

Backdating a claim

Guidance Queries and Help

1. If you are unable to find an answer to a particular question regarding policy within this guide you must contact the Jobcentre Plus Live Support Advice Line. Do not give the Advice Line number to claimants or outside bodies under any circumstances, it is for the use of Jobcentre Plus staff only. Details of how to contact them can be found by clicking on the following hyperlink, Advice Line Home Page.
2. Please do not use the 'E-mail page owner' and 'Page information' links at the bottom of each page of guidance to raise policy queries. These should only be used to report broken hyperlinks.

Claimant requests a backdated claim

3. Whenever a claimant wishes to claim from an earlier date than the Initial Date of Contact, consideration must be given as to whether the Labour Market Conditions have been met for that period and DMA action taken if a doubt arises.

Request made during First Contact

4. If the claimant requested that their claim be backdated during First Contact and the Labour Market conditions have been met for that period, the final decision is recorded on form CMS1JSA and sent to the Benefit Centre.

Request made during New Jobseeker Interview

5. If the claimant requests that they wish to backdate their claim at their New Jobseeker Interview, they are asked to complete a JSA5.
6. If there is not enough time to complete the JSA5 at the New Jobseeker Interview, the claimant should be asked to take it with them, advised to fully complete it and return it to the jobcentre as soon as possible.

Claimant returns the JSA5

7. When the claimant returns the JSA5, it must be checked for completeness, arrangements made for the labour market conditions to be considered for the backdating period, the back page completed as appropriate and a note recorded in LMS Conversations.
8. The JSA5 is then to be passed to the Benefit Centre for them to consider and calculate entitlement.
9. A CMS1JSA is **not** required in these cases.

Straightforward claims

10. Where there are no labour market doubts, the backdated claim is accepted as straightforward and the following action taken:

Step	Action
1	JSAPS dialogue JA060: Register Claim/Event used to input the Treat as Made date as the date of claim
2	dialogue JA070: Backdated Claim Details is updated with:

	<ul style="list-style-type: none"> the period of the backdated application; [Y] in the 'LM conditions satisfied' field
3	<p>It is explained to the claimant that:</p> <ul style="list-style-type: none"> further decisions will be made by the Benefit Centre on: <ul style="list-style-type: none"> whether the claim can be backdated whether they were capable of work during the backdated period their claim to Jobseeker's Allowance will not be processed until these decisions have been made
4	the Financial Assessor is informed that form JSA5 is noted as being 'straightforward'.

Labour market doubt arises

11. Where there is a labour market doubt for the backdated period:

Step	Action
1	JSAPS dialogue JA060: Register Claim/Event is used input the Treat as Made date as the date of claim
2	<p>dialogue JA070: Backdated Claim Details is updated with:</p> <ul style="list-style-type: none"> the period of the backdated application the 'LM conditions satisfied' field is left blank
3	<p>the labour market doubt is submitted to the Benefit Delivery Expert Labour Market Decision Maker for consideration. The following must accompany the submission:</p> <ul style="list-style-type: none"> a copy of form CMS1JSA or JSA5, as appropriate; and the address and telephone number of the relevant Benefit Centre
4	<p>the original CMS1JSA/JSA5 is noted with the Decision Maker's:</p> <ul style="list-style-type: none"> address; telephone number; and fax number
5	form JSA5 is sent to the Benefit Centre, clearly marked 'doubtful'.

Backdated claim for National Insurance credits

12. A claimant who wishes to make a backdated application for National Insurance credits:

- will need to meet the usual availability and actively seeking employment conditions; and
- should apply for National Insurance credits on form JSANC1.

13. Allowable credits should be notified to The National Insurance Pay as you earn System (NPS) using the eNIRS browser.

Decision Makers decision returned

13. If the Decision Maker accepts the claimant's reason(s), the claim date and Restart Date are amended to the first day allowed.

14. Where good cause is not accepted the Claim and Restart Dates remain the same.

Backdated claims and the Restart Date

15. If this subsequently means there is no gap between a previous claim and the current claim, the Restart Date should be amended again to the original date on the previous claim. The claim date should remain as the date from which the backdated claim is allowed.

16. This action ensures that the correct Work Programme referral date is calculated.

Backdating Joint Claims

17. The actions to take if one or both members of a Joint Claim wish to backdate their claim are found in the Joint Claims chapter