

Assessing contribution information

1. In addition to the entitlement conditions, the claimant must satisfy two contribution conditions to allow them to receive JSA contribution-based:

- the First Contribution Condition; and
- the Second Contribution Condition.

Old Contribution Conditions – prior to 1 October 1988

2. The Social Security Act 1988 made changes to the Contribution Conditions. These conditions known as Old Contribution Conditions applied to all claims with a First Effective Date before 1 October 1988.

First Contribution Condition – prior to 1 November 2010

3. To satisfy the First Contribution Condition, the claimant must have:

- paid, or be treated as paid, Class 1 contributions for one of the last two Relevant Income Tax Years; and
- the Earnings Factor from the earnings on which those contributions have been paid, or treated as paid, must be at least 25 x the Lower Earning Limit for that tax year; and
- paid the contributions before the week for which the JSA is claimed, this is relevant to late paid contributions;

First Contribution Condition – from 1 November 2010

4. From 1 November 2010, all new claimants claiming contributory JSA can only qualify for benefit if they have paid contributions on Relevant Earnings equivalent to 26 times the Lower Earnings Limit.

5. To satisfy the First Contribution Condition, the claimant must have:

- paid, or be treated as paid, Class 1 contributions for one of the last two Relevant Income Tax Years; and
- must have paid, or have been treated as having paid, national insurance contributions of at least 26 x the Lower Earnings Limit (LEL) for that tax year; and
- paid the contributions before the week for which the JSA is claimed, this is relevant to late paid contributions.

6. The new regulations mean that Relevant Earnings are based on the amount of the claimant's earnings at the lower earnings limit and disregard earnings that exceed the LEL. This effectively means that claimants are unlikely to satisfy FCC without having worked for at least 26 weeks in the RITY (these do not have to be consecutive weeks) but it may happen when a claimant has had multiple employers in the same week.

- **NB** – For claims operated under the new FCC rule form P60 may be used in establishing the FCC position by taking the figure in the first monetary column (titled Earnings at the Lower Earnings Limit (LEL)) and dividing this by the LEL for that tax year to obtain the number of qualifying weeks. This must equal 26 or more to satisfy FCC.

7. From 01 Jan 2012 the FCC will not have to be satisfied in one of the two RITYs where the latest RITY includes a credit awarded to a spouse or partner of a member of HMF who accompanied their spouse or partner during their posting abroad.

8. In these cases, if the claimant does not satisfy FCC in either of the two RITYs, any earlier year in which they were employed and meet the FCC can be used to satisfy FCC. (The LELs for the past 25 years are available at para 28.)

9. An earlier contribution year can only be used to satisfy the FCC if we have proof that the claimant did work for more than 26 weeks. You are unable to prove this by looking at the data shown in the eNIRS browser as the Earnings Factors are based on **all** earnings where National Insurance contributions have been paid. This figure therefore includes earnings above the LEL which are no longer used to determine the FCC.

10. Claimants will need to provide a copy of their P60 for the contribution year being used so you can determine whether the 26 X LEL rule can be satisfied for that year. You can establish the FCC position by taking the figure in the first monetary column (titled Earnings at the Lower Earnings Limit (LEL)) and dividing this by the LEL for that tax year to obtain the number of qualifying weeks. This must equal 26 or more to satisfy FCC.

11. Claims that use this rule to satisfy FCC will need to be operated clerically as JSAPS will not accept information for any years earlier than the RITYs.

12. Linking Rules apply and any linking claim with a Jobseeking Period (JSP) date where the RITYs have been assessed under the old FCC/SCC rules will not be re-assessed using the new FCC/SCC rules

Recording First Contribution Condition information clerically

13. Complete JSA14A, Section 1A and 1B.

How the Second Contribution Condition is satisfied

14. To satisfy the Second Contribution Condition, the claimant must have:

- paid or been credited with Class 1 contributions; or
- paid Share Fisherman's or Volunteer Development Workers' Class 2 Contributions in the last two Relevant Income Tax Years (RITYs); and
- have an Earnings Factor (EF) of at least 50 x the Lower Earnings Limit (LEL) for each of those RITYs.

15. For the action to take when a claimant disputes the award of MoD credits see Obtaining Contribution Information.

Recording Second Contribution Condition information clerically

16. Complete JSA14A, Section 1A and 1B.

Claims with a Period of Interruption of Employment date prior to the 2nd January 1975

Old First Contribution Condition

17. The old First Contribution Condition (FCC) is similar to the pre – 1 November 2010 FCC but can be satisfied in any RITY.

Old Second Contribution Condition

18. To satisfy the old Second Contribution Condition (SCC), the claimant:

- must have paid, or have been credited with Class 1 contributions or Special Class 2 contributions; and

- the Earnings Factor (EF) from those contributions must be at least 50 x Lower Earnings Limit (LEL) for the RITY. If the paid EF is below 13 x LEL, special rules apply.

Classes and categories of contributions

Class 1 Contributions

19. Class 1 Contributions are based on a percentage of earnings between the Lower Earnings Limit and Upper Earnings Limit.

20. They can be contracted out or not contracted out.

21. Contracted out contributions are paid by people who also contribute towards an Occupational or Personal Pension.

Category	Rate	Paid by	Counts towards JSA?
A	Standard (not contracted out)	Any employee whose employer has not contracted out	Yes
B	Reduced rate (not contracted out)	Some married women/widows whose employer has not contracted out	No
C	Employer only	The employer, if the employee is: <ul style="list-style-type: none"> • over minimum pension age; or • already paying maximum contributions in another job 	No
D	Standard (contracted out)	Contracted out employers and their employees	Yes
E	Reduced rate	Some married women/ widows whose employer has contracted out.	No

Class 2 Contributions

22. Self-employed people pay Class 2 Contributions at a flat rate. Share Fishermen and Volunteer Development Workers pay Special Class 2 Contributions.

23. For National Insurance (NI) purposes, share fishermen are treated as self-employed but they pay a special kind of Class 2 contributions.

24. Special Class 2 contributions differ from ordinary Class 2 contributions because:

- they are paid at a higher weekly rate than ordinary Class 2 contributions;
- they count towards entitlement to JSA(C).

Class 3 Contributions

25. Class 3 Contributions are voluntary and paid at a flat rate by people who wish to maintain a full contribution record for their Retirement Pension.

26. These contributions do not count towards qualifying for JSA(C).

Class 4 Contributions

27. Class 4 Contributions are paid by self-employed people whose annual profits are over a certain limit. They are paid in addition to Class 2 Contributions.

28. These contributions do not count towards qualifying for JSA(C).

Earnings Factor

29. An Earnings Factor (EF) is the amount of earnings in a tax year on which Class 1 or Special Class 2 Contributions have been paid and credited.

30. Each year an amount is set to allow for the different ways in which employers calculate the contributions due on both weekly and monthly earnings. This is called the Make Up Provision.

31. For this to apply, the EF must partly or wholly come from Class 1 contributions.

32. The EF is calculated by NPS and shown on the eNIRS2 browser, or in box 5 of form RD26:

Step	Action
1	check the information against the claim documents to ensure that all the periods of clerical claims have been notified to NPS and credits have been awarded
2	complete credit adjustments through the eNIRS2 browser, or complete a Credit adjustment voucher, form CF201 (JSA), if credit weeks from previous claims in the current tax year have not been notified. The eNIRS2 browser is updated or NPS then sends a revised contribution record.

Earnings Factors to satisfy the contribution conditions

Tax Year	Lower Earnings Limit (£)	13 x LEL (£)	25 x LEL (£)	26 x LEL (Relevant Earnings)	50 x LEL (£)
85/86	35.50	461.50	887.50		1775.50
86/87	38.00	494.00	950.00		1900.00
87/88	39.00	507.00	975.00		1950.00
88/89	41.00		1025.00		2050.00
89/90	43.00		1075.00		2150.00
90/91	46.00		1150.00		2300.00
91/92	52.00		1300.00		2600.00
92/93	54.00		1350.00		2700.00
93/94	56.00		1400.00		2800.00
94/95	57.00		1425.00		2850.00
95/96	58.00		1450.00		2900.00
96/97	61.00		1525.00		3050.00
97/98	62.00		1550.00		3100.00
98/99	64.00		1600.00		3200.00
99/00	66.00		1650.00		3300.00
00/01	67.00		1675.00		3350.00

01/02	72.00		1800.00		3600.00
02/03	75.00		1875.00		3750.00
03/04	77.00		1925.00		3850.00
04/05	79.00		1975.00		3950.00
05/06	82.00		2050.00		4100.00
06/07	84		2100		4200
07/08	87		2175		4350
08/09	90		2250		4500
09/10	95		2375		4750
10/11	97			See New FCC Calc.	4850
11/12	102			See New FCC Calc.	5100
12/13	107			See New FCC Calc.	5350

The make up provision

33. The make up provision allows the Earnings Factors (EF) below the qualifying level for the contribution conditions to be treated as equal to the qualifying level.

34. Employers base the calculation of contributions due on either:

- exact earnings; or
- earnings rounded down to the nearest pound.

35. If the second method is used, contributions will be slightly less than they could have been.

36. The make up provision makes sure that claimants are not penalised by allowing the EF to be treated as equalling the contribution conditions if the EF does not fall short by more than:

- First Contribution Condition;
 - £7.00 for Relevant Income Tax Years (RITYs) up to and including 86/87; or
 - £25.00 for RITYs from 87/88 onwards;
- Second Contribution Condition;
 - £14.00 for RITYs up to and including 86/87; or
 - £50.00 for RITYs from 87/88 onwards.

37. For the make up provision to apply, the EF must partly or wholly come from Class 1 Contributions.

38. NPS automatically applies the make up provision through the eNIRS2 browser but it must be calculated when assessing JSA(C) clerically.

The Lower Earnings Limit

39. The Government decides what the Lower Earnings Limit (LEL) and Upper Earnings Limit (UEL) should be each year.

40. The LEL is the minimum weekly amount a claimant earns on which they pay National Insurance (NI) Contributions, once their earnings exceed the Earnings Threshold (ET).

41. If they earn less than the LEL they do not pay NI Contributions.

42. If a claimant has more than one job, for the purposes of NI contributions the amount earned in each job is not added together. NI is only payable for each employment where they earn more than the ET.

43. However, certain low paid people who earn above the lower earnings limit (£97 for 2010/11) and below the single person tax threshold are treated as having paid NI contributions.

The Upper Earnings Limit

44. The Upper Earnings Limit (UEL) is the maximum weekly amount a claimant earns on which they pay National Insurance (NI) Contributions.

45. Where earnings exceed the UEL, the employee pays National Insurance contributions at 1 per cent on those earnings above the UEL. The UEL does not apply to employer's National Insurance contributions, which are payable on all earnings above the Earnings Threshold, including those above the UEL, at the appropriate rate.

46. The amounts of the Lower Earnings Limit and the UEL are usually updated in April each year.

13 x Lower Earnings Limit test

47. When viewing the eNIRS2 browser, or on receipt of form RD26, check if the First Effective Date of the Period of Interruption of Employment is before 1 October 1988.

48. If the claimant does not satisfy the Second Contribution Condition on paid Class 1 contributions, check the Relevant Income Tax Year to see if the paid Earnings Factor is at least 13 x Lower Earnings Limit (LEL).

49. If it is, contingency credits can be used to derive an EF of 50 x LEL.

Credits of National Insurance

HMRC information about credits

50. The Social Security (Credits only) Regulations 1975 stipulate the circumstances in which credits, and what type of credit, are awarded. For further, general, information see HMRC's website about NI credits.

Contingency Credits

51. When someone is out of work, their contributions can be kept up to date by awarding National Insurance (NI) Contribution credits. This can help them qualify for benefit.

52. Credits can be awarded for several reasons, including during:

- jobseeking periods (JSPs);
- sickness;
- periods of Approved Training.

53. There are two types of credits awarded during JSPs:

- permanent credits;
- Special Credits.

Permanent Credits

54. We award permanent credits to the claimant during a JSP, if the entitlement conditions are satisfied throughout a contribution week.

55. A permanent credit is the equivalent of a Class 1 NI Contribution paid at the Lower Earnings Limit.

Awarding permanent credits

56. Permanent credits can be awarded to the claimant if they:

- will not reach State Pension age (SPa) during the current Tax Year as men and women do not receive permanent credits during the Tax Year in which they reach State Pension age.

Note: Men reach SPa on their 65th birthday. For women, SPa will increase in stages from age 60 to 65 between 2010 and 2020. To calculate the relevant date for women see: State Pension Age Calculator;

- do not have a married women's election to pay NI contributions at a reduced rate.

Note: Widows can still get credits when they have retained the right to pay reduced rate contributions.

- do not have a sanction/disallowance on their claim which prevents them from receiving JSA for any day of the contribution week, even if Hardship Payments have been awarded. The exception to this would be when JSA has been disallowed because of a compensation payment as credits may be awarded for these periods;
- are not a member of a joint claim who is exempt from meeting JSA entitlement conditions.

Permanent credits at the start of a claim

57. A credit should be awarded where a JSA claim is treated as made (TAM) on a Monday and JSA is claimed up to and including at least the following Saturday.

Mixed credits

58. A credit can be awarded on a combination of jobseeking and sickness or jobseeking and training periods.

59. A claimant can receive JSA(C) from Sunday to Wednesday and then fall sick, receiving linked Incapacity Benefit or Employment Support Allowance (ESA) from Thursday to Saturday.

60. This type of credit is called a mixed credit.

61. Either the Incapacity Benefit, Employment Support Allowance, or the Jobseekers Allowance section awarding the benefit on the Saturday of the credit week awards a mixed credit, but there must be no break between claims in order to get it.

Automatic credits

62. Automatic (Auto) credits can be used to make up any shortfall in a male claimant's record of contributions between the date they reach Pension Credit age and 64.

Note: Between 2010 and 2020 the age a man can claim Pension Credit will rise in line with changes to women's State Pension age (SPa). To calculate the relevant qualifying age/ date based on SPa for women see: State Pension Age Calculator

63. Men who have reached the qualifying age can claim Pension Credit.

64. NPS awards Auto credits automatically:

- to most men who have reached the qualifying age for Pension Credit or over;
- from the beginning of the tax year in which the man has reached the qualifying age for Pension Credit;
- to the end of the tax year in which the man is aged 64.

65. Auto credits are usually awarded for the full tax year in which the male claimant reaches the qualifying age for Pension Credit, unless the claimant is:

- abroad for more than 182 days in the tax year;
- self-employed or a share fisherman liable for Class 2 or Special Class 2 contributions.

See further instructions on starting preparations for an Automatic Jobseeking Period.

Note: Auto credits will be phased out gradually in line with equalisation of State Pension age for women and will be abolished by 2020. The last year that auto credits will be awarded is 2018/2019. Auto credits are not available for women.

Claimant was self-employed or a share fisherman before claiming JSA

66. Auto credits are not awarded if the claimant is:

- self-employed and liable to pay Class 2 contributions;
- self-employed and exempt from paying Class 2 contributions because of the small earnings exception;
- a share fisherman and liable to pay Special Class 2 contributions.

67. If the claimant only claims JSA but does not give up their self-employment, NPS will not start Auto credits.

68. NPS will start Auto credits from the first full week the claimant stops being liable for Class 2 or Special Class 2 contributions.

How credits are recorded

System claims

69. Each week of the JSA claim, the claimant will be awarded a credit, which is recorded on JSAPS.

70. At the end of the contribution year JSAPS notifies NPS of the number of credits awarded.

Clerical claims

71. Any credits awarded on clerical claims must be notified to NPS using the eNIRS2 browser or clerically on forms:

- CF201 before or by 31st May following the end of the contribution year;
- CA5481/CF368, after 31st May following the end of the contribution year for which the credits are to be awarded.

72. Forms CF5481/CF368 allow the credit award to be adjusted by removing or adding to the number of credit weeks held by NPS.

What is the effect of jury service on National Insurance credits

73. Claimants attending jury service are not available for employment and are therefore not entitled to permanent NI credits unless they can show that their attendance will end within 24 hours. However, jury service credits can be

awarded subsequently if it would otherwise result in a deficient Relevant Income Tax Year (RITY).

74. There are exceptions for claimants within a joint claim.

See, Decision Maker's Guide, Volume 4, Chapter 20: JSA Joint Claims - Exemptions

Action taken by NPS when there is a deficient Relevant Income Tax Year

75. NPS identifies deficient RITYs during the annual form RD170 exercise, which is carried out about 18 months after the end of the tax year.

76. This form is sent to claimants who have deficient NI contributions in a RITY, that is, those who have been on jury service.

77. It tells them to contact the nearest JSA office to apply for credits on the detachable RD171A.

Awarding credits for jury service

78. As there may be a delay between the end of the tax year and issue of the form RD170, a claim to JSA(C) could be made before form RD170 has been issued.

79. In these cases Class 1 credits can be awarded for the week(s) the claimant was on jury service except when:

- they had married women's reduced rate liability;
- they have already paid or been credited with enough Class 1 contributions to have satisfied the Second Contribution Condition in that tax year;
- they were already in receipt of a Class 1 credit because they were sick or pregnant.

80. No special action is necessary to identify these cases. However the award of permanent credits must be considered if the claimant disputes their contribution record once their claim has been assessed.

What are Special Credits?

81. Special Credits can be awarded to the claimant if they do not qualify for JSA(C) because they have not paid or been credited with enough National Insurance Contributions in the Relevant Income Tax Years.

82. Special Credits raise the claimant's Earnings Factor to a sufficient qualifying level to entitle them to JSA(C).

83. There are two types of Special Credits:

- those payable on termination of full time education, training, Approved Training or apprenticeship;
- those awarded to some widows and widowers.

84. When JSAPS identifies a claim with Special Credits information outstanding, it is unable to rate the claim for JSA(C).

What is classed as Full Time Education or Approved Training

85. Credits can be awarded on termination of Full Time Education (FTE), Approved Training (AT), training or apprenticeship for either of the Relevant Income Tax Years (RITYs), during any part of which the claimant was:

- in FTE;
- an apprentice;

- on any full time course, the sole or main purpose of which was to gain occupational or vocational skills.

86. If a person is registered disabled, credits can be awarded if the education course/training was at least 15 hours per week.

87. After the course of education, Approved Training (AT), training or apprenticeship has finished, Special Credits can be considered even if the claimant intends to complete another course of education or training.

88. Credits may be awarded for one of the two RITYs if the claimant:

- Satisfies the second contribution condition in the other RITY; and
- Was at least 18 years old during the tax year for which credits are being considered; and
- Was undergoing full time education (FTE), training or an apprenticeship for at least part of that year; and
- Was under age 21 when the course of FTE, training or apprenticeship began; and
- The full time education, training or apprenticeship course has finished.

89. These checks are performed by JSAPS upon input of the FTE dates. JSAPS will then inform NPS of the FTE dates, whether or not Special credits have been awarded, for future reference.

90. The 1975 Credits Regulations (Regs 7 and 8) prescribes the full criteria for awarding Special Credits. If any doubt as to whether Special Credits are due, refer to the DM.

91. Periods of FTE, including apprenticeships, have no effect on the linking position of a claim to JSA(C) or any other National Insurance (NI) benefit. However, periods of training for which a training allowance is paid, count as linked periods.

92. Action when:

- training allowance not paid;
- training allowance paid.

How to record dates if Training Allowance was not paid

93. For periods of apprenticeships and training when training allowances were not paid:

Step	Action
1	access dialogue JA091: Maintain Claim Details and select the SPECIAL CREDITS screen JA091010;
2	input the details in the 'FTE' field to avoid them showing on the LINKING/CLAIM HISTORY SUMMARY screen JA091022.

Location of recorded dates for Training Allowance

94. For periods of apprenticeships and training when training allowances were paid, these details will:

- be held in dialogue JA091 Maintain Claim Details on the SPECIAL CREDITS screen JA091010;

Approved Training

95. A day of Approved Training (AT) is a day on which a person was attending:

- a training course provided by the Department for Business, Innovation and Skills (BIS);
- courses in Scotland provided by the Scottish Enterprise, Highlands and Islands Enterprise, Skills Development Scotland or the Scottish Executive;
- courses provided by the Welsh Office;
- a course of agricultural training provided by, or arranged by, the Ministry of Agriculture, Fisheries and Food or the Secretary of State (SoS) for Social Security, and was receiving a training allowance paid by, or on behalf of that Ministry or the SoS.

96. The most common types of AT are:

- New Deal / Flexible New Deal
- Training For Work (TfW) (Scotland only);
- Work Based Learning - Skillbuild (Wales only);

97. Types of training which can be considered when awarding Special Credits are:

- sandwich courses, if the course has ended;
- courses studied by young people in Community Homes;
- courses at junior and adult training centres;
- Workbased Learning for Young People or Skillseekers in Scotland;
- courses abroad;
- Project 2000 courses;
- courses studied in a sixth form.

98. Changes to the rules that apply to the award of Special Credits do not affect the claimant's entitlement to permanent credits for the above training courses.

What is a sandwich course?

99. The two main types of sandwich course are:

- firm based courses:
 - arranged by employers, that consist of alternate periods of practical work with an employer and full time study at college;
- college based courses:
 - the college arranges for the student to get practical experience with an employer.

100. Although sandwich course students may pay Class 1 contributions during the periods of work, they are entitled to FTE credits for the duration of the course, after the course has ended.

Community Homes

101. FTE credits may be awarded to claimants following discharge who spent time in either RITY in a:

- Community Home, Residential Establishment in Scotland;
- approved Probation Home or Hostel;
- probation Day Care Centre;
- Remand Home, not the same as Detention Centres.

Junior and Adult Training Centres

102. Junior and Adult Training Centres are set up by Health and Social Services to provide care and training for mentally handicapped people who do not need inpatient treatment in psychiatric hospitals.

103. Some people attend the centres indefinitely.

104. People attending these centres usually receive some payment for the work they do, but would not normally have to pay National Insurance contributions on these earnings.

105. FTE credits can be awarded to people in Adult or Junior Training Centres.

Work Based Learning for Young People or Skillseekers in Scotland?

106. FTE credits may be awarded to claimants who have undertaken a period of training, subject to the qualifying conditions.

107. Some trainees have a contract of employment with their employer and they pay Class 1 contributions.

108. FTE credits are not awarded if the claimant was under such a contract of employment.

109. Where the claimant was given a contract of employment during the period of training, FTE credits are awarded up to the day before the contract of Class 1 employment commenced.

