

Work related requirements and on going contact

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Pre-Work Capability Assessment outcome
Post-Work Capability Assessment outcome

When a claimant reports they have a health condition or disability, they do not have to look for work or be available for work for up to the first 14 days of the first 2 periods of sickness in a rolling 12 month period of receipt of UC. They can self-certify for up to the first 7 days but will need to provide a Statement of Fitness for Work (fit note) if the health condition lasts over 7 days.

Outside of this 14 day period, a claimant who continues to provide a fit note can be set tailored work search requirements, work preparation and work focused interviews, where this is reasonable based on their health condition.

For further information, see Health conditions and disabilities – day 1 to day 29.

Pre-Work Capability Assessment outcome

When the claimant has a valid fit note and awaiting their Work Capability Assessment (WCA), work availability requirements are not applied. On going contact will continue with the claimant and tailored to their circumstances, for example by phone and the frequency of the contact.

The claimant remains in their allocated Labour Market regime while they await the outcome of their WCA, unless they have a change of circumstances that would mean moving to a different regime.

Any requirements placed on claimants with a health condition, including the means of on going contact must be reasonable in light of their health condition and other circumstances.

There is discretion to tailor what requirements are set, as well as the frequency and method of engagement. The focus should be on the claimant undertaking reasonable mandatory activities.

Mandatory commitments must never include any reference to taking medication, attending and receiving medical treatments or any therapeutic sessions or activities which have been prescribed by mental health or other healthcare professionals to support mental health or wellbeing.

Voluntary commitments should be used to encourage the claimant to extend mandatory activities or to complement other activities they are doing to improve their health or job prospects now or in the future. They could include, for example, additional activities to support mental health/wellbeing or researching prospective job requirements. This can help to identify opportunities for improving a claimant's CV.

Claimants are asked to attend regular Work Search Review meetings when mandatory work search requirements are set.

Post- Work Capability Assessment outcome

Possible outcomes for the claimant following their WCA:

WCA outcome	Ongoing contact
Has Limited Capability for Work	Claimant moves into the Work Preparation regime. Tailored work focused interviews and work preparation requirements
Has Limited Capability for Work and Work Related Activity	Claimant moves to the No Work Related Requirements regime. The claimant does not have any work-related requirements and just needs to inform Universal Credit if there is a change of circumstances. They can access support on a voluntary basis.
Does not have limited capability for work (is fit for work)	<p>Claimants are subject to all work-related requirements, including being available for work.</p> <p>Work related requirements must take into account any continuing health condition or disability even though the claimant was found fit for work. Any work which the claimant is expected to search for and the hours of work search must be what they can reasonably do when taking into account their health, abilities and circumstances. Similarly, the type and location of any work being searched for must be appropriate in light of their condition.</p> <p>Claimants do not automatically have work search and availability requirements 'switched off', for up to 14 days, after being found 'fit for work' following a Work Capability Assessment (WCA), where the condition is the same, or substantially the same, as the condition they were suffering before the WCA.</p>

Following a WCA decision their Claimant Commitment is reviewed.