability and circumstances](#).

Work search and availability requirements may be temporarily suspended. See 'Switching off' content item for that reason. For example, [Switching off requirements - Bereavement](#).

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## 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 claimants 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 (enter 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  As soon as possible after 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.	15th June  As soon as possible after 15th June	17th June
Bring my CV to my appointment on 17th June. If I cannot do this, I will contact my WC.	17th June  As soon as possible after 17th June	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