

## **Department for Work and Pensions (DWP)**

### **Central Freedom of Information Team**

freedom-of-information-request@dwp.gsi.gov.uk

**Our reference:** VTR 3293

**Date:** 18 August 2017

Dear Ms Baddams,

Thank you for your Freedom of Information request dated 08 August 2017.  
You asked:

*Universal Credit - JSA How many hours work or jobsearch is expected of the over 60's?*

*And is there any difference in JSA or UC?*

### **DWP Response**

It may be helpful if I explain the role of the Freedom of Information Act. The Act provides a right of access to recorded information held by a public authority like DWP (subject to certain exemptions). The Act does not oblige a public authority to create new information to answer questions; nor does it require a public authority to give advice, opinion or explanation in relation to issues/policies under question.

Your request asks questions to which you seek a bespoke policy response. If you ask a question, rather than requesting recorded information, we will provide you with the recorded information that best answers the question. Once we have provided the recorded information, we have met our obligations under the Act; interpreting the information provided is up to you.

In terms of Jobseeker's Allowance (JSA) claimants under state pension age, as there is no legal requirement for these claimants to undertake a specific number of hours of work search activity each week, no legislation or national guidance stating otherwise exists. However, to be helpful you may find the following explanation useful about the entitlement condition for JSA claimants to actively seek work. This has however been provided outside our obligations under the Freedom of Information regime.

In order to qualify for JSA, a person must be actively seeking work in each week of their claim. This means they are generally expected to do all they reasonably can each week to give them the best prospects of securing employment. The actions that it would be reasonable for the claimant to take will be personalised and tailored to the individual and will be specified on their JSA Claimant Commitment.

Evidence shows that claimants who engage in active, effective and persistent jobsearch activity are more likely to find work quickly compared to those that

don't. Therefore, the expectation is that for most JSA claimants, looking for work will be a full time job in itself. Claimants are expected to spend several hours each day looking for work, taking into account any restrictions applied to their availability. However, there is no 'set' time that a person must be engaged in looking for work whilst claiming JSA, rather it is a legal requirement for them to do all that is reasonable for them to do each week.

Turning to Universal Credit claimants under state pension age, the recorded information we hold that best answers this question is contained in an extract from the relevant paragraphs in the UC operational instructions on Availability and hours of work search which are included in Annex 1 to this letter.

The meanings of the Acronyms used in the extract are explained below:

- WC – Work Coach.
- AWRR – All Work Related Requirements.
- CET - Conditionality Earnings Threshold.

Annex 1 also includes the relevant legislative references to support this.

If you have any queries about this letter please contact us quoting the reference number above.

Yours sincerely,

DWP Central Fol Team

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#### **Your right to complain under the Freedom of Information Act**

If you are not happy with this response you may request an internal review by e-mailing [freedom-of-information-request@dpw.gsi.gov.uk](mailto:freedom-of-information-request@dpw.gsi.gov.uk) or by writing to: DWP, Central Fol Team, Caxton House, Tothill Street, SW1H 9NA. Any review request should be submitted within two months of the date of this letter.

If you are not content with the outcome of the internal review you may apply directly to the Information Commissioner's Office for a decision. Generally the Commissioner cannot make a decision unless you have exhausted our own complaints procedure. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow Cheshire SK9 5AF  
[www.ico.org.uk/Global/contact\\_us](http://www.ico.org.uk/Global/contact_us) or telephone 0303 123 1113 or 01625 545745

## **Annex 1**

### ***Hours of work search (work-related activity)***

*It is important that claimants are clear on work search expectations and that the WC knows the level of activity claimants should be meeting. Claimants in the AWRR Intensive regime are broadly expected to spend the same amount of time looking and preparing for work as they are expected to be in work.*

*A claimant's 'expected hours' of work search is not something that is intended to drive the claimant to meet an artificial hours target. The aim – and the focus of engagement with claimants – should be on getting them to do everything reasonable to find work as quickly as possible.*

*The WC needs to work with the claimant to establish a clear plan of action that if followed means the claimant will have done everything reasonable and will have met their work search requirement.*

*Claimants in the AWRR Intensive regime are expected to spend a minimum of 35 hours a week engaged in work-search activities, unless significant restrictions have already been agreed to reduce availability for work below this figure.*

*These will include consideration of restrictions as above, and applying the standard limitations for those with child care responsibilities in this regime, for example those who are the lead carer of a child aged 5 to 12 are not expected to be available for work outside of school hours so their hours of availability are capped at 25 hours per week.*

*In these situations the 'Expected hours of work' field within the Universal Credit Agent Portal must be updated because this reduction impacts the claimant's CET. This should also be adjusted for health and some caring responsibilities.*

This is supported by:

- Part 1, Chapter 2, Section 17 of the Welfare Reform Act 2012 which refers to Work Search Requirements;
- Part 8, Chapter 1, Regulation 95 of the UC Regulations 2013 which refers to Work Search Requirements and all that is reasonable; and
- Part 8, Chapter 1, Regulation 88 of the UC Regulations 2013 which refers to the expected the number of hours per week for the purposes of Regulation 95.

The Welfare Reform Act 2012 and the Universal Credit Regulations 2013 are available via the DWP Website at the following internet addresses, respectively:

- [http://www.legislation.gov.uk/ukpga/2012/5/pdfs/ukpga\\_20120005\\_en.pdf](http://www.legislation.gov.uk/ukpga/2012/5/pdfs/ukpga_20120005_en.pdf)
- [http://www.legislation.gov.uk/ukdsi/2013/9780111531938/pdfs/ukdsi\\_9780111531938\\_en.pdf](http://www.legislation.gov.uk/ukdsi/2013/9780111531938/pdfs/ukdsi_9780111531938_en.pdf)