110. A course can be undertaken up to the age of 25, but credits can only be awarded if the course began before the age of 21.

111. Although FTE credits are awarded for a claimant who undertakes a course, this course is still treated as approved for linking purposes.

What are courses abroad?

112. A course of FTE can be undertaken abroad, regardless of whether the claimant is a foreign national, if they satisfy the qualifying conditions.

113. Special Credits are not available if:

- the course began after the claimant was 21;
- for any RITY before that in which the 18th birthday fell.

What are Project 2000 courses?

114. Claimants who have started training on a Project 2000 course may be entitled to FTE credits if they satisfy the qualifying conditions. This is because they receive a bursary and do not pay Class 1 contributions.

What is classed as a course studied in a sixth form?

115. Claimants who have been on a course of full time education in a sixth form college or as a sixth former in a school, can receive FTE credits if they satisfy the qualifying conditions.

How a deficient Relevant Income Tax Year affects Special Credits

116. A deficient Relevant Income Tax Year (RITY) is a RITY when there are insufficient paid or credited Class 1 or special Class 2 contributions to satisfy the Second Contribution Condition.

117. If education, training or apprenticeship has taken place in the deficient RITY consideration can be given to awarding Special Credits.

How to check Full Time Education dates with eNIRS2

118. When NPS receives form CF400, if the start date to full time education (FTE) is known but not the end date, JSAPS:

- issues report JA70475, Outstanding NPS Enquiries; and
- sets a case control for checking the FTE dates.

119. When report JA70475 is received, access dialogue JA501: Claim Details Enquiry, and check the dates supplied by NPS against the details given by the claimant on claim form JSA1 in the section on Education and Training.

What to do when the Full Time Education course has not ended

120. If the course has not officially ended, interview the claimant and explain that JSA(C) will be suspended.

121. If the claimant:

- wishes to withdraw the claim to JSA(C) before a decision on their entitlement has been made, take action to withdraw the claim;
- does not wish to withdraw the claim to JSA(C), refer the case to the Decision Maker for a formal availability decision. On receipt of the decision, consider the award of credits.

122. If a decision has been made on the claim, take action to terminate the claim.

What to do when the Full Time Education dates held by NPS are correct

123. When the education establishment confirm the dates, if the dates already input are correct, no further action is necessary.

What to do when the Full Time Education dates held by NPS are different from those held by JSAPS

124. If the dates the course finished are different from those held by JSAPS, it can affect the Relevant Income Tax Years.

125. JSAPS:

- issues report JA70475 Outstanding NPS Enquiries; and
- sets a case control for checking the FTE dates.

126. When report JA70475 is received:

- check the claim form JSA1 for any details of FTE; and
- send draft letter DLJA127 to the educational establishment to confirm the period.

127. On return of draft letter DLJA127; check if the details, held by NPS, are correct.

What to do when the Full Time Education dates held by NPS are incorrect

128. If the details held by NPS are incorrect:

Step	Action
1	access the SPECIAL CREDITS screen JA091010 in dialogue JA091: Maintain Claim Details and overwrite the incorrect dates

	with the correct information;
2	update the information through eNIRS2 or complete form CF400 and send it to Inland Revenue NI Contributions Office;
3	initial and date report JA70475;
4	access dialogue JA530: Case Controls and clear the case control.

129. On input of FTE dates, JSAPS applies the conditions for receiving credits and awards Special Credits if appropriate.

130. If an overpayment of JSA(C) has occurred, a message will display in the SPECIAL CREDITS screen JA091010 in dialogue JAO91: Maintain Claim Details.

How to check Approved Training dates with NPS

131. When NPS receives form CF400, if they know the start date to Approved Training (AT) but do not know the end date, JSAPS:

- issues report JA70475, Outstanding NPS Enquiries; and
- sets a case control for checking the Approved training dates.

132. When report JA70475 is received, access dialogue JA501: Claim Details Enquiry, and check the dates supplied by NPS against the details given by the claimant on claim form JSA1 in the section on 'Education and Training'.

133. Take action for approved training when:

- there is no end date held;
- the training dates are different.

What to do when there is no end date held for the Approved Training

134. When NPS receives form CF400, if start date of full time education (FTE) is known but not the end date, JSAPS:

- issues report JA70475, Outstanding NPS Enquiries; and
- sets a case control for checking the FTE dates.

135. The claim will not be rated until the end date is input.

136. To establish an end date for the period of AT, check the following forms:

- TFW89, Details of Training for Work;
- ERS83, Details of Rehabilitation Course;
- ES85Y, Details of Youth Training.

137. If an end date for the period of Approved Training cannot be established, write to the training/course provider for written confirmation of the end date.

What to do when the Approved Training dates differ

138. If NPS has been notified of a period of AT and different dates are input, JSAPS:

- issues report JA70475, Outstanding NPS Enquiries; and
- sets a case control that appears on a Work Available Report JA72539 to check the AT dates.

139. Check the dates held for the period of AT against the details supplied by the claimant and any other evidence held, for example, forms TFW9, ERS83, CAF9 or ES85Y.

140. If these forms are not held, confirm the period of AT with the course providers by telephone.

141. Ask the course provider to send written confirmation as soon as possible.

142. If the details were input incorrectly:

Step	Action
1	access dialogue JA091: MAINTAIN CLAIM DETAILS to display the SPECIAL CREDITS screen JA091010 and overtype with the correct details in the relevant fields;
2	access dialogue JA530: Case Controls and clear the case control;
3	Initial and date the JA70475 report.

143. Only periods of AT will be notified through JSAPS.

144. Check claim form JSA1, in all cases, for periods of non-AT.

145. Take action to award Special Credits if appropriate.

146. Form RD23 will be issued for each affected claim and will be sent to the Benefit Processing Office.

How to disallow Special Credits

147. If Special Credits are disallowed:

Step	Action
1	issue a disallowance notification DLJA 305; Note: The claimant has the right to <ul style="list-style-type: none"> • ask for an explanation • ask for a written statement of reasons for the decision • ask us to look again to see if the decision can be changed • appeal against the decision, but only after a Mandatory Reconsideration. This must be within one calendar month from the day following the date the outcome decision was issued to the claimant;
2	continue to process the claim as normal. This means that the claimant may receive two outcome decisions and each carries the right of dispute, mandatory reconsideration and appeal.

How to award Special Credits

How to award Full Time Education Special Credits

148. If Special Credits are awarded for Full Time Education:

Step	Action
1	access dialogue JA091: Maintain Claim Details and select the SPECIAL CREDITS screen JA091010 to input the: <ul style="list-style-type: none"> • start date of the Full Time Education (FTE);

	<ul style="list-style-type: none"> the end date of FTE.
2	initial and date the entry on report JA70475;
3	update the information through eNIRS2 or complete form CF400 and send it to NPS to update their records;
4	send the appropriate letter to the claimant;
5	record information on JSA14C.

How to award Special Credits for Training/Apprenticeship

149. To award Special Credits for Training/Apprenticeship:

Step	Action
1	access dialogue JA091: Maintain Claim Details to display the SPECIAL CREDITS screen JA091010;
2	input the end date;
3	access dialogue JA530: Case Controls and clear the case control;
4	initial and date the JA70475 report;
5	record information on JSA14C.

Entitlement to Widows Credits

150. Some widows who do not satisfy the conditions for JSA(C) can be awarded Widows Credits to enable them to qualify for JSA(C).

151. When a payment of Widows Allowance stopped, a widow received:

- Widowed Mothers Allowance (WMA) if they had a child under 19 years of age living at home; or
- Widows Pension if they did not have a child of under 19 years of age living at home.

152. Payment could be withdrawn if:

- children left home; or
- the widow remarried or lived with a man as his wife.

153. For Widows Special Credits to be awarded the claimant must have been receiving WMA which ceased in either of the Relevant Income Tax Years (RITYs) or later, for example:

- the claimant was receiving WMA before the First Effective Day of the Jobseeking period or linking claim; and
- payment of WMA stopped in either of the RITYs or later.

Effect of Bereavement Benefit or Widows Benefit on Special Credits

154. Some widows or widowers who do not satisfy the conditions can be awarded credits to enable them to qualify for JSA(C).

155. In order for Special Credits to be awarded, the claimant must satisfy the following:

- they received Bereavement Benefit (BB) or Widows Benefit (WB) before the First Effective Day of the Jobseeking Period or linking claim; and
- payment of BB or WB stopped in either of the Relevant Income Tax Years or later.

156. Special Class 1 Credits can be awarded to satisfy the Second Contribution Condition for any Tax Year up and including the one in which BB or WB ended.

157. Under JSA regulations, Special Credits cannot be awarded to a widow to satisfy the First Contribution Condition.

158. If this change means that a widow loses her entitlement, the case should be referred to Special Payments section for consideration of an ex-statutory award.

What to do when you get a claim from a widow or widower

159. When the Main Benefit Reply is received from eNIRS2, JSAPS will set a case control to check the payment of BB or WB. This will be issued on a Work Available Report (WAR) JA72539.

160. When the WAR is received, contact the BB section to confirm the type of benefit in payment and the reason for it ending.

161. This must be confirmed in writing. Set a case control to await written confirmation within 14 days.

Bereavement Benefit or Widows Benefit ends

162. There are a number of reasons why entitlement to Bereavement Benefit (BB) or Widows Benefit (WB) ends:

- re-marriage or living together as civil partners;
 - If BB or WB ends due to remarriage or because the claimant is living with someone as their civil partner, Special Credits should not be awarded.
- Widowed Mothers Allowance or Widowed Parents Allowance may stop due to a Child Benefit award ending for a child;
 - In these cases, Special Credits can be awarded.
- Bereavement Allowance award may have expired after 52 weeks from the date of bereavement;
 - In these cases, Special Credits can be awarded.

How to award Widow's Special Credits

163. If Widows or Widowers Special Credits are to be awarded:

Step	Action
1	access dialogue JA060: Register Claim / Event and register the event as a change of circumstances;
2	access dialogue JA091: Maintain Claim Details and select the SPECIAL CREDITS screen JA091010;
3	If Bereavement Benefit or Widows Benefit ended: <ul style="list-style-type: none"> • after the date of claim, enter the date in the 'Latest date' field; or • prior to the date of claim, enter the date in the 'Prior to claim date' field;
4	access dialogue JA530: Case Controls and clear the case control;
5	send the appropriate letter to the claimant;
6	record information on JSA14C.

What to do if Industrial Death Benefit or War Widows Pension were also in payment

164. If Bereavement Benefit (BB) or Widows Benefit (WB) were in payment at the same time as Industrial Death Benefit (IDB) or War Widows Pension (WWP) personal benefit, Widows or Widowers Special Credits are awarded differently:

- if the IDB or WB rate is the same as or higher than a National Insurance (NI) Widows Pension, Special Credits can be awarded from the date that BB or WB ended;
- if the IDB or WWP rate payable is less than an NI Widows Pension, Special Credits can be awarded from the date of the reduction in the Widows Pension.

System action when claimant has declared work/insurance abroad

165. When the claim form (JSA1/JSA4) and form JSA31 is received:

Step	Action
1	if the claimant cannot get JSA(C), do not wait for the Main Benefit Reply confirmation from NPS. Tell the claimant: <ul style="list-style-type: none"> • they cannot get JSA(C) based on their UK contribution record; • their claim will be referred to International Pension Centre (IPC) to investigate whether any of the work and/or insurance they paid abroad can help; • the investigation may take some time;
2	if suitable, tell the claimant about claiming the following: <ul style="list-style-type: none"> • JSA(IB); • an interim payment;
3	note the front of the claim file 'POSSIBLE IPC INTEREST';
4	use the information from form JSA31 to complete form BF627 and then send form BF627 with copy of JSA31 to International Pension Centre;
5	make a note that form BF627 has been sent to IPC: <ul style="list-style-type: none"> • on the clerical control sheet JSA14C, and • in dialogue JA110: Maintain Notepad;
6	access dialogue JA530: Case Controls and set a user case control for 14 days, to monitor the reply from IPC.

System action when International Pension Centre doesn't reply

166. Take action if a reply has not been received by the time the:

- first case control matures;
- second case control matures;
- third case control matures.

System action when first case control matures

167. If a reply from International Pension Centre (IPC) is not received by the time the first user case control appears on the Work Available Report JA72539, take the following system action:

Step	Action
1	access dialogue JA511: Contributions Enquiry CONT ENQUIRY screen JA511512 and check whether the contribution record has been updated;
2	if the claimant can get JSA(C), which is in payment or is due to be paid, based on UK contribution record alone: <ul style="list-style-type: none">• note the clerical control sheet JSA14C that the claimant; can get JSA(C) based on their UK contribution record;• file JSA14C in the claimant's file;• delete the 'POSSIBLE IPC INTEREST' note from the claimant's JSA file;• take no further action about contribution record enhancement;
3	if the claimant cannot get JSA(C) based on UK contribution record alone: <ul style="list-style-type: none">• complete another copy of form BF627;• note 'Reminder' at the top of the form;• send the reminder form to International Pension Centre;• make a note that the reminder has been sent;<ul style="list-style-type: none">○ on JSA14C; and○ in dialogue JA110: Maintain Notepad;• access dialogue JA530: Case Controls and set a user case control for 14 days to monitor IPC's reply.

System action when second case control matures

168. If a reply from IPC has not been received by the time the second user case control appears on the Work Available Report, take the following action:

Step	Action
1	use the information on the claim form JSA1 to complete another copy of form BF627;
2	note 'Second Reminder' at the top of form BF627;
3	send the reminder form to International Pension Centre;
4	make a note that another reminder form has been sent to IPC; <ul style="list-style-type: none">• on the clerical control sheet JSA14C; and• in dialogue JA110: Maintain Notepad;
5	access dialogue JA530: Case Controls and set a user case control for 14 days to monitor IPC's reply.

System action when third case control matures

169. If a reply from IPC has not been received by the time the third user case control appears on the Work Available Report JA72539:

Step	Action
1	phone International Pension Centre to find out what action is being taken;
2	make a note that IPC has been called, and the action they are taking; <ul style="list-style-type: none"> • on the clerical control sheet JSA14C; and • in dialogue JA110: Maintain Notepad;
3	access dialogue JA530: Case Controls and set a user set case control if required.

Clerical action when claimant has declared work/insurance abroad

170. When the claim form JSA1/JSA4 and form JSA31 is received:

Step	Action
1	tell the claimant: <ul style="list-style-type: none"> • they cannot get JSA(C) based on their UK contribution record; • their claim will be referred to International Pension Centre (IPC) to investigate whether any of the work and/ or insurance they paid abroad can help; • the investigation may take some time;
2	if suitable, tell the claimant about claiming the following: <ul style="list-style-type: none"> • JSA(IB); • an interim payment;
3	record that the claim has been referred to IPC on the clerical control sheet JSA14C;
4	note the front of the claimants file 'POSSIBLE IPC INTEREST';
5	use the information from the JSA31 form to complete form BF627 and send the form BF627 with copy of JSA31 to International Pension Centre;
6	note the issue of form BF627 on the clerical control sheet JSA14C;
7	set a case control for 14 days to monitor IPC's reply.

Clerical action when International Pension Centre doesn't reply

171. Take action if a reply has not been received by the time the:

- first or second clerical case control matures;
- third clerical case control matures.

Clerical action when first or second case control matures

172. If a reply from International Pension Centre (IPC) has not been received by the time the first or second clerical case control matures:

Step	Action
1	complete another copy of form BF627, noting 'Reminder' at the top;
2	send the reminder form to International Pension Centre;
3	note on the clerical control sheet JSA14C that the reminder has been sent to IPC;
4	set a case control for 14 days to monitor IPC's reply.

Clerical action when third case control matures

173. If a reply has not been received by the time the third clerical case control matures:

Step	Action
1	telephone IPC;
2	find out what action is being taken;
3	make a note that IPC has been called and the action they are taking on the clerical control sheet JSA14C;
4	set another clerical case control if required.

Action when reply received from International Pension Centre

174. When International Pension Centre's (IPC) action is complete they will send a form which states whether the claimant's UK contribution record can be enhanced:

- form POD1307 when the claimant's UK contribution record can be enhanced by work and/or insurance paid abroad;
- form POD1308 when the claimant's UK contribution record cannot be enhanced by work and/or insurance paid abroad.

Note: If IPC advises that the claimant's UK contribution record can be enhanced by work and/ or insurance paid abroad, enhancement does not necessarily mean the claimant will be able to get JSA(C).

175. Review the contribution record based on IPC's decision.

Recording decisions on enhancement on JSAPS

176. When form POD1307 or POD1308 is received from International Pension Centre (IPC) stating that the claimant's work and/or insurance paid abroad can or cannot be used to enhance their UK contribution record:

Step	Action
1	note the details on the clerical control sheet JSA14C;
2	send form JSA32 to claimant;
3	access dialogue JA097: Maintain Contributions INPUT/MAINTAIN CONTRIBUTION DETAILS screen JA097198 for the appropriate Relevant Income Tax Years to display the claimant's current contribution details;
4	input the revised contribution details;
5	access dialogue JA530: Case Controls and delete any user case controls set to monitor IPC's reply;

6	delete the 'POSSIBLE IPC INTEREST' note from the claimant's JSA file;
7	update the details on JSA14C;
8	file JSA14C with form POD1307.

Recording decisions on enhancement clerically

177. When form POD1307 or POD1308 is received from International Pension Centre (IPC) stating that the claimant's work and/or insurance paid abroad can or cannot be used to enhance their UK contribution record:

Step	Action
1	note receipt of form POD1307 on form JSA14C;
2	send form JSA32 to claimant;
3	delete any outstanding case controls set to monitor IPC's reply;
4	delete the 'POSSIBLE IPC INTEREST' note from the claimant's JSA file;
5	update the details on the JSA14C form;
6	file the JSA14C with form POD1307.

Claimant declares work/insurance abroad after initial claim

178. If a claimant states that they have worked and/or paid insurance in another country before their current claim:

Step	Action
1	note the claimants JSA claim file 'POSSIBLE IPC INTEREST';
2	note on the relevant claim form;
3	ask the claimant to complete form JSA31 Enhanced Contribution request;
4	continue with normal procedures.

Definition of a Cumulative Total for JSA

179. The Cumulative Total (Cum Tot) is the total number of days that JSA(C):

- is paid;
- is treated as paid; or
- that the claimant is entitled to, but it is not payable, up to 182 days.

See, Decision Makers Guide Volume 4; Chapter 21, Days that count as Entitlement to JSA(C).

Benefits that affect the Cumulative Total

180. The following benefits may affect the Cumulative Total:

Benefit	Effect on Cumulative Total
Bereavement Benefit	could extinguish JSA(C), days of entitlement to this benefit may count towards the cumulative total.
Carer's Allowance	could extinguish JSA(C), days of entitlement to this benefit may count towards the cumulative total.

Foreign Benefits	<ul style="list-style-type: none"> • Cyprus; <ul style="list-style-type: none"> ◦ days of JSA(C) and Sickness Benefit paid under the Cypriot scheme, that link under the normal continuity rules within the UK claim, count towards exhaustion of the Cumulative Total. • Guernsey (including Alderney, Herm and Jethou); <ul style="list-style-type: none"> ◦ days of JSA(C) paid under the Guernsey scheme, that link under the normal continuity rules with the UK claim, count towards exhaustion of the Cumulative Total, but should be disregarded in deciding the imposition of waiting days. • Malta; <ul style="list-style-type: none"> ◦ days of Unemployment Benefit and Sickness Benefit paid under the Maltese scheme, since the beginning of the last 2 benefit years under the scheme, that link under the normal continuity rules with the UK claim, count towards exhaustion of the Cumulative Total.
Incapacity Benefit	could extinguish JSA(C), days of entitlement to this benefit may count towards the cumulative total.
JSA	<ul style="list-style-type: none"> • JSA(C); <ul style="list-style-type: none"> ◦ days of JSA(C) on a previous claim using the same Relevant Income Tax Years counts towards the maximum entitlement of 182 days of JSA(C). • JSA(IB) exceeds JSA(C); <ul style="list-style-type: none"> ◦ if JSA(IB) exceeds JSA(C) the JSA(C) is paid as an underlying entitlement. It is this that counts towards the maximum entitlement of 182 days of JSA(C). • disallowances for JSA; <ul style="list-style-type: none"> ◦ Cumulative Total does not accrue during period of disallowance unless an award of JSA is made under the hardship provision. • JSA Hardship Provision; <ul style="list-style-type: none"> ◦ if a hardship payment is made on a disallowed claim, this counts towards the maximum entitlement of 182 days of JSA(C). • sanctions; <ul style="list-style-type: none"> ◦ a period with a sanction in place counts towards the maximum entitlement of 182 days of JSA(C). • Waiting Days; <ul style="list-style-type: none"> ◦ do not count towards 182 days of entitlement to JSA(C). • overpayments; <ul style="list-style-type: none"> ◦ days of JSA(C) that have been overpaid can counts towards the maximum entitlement of 182 days of JSA(C);
Occupational pension	could extinguish JSA(C), days of entitlement to this benefit may count towards the cumulative total;

Widow's Benefit	could extinguish JSA(C), days of entitlement to this benefit may count towards the cumulative total.
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See, Decision Makers Guide; Volume 4, Chapter 21, Days that count as days of entitlement to JSA(C)

Existing Cumulative Total is zero

181. A claimant who has not previously claimed a relevant benefit will not have used any of their 182 days of entitlement to JSA(C) and their existing Cumulative Total will be zero.

182. A claimant with a claim using different Relevant Income Tax Years from a previous claim to a relevant benefit will start their 182 days entitlement to JSA(C) again. There will be no days to carry forward so the existing Cumulative Total will be zero.

The effect of Relevant Income Tax Years on the Cumulative Total

183. A claimant can only be paid a maximum of 182 days entitlement to JSA(C) on any one set of Relevant Income Tax Years (RITYs).

184. There is no provision for a claimant to receive JSA(C) on the same RITYs after exhausting the 182 days entitlement.

185. A claimant can only receive JSA(C) again if one of the RITYs used to establish entitlement changes.

See, Decision Makers Guide Volume 4; Chapter 21, More than one period of entitlement to JSA(C).

How to establish an existing Cumulative Total

186. To establish the existing Cumulative Total:

Step	Action
1	beginning with the First Effective Day of the Claim, calculate the number of days that count as days of entitlement to JSA(C). Consider any: <ul style="list-style-type: none"> • periods of JSA(C) recorded on prior claims; • periods when a foreign benefit was in payment; • periods when JSA(C) was extinguished by other income or benefit;
2	add together any days that count as days of entitlement to JSA(C);
3	consider any adjustment required for an overpayment;
4	the final number of days that count as days of entitlement is the existing Cumulative Total.

