

## **Fail to attend**

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### **The requirement to attend**

Universal Credit claimants are required to attend appointments when they make a new claim and at intervals during their claim.

Claimants are also expected to notify DWP in good time if they cannot attend an interview. If a claimant fails to attend, they are contacted to find out the reasons for their non-attendance.

### **Failure to attend the Initial Evidence Interview**

The following appointments are Initial Evidence Interviews:

- personal security number and evidence
- personal security number and prove you can apply
- standard identity (ID)
- standard identity and evidence
- biographical identity
- biographical identity and Habitual Residence Test
- Gateway Intervention - where a claimant has reported self-employment on a new claim
- Initial Gateway Intervention

If a claimant fails to attend their Initial Evidence Interview, they are notified through their journal to make contact to book another appointment. If there is no contact, their claim is closed 1 calendar month plus 1 day from their date of declaration.

If the claimant re-books the appointment within that time but fails to attend again, the 1 calendar month will still count from the date of declaration.

For further information, see Claim closure.

### **Failure to attend the Personal Security Number Appointment**

If a claimant fails to attend the issue Personal Security Number Appointment, it is not a reason for closing the claim and a sanction cannot be applied.

### **Failure to attend the Habitual Residence Test Interview**

If a claimant fails to attend a Habitual Residence Test Interview, they are notified through their journal to make contact to book another appointment. If there is no contact, their claim is closed 1 calendar month from their date of declaration.

If the claimant re-books the appointment within that time but fails to attend again, the 1 calendar month will still count from the date of declaration.

### **Failure to attend a First Commitments Meeting**

A claimant is not entitled to Universal Credit until they have accepted a Claimant Commitment. In the case of a couple claim, both partners must attend and accept their Claimant Commitment in order to be entitled to Universal Credit.

Unless it is identified that a claimant has complex needs, the claim will be closed the day after the appointment that the claimant failed to attend.

If a claimant fails to attend but later makes contact, it is important to ensure safeguards are in place by seeking to understand why they failed to attend and also to consider any complex needs.

A claimant with complex needs can be contacted to have their appointments rebooked. If contact is made, it is important to make it clear that unless the claimant attends next time they will not be able to complete their claim. This includes claimants who don't attend because they have gone on holiday abroad.

If necessary, a home visit can be considered when a claimant is unable to attend the office.

Claimants are notified that they may request a written explanation of the decision to close the claim within 1 month of the date on the notification letter. They are also informed that if they disagree with the decision to close their claim, they may request a reconsideration within 1 month of the date on the

notification letter. If they disagree with the reconsideration decision, they can appeal to a tribunal.

### **Failure to attend a Self-employment Gateway Intervention**

If a claimant who reports self-employment at the point of making the claim then fails to attend the Gateway Intervention, the same actions are taken as for those who failed to attend the First Commitments Meeting – see above.

### **Non-mandatory Work Focused Interviews**

If a claimant fails to attend a non-mandatory Work Focused Interview, a sanction cannot be applied. A sanction will only apply to mandatory interviews that a claimant fails to attend.

### **Failure to attend interviews once the claim is completed**

If a claimant fails to attend interviews once the claim is completed, they can be contacted.

If a claimant fails to attend and cannot be contacted they, must be informed they have 7 days to provide a reason and that they must also book a new appointment. The message also explains that their payment may be affected if they fail to attend that new appointment without good reason.

All options for engaging with the claimant must be explored (including exceptionally, a home visit if this is appropriate) before a sanction referral can be considered. Home visit referrals must be made immediately when needed - especially if a claimant is known to have complex needs, a health condition or vulnerability.

Staff will not proactively rebook subsequent appointments. They must only be booked if contact is established with the claimant and they agree to the appointment being rebooked.

When a claimant fails to tell us why they have not attended, a decision is made to determine if an open-ended sanction should be applied.

If a claimant fails to attend a mandatory interview or meeting, and it is clear they do not have good reason, a sanction may be applied.

### **Considerations for all claimants who fail to attend**

If a claimant fails to attend, the following must be considered:

- rebooking the appointment and reviewing the Claimant Commitment if the claimant makes contact within 7 days, and the reason given would have led to either:
  - an easement
  - switching-off work availability and work-related requirements at the time the appointment was booked or took place
  - acceptance of one of the reasons listed in Fail to attend: good reason
  
- if there is an ongoing open-ended sanction in place and the claimant fails to attend the same rebooked appointment, they are not referred for a sanction again (the reason for this is that they have not met the original compliance condition for the first failure to attend – refer to Sanctions under the heading ‘Multiple open-ended sanctions’)
- if the reasons for missing an interview (given within 7 days) can be accepted as a good reason locally and the claimant has 3 consecutive locally allowed decisions – the next must be referred for a decision

If a claimant repeatedly fails to comply with their commitment or requirements, it is important to ensure that there is no underlying reason behind this which may have affected the original decision to:

- set the original requirement
- refer a doubt for a decision
- apply a sanction

If we know the claimant has complex needs, is vulnerable or has health issues that could reasonably have affected their attendance - this is taken into account.

If the claimant has complex needs, an agent must not make a local decision to apply a sanction. A referral to a decision maker must be made.

### **Failure to attend Work Focused Interviews**

Some claimants are required to participate in Work Focused Interviews.

If a claimant fails to attend a Work Focused Interview, a low or lowest level sanction may be applied to their Universal Credit award. Lowest level sanctions are for claimants who are in the Work Focused Interview only conditionality group and don't have a good reason for failing to attend. Refer to Sanctions.

The compliance condition to stop this open ended sanction, is for the claimant to arrange and attend another Work Focused Interview. They must be made aware of the consequences of not engaging immediately.

### **Failure to attend a Self-employment Gateway or Quarterly Review Interview**

When a claimant fails to attend their Gateway Interview at the start of their claim, the claim will be closed.

A claimant who reports self-employment during their claim, and fails to attend the Gateway Interview or Quarterly Review Interview will have the same sanctions applied as if they had failed to attend a Work Focused Interview.

### **Reasons for missing interviews**

Before referring for a sanction decision, we must obtain and consider the claimant's reasons for not meeting the conditionality requirements.

If a claimant has provided a reason for failing to attend, a check is made to consider if the reason can be accepted as a good reason and allowed locally. A claimant can sometimes be treated as having good reason without referral, for example - if they suffer a bereavement.

It is important that the claimant is made aware that they must provide their reasons for failing to attend and that they are given every opportunity to do so.

### **Sanctions overview**

Sanctions are intended to support Universal Credit conditionality by encouraging claimant compliance with their agreed Claimant Commitment.

It is important that a claimant fully understands that they have a responsibility to carry out the activities agreed in their Claimant Commitment, including attendance at interviews and meetings - or face the risk of reduced payments following a sanction.

The claimant must also be made aware of the consequences of not attending on the date and time agreed.