Establishing the remaining Cumulative Total

187. The remaining Cumulative Total is the number of days of entitlement to JSA(C) that are still to be paid.

188. To work out the remaining Cumulative Total, deduct the existing cumulative total from 182. If the figure is:

- positive, then this number equals the amount of days still to be paid;

- negative or zero, then JSA(C) has exhausted.

Location of Cumulative Total in JSA records

189. To locate information about the Cumulative Total on a JSA claim:

System cases	check dialogue JSA504 General Enquiry or dialogue JSA507 Linking/Claim History for details of any Cumulative total already paid;
Clerical cases	check the form JSA14P, JSA Payment Record Sheet, Column 6. This shows the Cumulative Total.

Effect of overpayment of JSA(C) on the Cumulative Total

190. When JSA(C) has been paid and it is decided that the claimant is not entitled for the period:

Step	Action
1	note the decision on the claim;
2	refer the claim to the Debt Management section who will decide whether to recover the overpaid days;
3	if appropriate take action to recover the overpaid days from the claimant;
4	include unrecovered days in the Cumulative Total, even though the days no longer form part of the Jobseeking Period;
5	if the claimant repays any of the overpaid days; <ul style="list-style-type: none"> • access dialogue JA035: Transfer to Clerical and transfer the claim to clerical; • reduce the Cumulative Total accordingly and note the revised Cumulative Total on form JSA14P;
6	if the claim is still live after the adjustment, rebuild the claim from clerical onto JSAPS by accessing dialogue JA086: Build from Clerical;
7	carry the Cumulative Total forward when the First Effective Date (FED) of a new claim still links with a previous Jobseeking Period, that is, normal linking rules still apply.

Unrecovered days outstanding

191. If any unrecovered days are outstanding and the claimant has no benefit entitlement to continue recovery, for example, claimant has ceased claiming:

Step	Action
1	record the decision on form JSA14A;
2	do not adjust the FED;
3	note form JSA14P clearly showing which days have been overpaid;
4	refer the claim to the Debt Management section to take recovery action.

Overpaid days recovered

192. If the claimant has no effective days of entitlement when the decision is made, for example, claimant has ceased claiming, but overpaid days have been recovered:

Step	Action
1	record the decision on form JSA14A;
2	cancel the last cum tot entry on form JSA14P and enter the number of days recovered and the new Cumulative total.

193. If the claim is continuous, all days are effective and recovery is continuing:

Step	Action
1	record the decision on form JSA14A;
2	if appropriate, amend the FED to the FED after the disallowance;
3	note form JSA14P that the claim was disallowed. If the waiting days need to be re-imposed, show the number of days required;
4	adjust the Cumulative total when all the overpaid days are recovered.

JSA(C) has exhausted

194. If JSA(C) has already exhausted at the start of a new claim no JSA(C) will be payable.

195. Either:

- continue to assess the claim for JSA(IB) if claimed; or
- disallow the JSA(C) claim and invite a claim for JSA(IB) by sending form JSA3.

Effect of claimant approaching minimum State Pension age

196. JSA(C) may not be payable for the 182 days if the claimant reaches minimum State Pension age (SPa) before the date their JSA(C) is due to exhaust.

197. Currently the minimum SPa for men is 65. SPa for women will increase in stages from age 60 to 65 between 2010 and 2020 (Note: Women over the age of 48 on 6 April 2007 are not affected by this change). To calculate the relevant date SPa for women see State Pension Age Calculator.

Terminal dates for claimant approaching State Pension age

198. JSA(C) is paid for up to 182 days but there are circumstances which may prevent this.

199. If the claimant is approaching minimum State Pension age (SPa) take the following action for clerical cases:

Step	Action
1	enter in red on form JSA14C a terminal date beyond which JSA(C) cannot be paid if: <ul style="list-style-type: none">• the claimant is male and aged 64, or female see State Pension Age Calculator for relevant date:

	<ul style="list-style-type: none"> ○ enter [R: Claimant to retire]; and ○ the date six weeks before the relevant SPa date. ● the claimant is within six weeks of reaching SPa: <ul style="list-style-type: none"> ○ enter [A: Claimant near SPa]; and ○ the date of the day before the claimant reaches 65 if they are male, or the date of the day before the relevant date if they are female (see State Pension Age Calculator for relevant date). ● there is a revised contribution record: <ul style="list-style-type: none"> ○ enter [RCR]; and ○ the date to which JSA(C) was paid on the previous record;
2	copy the amounts payable for one to seven days from the JSA Allowance Rates Deskaid and initial and date the end column;
3	when the terminal date approaches, re-rate the claim taking into account any revised contributions;
4	if the rate of benefit changes, complete a new form JSA14A.

Recording Cumulative Total information

200. Take this action to record Cumulative Total information:

- on system maintained claims;
- on clerically maintained claims.

System maintained claims

201. The system will calculate the balance due and set a case control for two weeks before the claimants JSA(C) ends.

202. Complete JSA14C section 3 with any relevant details regarding the cumulative total.

Clerically maintained claims

203. Complete the JSA14A, with any relevant details regarding the cumulative total at section 1A, or 1B. JSA14P should also be completed.

Entitlement conditions for JSA(C) not satisfied

204. If the claimant does not satisfy the First and Second Contribution Condition or the Cumulative Total has exhausted, the claimant will not be entitled to JSA(C).

205. If the claimant has:

- claimed JSA(IB) continue to assess entitlement to JSA(IB);
- not claimed JSA(IB) disallow the JSA(C) claim and invite a claim for JSA(IB) by sending form JSA3.

Role of International Pension Centre

206. International Pension Centre (IPC) makes decisions about:

- whether work and/or insurance paid in another country can be taken into account to enhance the claimant's United Kingdom contribution record:

- if the claimant states they have worked and/or paid insurance in another country, International Pension Centre should be contacted for a decision;
- they notify the JSA processing section of their decision using forms:
 - POD1307 when the claimant's UK contribution record can be enhanced by work and insurance paid abroad; or
 - POD1308 when the claimant's UK contribution record cannot be enhanced by work and/or insurance paid abroad.
- nationality:
 - where there is doubt if a claimant is a UK national.

Appendix 1 - Useful addresses

Inland Revenue National Insurance Contributions Office contact details:

- Inland Revenue National Insurance Contributions Office, Room 138C, Longbenton, Newcastle upon Tyne, NE98 1YX. Telephone number: 0845 302 1479. This is a Contact Centre number for the general public

International Pension Centre contact details

- Department for Work and Pensions, International Pension Centre, JBES, Room TC013, Tyneview Park, Whitley Road, Benton, Newcastle Upon Tyne, NE98 1BA. Telephone Number: 0191 218 7652;
- this number can be given to a claimant if they want to contact IPC themselves;
- never use the abbreviation IPC when speaking or writing to a claimant always use International Pension Centre.

Assessing Income

What is income?

1. Income is not defined by law. It can normally be separated from capital because a payment of income:
 - forms part of a series of payments, whether or not they are made regularly; or
 - is made for a period of time; or
 - satisfies both of the above.

What is 'income other than earnings'?

2. Income other than earnings covers all income **except**:
 - wages or final payments from an employer;
 - benefits;
 - tariff income;
 - earnings from self-employment.

What is notional income?

3. A person may be treated as having income that is actually not received. This type of income is known as notional income and it may take a number of different forms:
 - income the claimant or partner has deprived themselves of;
 - income the claimant or partner deprived themselves of for a previous claim to:
 - Income Support; or
 - Employment and Support Allowance,where the claimant or their partner is moving directly from that benefit on to JSA;
 - income available on application;
 - income due but not yet paid;
 - income for a member of the family paid to a third party;
 - income for a third party made to a member of the family;
 - income for a child or young person attending a boarding school.

4. Where a claimant may be entitled to but has not claimed income or a relevant benefit which would affect their entitlement to JSA, they must be advised to do so. If they refuse, then the income may be considered as a notional income provided it can be shown beyond doubt that the claim would have succeeded.
5. Notional income is calculated on the amount the claimant would get if they received the available income. This is converted into a weekly amount and treated in the same way as actual income, including the application of any appropriate disregards.

Types of income not to be treated as notional income available on application

6. Notional income available on application does not include:
 - income payable under a discretionary trust fund
 - income from a trust set up using money paid because of a personal injury
 - Income Support
 - Working Tax Credit

- Child Tax Credit
- payments from a personal pension, occupational pension, retirement annuity contract, or the Pension Protection Fund when the person is under the age at which they can get Pension Credit
- an award of damages for personal injury which is administered by the court
- a rehabilitation allowance made under specified legislation

See, Decision Makers Guide, Volume 5, Chapter 28 - Income other than earnings, 'Notional income' and 'Income available on application' and JSA Procedural Guidance chapter Current Work.

Income that affects JSA

JSA (C) claims

7. In a claim for JSA (C), only the income of the claimant should be considered.
8. The only income other than earnings that affects JSA (C) is the claimant's occupational or personal pension. This does not include any pension received as a result of the death of a partner.
9. When JSA(C) and JSA(IB) are both claimed input the Occupational Pension, received as the result of the death of a partner, in screen JA091015 'Other Income'. This will ensure JSA(C) is not affected.

JSA Joint claims

10. Income affects joint claims in the same way as JSA (IB) claims, however the following types of income do not apply to joint claims:
 - child maintenance payments (claimant/partner);
 - child maintenance payments (DWP);
 - Contribution to Maintenance Payments (DWP);
 - child's earnings income.

16-19 Bursary Fund

11. A new bursary scheme, the 16-19 Bursary Fund has replaced the Educational Maintenance Allowance (EMA) in England. EMA remains in Scotland and Wales. If the 16-19 Bursary Fund or EMA is paid to a claimant who is part of a Joint Claim then they must apply for an exemption. Payments from the 16-19 Bursary Fund/EMA are fully disregarded.
12. If the claimant or partner is receiving Child Benefit for a child/young person then a joint claim is not applicable.

JSA (IB) claims

13. In a claim for JSA (IB), consider the income of:
 - the claimant;
 - the partner;
 - all members of the household if the claimant or partner is married polygamously;
 - any child or young person who is part of the claimant's family, until responsibility for the child has been transferred to Her Majesty's Revenue and Customs (HMRC), under Child Tax Credit regulations.
14. All income is treated as income belonging to the claimant.

15. The incomes that affect JSA (IB) and their applicable disregards are outlined below:

Applicable disregards for JSA (IB)	Income
Fully disregarded	Educational Maintenance Allowance (Scotland)
	The 16-19 Bursary Fund
	Child Maintenance
	Gallantry awards
	Child Tax Credit
	Income in kind
	Fostering payments (excluding private arrangements)
	Higher Education Bursary for Care Leavers
	Teacher Repayment Loan Scheme
	Charitable payment - lump sum
	Charitable payment – regular See DMG Vol 5 Chapter 28350 onwards for details of the charitable payments that are fully disregarded.
	Direct Payments for Health Care
	Armed Forces Independent Payment (AFIP)
	Note: See also Health in Pregnancy Grant when disregarding capital
See, Decision Makers Guide, Volume 5, Chapter 28 (28306-28349) - Income fully disregarded.	
Partial disregard	Capital paid in instalments
	Creditor Insurance payments
	Income due but not yet paid
	Liable relative payments
	Mortgage Payment Protection Insurance payments
	Notional income
	Payments for jurors or witnesses <ul style="list-style-type: none"> • costs of travel, meals or Social Security contributions; • loss of earnings or benefits
	Payments of income to third parties
	Trust fund income
	Adoption allowances
	Career development loans
	National Socialist Persecution
	Personal injury award
	Child's earnings income
	Employers sick pay
	Iron and Steel Readaptation Benefit Scheme

	Boarders or sub tenants payments
See, Decision Makers Guide, Volume 5, Chapter 28 - Income with partial disregards	
Taken fully into account	Spousal maintenance
	Income from Annuities
	Concessionary coal and cash in lieu
	Local Authority payments
	Occupational pension
	Payments for attending court
	Personal pension
	Redundant Mineworker's Pension Scheme
	Working Tax Credit
	Working Tax Credit Run-On
	Civil list pension
See, Decision Makers Guide, Volume 5, Chapter 28 - Income taken fully into account	
Treat as voluntary payment	Payments from voluntary work
See, Decision Makers Guide, Volume 5, Chapter 28 - Charitable and voluntary payments	
Special rules apply to student income	Student income

Subletting

16. Subletting is when a claimant lets out part of their home to another person or people in return for rent. People living in the claimant's home under such arrangements are called 'subtenants'.
17. Where a claimant sublets part of the home to another person gather the following information:
- The name of the person who pays the rent
 - Who the rent is paid to
 - The amount of rent
 - The frequency of the rent payments
 - The date of the payment
 - Whether the money includes payment for heating or meals.
18. When the claimant provides the information:
- add together all payments made for the week by that subtenant and/or a member of the subtenants family, and
 - disregard
 - ~ £20.00 or
 - ~ the whole of the amount paid where the total is less than £20.00.
19. The disregard applies separately to each subtenant.
20. See DMG chapter 28 for more detailed guidance and examples.

Establish the amount and period of the payment

21. To calculate the amount of income to be taken into account:

Step	Action
1	establish the actual amount of the payment;

	<ul style="list-style-type: none"> take into account the gross amount of any income: <ul style="list-style-type: none"> when calculating gross income disregard tax actually paid, no further disregards should be made for other expenses or deductions;
2	establish the period for which the payment is made;
3	If the period for which a payment is made cannot be identified, the DM should determine the number of weeks over which a payment has to be taken into account. See DMG, Volume 5, Chapter 25 – No identifiable period.
4	establish the weekly income: <ul style="list-style-type: none"> if the payment is for a week or less the weekly amount will be the amount of the payment; if the payment is for more than a week convert the payment to a weekly amount; See, Decision Maker’s Guide, Volume 5, Chapter 25 - calculation of weekly amount
5	consider averaging the weekly income if the income varies: <ul style="list-style-type: none"> average the income over a period of 5 weeks or another period if this means a more accurate weekly amount can be calculated;
6	consider rounding any fractions: <ul style="list-style-type: none"> where the calculation results in a fraction of a penny, the amount should be rounded to a penny, either up or down, whichever is to the claimant’s advantage; if there is more than one calculation, each fraction should be rounded to the claimant’s advantage.

Board and Lodging

22. Board and Lodging (BL) is when a claimant provides accommodation within their home for a charge, this can be for more than one person and include some cooked or prepared meals.

23. Accommodation provided by a close relative or any other member of the family should not be treated as BL accommodation.

Income from Boarders

24. Where claimants provide BL accommodation within their home:

Step	Action
1	Add together all the payments made for BL for the week
2	Calculate how much BL income belongs to the claimant (i.e. if the claimant is in partnership only a share of the total payments will be the claimants)
3	Deduct £20 and
4	Deduct 50% of any excess over £20 for each person for whom BL is provided.

25. See DMG chapter 28 for more detailed guidance and examples.

What is attribution of income?

26. In a JSA assessment, attribution is the process of deciding the correct:

- period over which income is taken into account; and
- amount of income to take into account.

What is a disregard?

27. A disregard is a sum of money that is not taken into account when calculating a claimant's income.

28. Other income for JSA can be:

- taken fully into account;
- partially disregarded;
- fully disregarded.

29. The way income that is partially disregarded should be treated depends on the type of income. Full details for each type of income are shown in the Decision Makers Guide.

See, Decision Makers Guide, Volume 5, Chapter 28 - Income other than earnings

How to apply disregards

30. To apply a disregard, take the action applicable to the type of case being processed.

31. For system maintained cases:

Step	Action
1	access dialogue JA091: Maintain Claim Details;
2	input full weekly amount of payment in dialogue JA091015: Other Income;
3	JSAPS will apply the correct disregard automatically based on the income type code used.

32. For clerically maintained cases:

Step	Action
1	record the full weekly amount of the payment on the JSA14A;
2	note the correct disregard amount in the disregard column;
3	record net amount to be taken into account.

How to attribute income

33. Once any disregard has been applied to the income, the period for which the income is to be taken into account will need to be decided.

System maintained cases

34. For system maintained cases:

Step	Action
1	calculate the period of attribution clerically; Note: For attribution of student income see also: Changes to Attribution of loan income when a student abandons or is dismissed from their course
2	access dialogue JA091: Maintain Claim Details;
3	input full weekly amount in dialogue JA091015: Other Income
4	JSAPS will calculate any period of attribution once the correct dates have been input from the clerical calculation.

35. For clerical cases it is necessary to calculate the period of attribution.

Calculating the period of attribution clerically

36. To calculate the period over which any income is to be taken into account:

Step	Action
1	establish the claimant's date of claim;
2	establish the first day of the claimants benefit week; See, Decision Makers Guide, Volume 5 Chapter 25 - General Rules, Meaning of benefit week
3	establish the date that income is due to be paid; <ul style="list-style-type: none"> • correct attribution depends on the date the income is due to be paid, not the date it is paid. See, Decision Makers Guide, Volume 5, Chapter 25 - General Rules Date on which income is due to be paid Note: For student cases see also Changes to Attribution of loan income when a student abandons or is dismissed from their course
4	establish the day the income is treated as paid; <ul style="list-style-type: none"> • if income is due before the first day of the benefit week: <ul style="list-style-type: none"> • treat the income as being paid on the due date; • if the income is due on or after the first day of the benefit week: <ul style="list-style-type: none"> • treat the income as being paid on the first day of the benefit week in which it was due; See, Decision Makers Guide, Volume 5, Chapter 25 - General Rules Date on which income is treated as paid
5	establish either: <ul style="list-style-type: none"> • the period for which the payment is made; • the amount of: <ul style="list-style-type: none"> • JSA that would be payable without the income; and • any disregard would normally be made on the weekly amount of the income; See, Decision Makers Guide, Volume 5, Chapter 25 - General Rules Period for which payment is made
6	the amount of weekly income taken into account in a benefit week should be restricted where an income: <ul style="list-style-type: none"> • is or has been paid regularly; and • two payments from the same source and of the same kind would be taken into account in the same benefit week; See, Decision Makers Guide, Volume 5, Chapter 25 - General rules, Modifying the amount taken into account
7	record on form JSA14A, for the appropriate period of attribution, the: <ul style="list-style-type: none"> • weekly amount of the payment; • any applicable disregard; • the net amount of the payment.

Creditor insurance payments

37. Creditor insurance payments are disregarded for JSA (IB) provided the payment is made directly to the claimant and the amount received does not exceed the amount (calculated on a weekly basis) used for:

- repayment of the debt;
- any associated insurance premium.

38. When verification of the creditor insurance payment is received:

Step	Action
1	establish the weekly amount received;
2	calculate: <ul style="list-style-type: none">• the weekly amount used for allowable expenditure;• the repayment of the debt;• any associated insurance premium; Note: Actual expenditure must be verified.
3	calculate any excess income from the payment by deducting the allowed expenditure from the payment received;
4	if there is: <ul style="list-style-type: none">• no excess income apply a full disregard;• excess income apply a partial disregard equal to the amount of the allowed expenditure;
5	record information on: JSAPS or form JSA14A; dialogue JA110: Maintain Notepad or form A6, including calculation of weekly figure to be taken into account (if any).

See, Decision Makers Guide, Volume 5, Chapter 28 - Income with partial disregards.

Income from occupational/personal pensions

39. For JSA purposes the following incomes are treated as occupational/personal pensions:

- under personal pension scheme; or
- in connection with the ending of the person's employment under an occupational pension scheme or a public service pension scheme.

Occupational pension scheme

40. An occupational pension scheme is any scheme or arrangement that provides benefits payable on termination of service, death or retirement.

Public service pension scheme

41. A public service pension scheme is an occupational pension scheme that is established under legislation or with the government's approval.

42. Public service pension schemes may include pension schemes for:

- civil servants;
- local government employees;
- teachers;
- armed forces;
- police officers.

Personal pension scheme

43. Personal pensions are those:

- for employed earners;
- under a contract or trust scheme;
- for self employed earners.

Claimant has a court ordered deduction to an ex-partner from their Workplace Pension

44. Where an income is paid over to an ex-partner by means of the terms of a court order then that income is not treated as the income of the claimant. Any pension paid over to an ex-wife by means of court order is not treated as pension income belonging to the claimant and is ignored in the calculation of benefit. See DMG Volume 5 Chapter 28655.

Single Status Payments

What is a Single Status payment

45. A single status payment is a payment which is made to compensate a person for past pay inequalities.

Affect of Single Status payments on JSA

46. These payments are treated as earnings and are taken into account as income for the claimant and/or partner.
47. Any payment received is attributed from the first day of the benefit week in which it is due to be paid.
48. The period of attribution depends on each individual payment.
49. If the period can be identified take the payment into account for a period equal to the length of the period that the payment represents.
50. If the period in respect of the payment is unclear see DMG Volume 5 Chapter 25 to calculate the attribution period.

Drawdown Income

What is Drawdown Income

51. This is a facility that allows a person aged between 50 and 75 to defer the purchase of their pension from an Insurance Company. An income is drawn from the fund, and the remaining amount remains invested.
52. The maximum income that may be drawn is 120% of the pension that could have been purchased calculated using Government Actuary rates. There is no minimum. The claimant can take payments as and when they require.

Treatment of Drawdown Income

53. The payments are not the same as occupational or personal pension payments because, although they originate from a pension scheme, they are not periodical payments and would not affect payments of contributory Jobseekers Allowance JSA (C).
54. For JSA (IB) purposes they would be treated as Capital
55. If the claimant chooses to receive payments at regular intervals, i.e. monthly, quarterly then the payments are treated as an occupational or personal pension payment.
56. Until an annuity is purchased, the claimant is the owner of the funds and the value of the pension is treated as capital.

Verification received

57. When you receive verification, record the details on JSAPS. Entitlement to JSA(C) is not affected by the amount of capital a claimant or their partner/dependants have.
58. The remainder of the pension fund, once an annuity is purchased is treated as Income other than earnings and fully taken into account for JSA (IB) purposes.

Financial Assistance Scheme

59. Financial Assistance Scheme offers help to some people who have lost out on their defined benefit (final salary) occupational pension scheme because their scheme was under funded when it started to wind up. It is aimed at pension schemes that wound up between 1 Jan 1997 and 5 April 2005.

Pension Protection Fund

60. The Pension Protection Fund is a scheme set up to compensate members of eligible defined benefit (final salary) schemes whose employers have become insolvent leaving the pension scheme unable to meet its liabilities.

See, Decision Maker's Guide, Volume 4, Chapter 23 - Normal amount payable.

Treatment of occupational/personal pensions/Financial Assistance Scheme and Pension Protection Fund payments

61. Pensions affect JSA from the first day of the benefit week in which the payment is made.
62. If a claimant receives more than one pension, the total weekly amount is all the pensions added together.
- Note:** Pensions should be recorded individually on the system and weekly amounts calculated for individual pensions.
63. The way this type of income is treated depends on which components of JSA are applicable:
- JSA (C);
 - JSA (IB).

JSA (C) claimed

64. If the claimant is claiming JSA (C) and a pension exceeding £50 per week is payable, the amount of JSA (C) they receive is reduced by 1p for every 1p that the gross pension exceeds £50:
- pensions paid to the claimant for periods working abroad or for a foreign company affect the amount of JSA (C) payable, if the pension exceeds £50 per week;
 - if the pension is paid in other than United Kingdom (UK) currency, refer the claim to the Decision Maker to convert the amount into UK currency and calculate the weekly amount of the pension.
 - payments made under the Financial Assistance Scheme and Pension Protection Fund should be taken into account on JSA(C) from 6 April 2006.
65. The claimant's entitlement to JSA (C) is not affected by:
- pensions which were previously paid to their spouse(s);
 - pensions paid to their partner or dependants.

66. To record an occupational pension on JSAPS or clerically, consider whether the claimant has claimed:

- JSA (C) only;
- JSA (C) and JSA (IB).

JSA (IB) claimed

67. If the claimant has claimed JSA (IB) and a pension is payable to themselves and or their partner, reduce the amount of JSA (IB) by the net pension amount:

- the net pension amount is the amount of pension after deductions for tax;
- in a polygamous marriage, if the claimant has more than one partner receiving a pension, only enter the details of the first partner. Treat any pensions received by any other members of the household as other income.

68. To record occupational pension on JSAPS or clerically, consider whether the claimant has claimed:

- JSA (IB) only;
- JSA (C) and JSA (IB).

Recording occupational pensions on JSA (C) case

69. To record occupational pensions for system cases:

Step	Action
1	access dialogue JA091: Maintain Claim Details;
2	in screen JA091008: Occupational/Personal Pension Details;
3	input the gross amount of the claimant's pension in the Person No. 1 field.

70. To record occupational pensions for clerical cases:

Step	Action
1	assess the claim using the JSA14A entering the pension details as income;
2	if the claimant's pension exceeds £50 per week, deduct 1p from the amount of JSA (C) payable for every 1p over £50 that the claimant receives from the pension;
3	if JSA (C) is extinguished consider inviting a claim for JSA (IB).

Recording occupational pensions on cases for JSA (C) and JSA (IB)

71. To record occupational pensions for system cases:

Step	Action
1	access dialogue JA091: Maintain Claim Details;
2	in screen JA091008: Occupational/Personal Pension Details;
3	input the gross and the net amount of the claimant's pension in the Person No. 1 field input the gross and the net amount of the partner's pension in the Person No. 2 field.

72. To record occupational pensions for clerical cases:

Step	Action
1	assess the claim using the JSA14A entering the pension details

	as income;
2	if the claimant's pension exceeds £50 per week, deduct 1p from the amount of JSA (C) payable for every 1p over £50 that the claimant receives from the pension;
3	any residual pension, including the £50 disregarded in the above JSA (C) calculation, should have deducted 1p from the amount of JSA (IB) payable for every 1p residual pension;
4	if the pension is in payment to the partner the full amount of the pension is taken into account against JSA (IB) only, at 1p of pension per 1p of JSA (IB);
5	pension may extinguish JSA (C) and/or JSA (IB).

Recording occupational pensions on cases for JSA (IB) cases

73. To record occupational pensions for system cases:

Step	Action
1	access dialogue JA091: Maintain Claim Details;
2	in screen JA091008: Occupational/Personal Pension Details;
3	input the gross and the net amount of the claimant's pension in the Person No. 1 field input the gross and the net amount of the partner's pension in the Person No. 2 field.

74. To record occupational pensions for clerical cases:

Step	Action
1	assess the claim using the JSA14A entering the pension details as income;
2	the claimant's/partner's pension should be deducted at 1p from the amount of JSA (IB) payable for every 1p of the pension;
3	pension may extinguish JSA (IB).

Income from personal injury awards

75. The way income that is derived from a personal injury is treated depends on how the income is received.

Income from a Personal Injury Trust Fund

76. All payments of income received from trusts whose funds are derived from a personal injury award, will be fully disregarded unless the payment or part of the payment is intended and used for any of the following items:

- food, ordinary clothing or footwear, household fuel;
- rent covered by Housing Benefit;
- housing costs covered by benefit;
- care home fees met by benefit under community care arrangements;
- Council Tax or water charges for which the claimant or a member of their family is liable.

77. If the payment or part of the payment is intended and used for any of the listed items, it is given a £20 disregard. The disregard is, however, subject to the over-riding £20 disregard maximum.

Income from structured settlements

78. A structured settlement can include a lump sum and an annuity:

- the lump sum will be treated as capital, the same as any other lump sum;
- the annuity will be treated in the same way as income from a Personal Injury Trust Fund.

Income in Court of Protection cases

79. The income received from an award held under the control of the court is treated as capital.

Income from Armed Forces Compensation Scheme (AFCS)

80. The Ministry of Defence (MoD) introduced the Armed Forces and Reserve Forces Compensation Scheme (AFCS) on 6 April 2005 for those who have suffered injuries, ill health or death due to service in the Armed or Reserve Forces **on or after 6 April 2005**.

Note: The AFCS runs in parallel with the War Pensions Scheme (WPS) which remains in place for existing beneficiaries of the scheme and for new claims where the cause of injury, illness or death is due to service **before 6 April 2005**.

Types of AFCS payments

81. Payments made under the AFCS fall into two categories:

- Lump Sum payments; and
- Regular Income Payments

Treatment of Lump Sum Payments

82. All lump sum payments made as a consequence of personal injury are automatically disregarded as capital for a maximum of 52 weeks across the Income Related Benefits from the date of receipt. This allows those awarded a lump sum PI payment time to decide what is best to do with the money to secure their long term future. Following the 52 week period if the claimant chooses to put the lump sum into a PI Trust Fund then the lump sum will continue to be disregarded as capital and any income derived from the trust should also be disregarded in full.

Treatment of Regular Income payments – JSA(C) claimed

83. For JSA(C) claimants, treat income received from the AFCS as an occupational pension, applying the standard £50 disregard.

84. See Recording Occupational Pension on a JSA(C) case, for instructions on inputting pension payments to JSAPS.

Treatment of Regular Income Payments – JSA(IB) claimed

In addition to a lump sum payment the claimant may get any of the following:

- **AFCS Guaranteed Income Payment (AFCS GIP)**. This is a tax free annual award paid monthly to ex-service personnel. This payment attracts a £10 disregard for JSA(IB) purposes.
- **AFCS Survivor's Guaranteed Income Payment (AFCS SGIP)**. A taxable annual award paid monthly to a surviving spouse, partner or civil partner. Each SGIP attracts a £10 disregard for JSA(IB).
- **AFCS Child's Payment (AFCS CP)**. A taxable annual award paid monthly for the child/children of the deceased service person. It is paid to the surviving parent or guardian until the child reaches age 18. This payment only affects existing claims which include the child/children for whom the Child's Payment is payable and does not attract a disregard.

Note: It is possible for all three types of regular payments to be in payment at the same time. AFCS GIP and AFCS SGIP attract a separate £10 disregard. These disregards count towards the overriding £20 limit to disregards. See DMG Volume 5 Chapter 28 paras 28150 and 28151.

Recording AFCS payments on JSAPS – JSA(IB)

85. See Assessing Income in the Jobseekers Allowance Procedural Guidance for instructions on how to input AFCS payments onto JSAPS.

Armed Forces Independent Payment (AFIP)

86. Armed Forces Independent Payment (AFIP) is not a DWP benefit however, DWP will be responsible for payment and ongoing maintenance.

87. Service Personnel and Veterans Agency (SPVA) will identify any potential AFIP claimants and invite any claims.

88. AFIP is a non taxable, non means tested and is fully disregarded for JSA purposes. See Assessing other Benefits for further information.

Teacher Repayment Loan Scheme

89. Any income that is paid by the Department for Innovation, Universities and Skills (DIUS) directly to claimants in relation to the Teacher Repayment Loan Scheme should be fully disregarded.

Working Tax Credit

90. Working Tax Credit (WTC) is a payment for people who are working at least 16 hours a week and on a low income. WTC is paid by HM Revenue & Customs (HMRC) directly into a bank or building society account.

91. JSA and WTC are not normally paid to the same family at the same time. The main exception to this is during the WTC run-on period: when WTC is paid for 28 days following cessation of work (or reduction in hours to under 16 hours a week).

92. WTC is taken fully into account in the JSA assessment, except for the child care element which is disregarded. WTC which is paid incorrectly (after HMRC have been informed of the relevant change) is also disregarded.

93. Further information about eligibility to WTC, how it is calculated and how it is paid can be found in the Tax Credits guidance.

Who deals with WTC

94. HMRC are responsible for Tax Credits. A Tax Credit Helpline number is available to both customers and Jobcentre Plus staff for general HM Revenue & Customs (HMRC) tax credit enquiries. Please see the Tax Credit guidance. for details of the telephony opening times and the numbers to use.

The WTC run on

95. An award of WTC continues for a further 28 days from the day after the claimant's work ends or their hours are reduced to below the 16 hour minimum for WTC.

96. WTC details including the amount and the end date can be obtained by viewing the claimant details on the Customer Information System (CIS).

How is WTC calculated?

97. WTC is calculated and awarded at a **daily** rate, the calculated daily amount of WTC is downloaded onto JSAPS.

98. There can be different elements to each WTC award, for example basic, couple and/or disability elements. See Tax Credit Guidance, Eligibility and Entitlement, Working Tax Credit.
99. Each individual element is calculated at an annual rate, then divided by either 365 days or 366 days, for a leap year, to give the daily rate.
100. If the claimant claims WTC part-way through a tax year, the part year award is divided by the number of days from the date of award to the end of the tax year. This results in the daily rate payable.
101. Each individual element is calculated separately to get a daily rate and the elements are then added together to give the total daily rate.

How WTC affects JSA

102. If a claimant is receiving WTC, in most cases they are not entitled to JSA as they are in remunerative work (working at least 16 hours per week).
103. It is possible for households to be entitled to both JSA and WTC where:
 - a partner works between 16 and 24 hours per week and they have no children. See WTC eligibility for couples with children.
 - the claimant/partner is no longer attending their work, but is still treated as in Qualifying Remunerative Work (QRW), for WTC purposes, for up to 28 weeks. Tax Credit Guidance, Special Circumstances, Qualifying Remunerative Work
 - the claimant or partner has stopped work but is receiving WTC during the 28 day run-on period.
104. If WTC is in payment to a JSA claimant or their partner, take it fully into account.

Attribution of WTC: New and repeat claims

105. If a claimant makes a new or repeat claim to JSA and them or their partner continue to receive WTC, take WTC into account in the same way as any other income. WTC payments are due to be paid each week throughout the WTC award period.
106. Obtain WTC details by viewing the claimant's records on the Customer Information System (CIS). CIS displays the net amount of WTC paid to the claimant and if appropriate the end date for WTC.
107. Do **not** take account of any WTC incorrectly paid. Treat WTC as incorrectly paid if:
 - HMRC have been notified of the change, and
 - payments of WTC have been paid for a period more than 28 days after the claimant or partner finished work.
108. HMRC are responsible for recovering any overpayments of WTC.
109. If WTC is in payment when JSA is claimed, take it into account from the first day of the claimants first benefit week (notional benefit week). If WTC is ending take it into account to the end of the JSA benefit week in which the WTC end date falls.

110. Example 1

Claimant in receipt of WTC finishes work Friday 22 April 2011 and claims JSA Monday 25 April 2011.

His BWE day is Wednesday.

His WTC award will continue up to 20 May 2011 (28 days after stopping work).

Take WTC into account from the first day of the claimant's first benefit week i.e. from 21 April 2011 (notional benefit week).

Take WTC into account up to the end of the benefit week in which the WTC award ends. This will be 25 May 2011, however for the last week 19-25 May only 2 days of WTC should be taken into account (19 & 20 May).

Input 2days WTC in the total received screen and change the code to **2 (weekly)** do not complete the account amount.

111. **Example 2**

Claimant in receipt of WTC finishes work Wednesday 13 April 2011 and claims JSA Thursday 14 April 2011.

His BWE day is Tuesday.

His WTC award will continue up to 11 May 2011 (28 days after stopping work).

Take WTC into account from the first day of the claimant's first benefit week i.e. from 13 April 2011 (notional benefit week).

Take WTC into account up to the end of the benefit week in which the WTC award ends. This will be 17 May 2011, however for the last week 11-17 May only 1 day of WTC should be taken into account (11 May).

Input 1 day WTC in the total received screen and change the code to **2 (weekly)** do not complete the account amount.

112. If WTC continues to be paid beyond the last day of employment, as the claimant is classed as being in Qualifying Remunerative Work continue to take it into account until the end of the WTC award.

Attribution of WTC when JSA is already in payment

113. If WTC is awarded during a JSA award, for example, when a partner starts work between 16 and 24 hours per week, it must be taken into account in the benefit week in which the start date of WTC falls. WTC will be awarded from the date the person starts work so there could be a period of fewer than 7 days WTC to take into account in that first benefit week.

114. If WTC is ending take it into account to the end of the JSA benefit week in which the WTC end date falls. The end of the award may also result in odd days of WTC being taken into account.

115. JSAPS may not correctly attribute WTC automatically where odd days of WTC fall to be taken into account at the end of a WTC award. You need to manually calculate and input it as follows:

Step	Action
1	Work out the BWE immediately preceding the WTC end date.
2	In dialogue JA091: Maintain Claim Details record the change of circumstances, the date of change will be the day after that calculated at step 1.
3	Go to the other income screen input an end date against WTC, other income type 60, this will be the date calculated at step 1.
4	Multiply the daily rate of WTC by the number of days that fall to be taken into account in the next JSA benefit week.
5	On a new line re-input WTC: The amount entered will be that calculated at step 4 The periodicity code must be "2" for weekly

	<p>The start date will be the first day of the benefit week that the WTC end date falls in. This will also be the same date as used for the change of circumstance at step 2.</p> <p>The end date will be the last day of the benefit week that the WTC end date fall in.</p>
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Recovery of WTC overpayments

116. Arrears of JSA **must not** be paid to the claimant where HMRC recover WTC which has been overpaid. The rules of supersession do not allow this, even though the WTC has been taken into account in the JSA award.

Action to take on JSA new claims

Claimant not in receipt of WTC

117. When a claimant claims JSA, advise them, if they have not already done so, to:

- claim WTC, if their partner is working, on average, between 16-24 hours per week and they have no children.
- claim CTC, if they are responsible for a child.

Claimant in receipt of WTC

Action by Contact Centre

118. When a claimant makes a new or repeat claim to JSA and they or their partner have:

- previously been in employment, and
- received WTC, and
- now ended that employment,

the Customer Service (CS) Agent at the Contact Centre will:

advise the claimant that Jobcentre Plus will inform HMRC of the job end date, removing the option for the claimant to do so themselves

- send a GSI secure email to the HMRC shared inbox giving the claimants details
- annotate CMS case notes that HMRC have been notified of the employment end date (or date hours worked reduced to below 16 hours per week)

Action by HMRC

119. HMRC helpline will

- refer the case to the tax credit office (TCO) who will end the tax credit award 28 days from the date the claimant finished work (or reduced their hours to below 16 per week)

Action by Benefit Delivery Centre

120. When the claim is received for preview at the Benefit Centre (BC) you must:

- check CMS case notes to ensure the job end date has been notified to the HMRC shared in box via a GSI secure email. If there is no record of this, contact HMRC immediately sending a GSI secure email to the shared inbox to report the change. Make a note of the action in dialogue JA110: Maintain Notepad.
- check CIS and make a note of the WTC award details on the claim preparation checklist

- assess the claim using the information on CMS and details of the WTC award obtained from CIS.

Advance claims

121. An advance claim for JSA can be considered where the claimant does not qualify for benefit on the date of claim but, unless there is a change of circumstance, it is clear that the claimant will become entitled within three months of the date of claim.

122. Therefore, you can treat a claim as an advance claim if:

- the claimant is not entitled to JSA on the date of claim because of the amount of WTC in payment
- you have clear information from HMRC about when the WTC award will end.

How to input WTC on an JSA new claim when WTC is in payment

123. In JSA system maintained cases:

Step	Action
1	Access dialogue JA091: Maintain Claim Details and process the application in the normal way, subject to conditions of entitlement and Evidence Requirements being met.
2	Access OTHER INCOME screen: input income code 60 in the Type field input the customer/partner (01 or 02) who receives WTC in the For field in Total Rec'd field input the daily amount of WTC that has been awarded (phone Tax Credit Helpline or access CIS) input V in the Verification field leave Account Amount field BLANK input 1 in the Period field in the D'Start field input WTC from the first day of the claimant's first benefit week (notional benefit week) leave the D' End field blank if the WTC is paid to the partner and is to continue or record the WTC run-on where odd days of WTC fall to be taken into account.
3	Enter dialogue JA200: Award and Decision summary dialogue JA405: Compute Payment to adjudicate and decide on the claim.

124. In clerical cases:

Step	Action
1	Complete the Date Last Paid box on the form JSA14 panel.
2	Complete from JSA14 Assessment Panel with current assessment details. When recording current WTC details in Part 12: Income, you will need to convert the daily amount of WTC to a weekly figure.
3	Input the first day of the claimant first JSA week (notional benefit week)
4	Complete the remainder of the form JSA14 as per current procedures.
5	Complete the Notes panel on the Payment Panel on form JSA14 to record WTC details.

Interfaces between JSA and WTC

The Tax Credits Gateway

125. The Tax Credit Gateway is the IT system interface that automatically transfers data between the JSAPS and the HMRC system.
126. The Tax Credit Gateway passes:
 - WTC award information from HMRC to JSAPS
 - details of JSA in payment, to HMRC.
127. The Tax Credit Gateway does **not** pass any change of circumstances information from JSAPS to HMRC, for example, change of address or new child joining the assessment.
128. The award information from HMRC automatically populates the OTHER INCOME screen in JSAPS.
129. When the WTC award amount has been downloaded to JSAPS, a case control is set in dialogue JA530: Case Controls and a Work Available Report (WAR) JA72539 is produced. The report is produced, every day, in the Benefit Delivery Centre.

How to action WTC changes which affect JSA

130. Tax Credit transactions are received by the JSAPS, daily, via the Tax Credits Gateway. They appear on Work Available Report (WAR) JA72539.
131. Tax Credit WARs are printed off daily within each BDC, for action by the JSA team.
132. Tax credits must be taken into account in the JSA benefit week in which the WTC start date falls.
133. Tax Credits are may be downloaded with a start date the same as the JSA benefit week commencing date. If the start date is not a JSA benefit week commencing date you must **not** alter the start date. This will ensure that only the days of WTC that fall within that first JSA benefit week are taken into account.
134. You must not end downloaded WTC evidence. Tax Credit will download end dates through the Gateway.
135. For those cases identified on the WAR, which have downloaded, take the following action:

Step	Action
1	Access dialogue JA501: Claim Details Enquiry. Confirm that the amount and date of WTC have downloaded, in the other income screen and that the code in the Type field is 60.
2	Access dialogue JA091: Maintain Claim Details. Input the date of change in the PICKLIST screen as the date of award/change/end on JA72539.
3	Press F24 and access the OTHER INCOME screen.
4	Press Enter and adjudicate/pay through dialogue JA200: Award and Decision summary and dialogue JA405: Compute Payment.

136. Once the WTC award has downloaded to the OTHER INCOME screen, do not permanently delete the information. If the download is permanently deleted this would result in an overpayment of JSA.
137. Until the entry on RIS40331 is cleared, a case control remains in dialogue dialogue JA530: Case Controls. While the case control is set, you must not action any further changes of circumstance in dialogue JA091:

Maintain Claim Details, until you have taken action on the outstanding tax credit change of circumstance data.

138. If the WAR is not cleared, an entry will be generated on a further WAR after 7 days and on a Work Overdue Report (WOR) after a further 7 days.

Note: It is important that the correct action is taken to clear WARs and WORs on a daily basis to prevent overpayments of JSA.

139. Where the award has not downloaded, but has appeared on the WAR:

Step	Action
1	Confirm in CIS that the claimant has been awarded WTC.
2	Record the details of the WTC award dialogue JA091: Maintain Claim Details, The date of change will be the WTC start date on the WAR .
3	Go to OTHER INCOME screen In the Type field input other income code 60 .
4	In the For field input code for the claimant/partner who is named on the WAR either 01 or 02 .
5	In Total Rec'd field input the daily amount of WTC that has been awarded as shown on the WAR.
6	Input V in the Verification field.
7	Leave Account Amount field BLANK.
8	Input 1 (daily) in the Period field.
9	Input the date of the WTC award from the WAR in the D'Start field
10	Leave D' End field BLANK.
11	Enter into dialogue JA200: Award and Decision summary and dialogue JA405: Compute Payment to adjudicate and decide on the claim.

140. For changes of circumstances in clerically maintained cases:

Step	Action
1	Complete form A14 Assessment Panel
2	Enter WTC in part 12 income. You will need to convert the daily amount to a weekly figure, or in the case where only odd days overlap in the first benefit week multiply the daily rate by number of days.
3	Complete the remainder of the form A14 as per current procedures. The date of change will be the WTC start date from the WAR, the effective date will be the first day of the benefit week in which the WTC start date falls.
4	Complete the Notes panel on the Payment Panel on form A14 to record WTC details.
5	A further A14 will be needed if you have taken less than 7 days WTC into account in the first benefit week.

JSA claimant starts work, but does not notify the change

141. If JSA receive a transaction, through the Gateway, stating WTC has been awarded, but the claimant has not notified JSA of this change:

Step	Action
1	Phone Tax Credit Helpline to confirm the date employment started for the claimant or partner, who the employer is and how many hours are worked.

2	Accept the WTC award transaction, from the date on the report JA72539, in dialogue JA91: Change of circumstances.
3	Return to the PICKLIST and input the date of change as the date employment started .
4	If the partner is working between 16 and 24 hours, suspend the JSA claim and write to claimant to request the partner's wage slips.
5	Refer the case to Fraud Investigation Service (FIS), if applicable. To refer the case to FIS, the Fraud Referral icon, located on the Windows desktop, should be completed.
6	Set a case control in dialogue JA530: Case Controls to refer for Overpayment action, if FIS have no interest in the case.
7	Input notes in dialogue JA110: Maintain Notepad.

Reporting JSA changes of circumstances to Tax Credits

142. Report all JSA changes of circumstances which affect WTC to the Tax Credits Helpline.
143. The only cases in which a fast track proforma is to be issued with the TC600 claim form is when an existing JSA claimant, in receipt of WTC (partner working between 16 and 24 hours a week), report a first child joining the household. See Tax Credit Guidance, Appendix 44, Fast Track Proforma
144. In all other cases, staff must use the Staff Priority Helpline number. The Helpline operator will need the claimant's name, NINO and details of the change. The Helpline operator should always ask JCP callers if the claimant is present. If the claimant is not present the Helpline operator can proceed with the call provided they are satisfied that the caller is genuine (on secure staff priority line) and they pass the verification checks.
145. By reporting fast track changes of circumstance to the Helpline, the change is put straight onto the Core system by Helpline Operators.
146. If the claimant wishes to report the change of circumstance themselves they must use the Tax Credits Helpline number – 0845 300 3900.
147. Any Fast Track changes of circumstance, where claimant is going from JSA into work, which are not processed within the 7-day target should be followed up with the Tax Credits Helpline, who will liaise with the Fast Track Teams to resolve.

Changes to Income Decrease from 06/04/12

148. Tax Credit awards are based on the Household income of the previous year. Customers are told to report changes of income and currently, any reductions in income prompt a reassessment of the customer's tax credits award.
149. From 06 April 2012, if the customer's income decreases by up to £2,500, this amount will be disregarded and the tax credits award amount will stay the same. If the income falls by more than £2,500, the additional amount beyond the £2,500 disregard will be taken into consideration.
150. The new income figure will then be used in the new tax credit award at the start of the next tax year.

Further information on April 2012 changes

151. Further details with examples can be found at <http://www.hmrc.gov.uk/taxcreditsbudget/index.htm>

Error and Warning messages

152. Tax Credit Guidance, Errors and warnings lists some common messages.

Sensitive/secure tax credit cases

153. Special action needs to be taken if system access to a particular case is denied, because the record is classed as secure by HMRC. For information on the action to be taken see Tax Credit Guidance, Sensitive/Secure Cases.

Assessing Other Benefits

How claimant's other benefits affects JSA (C)

1. If the claimant is claiming JSA (C) the benefits and allowances that are paid with other benefits, affect the amount of JSA. How they affect it is shown below:

Benefits taken fully into account	Benefits that overlap with JSA (C)
War Widow's/Widower's Pension (WWP). If the WWP credits were used to satisfy conditions for JSA (C). Widows benefits Bereavement benefits	An incapacity benefit Employment Support Allowance (ESA) Carer's Allowance Unemployability Supplement paid with Industrial Injuries Disablement Benefit Unemployability Supplement paid with War Disablement Pension

2. An incapacity benefit or ESA cannot be paid with JSA (C) as claimant cannot satisfy the conditions for both benefits. If it has ceased but was paid after the claimants first day of entitlement to JSA it is treated as an overlapping benefit.

Take benefits fully taken into account for JSA (C)

3. The action to take the other benefit fully into account depends if the claimant is in receipt of:

- a widows benefit;
- a bereavement benefit;
- War Widow's/Widower's Pension.

Benefits that overlap with JSA (C)

4. If there is an instance when both benefits are paid for the same period, they are treated as overlapping benefits. The action to take is different depending if the benefit in payment is:

- an incapacity benefit;
- Employment Support Allowance;
- War Disablement Pension. This is disregarded but the Unemployability Supplement if paid, is treated as an overlapping benefit;
- Industrial Injuries Disablement Pension. This is disregarded but the Unemployability Supplement if paid, is treated as an overlapping benefit;
- Carer's Allowance.

Claimant's benefits that are fully disregarded for JSA (C)

5. If the claimant is in receipt of JSA (C) the following benefits, and the allowances that can be paid with other benefits are fully disregarded:

- Disability Living Allowance;
- Personal Independence Payment;
- Industrial Injuries Disablement Benefit;
- Pension Credit;

- War Disablement Pension;
- War Widow's/Widower's Pension;
- Supplementary Pensions and Ministry of Defence Special Payments that can be paid with WWP.
- Armed Forces Independent Payment

Partner's benefits that are incompatible with JSA (IB)

6. Other benefits that are incompatible with JSA (IB):

Benefit	Impact on Jobseeker's Allowance
Pension Credit (PC)	If the claimant's partner is in receipt of PC this is incompatible with JSA (IB) and one of the benefits must be terminated.
Income Support (IS)	If the claimant's partner is in receipt of IS this is incompatible with JSA (IB) and one of the benefits must be terminated.
Employment Support Allowance (IR) ESA (IR)	If the claimant's partner is in receipt of ESA (IR) this is incompatible with JSA (IB) and one of the benefits must be terminated.

Partner's incompatible benefit is in payment

7. Pension Credit and Income Support are not compatible with JSA (IB) and as such cannot be paid for the same period. JSAPS will display a warning message in dialogue JA091: Maintain Claim Details and the message W5217: 'Warning: Incompatible benefit. End IS or PC, or remove partner or terminate claim', depending on the claimants circumstances, to prompt action to:

- complete a better off calculation between JSA (IB) and Pension Credit or Income Support; and
- terminate either the incompatible benefit or JSA (IB).

Partner claiming ESA (IR)

8. Employment Support Allowance (IR) is not compatible with JSA (IB) and as such cannot be paid for the same period, one of the benefits must be terminated.

9. When attempting to add a partner in dialogue JA091005 'about partner' screen, and there is a Live ESA claim for the partner then '**E3476 Error: Partner has current ESA interest**' will display. See overlap of ESA (IR)

Pension Credit

10. The age that a person qualifies for pension credit is the same for both men and women. Between 2010 and 2020, the minimum age that men and women can claim Pension Credit will rise from 60 to 65 in line with changes to women's State Pension age. For the relevant dates see: State Pension Age Calculator.

11. Pension Credit provides a guaranteed income for the poorest claimants and a reward for those with modest savings or second incomes.

12. There are two components:

- guarantee credit payable from the qualifying age for Pension Credit;

- savings credit payable from age 65.

A claimant can receive one or both components.

Income Support

13. Income Support (IS) is a means tested benefit payable for people under Pension Credit age on a low income and have no more than £16 000 in savings.

14. To be eligible to claim IS claimants must satisfy several basic conditions of entitlement.

Employment Support Allowance

15. Employment Support Allowance is an integrated, contributory and income-related allowance.

16. For new claimants from 27th October 2008, ESA replaces Incapacity benefit (IB) and Income Support (IS) paid on the grounds of Incapacity.

17. ESA conditions of entitlement are detailed in full in the Decision makers Guide (DMG).

18. A claimant cannot claim JSA and ESA, as they cannot satisfy the conditions to receive JSA and ESA at the same time.

19. The partner of a claimant receiving JSA (IB) may receive ESA (C), but not ESA (IR).

20. If the partner is in receipt of ESA (C), the ESA (C) claim should be maintained clerically and any payments of ESA (C) should be taken fully into account on the claimants JSA (IB) claim.

Benefits and their affect on JSA (IB)

21. If the claimant is in receipt of JSA (IB), any additional benefits and allowances that can be paid with benefits, are either:

- fully disregarded;
- fully taken into account;
- partially disregarded; or
- treated differently, if paid by an employer.

Benefits fully disregarded for JSA (IB)

22. The following benefits are fully disregarded for JSA (IB):

- Attendance Allowance;
- Constant Attendance Allowance;
- Exceptionally Severe Disablement Allowance;
- Disability Living Allowance;
- Personal Independence payments and;
- allowances paid with War Disablement Benefit
- Armed Forces Independent Payment

Benefits fully taken into account for JSA (IB)

23. The following benefits are fully taken into account for JSA (IB):

- an incapacity benefit if paid to the partner;
- Employment Support Allowance (C)

- Widows Pension;
- Bereavement Payment;
- Bereavement Allowance;
- Carer's Allowance;
- Industrial Injuries Disablement Benefit;
- Retirement Pension if paid to the partner;
- allowances paid with War Disablement Benefit;
- War Disablement Pension; and
- JSA (C).

Benefits partially disregarded for JSA (IB)

24. The following benefits are partially disregarded for JSA (IB):

- Widowed Mother's Allowance;
- Widowed Parent's Allowance;
- War Widow's/Widower's Pension;
- War Disablement Benefit; and
- Treatment allowance.

How statutory benefits affect JSA

25. Statutory benefits that are paid by an employer are to be treated as income other than earnings.

26. The following amounts are to be disregarded:

- any amount deducted by way of primary class 1 contributions;
- one half of any sum paid by way of a contribution towards an occupational or personal pension scheme.

See, Decision Makers Guide, Volume 5, Chapter 28, Income other than earnings

Attribution

27. Attribution is the process of deciding the correct:

- period over which the other benefit is taken into account; and
- amount of the other benefit to take into account.

How to calculate attribution

28. Once any disregard has been applied to the other benefit, decide clerically the period for which the other benefit is to be taken into account.

29. To calculate the period over which any other benefit is to be taken into account, take the following action:

Step	Action
1	establish the claimant's date of claim;
2	establish the first day of the claimants benefit week;
3	establish the date that the other benefit is due to be paid. Correct attribution depends on the date the other benefit is due to be paid, not the date it is paid;
4	establish the day the other benefit is treated as paid: <ul style="list-style-type: none"> • if the benefit is due before the first day of the benefit week, treat the benefit as being paid on the due date;

	<ul style="list-style-type: none"> • if the benefit is due on or after the first day of the benefit week, treat the benefit as being paid on the first day of the benefit week in which it was due;
5	<p>establish either:</p> <ul style="list-style-type: none"> • the period for which the payment is made; or • the amount of: <ul style="list-style-type: none"> ◦ JSA that would be payable without the other benefit; and ◦ any disregard you would normally make on the weekly amount of the benefit;
6	<p>record on form A6 the:</p> <ul style="list-style-type: none"> • appropriate period of attribution; • weekly amount of the payment; • applicable disregard; • net amount of the payment.

30. Special rules apply when taking into account:

- JSA (C);
- Income Support;
- Maternity Allowance;
- Incapacity Benefit
- ESA (C)
- Severe Disablement Allowance.

31. When taking these benefits into account, treat each day's benefit as:

- a separate payment, for example, sevenths of the weekly income; and
- paid on the day for which it is paid.

See, Decision Makers Guide, Volume 5, Chapter 25.

Fully disregard the other benefit for JSA (IB)

32. If the partner has claimed or is in receipt of:

- Constant Attendance Allowance;
- Exceptionally Severe Disablement Allowance;
- Attendance Allowance the action to disregard is different, if it is:
 - claimed but the decision is still outstanding;
 - in payment.

33. If the claimant or partner has claimed or is in receipt of Disability Living Allowance, the action to disregard is different, if it is:

- claimed but the decision is still outstanding;
- in payment.

Fully take into account the other benefit for JSA (IB)

34. The action to take the other benefits fully into account depends if claimant or partner is in receipt of:

- an incapacity benefit;
- Employment Support Allowance;
- Widow's Pension;
- Bereavement Benefit;
- Carer's Allowance;
- Industrial Injuries Disablement Benefit;
- Retirement Pension;

- War Disablement Pension; or
- JSA (C).

Partially disregard the other benefit for JSA (IB)

35. The action to take to partially disregard the other benefits depends on whether the claimant or partner is in receipt of:

- Widowed Mother's Allowance;
- Widowed Parent's Allowance;
- War Widow's/Widower's Pension;
- War Disablement Benefit; or
- Treatment allowance.

Attendance Allowance

36. Attendance Allowance (AA) is paid to people:

- who need help with their personal care;
- whose need for personal care arose after their 65th birthday;
- who are terminally ill.

37. The AA award may be for:

- a limited period;
- life.

38. A JSA claimant cannot qualify for AA. This is because one of the qualifying conditions for AA is that the person must be at least 65 years old when their illness or disability started and JSA is only payable up to the day before the relevant State Pension age for women (see State Pension Age Calculator), and age 65 for men.

Note: for **women** SPa will increase in stages from 60 to 65 between 2010 and 2020. Women over the age of 48 on 6 April 2007 are not be affected by this change.

39. However, if the claimant's partner is aged over 65, they can claim or receive AA. If the claimant's partner receives AA, it does not affect the claimant's JSA (C) and should be fully disregarded for JSA (IB).

40. Payment is made either by weekly order book or Direct Payment (DP), every four weeks.

Attendance Allowance claimed and decision outstanding

41. If a claimant's partner claims Attendance Allowance (AA) but it has not yet been awarded:

Step	Action
1	if there is no DCI broadcast, use DCI to confirm the partner has claimed AA;
2	complete form C73T for the claimant's partner;
3	send the completed form C73T to Disability Benefits Centre;
4	for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020; Other Benefits and input code: <ul style="list-style-type: none"> • [01] (AA) in the Type field; • [02] (partner) in the For field;

	<ul style="list-style-type: none"> • [C] in the Rec'd field; for clerically maintained claims: refer to clerical action for JSA (IB);
5	for system maintained claims: access dialogue JA530: Case Controls and set a case control for 42 days to monitor the return of form C73T; for clerically maintained claims: set a clerical BF for 42 days for the return of form C73T.

Attendance Allowance in payment to partner

42. If Attendance Allowance (AA) is awarded for the claimant's partner, it is disregarded in full in the claimant's JSA (C) and JSA (IB) assessment.

43. To record that the claimant's partner receives AA:

Step	Action
1	for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020; Other Benefits and input code: <ul style="list-style-type: none"> • [01] (AA) in the Type field; • [02] (partner) in the For field; • [Y] in the Rec'd field; and • the full AA payment details in the other fields; for clerically maintained claims: refer to clerical action for JSA (IB);
2	consider whether the higher pensioner premium and severe disability premium are appropriate.

Disability Living Allowance

44. For a person to qualify for Disability Living Allowance (DLA):

- a person's disability must have arisen before age 65; and
- the claimant must make the claim for DLA **before** their 65th birthday.

45. Disability Living Allowance is made up of two components:

- care component; and
- mobility component.

See, Decision Maker's Guide, Volume 10, Chapter 61 Attendance Allowance, Disability Living Allowance and Personal Independence Payment

46. If a person's disability began after age 65 they should claim Attendance Allowance (AA). Disability Living Allowance or Personal Independence Payment cannot be combined with JSA.

47. Either component of DLA/PIP is a qualifying benefit for some JSA premiums.

48. Always consider the appropriate premiums on a JSA clerical claim, if DLA/PIP is in payment or awarded to the claimant, partner, or a dependent child. JSAPS will award the appropriate premiums once DLA/PIP has been input in the other benefits screen.

See, Decision Makers Guide, Volume 4, Chapter 23 Normal amount payable

Personal Independence Payment

49. Personal Independence Payment (PIP) replaces Disability Living Allowance (DLA) for eligible working age claimants (aged 16-64) from April 2013.

50..

51. Blackpool Benefits Centre will undertake the reassessment of all existing DLA claimants (aged 16-64) for PIP which is due to begin in October 2013.

52. DLA remains for children and for claimants aged 65 or over who are already in receipt of DLA .

53. For further information on PIP and how it affects JSA, please see the Personal Independence Payments guidance

Claimant/partner claimed Disability Living Allowance/Personal Independence Payment, decision outstanding

54. If the claimant/partner has claimed DLA/PIP, but has not received a decision:

Step	Action
1	<p>for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020; Other Benefits and input:</p> <ul style="list-style-type: none"> • [44] (DLA care component); and/or • [11] (DLA mobility component); • [58] (PIP daily living component); and/or • [98] (PIP mobility component); • [01] (claimant) and/or [02] (partner) in the For field; • [C] in the Rec'd field; and <p>for clerically maintained claims: Refer to clerical action for JSA (IB);</p>
2	<p>for system maintained claims: access dialogue JA530: Case Controls and set a user case control for 42 days to check if DLA is awarded or not;</p> <p>for clerically maintained claims: set a clerical BF for 42 days to check if decision is made.</p>

Claimant/partner receives Disability Living Allowance/Personal Independence Payment

55. If the claimant satisfies the qualifying conditions for JSA:

Step	Action
1	<p>for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020; Other Benefits and input:</p> <ul style="list-style-type: none"> • [44] (DLA care component); and/or • [11] (DLA mobility component); • [58] (PIP daily living component); and/or • [98] (PIP mobility component); • [01] (claimant) and/or [02] (partner) in the For field;

	<ul style="list-style-type: none"> • [Y] in the Rec'd field; and • the payment day and the payment frequency in the PRD field;
2	<p>for clerically maintained claims: refer to clerical action for JSA (IB) and consider awarding the appropriate premiums as either component of DLA/PIP is a qualifying benefit for some JSA premiums. See, Decision Maker's Guide: Volume 4, Chapter 23 Normal amount payable</p>

Types of incapacity benefits

56. There are four types of incapacity benefits:

- Incapacity Benefit;
- Incapacity Benefit in Youth;
- Severe Disablement Allowance; and
- Maternity Allowance.

57. Some incapacity benefits may qualify the claimant for a premium to be included in their JSA (IB) assessment.

See, Decision Maker's Guide, Volume 4, Chapter 23 Normal amount payable

Incapacity Benefit

58. If a previous claim to Incapacity benefit exists, and the end date of the claim is within 8 weeks of an ESA claim being made, the claimant will be advised to make a linked claim to Incap.

59. Incapacity Benefit (IB) is a contributory benefit available to people who are unable to work because of illness or disability.

60. Entitlement is based on two tests of incapacity:

- the 'Own Occupation Test' - this tests the person's capacity for work in their own occupation; or
- the 'Personal Capabilities Assessment' - this tests the person's capacity to do any work.

61. Claimants cannot claim JSA and IB, as they cannot satisfy the conditions to get JSA and IB at the same time. This does not apply to a member of a joint claim applying for an exemption.

Incapacity Benefit in Youth

62. Incapacity Benefit in Youth (IBY) replaced Severe Disablement Allowance from April 2001.

63. IBY is a non-contributory benefit available to young people:

- aged 16 to 19; or
- aged 20 to 24 if they were in education/training within the 3 months before they reached aged 20; and
- who are unable to work because of illness or disability.

64. Entitlement is based on two tests of incapacity:

- the 'Own Occupation Test' - this tests the person's capacity for work in their own occupation; or

- the 'Personal Capabilities Assessment' - this tests the person's capacity to do any work.

65. Claimants cannot claim JSA and IBY as they cannot satisfy the conditions to get JSA and IBY at the same time. This does not apply to a member of a joint claim applying for an exemption.

Severe Disablement Allowance

66. Severe Disablement Allowance (SDA) ceased from April 2001, but SDA transitional protected claims exist and may link when JSA is claimed. SDA is a linking benefit for JSA. This can affect the three waiting days a claimant usually serves at the beginning of a JSA claim.

See, Decision Maker's Guide, Volume 10, Chapter 57 Severe Disablement Allowance

67. SDA is paid when a person:

- is 80% disabled or deemed to be 80% disabled; and

has been continuously incapable of work for 28 weeks and remains so.

Maternity Allowance

68. Maternity Allowance (MA) is paid when:

- there is no entitlement to Statutory Maternity Pay; and
- the employment condition and the earnings condition are satisfied.
- the MA pay period is 39 weeks

The employment condition

69. The MA claimant must have worked as an employee or as a self-employed person for at least 26 weeks in the 66 week period before the week in which the baby is due. This is called the test period.

The earnings condition

70. The MA claimant must have earned at least £30 per week on average from all her employment. This minimum is called the MA Threshold.

71. A joint claim is not appropriate when MA is in payment.

72. A JSA claimant who claims, or receives MA cannot meet one of the fundamental conditions of entitlement for JSA. However, JSA(IB) can continue in payment to someone who is claiming for an MA claimant.

Pregnant Women

73. There is no requirement for pregnant women to terminate their claim to JSA, just because they have reached 11 weeks before their expected week of confinement.

74. If they chose to, pregnant women can remain on JSA beyond 11 weeks before their expected week of confinement, as long as they continue to fulfil the entitlement conditions. For example they must be available for and actively seek employment. See the Labour Market Conditions Guide.

Jobseekers Allowance in payment when Maternity Allowance is claimed

75. If the claimant has received JSA for any days in the MAP, the Maternity Allowance (MA) section will send form BF251 to the JSA processing team for

details of all payments made. The completed BF251 is returned to the MA section and referred to their DM to reconsider the decision to award JSA. See the Maternity Allowance Guidance.

Statutory benefits paid by an employer

76. There are four types of statutory benefits that are paid by an employer:

- Statutory Sick Pay;
- Statutory Maternity Pay;
- Statutory Paternity Pay; and
- Statutory Adoption Pay.

77. Statutory Benefits are recorded in JA091020 'Other Benefits' in JSAPS

Statutory Sick Pay

78. Employers pay Statutory Sick Pay to employees who are absent from work due to sickness for up to 28 weeks. After 28 weeks, if the employee is still sick, they can claim ESA.

See Decision Maker's Guide Volume 5, Chapter 28 Income other than earnings

Statutory Maternity Pay

79. An employer pays Statutory Maternity Pay, to an employee who is on maternity leave.

80. The employee must have worked for the same employer for at least 26 weeks up to and including the qualifying week, which is the 15th week before the expected week of confinement.

- the first 6 weeks of payments at a weekly rate equal to 90% of the employee's average weekly earnings, with no upper limit; and
- the remaining 33 weeks are paid at the standard rate of SMP or a weekly rate of 90% of the employee's average weekly earnings if this rate is less than the standard rate:

81. Maternity, paternity, adoption or sick pay from an employer's private scheme should be treated in the same way as the statutory payments

See Decision Maker's Guide Volume 5, Chapter 28 Income other than earnings

Statutory Paternity Pay

82. Statutory Paternity Pay (SPP) is paid to employees who qualify for paternity leave and have average weekly earnings at least equal to the lower earnings limit. SPP will be paid weekly at the standard rate or at 90% of the person's average weekly earnings, if this calculation results in a rate, which is less than the standard rate.

Statutory Adoption Pay

83. Statutory Adoption Pay (SAP) is paid to employees who qualify for adoption leave and have average weekly earnings at least equal to the lower earnings limit. SAP will be paid weekly at the standard rate or at 90% of their average weekly earnings, if this calculation results in a rate that is less than the standard rate.

84. It is payable for a maximum of 39 weeks.

85. If the employee satisfies conditions for SAP from more than one employer, they may be entitled to SAP from each employer.

86. If the child's placement ends during the adoption pay period, payment can continue for up to 8 weeks after the end of the placement, or after the employee is advised that the placement would not happen, if the reason was because:

- the child dies; or
- the child returns to the adoption agency; or
- SAP starts before the placement and the placement doesn't happen.

Partner claims or is receiving an incapacity benefit or ESA

87. If the claimant's partner is claiming an incapacity benefit or ESA the action depends on if the:

- partner is waiting for a decision about a linked claim to incapacity benefit;
- partner is in receipt of an incapacity benefit ;
- partner's claim is for credits only.
- partner is in receipt of ESA (C)
- partner is in receipt of ESA (IR)

When an incapacity benefit or ESA claim overlaps with JSA

88. When a claimant makes a claim for JSA, including a backdated claim, they must be encouraged to claim from the day after the award of an incapacity benefit/ESA claim ceases, where possible.

89. Any amount of an overpaid incapacity benefit/ESA should be recovered from the initial award of JSA. **NOTE:** For ESA this can only be done if either the JSA or the ESA claim is maintained clerically

Claimant claiming JSA during an incapacity benefit/ESA overlap period

90. If the claimant is claiming JSA during an incapacity benefit/ESA overlap and the ESA claim was maintained clerically

Step	Action
1	access screen JA091022: Benefit Linking Details in dialogue JA091: Maintain Claim Details; and <ul style="list-style-type: none">• input linking details to record the Last Effective Day (LED) of the appropriate incapacity benefit/ESA claim that overlaps with the JSA First Effective Day (FED);• input the incapacity benefit/ESA LED as the day before the JSA FED;• input ESA (C) linking code [13]
2	access the screen JA210211: Maintain Suspension Details in dialogue JA210: Maintain Suspension and Decision Details, input a suspension covering the period: <ul style="list-style-type: none">• from the FED of the JSA claim;• to the LED of the incapacity benefit/ESA award, use

	system AR code 1660;
3	access dialogue JA110: Maintain Notepad. Input a note to the effect that system AR code 1660 relates to AR code 21512;
4	access dialogue JA200: Award and Decision to view the award. JSAPS automatically sets up a NIL award for the suspension period;
5	a system notification is issued to the claimant telling them that their benefit is suspended until a decision is made. However, for all cases issue: <ul style="list-style-type: none"> • DLJA102; and • JSA48;
6	issue the draft letter at Appendix 1 to the appropriate Incapacity Benefit/ESA section to obtain details of the award.
7	On return of the draft letter at Appendix 1, refer to DM for overlap/offset decision.
8	On return from DM access dialogue JA091: Maintain Claim Details, screen JA091020; Other Benefits and input the details of ESA, using code 85.
9	Access dialogue JA200: Award and Decision
10	Access dialogue JA405: Compute Payment.

Claimant claiming JSA and a dormant ESA overlap period exists.

91. Where the claimant has a dormant ESA claim and the end date of the ESA claim is after the start date of the JSA claim, any amount of an overpaid incapacity benefit/ESA should be recovered from the initial award of JSA. The JSA award must be maintained clerically for the overlap period then built onto JSAPS.

92. For short overlapping periods see Attribution guidance

Partner awaiting a decision on a linked incapacity benefit claim.

93. If the claimant's partner has claimed an incapacity benefit and the claimant is claiming JSA (C) only, this does not affect the claimant's claim.

94. If the claimant is claiming JSA (IB) and the partner's incapacity benefit claim is still awaiting a decision:

Step	Action
1	<p>for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input:</p> <ul style="list-style-type: none"> • the appropriate code for the partner's appropriate incapacity benefit/ESA in the Type field: <ul style="list-style-type: none"> ○ [61] for Incapacity Benefit and Incapacity Benefit in Youth; ○ [10] for Maternity Allowance; • [02] (partner) in the For field; • input [C] in the Rec'd field; • do not enter any amounts; <p>for clerically maintained claims: refer to clerical action for JSA (IB);</p>

2	send clerical prevention of duplication of payment (PODOP) form C73S to the relevant section;
3	for system maintained claims: access dialogue JA530: Case Controls and set a user case control for 42 days to check if benefit has been awarded; for clerically maintained claims: set a clerical BF for 42 days to check if benefit has been awarded.

Partner in receipt of an incapacity benefit

95. If the partner is in receipt of an incapacity benefit it is disregarded if the claimant receives JSA (C).

96. If the claimant is claiming JSA (IB) take it fully into account:

Step	Action
1	for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input: <ul style="list-style-type: none"> • the appropriate code for the partner's incapacity benefit in the Type field: <ul style="list-style-type: none"> ○ [61] for Incapacity Benefit and Incapacity Benefit in youth; ○ [10] for Maternity Allowance; ○ [16] for Severe Disablement Allowance; • [02] (partner) in the For field; • input [Y] in the Rec'd field; or for clerically maintained claims: refer to clerical action for JSA (IB);
2	if the partner is getting Incapacity Benefit (code 61), complete the Benefit Sub-Type field to show which rate is paid: <ul style="list-style-type: none"> • [STL] for Short Term Lower Rate; • [STH] for Short Term Higher Rate; or • [LT] for Long Term Rate.

Partner in receipt of credits only for an incapacity benefit

97. If the partner is in receipt of credits only for an incapacity benefit claim, this does not affect the claimant's JSA (IB).

98. If the claimant is claiming JSA (IB) record the partner's other benefit details on system as the claimant could be entitled to additional premiums:

Step	Action
1	for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input: <ul style="list-style-type: none"> • the appropriate code for the partner's incapacity benefit in the Type field: <ul style="list-style-type: none"> ○ [61] for Incapacity Benefit and Incapacity Benefit in youth; ○ [10] for Maternity Allowance;

	<ul style="list-style-type: none"> ○ [16] for Severe Disablement Allowance; ● [02] (partner) in the For field; ● input [N] in the Rec'd field;
2	for clerically maintained claims: Refer to clerical action for JSA (IB);

Partner in receipt of Employment Support Allowance (C)

99. When attempting to add a partner to a JSA claim and there is a live ESA claim for the partner then **'E3476 Error: Partner has a current ESA Interest'** will display.

100. Action should be taken to transfer the ESA claim;

Step	Action
1	Contact the ESA section and request they transfer the claim to clerical in JA035 and end PDCS interest in PD52
2	When TTC action completed input JA030 'transfer claim'
3	Access JA091005 ;About Partner' and add partner NINO
4	Access JA091020 'Other Benefit and input ESA (C) details for the partner'
5	Complete 'Type' field with code 85
6	Complete 'Sub Type' field with 'C'
7	Complete 'for' field with 02
8	Any Work related activity Component or Support Component is included in the ESA (C) award amount

Note: When the JSA partner or joint claim member has an ESA (C) claim, the ESA (C) claim will be maintained clerically.

Partners ESA (IR) overlaps a period of the JSA claim

101. When the partner has been paid ESA (IR) for a period within a JSA claim;

Step	Action
1	Access dialogue JA091020: Other Benefitsscreen
2	Complete 'Type' field with code 85
3	Complete 'Sub Type' field with IR if the ESA was Income Related
4	E1835 error: 'Enter sub type C or IR' displays if Sub Type field not completed
5	Complete other fields as normal.
6	'D/end' field must be completed or 'E3475 Error: LED must be entered for ESA benefit' displays

102. JSAPS will fully take into account any ESA that is being paid/has been paid to the partner.

Partner in receipt of a statutory benefit

103. If the partner is in receipt of a statutory benefit it is disregarded if the claimant receives JSA (C).

104. If the claimant is claiming JSA (IB) it is taken fully into account after any allowable deductions:

Step	Action
1	<p>for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input:</p> <ul style="list-style-type: none"> • the appropriate code for the statutory benefit in the Type field: <ul style="list-style-type: none"> ○ [30] for Statutory Maternity Pay; ○ [31] for Statutory Sick Pay; • [02] (partner) in the For field; • input [Y] in the Rec'd field; or <p>access dialogue JA091: Maintain Claim Details, screen JA091015: Other Income and input:</p> <ul style="list-style-type: none"> • the appropriate code for the statutory benefit in the Type field • [02] (partner) in the For field; • input [Y] in the Rec'd field;
2	<p>for clerically maintained claims:</p> <ul style="list-style-type: none"> • refer to clerical action for JSA (IB).

Widow's Benefit

105. From 9th April 2001, new claims to Widowed Mother's Allowance, Widow's Pension and Widow's Pension (Age Related) can no longer be made. However widows in receipt of these benefits will continue to be paid providing the conditions of entitlement are satisfied.

106. There are two types of Widow's Benefit:

- Widowed Mother's Allowance (WMA);
- Widow's Pension (WP), which may be age related (WP (AR)).

107. Entitlement to Widow's Benefit stops if a widow remarries or lives with a man as his wife.

108. WMA, WP and WP (AR) are paid on Tuesdays either:

- weekly in advance; or
- four or thirteen weekly in arrears.

How Widow's Benefit affects JSA

109. If the claimant is in receipt of Widowed Mother's Allowance it is taken:

- into account for JSA (IB) after a £10 disregard is applied;
- fully into account for JSA (C).

110. If the claimant is in receipt of Widow's Pension including age related, it is

taken fully into account for JSA (IB) and JSA (C).

Widowed Mother's Allowance

111. Widowed Mother's Allowance is paid to widows:

- who were widowed on or before 8th April 2001;
- who are entitled, or treated as entitled to Child Benefit for dependant child(ren) or were pregnant by their late husband;
- whose late husband satisfied the NI Contribution Conditions; and

- who do not have a partner.

See, **Decision Makers Guide, Volume 12, Chapter 74 Widow's Benefit**

Widow's Pension

112. Widow's Pension (WP) is a weekly benefit paid to a widow who is:

- aged 45 or over when widowed and has no dependent children; or
- aged 45 or over when Widowed Mother's Allowance (WMA) ends.

113. The amount of WP paid depends on the age of the widow at widowhood or when WMA ends:

- full rate WP is payable if she is 55 or over at either date; or
- age related WP is payable if she is between 45 and 54 at either date.

114. WP can be paid until the widow is aged 65.

See, **Decision Makers Guide, Volume 12, Chapter 74 Widow's Benefit**

Claimant receiving Widowed Mother's Allowance

115. After verifying the rate of Widowed Mother's Allowance (WMA):

Step	Action
1	<p>for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input:</p> <ul style="list-style-type: none"> • [76] (WMA) in the Type field; • [01] (claimant) in the For field; • [Y] in the Rec'd field; and • the full Widow's Benefit details in the other fields;
2	<p>for system maintained claims: the system will automatically apply the £10 disregard for JSA (IB) claims;</p> <p>for clerically maintained claims: on part 12 (for JSA (IB)) of the JSA14A input the £10 disregard;</p>
3	<p>for clerically maintained claims:</p> <ul style="list-style-type: none"> • refer to clerical action for JSA (IB); or • refer to clerical action for JSA (C);
4	send form C79 to Pensions Branch telling them a JSA claim has been made.

Claimant receiving Widow's Pension including age related

116. After verifying the rate of Widow's Pension (WP) including age related:

Step	Action
1	<p>for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input:</p> <ul style="list-style-type: none"> • [94] (WP) in the Type field; • [01] (claimant) in the For field; • [Y] in the Rec'd field; and • the full Widow's Pension details in the other fields;
2	for clerically maintained claims:

	<ul style="list-style-type: none"> • refer to clerical action for JSA (IB); or • refer to clerical action for JSA (C);
3	send form C79 to Pensions Branch telling them a JSA claim has been made.

Bereavement Benefits

117. Bereavement Benefit (BB) was introduced from 9th April 2001, to replace Widows Benefits. Both men and women are eligible to claim BB.

118. There are three types of BB:

- Widowed Parent's Allowance (WPA);
- Bereavement Allowance (BAI);
- Bereavement Payment (BPT).

119. The WPA and BAI are taxable contributory benefits. They are not affected by earnings but may be affected by other social security benefits.

120. Entitlement to BB ends if the widow or widower remarries or lives with a partner.

Who can qualify for Bereavement Benefits?

121. To qualify for BB there must have been a valid marriage before death of the claimants spouse.

122. A widow or widower who remarries or lives with a partner is not entitled to BB.

How Bereavement Benefits affects JSA

123. Bereavement Benefits affects JSA in the following ways:

- Bereavement Payment is treated as capital;
- Bereavement Allowance is taken fully into account for JSA (C) which may be reduced or extinguished and also taken fully into account for JSA (IB);
- Widowed Parent's Allowance is taken fully into account for JSA (C) and is taken into account against JSA (IB) once a £10.00 disregard has been applied;
- different action has to be taken if the claimant has claimed JSA: and
 - Bereavement Benefits have not yet been decided;
 - Widowed Parent's Allowance is in payment;
 - Bereavement Allowance is in payment.

Widowed Parent's Allowance

124. From 9 April 2001, Widowed Parent's Allowance (WPA) replaced Widowed Mother's Allowance (WMA).

125. WPA is available to any widowed parent with dependant child(ren).

126. Claimants who receive WPA are eligible for a weekly £10.00 disregard before WPA is taken into account for JSA (IB).

Who can qualify for Widowed Parent's Allowance

127. WPA is a weekly benefit payable in advance to widows and widowers who:

- are widowed on or after 9 April 2001; and
 - are either:
 - entitled or treated as entitled to Child Benefit for dependant children; or
 - women who are expecting a child by their late husband; or
 - in certain cases are engaged in artificial insemination procedures; and
 - do not have a partner at date of claim; and
 - whose late spouse satisfied the National Insurance contribution conditions.
128. WPA ends if the widow or widower remarries or lives with a partner.

Bereavement Allowance

129. From 9 April 2001 Bereavement Allowance (BAllce) replaced Widows Pension and Widows Pension (Age Related) and is available to any widowed person over age 45 who does not have dependant children.

130. BAllce is payable for a maximum period of 52 weeks from the date of widowhood and is dependant on the late spouse's contribution record.

131. There is a standard weekly rate of BAllce, but the weekly award of BAllce may be reduced depending on:

- the late spouses National Insurance (NI) contributions;
- the age of the widow/widower at their late spouses death, since there is a 7% reduction for each year they are under 55 years.

132. Where BAllce is paid at a modified rate JSA may become payable whilst BAllce is still in payment. However, where BAllce is paid at the full standard weekly rate, in many cases, BAllce will exceed JSA.

133. Where Widowed Parent's Allowance (WPA) ends within 52 weeks of widowhood, BAllce is payable up to the 52nd week from the date of the spouse's death.

Who can qualify for Bereavement Allowance?

134. BAllce is a weekly benefit payable to widows and widowers:

- who are widowed on or after 9 April 2001;
- who are aged between 45 and state pension age, when their:
 - spouse dies; or
 - WPA ends within 52 weeks of widowhood;
- who do not have dependant children;
- whose late spouse satisfied the NI contribution conditions; and
- who do not have a partner at date of claim.

135. BAllce ends if the widow or widower remarries or lives with a partner.

Bereavement Payment

136. From 9 April 2001, Bereavement Payment (BPT) is a lump sum payment of £2000.00 made to widows and widowers.

137. BPT replaces Widows Payment that was previously only paid to widows as a £1000.00 lump sum payment.

138. BPT must be recorded on JSAPS as capital from 9 April 2001.

Who can qualify for Bereavement Payment

139. BPT is payable to widows and widowers who were widowed on or after 9 April 2001 providing:

- they are:
 - under state pension age when their spouse died;
 - over state pension age when their spouse died, if their spouse was not entitled to Category A state Retirement Pension when they died;
- their late spouse:
 - met the National Insurance contribution condition; or
 - their death was caused by their job.

Claimant receiving Widowed Parent's Allowance

140. If a new claim for JSA is received from a claimant who is receiving Widowed Parent's Allowance (WPA):

Step	Action
1	<p>for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input:</p> <ul style="list-style-type: none"> • [93] (WPA) on the Type field; • [Y] in the received field; • the weekly rate of the WPA award in the Total field; • [V] in the Verified field; • the local office number in the Office field; • the date of change in the d/start field. <p>The system will automatically apply the £10 disregard for JSA (IB) claims;</p>
2	<p>for clerically maintained claims:</p> <ul style="list-style-type: none"> • refer to clerical action for JSA (IB); and input the £10 disregard; or • refer to clerical action for JSA (C); remember no disregard applies.

Claimant receiving Bereavement Allowance

141. If the claimant is receiving Bereavement Allowance (BALce) and the JSA claim is maintained on JSAPS take the following action:

Step	Action
1	<p>for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input:</p> <ul style="list-style-type: none"> • [92] (BALce) in the type field; • [Y] in the received field; • the weekly rate of the BALce in the total field; • [V] in the verified field; • the local office number in the office field; • the date of change in the d/start field; • the end date in the d/end field;

2	for clerically maintained claims: <ul style="list-style-type: none"> • refer to clerical action for JSA (IB); • refer to clerical action for JSA (C).
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Bereavement Benefits has not yet been decided

142. If the claimant has claimed JSA and their claim to Widowed Parent's Allowance (WPA) or Bereavement Allowance (BAllce) has not yet been decided, take the following action:

Step	Action
1	for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input: <ul style="list-style-type: none"> • [92] (BAllce) or [93] (WPA) in the type field; • [C] in the received field; for clerically maintained claims: Refer to: <ul style="list-style-type: none"> • clerical action for JSA (IB); or • clerical action for JSA (C);
2	for system maintained claims: access dialogue JA530: Case Controls and set a user case control for 14 days to check if a Bereavement Benefit (BB) has been awarded; for clerically maintained claims: set a clerical BF for 14 days to check if a Bereavement Benefit (BB) has been awarded;
3	if the claimant is receiving: <ul style="list-style-type: none"> • JSA (C) send form C79 and a minute to Bereavement Benefits section; • JSA (IB) send form IS (R)1 and C79 to Bereavement Benefits section.

Carer's Allowance

143. Carer's Allowance (CA) is paid weekly or four weekly by Direct Payment.

144. It is paid to someone who looks after a severely disabled person. People who receive CA are called carers.

145. CA is non-contributory benefit. No National Insurance contributions are needed to qualify for it, and savings do not affect it.

146. To qualify for CA the carer must be looking after the severely disabled person who is in receipt of certain benefits for at least 35 hours per week.

147. The carer must be aged 16 or over but there is no upper age limit to qualify for CA.

Who deals with CA

148. CA claims and decisions are dealt with by:
Carers Allowance Unit

Palatine House
Lancaster Road
Preston PR1 1HB
Tel: 0845 6084321
Text phone: 0845 6045312

How Carer's Allowance affects JSA

149. CA is an overlapping benefit with JSA (C). This means that if JSA (C):
- exceeds the CA award, the claimant will be entitled to CA but it will not be paid while JSA (C) payments continue;
 - does not exceed the CA award; CA will be reduced by the amount of JSA (C) payable.
150. CA is taken fully into account when assessing JSA (IB) claims.
151. A carer premium is included in JSA (IB) award for the claimant and/or their partner, if either of them:
- receive CA; or
 - have underlying entitlement to CA; or
 - within the last eight weeks has:
 - been in receipt of CA; or
 - has had underlying entitlement.

Qualifying conditions for carer to receive Carer's Allowance

152. To qualify for CA the carer must:
- care for a severely disabled person who receives certain benefits, for at least 35 hours per week;
 - be aged at least 16 or over;
 - been present in Great Britain for 26 weeks in the 12 months before the first day of CA entitlement;
 - not be in full time education, including holidays;
 - if they do work they, must not earn more than a prescribed amount after allowable deductions;
 - not be subject to Immigration control.

See Decision Maker's Guide, Volume 10, Chapter 60 Carer's allowance

Conditions for person receiving care

153. For CA to be paid the person in need of care must be in receipt of one of the following benefits:
- Attendance Allowance;
 - Disability Living Allowance care component at the highest or middle rate; or
 - Constant Attendance Allowance at the full day rate or higher.

See Decision Maker's Guide, Volume 10, Chapter 60 Carer's allowance

Carer's Allowance Special Customer Records

154. Some CA cases are treated as Special Customer Records and information about the case will be transferred to the Benefit Delivery Office by secure email. See Sensitive Customer Records in the Gathering Evidence section of JSA Procedural guidance for further information.

Claimant and or/partner applied for Carer's Allowance but decision outstanding

155. If the Sector Decision Maker decides the labour market qualifying conditions are satisfied, or it has been decided that the claimant/partner is a member of a joint claim and has been granted an exemption, and Carer's Allowance (CA) has been applied for but is not yet in payment:

Step	Action
1	<p>for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input:</p> <ul style="list-style-type: none"> • [8] (CA) in the Type field; • [01] (customer) or [02] (partner) in the For field; • [C] in the Rec'd field; <p>for clerically maintained claims: note CA interest on:</p> <ul style="list-style-type: none"> • part 11 of JSA14A for JSA (Cont); and or • part 12 of JSA14A for JSA (IB);
2	<p>draft a minute to CA Unit showing:</p> <ul style="list-style-type: none"> • the date of the JSA claim; and • if known, details of the claimant's entitlement to JSA;
3	<p>for system maintained claims: access dialogue JA530: Case Controls and set a user case control for 14 days for a reply from CA Unit;</p> <p>for clerically maintained claims: set a clerical BF for 14 days for a reply from CA Unit;</p>
4	<p>send clerical form C73S to CA Unit showing details of the claimant's JSA (IB) award.</p>

Carer's Allowance in payment

156. If confirmation has been received that Carer's Allowance (CA) is in payment take action depending on whether the:

- claimant is in receipt of CA and is claiming JSA (Cont);
- partner is in receipt of CA and the claimant is claiming JSA (C). In this case CA is disregarded;
- claimant and or partner are in receipt of CA and are claiming JSA (IB).

Claimant claiming JSA (C) in receipt of Carer's Allowance

157. If the Sector Decision Maker decides the labour market qualifying conditions are satisfied and Carer's Allowance (CA) is already in payment:

Step	Action
1	<p>tell the claimant that their CA will be reduced by the amount of their JSA (C) award because the two benefits overlap;</p>
2	<p>telephone the CA unit giving details of the JSA award, asking them to recall DP and amend the award;</p>
3	<p>draft a minute to CA Unit confirming:</p> <ul style="list-style-type: none"> • the date of the JSA (C) claim; and

	<ul style="list-style-type: none"> • if known, the details of the claimant's entitlement to JSA (C); • requesting they cancel their DP
4	<p>for system maintained claims: access dialogue JA530: Case Controls and set a user case control for 14 days for a reply from CA Unit;</p> <p>for clerically maintained claims: set a clerical BF for 14 days for a reply from CA Unit.</p>

JSA (IB) claim and Carer's Allowance in payment to claimant and or partner

158. If the Sector Decision Maker decides the labour market qualifying conditions are satisfied and Carer's Allowance (CA) is in payment.

Step	Action
1	<p>for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input:</p> <ul style="list-style-type: none"> • [8] (CA) in the Type field; • [01] (customer) or [02] (partner) in the For field; • [Y] in the Rec'd field; and • the CA payment details in the other fields; <p>for clerically maintained claims: refer to clerical action for JSA (IB);</p>
2	<p>draft a minute to CA Unit showing:</p> <ul style="list-style-type: none"> • the date of the JSA (C) claim; and • if known, details of the claimant's entitlement to JSA;
3	<p>for system maintained claims: access dialogue JA530: Case Controls and set a user case control for 14 days for a reply from CA Unit;</p> <p>for clerically maintained claims: set a clerical BF for 14 days for a reply from CA Unit.</p>

Underlying entitlement to Carer's Allowance

159. If confirmation has been received that the claimant and/or partner has an underlying entitlement to Carer's Allowance (CA), the action to take depends on whether the:

- claimant has underlying entitlement to CA and is claiming JSA (C);
- partner has underlying entitlement to CA and the claimant is claiming JSA (C). In this case the CA is disregarded; or
- claimant and/or partner have underlying entitlement to CA and are claiming JSA (IB).

Claimant claiming JSA (C) has underlying entitlement to Carer's Allowance

160. If the Sector Decision Maker decides the labour market qualifying conditions are satisfied and the claimant has underlying entitlement to Carer's Allowance (CA), which has not been affected by JSA (C), the claimant must

be receiving another benefit or allowance which overlaps with CA, for example, Widow's Benefit.

161. If a claimant submits a claim and receives another benefit that overlaps and extinguishes the claimant's CA payment, refer the case to the Decision Maker to decide how the overlapping benefits affect JSA (C).

See, Decision Maker's Guide, Volume 10, Chapter 60 Carer's Allowance

JSA (IB) claim and claimant and/or partner has underlying entitlement to Carer's Allowance

162. If the claimant and/or partner has an underlying entitlement to Carer's Allowance (CA) which is not payable because they are in receipt of another overlapping benefit which extinguishes the award, check CIS for confirmation. Contact CA unit to verify the claimant and/or partner has underlying entitlement to CA from the date JSA was applied for.

163. To record this on JSAPS take the following action:

Step	Action
1	<p>for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input:</p> <ul style="list-style-type: none"> • [8] (CA) in the Type field; • [01] (customer) or [02] (partner) in the For field; • [U] in the Rec'd field; and • date CA awarded from in d/start field; • JSAPS automatically awards the Carer Premium
2	<p>for clerically maintained claims: note CA interest on Part 12 of JSA14A for JSA (IB).</p>

CA awarded

164. If CA is awarded the CA unit will send you form DS1078 (IS/JSA) or form DS1078 (IS/JSA) D showing details of the award and the amount of any arrears withheld. See 'How Carers Allowance affects JSA'

165. Form DS1078 (IS/JSA) will be e-mailed to a group e-mail address at the BDC. This group e-mail address must be checked daily.

166. The e-mail will be identified as a form DS1078 by the subject title 'DS1078 from CAU for IS/JSA. Dual recoveries will continue to be sent in paper form.

167. When you receive form DS1078, for JSAPs maintained cases:

Step	Action
1	Complete form DS1078 with recovery details and return it electronically to the correct email box at the CA unit within 5 working days.
2	Access the PICKLIST in dialogue JA091: Change of Circumstances and input the Date of Change as the CA initial payment due date from the DS1078 (JSA) form. (This will be the fourth Monday following the end of the CA recovery period).
3	Access the OTHER BENEFITS screen in dialogue JA091: Change of Circumstances.

4	<p>Input:</p> <ul style="list-style-type: none"> • 08 in the Type field • 01 or 02 in the For field, depending on who receives CA • Y in the Rec'd field • the amount paid in the Total Recd field • V in the Verified field • leave the Account Amount field blank, unless Child dependent in receipt of CA • 01912 the Office field • the CA start date in the D/Start field leave the D/End field blank <p>When CA is input in the OTHER BENEFITS screen, a CP is automatically awarded by JSAPs from that date. In CA four weekly cases, three weeks of CP may require to be paid off-line.</p>
5	Record the recovery details in dialogue JA110: Maintain Notepad.

168. In clerically maintained claims:

Step	Action
1	Calculate the recovery and return form DS1078 tear-off to CAU.
2	Complete a form A14 assessment panel, paying the three weeks arrears of CP from the start of the CA award (if CA is paid four weekly).
3	Complete a new form A14 assessment panel with the date of change as the date the first payment of CA is due .
4	Award the Carer's Premium.
5	Record at Part 7 Income: <ul style="list-style-type: none"> • CA in the type column • claimant or partner in the paid to column • the weekly amount of CA in the wkly amount column • the amount to be taken into account in the net wkly column • the date of award as the date of change.

CA not awarded

169. If CA is not awarded:

Step	Action
1	Access dialogue JA090: New and repeat claims.
2	Access the OTHER BENEFITS screen.
3	Amend the C to N in the Rec'd field.

How to recover JSA from arrears of CA (abatement)

170. When CA is awarded to an JSA claimant the CA unit issues form DS1078 to the BDC which states:

- the date from which the CA has been awarded
- the rate of CA payable
- the period for which they are withholding arrears
- the method of payment

171. CA paid weekly and four weekly has a minimum abatement period of 4 weeks. The first payment is due on the fourth payday following the date of award.

172. In CA four weekly paid cases, arrears of CA offered for abatement must be in blocks of four weeks.

173. In cases where the recovery period is longer, CA Unit (CAU) will ensure that recovery amounts are withheld in four weekly periods.

174. If a recovery form DS1078 is received for a period that is not a multiple of four:

- do not complete the DS1078, and
- return the DS1078 to CAU with an explanation.

175. When you receive form DS1078 establish the JSA benefit weeks to which the withheld CA should be attributed.

176. Note: CA pay the arrears of Carer Premium

Example

177. An JSA claimant is awarded CA from Monday, 12 April 2010 .

178. CA unit are withholding arrears for the CA paydays Monday, 12, 19, 26 April and Monday, 3 May 2010.

179. The claimant's JSA payday is a Tuesday.

CA paydays	CA due date	JSA attribution/recovery period, JSA benefit weeks
12/04/2010 to 03/05/2010	03/05/2010	28/04/2010 to 25/05/2010
10/05/2010 to 31/05/2010	31/05/2010	26/05/2010 to 22/06/2010

180. The amount of JSA to be recovered from the CA arrears is the amount of JSA paid less the amount of JSA due for each week of the recovery period.

Example

JSA entitlement prior to CA award	JSA entitlement after CA Award
Personal Allowance £65.45	Personal Allowance £65.45
	Carers Premium £30.05
	Less CA £53.90
	Total due £41.60
JSA paid less JSA due per week = Weekly amount of recovery	£65.45 - £41.60 = £23.85 per week

181. CA will be put into payment on Monday, 28 June 2010 and taken into account in the JSA assessment from benefit week commencing Wednesday, 23 June 2010 . Carer's Premium will be awarded on JSAPs from this date.

Arrears of CP due in four weekly CA cases

182. When CA is paid four weekly, there is a period of three weeks between the start of the CA award and the start of the JSA attribution period where no CP has been paid, but is due to the claimant. In the example above, this period would be Wednesday, 7 April 2010 to Tuesday, 27/04/2010. To pay the

three weeks Carer Premium enter exceptional condition 20 using the start and end dates of JSA benefit weeks. If JSA does not pay these arrears then they must be paid as an Exceptional Clerical Payment (ECP) and noted in dialogue JA110: Maintain Notepad.

183. In all instances, a case control must be set in dialogue JA530 to coincide with the end of the recovery period. This control is to ensure the recovery is still correct as if the benefit rate has changed or JSA has ceased prior to the end of the recovery period then the recovery may have to be recalculated.

Completing form DS1078

184. Following allocation of work from the Group email box, staff, must complete:

- the amount of IS/JSA that would not have been paid
- contact details of the person completing the form.

185. There is also a Notes Box to provide additional information to CA Unit. Use the Notes Box to confirm to CA if the dates of the abatement period have been amended.

186. You should also contact CA Unit by telephone, prior to completion of the form DS1078, to advise them of the new dates and the reason why the amendment is necessary.

187. Once all the relevant details have been completed, select the 'Send' button, which will automatically return the form DS1078 to the correct email address, at the CA Unit. The form must be 'Sent' direct to the originating address from CA Unit.

188. If the email form DS1078 has been sent to the wrong BDC, record this in the 'Notes Box' and return the form DS1078 to the CA Unit for their action.

189. If the form has been completed and sent to the CA Unit but for some reason is not received the sent email can be "forwarded" to CA Unit again (it is not expected that this will happen often).

190. To ensure that the form works correctly the security settings, on the PCs being used to return the DS1078s, must be set to medium. If the macros are set too high the form can be accessed and completed but cannot be returned to CA Unit.

CA awarded, JSA claimant closes their JSA award and claims IS.

191. When CA is awarded and the JSA recovery has been agreed to a future date on form DS1078, should the claimant then decide they are no longer available for work during the recovery period and they subsequently claim Income Support, the recovery made by JSA can still stand. However there must be no break in entitlement when the carer moves from JSA to IS. IS will take CA into account from the end of the JSA recovery period.

Carer's Allowance disallowed for claimant and/or partner

192. If the Carer's Allowance unit sends notification that the claimant/partner has no entitlement to Carer's Allowance:

Step	Action
1	for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input: <ul style="list-style-type: none"> • [8] (CA) in the Type field; • [01] (customer) or [02] (partner) in the For field; • [N] in the Rec'd field; and
2	for clerically maintained claims: note CA interest on part 12 of JSA14A for JSA (IB).

Carer's Allowance eight week extension

193. When the person being cared for has died, regulations provide that the claimant/partner is treated as if they were still entitled to CA for a further eight weeks. During this period the claimant/partner's is entitled to the Carer Premium.

194. The final payment of Carer's Allowance needs to be attributed.

Carer's Allowance notifications

195. When entitlement to Carer's Allowance (CA) is established, CA unit notify the carer's local JSA Section using the following forms:

Form	Notes
DS751 (ADP)	Notification of CA award. If there is no current JSA claim, file form DS751 (ADP) in the JSA section's dormant file in case a later claim is made.
DS751C (ADP)	Notification to JSA Section when CA entitlement ends.
DS751D (ADP)	Notification to JSA Section when there is underlying entitlement to CA.
Proforma 169	Notification to JSA Section when there is underlying entitlement to CA on an existing claim.
DS1078	Notification to JSA section about downrating or offset of transitional payment for an Adult Dependant's Increase (ADI).
DS1078 (IS/JSA)	Notification to JSA section following award of CA - arrears withheld pending abatement action.
DS1078 (IS/JSA)(TO)	Tear-off portion of DS1078 series forms for abatement. To be returned to CA Unit with recovery details.
DS1078 (IS/JSA) D	Notification to JSA section following award of CA - arrears withheld pending abatement action of both JSA (IB) and Income Support.
DS1078 (IS/JSA) D(TO)	Tear-off portion of DS1078D series forms for abatement. To be returned to CA Unit or pass to the Income Support section for further completion with recovery details.
DS751 (DP)	Notification to JSA section following an award of CA in the name of the disabled person to advise the JSA Unit to withdraw/not award the Severe Disablement

Industrial Injuries Disablement Benefit

196. Industrial Injuries Disablement Benefit (IIDB) is paid to people who are disabled by:

- an accident at work while working as an employed earner; or
- a prescribed industrial disease contracted while working as an employed earner.

197. IIDB may be supplemented by a number of allowances related to the claimant's disablement.

198. IIDB and its associated allowances may qualify the claimant for a premium to be included in their JSA (IB) assessment.

See, Decision Makers Guide, Volume 4, Chapter 23 Normal amount payable

199. IIDB awards vary depending on the extent of the person's disablement.

200. There is a qualifying period before IIDB is paid. The qualifying period is 90 days (not counting Sundays) which begins:

- in accident cases, on the day of the accident;
- in prescribed disease cases, on the day the person first suffered from the prescribed disease, referred to as the 'date of onset'.

201. If the date of the accident, or the date of onset, is a Sunday, the next Monday is treated as day 1 of the 90-day period.

See, Decision Makers Guide, Volume 11, Chapter 69 Disablement Benefit

How Industrial Injuries Disablement Benefit affects JSA

202. Industrial Injuries Disablement Benefit (IIDB) is treated differently depending on whether the claimant receives JSA (C) only or JSA (IB). If the claimant receives:

- JSA (C) and:
 - IIDB is not supplemented by Unemployability Supplement (UNSUPP), IIDB is disregarded;
 - IIDB is supplemented by Unemployability Supplement, IIDB is disregarded, but UNSUPP is taken fully into account as an overlapping benefit;
- JSA (IB), IIDB is taken fully into account, but some of the allowances paid with IIDB may be partly or wholly disregarded.

Allowances paid with Industrial Injuries Disablement Benefit

203. Depending on the extent of their disability, people who receive Industrial Injuries Disablement Benefit (IIDB) may also receive:

- Constant Attendance Allowance (CAA);
- Exceptionally Severe Disablement Allowance (ESDA);
- Unemployability Supplement (UNSUPP);
- Reduced Earnings Allowance.

Constant Attendance Allowance

204. Constant Attendance Allowance (CAA) is not the same benefit as Attendance Allowance. CAA is payable at various rates depending on attendance needs for people who need constant attention because of:

- an industrial accident; or
- a prescribed disease.

See, Decision Makers Guide, Volume 12, Chapter 64 Background to Industrial Injuries Scheme

205. CAA is not payable at the same time as JSA. This is because a person cannot satisfy the conditions of entitlement for both benefits at the same time.

206. If the claimant's partner receives CAA, it is disregarded in full.

Exceptionally Severe Disablement Allowance

207. Exceptionally Severe Disablement Allowance (ESDA) is an extra allowance for people who are receiving CAA at the intermediate or exceptional rate, and whose need for attendance is likely to be permanent.

See, Decision Makers Guide, Volume 12, Chapter 69 Disablement benefits

208. ESDA is not payable at the same time as JSA. This is because a person cannot satisfy the conditions of entitlement for both benefits at the same time.

209. If the claimant's partner receives ESDA, it is disregarded in full.

Unemployability Supplement

210. Unemployability Supplement (UNSUPP) was abolished from 6 April 1987 and can no longer be claimed with Industrial Injuries Disablement Benefit (IIDB). However, people who received the supplement before it was abolished have transitional protection to continue receiving it.

211. Until 6 April 1987, UNSUPP could be awarded with IIDB to people who were incapable of work, and likely to remain incapable of work, as a result of an industrial accident or a prescribed disease.

See, Decision Makers Guide, Volume 11, Chapter 72 Unemployability Supplement

212. If the claimant claims:

- JSA (C), treat the Unemployability Supplement of the IIDB award as an overlapping benefit;
- JSA (IB), take Unemployability Supplement with IIDB fully into account.

213. If a claim for JSA is received from a claimant who is in receipt of UNSUPP:

- contact Industrial Injuries Branch (IIB) immediately so that they can review the UNSUPP award; and
- access dialogue JA530: Case Controls and set a case control to check with (IIB) about the outcome.

Reduced Earnings Allowance

214. Until 1 October 1990 Reduced Earnings Allowance (REA) was available to people who, because of a disability caused by an industrial accident or prescribed disease, could not return to their regular occupation or do work of an equivalent standard.

See, Decision Makers Guide, Volume 11, Chapter 71 Reduced Earnings Allowance

215. REA was abolished from 1 October 1990 for claims:

- made as a result of an accident which happened on or after 1 October 1990; or
 - made as a result of a prescribed disease with a date of onset on or after 1 October 1990.
216. However REA may be payable for claims for:
- accidents that happened before 1 October 1990;
 - a prescribed disease that started before 1 October 1990, but only if the disease was on the accepted prescribed disease list before 10 October 1994.
217. People who received REA before its abolition have transitional protection.
218. REA is taken fully into account when assessing JSA (IB).
219. Special action is needed to input REA, as it cannot be input directly on JSAPS.

Claimant or partner claims Industrial Injuries Disablement Benefit

220. If the claimant/partner claims Industrial Injuries Disablement Benefit (IIDB), the claim must have been checked to make sure the claimant satisfies the labour market entitlement conditions for receiving JSA.
221. If the claimant claims JSA (C) and declares that their partner has claimed or receives IIDB, the partners IIDB is disregarded for JSA (C) purposes. However, further action is required if claimant claims JSA (IB) and Unemployability Supplement is paid with IIDB.
222. If the claimant or their partner claims JSA (IB), check whether IIDB:
- is in payment to the claimant or partner; or
 - has been claimed but not yet received.

Industrial Injuries Disablement Benefit in payment

223. If Industrial Injuries Disablement Benefit is being paid:

Step	Action
1	for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input: <ul style="list-style-type: none"> • [07] (IIDB) in the Type field; • [01] (customer) or [02] (partner) in the For field; • [Y] in the Rec'd field; and • the full IIDB payment details in the other fields;
2	for clerically maintained claims: refer to clerical action for JSA (IB).

Industrial Injuries Disablement Benefit claimed but not yet received

224. If the claimant or partner has claimed but not yet received Industrial Injuries Disablement Benefit (IIDB):

Step	Action
1	for system maintained claims:

	<p>access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input:</p> <ul style="list-style-type: none"> • [07] (IIDB) in the Type field; • [01] (customer) or [02] (partner) in the For field • [C] in the Rec'd field; • the full IIDB details in the other fields; <p>for clerically maintained claims: refer to clerical action for JSA (IB);</p>
2	<p>for all claims, send clerical form C73S showing details of the JSA award to the district Industrial Injuries Disablement Benefit section. This section will send notification of the outcome of the IIDB claim.</p>
3	<p>for system maintained claims: access dialogue JA530: Case Controls and set a user case control to check with the district Industrial Injuries Disablement Benefit section about the outcome;</p> <p>for clerically maintained claims: set a clerical BF to check with the district Industrial Injuries Disablement Benefit section about the outcome.</p>

Partner receives Constant Attendance Allowance

225. If the claimant's partner receives Constant Attendance Allowance (CAA) with Industrial Injuries Disablement Benefit:

Step	Action
1	<p>for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits; and input:</p> <ul style="list-style-type: none"> • [28] (CAA) in the Type field; • [02] (partner) in the For field; • [Y] in the Rec'd field; and • the full CAA payment details in the other fields;
2	<p>for clerically maintained claims: refer to clerical action for JSA (IB).</p>

Partner receives Exceptionally Severe Disablement Allowance

226. If the claimant's partner receives Exceptionally Severe Disablement Allowance (ESDA) with Constant Attendance Allowance:

Step	Action
1	<p>for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits; and input:</p> <ul style="list-style-type: none"> • [34] (ESDA) in the Type field; • [02] (partner) in the For field; • [Y] in the Rec'd field; and • the full ESDA payment details in the other fields.
2	<p>for clerically maintained claims:</p>

	refer to clerical action for JSA (IB).
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Unemployability Supplement in payment with Industrial Injuries Disablement Benefit

227. If the claimant or their partner receives Unemployability Supplement (UNSUPP) with Industrial Injuries Disablement Benefit:

Step	Action
1	<p>for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits; and input:</p> <ul style="list-style-type: none"> • [70] (UNSUPP) in the Type field; • [01] (customer) or [02] (partner) in the For field; • [Y] in the Rec'd field; and • the full UNSUPP payment details in the other fields;
2	<p>for clerically maintained claims: refer to clerical action for JSA (IB).</p>

Claimant or partner receives Reduced Earnings Allowance

228. If the claimant or their partner receives Reduced Earnings Allowance (REA):

Step	Action
1	<p>for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits; and input:</p> <ul style="list-style-type: none"> • [07] (IIDB) in the Type field; • [01] (customer) or [02] (partner) in the For field; • [Y] in the Rec'd field; and • the full payment details in the other fields. <p>If both REA and IIDB are in payment, enter the combined total. This is necessary because there is no code for REA, so the components cannot be entered separately;</p>
2	<p>for clerically maintained claims: refer to clerical action for JSA (IB).</p>

Retirement Pension

229. Retirement Pension (RP) is a contributory benefit. If a person:

- has not paid enough contributions they are not entitled to RP;
- has paid enough contributions they are paid RP when they reach state pension age unless they decide to defer their entitlement to RP.

See, Decision Makers Guide, Volume 5, Chapter 28 Income other than earnings

230. If the qualifying conditions for RP are satisfied, the appropriate pensioner premiums are awarded. Pension Credit may also be paid along with RP and a better off calculation may be required.

How Retirement Pension is paid

231. RP is paid from the claimant's payday, usually a Monday, following their 65th birthday for men, and the relevant State Pension age (SPa) date for women.

(SPa date for women is calculated using their date of birth, see State Pension Age Calculator to calculate the relevant date).

232. If the claimant's birthday/ relevant date falls on their payday RP is paid from that date.

233. RP can be paid:

- weekly in advance by order book;
- every four weeks in arrears by Direct Payment (DP);
- every 3 weeks in arrears by DP;
- annually, by DP or Payable Order, when weekly entitlement is less than £2.00.

How Retirement Pension affects JSA

234. Claimants who receive Retirement Pension (RP), or claimants who become eligible to claim RP, are not entitled to receive JSA because they are over the age limit for claiming JSA.

235. If a claimant who is part of a joint claim receives, or becomes eligible for RP the claim will be treated as a claimant/partner claim.

236. If the claimant has claimed JSA (C) the partner's RP does not affect it.

237. If the claimant has claimed JSA (IB) the partner's RP is fully taken into account.

238. Check whether RP:

- is in payment to the partner; or
- has been deferred by the partner.

Partner defers claiming Retirement Pension

239. A person can defer claiming Retirement Pension (RP) until after state pension age.

240. If a claimant's partner decides to defer their claim for RP, Pensions Branch send notification of this on form BR401.

241. Entitlement to Retirement Pension (RP) cannot be deferred solely to claim JSA. Once a claimant has reached state pension age, there is no entitlement to JSA. If the partner has deferred their entitlement to a RP, refer to a Decision Maker. See the Changes to Income and Benefits guidance and Decision Makers Guide, Volume 5, Chapter 28 Income other than earnings for further information.

Partner receiving Retirement Pension

242. If a claimant makes a claim to JSA and their partner receives Retirement Pension (RP), take the partner's RP fully into account when assessing JSA (IB):

Step	Action
1	for system maintained claims: access dialogue JA091: Maintain Claim Details, screen

	JA091020: Other Benefits and input: <ul style="list-style-type: none"> • [15] (RP) in the Type field; • [02] (Partner) in the For field; • [Y] in the Rec'd field; and • the RP details in the other fields;
2	for clerically maintained claims: refer to clerical action for JSA (IB).

War Disablement Pension

243. A claimant may be eligible to a War Disablement Pension (WDP) if they were:

- injured or disabled through serving in Her Majesty's (HM) Armed Forces, including the Ulster Defence Regiment, now known as the Royal Irish Regiment, the Home Guard and nursing and auxiliary services;
- disabled through serving as civil defence volunteer;
- a civilian disabled as a result of enemy action in the 1939-1945 war;
- a merchant seaman, a member of the naval auxiliary services or a coastguard, who became disabled because of conditions during a war or as a prisoner-of-war; or
- a member of the Polish forces under British command, who served in the 1939-1945 war, or in the Polish Resettlement Forces and who became injured or disabled through this service.

244. WDP awards vary depending on the extent of the war pensioner's disability.

245. WDP may be supplemented by a number of allowances related to the disablement.

246. WDP and its associated allowances may qualify the claimant for a premium to be included in their JSA (IB) assessment.

See, Decision Makers Guide, Volume 4 Chapter 23 Normal amount payable

How War Disablement Pension affects JSA

247. War Disablement Pension (WDP) is treated differently depending on whether the claimant receives JSA (C) or JSA (IB). If the claimant receives:

- JSA (C), WDP is disregarded in full unless Unemployability Supplement (UNSUPP) is paid as an addition to the basic WDP;
- JSA (IB), WDP is taken into account as an income in the JSA (IB) assessment but the first £10.00 is disregarded.

248. When a WDP is awarded, the Veterans Agency (VA) sends form WPA880 to the JSA unit in the area where the pensioner lives.

Allowances paid with War Disablement Pension

249. Depending on their disability, there are other allowances which may be payable with a basic War Disablement Pension (WDP), for example:

- allowance for Lowered Standard of Occupation. This is the War Pensions equivalent of Reduced Earnings Allowance;
- War Pensions Constant Attendance Allowance;

- War Pensions Exceptionally Severe Disablement Allowance;
- War Pensions Unemployability Supplement;
- Age Allowance;
- Clothing Allowance;
- Comforts Allowance;
- Age Related Invalidity Allowance;
- Severe Disablement Occupational Allowance;
- Mobility Supplement.

250. War pensioners may receive Treatment Allowance instead of the basic WDP. Treatment Allowance is paid when the war pensioner is receiving treatment for their pensioned disability and loses earnings as a result.

251. There are different disregards depending on which allowance(s) are payable. These allowances are not administered under social security legislation.

252. Contact the Veterans Agency if further information is needed about these allowances.

Claimant or partner claims War Disablement Pension

253. If the claimant claims JSA (C) and declares that they or their partner has claimed or receives War Disablement Pension (WDP), no special action is needed since WDP is disregarded for JSA (C) purposes.

254. If the claimant claims JSA (IB), check whether WDP:

- is in payment to either the claimant or their partner;
- has been claimed but not yet received.

War Disablement Pension in payment

255. If War Disablement Pension (WDP) is in payment, form WPA880 should be held at the JSA Section. Form WPA880 shows details of the WDP award.

256. If form WPA880 is not held but the claimant declares WDP is being paid, contact the Veterans Agency to confirm WDP details and the date it has been paid from.

257. If WDP is being paid:

Step	Action
1	<p>for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input:</p> <ul style="list-style-type: none"> • [32] (WDP) in the Type field; • [01] (customer) or [02] (partner) in the For field; • [Y] in the Rec'd field; and • the full WDP details in the other fields; <p>for clerically maintained claims: refer to clerical action for JSA (IB);</p>
2	<p>for system maintained claims: the system automatically applies a £10 disregard;</p> <p>for clerically maintained claims: on part 12 other benefits for JSA (IB) of the JSA14A input the £10</p>

	disregard.
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War Disablement Pension claimed but not yet received

258. If the claimant or their partner has claimed but not yet received War Disablement Pension (WDP), check the JSA Section's dormant file to see if form WPA880 is held.

259. If form WPA880 is held, WDP has been awarded and should be taken into account when assessing JSA (IB).

260. If form WPA880 is not held:

Step	Action
1	<p>for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input:</p> <ul style="list-style-type: none"> • [32] (WDP) in the Type field; • [01] (customer) or [02] (partner) in the For field; • [C] in the Rec'd field; and <p>for clerically maintained claims: refer to clerical action for JSA (IB);</p>
2	send clerical prevention of duplication of payments (PODOP) form C73S showing details of the JSA award to the Veterans Agency (VA). The VA will confirm the award of WDP by sending form WPA880.

Claimant or partner receives one of the allowances payable with War Disablement Pension

261. If the claimant receives one of the allowances that can be paid with War Disablement Pension (WDP), check whether the allowance is:

- disregarded in full;
- taken fully into account;
- Unemployability Supplement;
- Treatment Allowance.

War Disablement Pension allowances disregarded in full for JSA (IB)

262. For JSA (IB), the following WDP allowances are disregarded in full:

- War Pensions Constant Attendance Allowance (CAA);
- War Pensions Exceptionally Severe Disablement Allowance (ESDA);
Severe Disablement Occupational Allowance (SDOA);
- Mobility Supplement (MS).

263. If the claimant or partner receives any of these allowances:

Step	Action
1	<p>for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input:</p> <ul style="list-style-type: none"> • [32] (WDP) without the allowances paid with it in the Type field; and

	<ul style="list-style-type: none"> ○ [28] for CAA; ○ [34] for ESDA; ○ [35] for SDOA; ○ [49] for MS; ● [01] (Customer) or [02] (Partner) in the For field; ● [Y] in the Rec'd field; and ● the full WDP payment details in the other fields;
2	for clerically maintained claims: refer to clerical action for JSA (IB).

War Disablement Pension allowances taken fully into account for JSA (IB)

264. For JSA (IB) the following WDP allowances are taken fully into account:

- allowance for Lowered Standard of Occupation;
- War Pensions Unemployability Supplement;
- Clothing Allowance;
- Comforts Allowance;
- Age Related Invalidity Allowance;
- Age Allowance.

265. If the claimant or their partner receives any of these allowances except Unemployability Supplement:

Step	Action
1	for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input: <ul style="list-style-type: none"> ● [32] (WDP) including allowances paid with it in the Type field. Use code 32 for WDP and all the above allowances because these allowances do not have specific codes of their own; ● [01] (customer) or [02] (partner) in the For field; ● [Y] in the Rec'd field; and ● the full WDP payment details in the other fields;
2	for clerically maintained claims: refer to clerical action for JSA (IB).

War Disablement Pension - Unemployability Supplement

266. War Pensions Unemployability Supplement (UNSUPP) is paid to war pensioners for their everyday maintenance needs.

267. To prevent duplication of payment from public funds for the same needs, UNSUPP is:

- treated as an overlapping benefit for JSA (C);
- taken fully into account for JSA (IB).

Unemployability Supplement paid with War Disablement Pension

268. If the claimant or their partner receives Unemployability Supplement (UNSUPP) with the War Disablement Pension (WDP):

Step	Action
1	<p>for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input:</p> <ul style="list-style-type: none"> • [32] (WDP) without the UNSUPP payable with it; and <ul style="list-style-type: none"> ◦ [70] UNSUPP; • [01] (customer) or [02] (Partner) in the For field; • [Y] in the Rec'd field; and • the full WDP payment details in the other fields;
2	<p>for clerically maintained claims:</p> <ul style="list-style-type: none"> • refer to clerical action for JSA (IB); or • refer to clerical action for JSA (C).

Treatment Allowance

269. It is unlikely that a person receiving Treatment Allowance would be entitled to JSA. This is because to receive Treatment Allowance they must be in employment of some sort.

270. If the partner is receiving Treatment Allowance, treat it in the same way as WDP, apply a £10 disregard, and input it onto JSAPS in the same way as if the partner was receiving WDP.

War Widow's/Widower's Pension

271. The claimant may be entitled to a War Widow's/Widower's Pension (WWP) if:

- the claimant's husband/wife's death was a result of their service in Her Majesty's (HM) Armed Forces;
- the claimant's husband/wife was a merchant seaman, a member of the Naval Auxiliary Services, or a coastguard, and their death was a result of an injury or disease they sustained during a war or because they were a prisoner of war;
- the claimant's husband/wife's death was as a result of their service as a member of the Polish Forces under British command during 1939-1945 war, or in the Polish Resettlement Forces;
- the claimant's husband/wife was getting a War Pensions Constant Attendance Allowance at the time of their death, or would have been had they not been in hospital, or they would have been entitled to the allowance for a period of 26 weeks had they claimed it;
- the claimant's husband/wife was getting a War Disablement Pension at the 80% rate or higher and was getting Unemployability Supplement.

272. The claimant may be entitled to receive a pension if they lived with the war pensioner as their husband/wife and looked after his/her child.

273. WWP is non-contributory and tax-free. The amount of WWP payable:

- is related to the rank of the deceased;
- can be increased with allowances payable for:
 - children;
 - rent;
 - age.

Special Payments and Supplementary Pensions

274. From 1990 the Ministry of Defence made special payments available to various groups whose pensions were not improved by changes to the Ministry of Defence Armed Forces Pension Scheme in 1973.

275. Originally, all Special Payments were funded by the Ministry of Defence. From 1994 the Department of Health and Social Security (DHSS), now Department for Work and Pensions, took over responsibility for some of the payments, which then became Supplementary Pensions.

Ministry of Defence Special Payments

276. Special payments are paid by the Ministry of Defence and are made to:

- widows of members of certain forces raised locally abroad during the Second World War;
- members of the Indian Army whose pensions are administered by the Overseas Development Agency (ODA).

Supplementary Pensions

277. Supplementary Pensions are paid by the Department for Work and Pensions to:

- widows listed in War Widows Pension;
- war widows whose husband's service in the Armed Forces ended before 31 March 1973.

Armed Forces Independence Payment

278. Armed Forces Independence Payment (AFIP) is available to those most seriously injured as a result of service in the armed forces. It is fully disregarded when assessing JSA and can increase the rate of JSA payable as it attracts additional premiums.

279. AFIP is paid at a flat rate equivalent to:

- the care and mobility component of DLA at the highest rate; or
- the daily living and mobility component of PIP at the enhanced rate

280. It is awarded for life and is not subject to review or further medical assessments. It is not stopped when a claimant goes into hospital, care home or prison, unless the claimant is going into the Royal Chelsea Hospital as a pensioner.

281. It is a non-taxable, non-means tested and payable anywhere in the world.

Who can qualify for AFIP

282. Only claimants who are assessed by the MoD's Service Personnel and Veterans Agency (SPVA) as being sufficiently seriously injured under the Armed Forces Compensation Scheme will be eligible for AFIP.

283. Claimants who claim AFIP are not entitled to claim DLA, PIP or AA.

How is AFIP paid

284. DWP are responsible for making and maintaining payments of AFIP, which is paid on Wednesday, 4 weekly in arrears.

How AFIP affects Jobseekers Allowance

285. AFIP is fully disregarded for JSA purposes and can increase the amount of JSA payable as it attracts:

- Disability Premium (DP);
- Higher Pensioner Premium (HPP); or
- Enhanced Disability Premium (EDP).

286. A claimant may also be entitled to Severe Disability Premium (SDP) when the AFIP is in payment, although receipt of AFIP is not the sole qualifying condition.

How to find out about AFIP

287. AFIP is not displayed in CIS. Where claimants have given permission to share data, SPVA send notification of the award on form AFIP61.

288. If permission has not been given, the claimant must report its award directly and provide the award notice as evidence.

Note: The award notice **must** be supplied on a new claim to meet evidence requirements.

289. DLA/AA/PIP can not be voluntarily relinquished retrospectively and the end date must always be in the future. The AFIP team issue the AFIP61 when the DLA/AA/PIP claim is closed.

How to action JSA and Armed Forces Independence Payment claims

290. As there is currently no benefit code for AFIP, code 58 [PIP daily living component] must be used and the daily living enhanced rate input. A note in dialogue JA110: Notepad must be recorded to explain that AFIP, rather than PIP, is in payment.

Note: Code 58 will not be available until JSAPS Release 34 on 22 April. Any claims received before this date must therefore not be actioned on JSAPS. Set a User Case Control for 22 April and record a note in dialogue JA110 that AFIP action will be required.

291. The action to take depends on whether DLA or PIP is already recorded on JSAPS or not.

AFIP awarded and DLA or PIP is not recorded in Other Benefits

292. On receipt of form AFIP61, or the award notice from claimant:

Step	Action
1	Access dialogue JA060: Register Claim/Event and register the change of circumstances.
2	Access dialogue JA091: Maintain Claim Details the effective date of change will be AFIP award start date shown on the AFIP61
3	Access dialogue JA091020: Other Benefits screen Enter AFIP using <ul style="list-style-type: none">• Benefit code 58• total received field input the amount of PIP 'Daily Living Enhanced Rate'.
4	Access dialogue JA091019: Exceptional Conditions screen and input <ul style="list-style-type: none">• the relevant person number in the 'Person No' field

	<ul style="list-style-type: none"> • [03] to award SDP lower rate or [04] to award SDP higher rate in the 'Reason Code' field • the start date and end date (if known) of the entitlement to SDP if known • [RV] for Request Verification in the final column <p>'Inputting RV will cause JSAPS to issue a form IS10 to check eligibility for Severe Disability Premium. AFIP is a qualifying benefit for SDP.</p>
5	Access dialogue JA200: Award and Decision and dialogue JA405: Compute Payment.
6	Record in dialogue JA110: Maintain Notepad that AFIP, not PIP, is in payment.
7	On return of form IS10 – Access dialogue JA091: Maintain Claim Details input the effective date of change as the AFIP award start date.
8	From the Pick list, select EXCEPTIONAL CONDITIONS screen and for the Other Benefit Type 58. overtyping RV with V for entitled or NE for not entitled
9	access dialogue JA200: Award and Decision and dialogue JA405: Compute Payment
10	Check SDP arrears have been paid, if applicable, if not calculate and pay clerically
11	Access dialogue JA110: Maintain Notepad and add a note that code 58 relates to an award of AFIP

AFIP awarded and DLA or PIP has been ended

293. Where DLA or PIP have already been ended, the AFIP award start date is the day after the DLA or PIP end date. Any premiums must be reinstated without a gap. Where the claimant was awarded SDP because of DLA or PIP there is no need to issue an IS10 to re-award it because of AFIP.

Step	Action
1	Access dialogue JA060: Register Claim/Event and register the change of circumstances.
2	Access dialogue JA091: Maintain Claim Details, the Effective date of change will be AFIP award start date shown on the AFIP61
3	Access dialogue JA091020: Other Benefits screen Enter AFIP using <ul style="list-style-type: none"> • Benefit code 58 • total received field input the amount of PIP 'Daily Living Enhanced Rate'.
4	Access dialogue JA091019: Exceptional Conditions screen and input <ul style="list-style-type: none"> • the relevant person number in the 'Person No' field • [03] to award SDP lower rate or [04] to award SDP higher rate in the 'Reason Code' field • the start date and end date (if known) of the entitlement to SDP if known • [V] for Verified in the final column if claimant previously had SDP awarded because of DLA or PIP or <ul style="list-style-type: none"> • [NE] if the claimant wasn't entitled to it,

	the decision made under DLA or PIP can remain valid, there is no need to send another IS10. AFIP is a qualifying benefit for SDP.
5	access dialogue JA200: Award and Decision and dialogue JA405: Compute Payment
6	Access dialogue JA110: Maintain Notepad and add a note that code 58 relates to an award of AFIP

AFIP awarded and DLA or PIP is already recorded in other benefits

294. Claimants cannot receive AFIP at the same time as AA, DLA or PIP. If the claimant chooses to claim AFIP, these benefits must be ended, and the end date is downloaded via the interface. AFIP is usually awarded from the day after the end of the AA, DLA or PIP award.

295. If AA/DLA /PIP is still recorded in the Other Benefits screen, take the following action:

Step	Action
1	Access dialogue JA060: Register Claim/Event and register the change of circumstances.
2	Access dialogue dialogue JA091: Maintain Claim Details, the Effective date of change will be AFIP award start date shown on the AFIP63
3	Access dialogue JA091020: Other Benefits screen and <ul style="list-style-type: none"> • Record AA/ DLA/PIP end date (the day before AFIP start date); • enter AFIP using Benefit code 58. <p>Note1: If PIP was in payment, do not leave the existing code 58 for PIP this must be ended and entered again on a new line).</p> <p>Note2: Care must be taken not to remove AFIP if an award end date for DLA or PIP is later downloaded through the AA/DLA/PIP- JSAPS interface.</p>
4	Access EXCEPTIONAL CONDITIONS screen. If V or NE is shown for SDP, there is no need to send another IS10 as AFIP is a qualifying benefit for SDP.
5	access dialogue JA200: Award and Decision and dialogue JA405: Compute Payment
6	Access Access dialogue JA110: Maintain Notepad and add a note that code 58 relates to an award of AFIP
7	Manually ending a DLA or PIP award that has come through the interface will be reported on the Exceptional Activity Report JA72302. This can be cleared if there is an explanation in JA510 Notepad Enquiry

Late award of AFIP

296. Following a late award of AFIP, any premiums which become payable can be backdated beyond the normal limit of one month. For further information see DMG Chapter 4 Award of qualifying benefit

No entitlement to JSA, until AFIP awarded

297. If the original JSA claim is disallowed, but AFIP is subsequently awarded it will attract premiums which qualify the claimant for JSA. Check that:

- the claim for AFIP:
 - was outstanding at the date JSA was claimed, or
 - had been claimed within 10 working days of the JSA claim, and
- a second claim for JSA was made within three months of the date on which AFIP was decided.

298. If the above criteria are satisfied, treat the second claim as made on:

- the date of the original claim, or
- the first date in respect of which AFIP is awarded, whichever is the later date.

299. See DMG Chapter 4 Award of qualifying benefit for more information about how to treat late awards of AFIP.

Claimant receives War Widow's/Widower's Pension

300. When assessing how War Widow's/Widower's Pension (WWP) affects JSA it depends on whether the claimant is claiming:

- JSA (C). Different rules apply to women receiving WWP when assessing JSA (C) entitlement Widows Credits can be awarded. The action to take is different if:
 - Widows Credits are awarded;
 - Widows Credits are not awarded;
- JSA (IB).

Widows Credits not awarded

301. If the claimant qualifies for JSA (C) without the award of Widows Credits, payment of JSA (C) is not affected.

302. Although JSA (C) is not affected, record details of the WWP on JSAPS:

- dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input:
 - [33] (WWP) in the Type field;
 - [01] (customer) in the For field;
 - [Y] in the Rec'd field; and
 - the full WWP details in the other fields.

Widows Credits awarded

303. A claimant may be entitled to JSA (C) because of the award of Widows Credits.

304. If JSA (C) is awarded because of Widows Credits, JSA (C) is reduced or extinguished by the amount of WWP in payment, unless the claimant satisfies an additional contribution condition.

305. The action is different if the:

- additional contribution condition is satisfied;
- additional contribution condition is not satisfied.

Additional contribution condition is satisfied

306. If the additional contribution condition is satisfied, WWP does not overlap with JSA (C):

Step	Action
1	for system maintained claims: access dialogue JA110: Maintain Notepad and record that the additional contribution condition is satisfied;
2	access dialogue JA035: Transfer To Clerical and: <ul style="list-style-type: none">• input the NINO;• when the JA035236: Personal details screen displays, check the correct claimant's details are displayed;• input the office number of the office where the main file print is to go;• press END;
3	for clerically maintained claims: refer to clerical action for JSA (IB).

Additional contribution condition is not satisfied

307. If the additional condition is not satisfied, WWP overlaps with JSA (C):

Step	Action
1	for system maintained claims: access dialogue JA110: Maintain Notepad and record that the additional contribution condition is not satisfied;
2	access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input: <ul style="list-style-type: none">• [33] (WWP) in the Type field;• [01] (customer) in the For field;• [Y] in the Rec'd field;• the full WWP details in the other fields; for clerically maintained claims: refer to clerical action for JSA (C);
3	JSAPS will treat the WWP as an overlapping benefit. This will mean that the JSA award is either reduced or extinguished. JSAPS issues the appropriate notification to advise the claimant.

War Widow's/Widower's Pension in payment

308. If a claimant receiving War Widow's/Widower's Pension (WWP) qualifies for JSA (IB):

Step	Action
1	for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input: <ul style="list-style-type: none">• [33] (WWP) in the Type field;• [01] (customer) in the For field;• [Y] in the Rec'd field; and

	<ul style="list-style-type: none"> the full WWP details in the other fields; and
2	for system maintained claims: JSAPS will take the correct amount of WWP into account against the JSA (IB) after applying the appropriate disregard;
3	for clerically maintained claims: <ul style="list-style-type: none"> apply the appropriate disregard; and refer to clerical action for JSA (IB).

War Widow's/Widower's Pension disregards

309. War Widow's/Widower's Pension (WPP) is subject to a £10.00 disregard for JSA (IB). JSAPS automatically applies this disregard.

310. Supplementary Pensions and Ministry of Defence Special Payments are disregarded in full.

311. To make sure the correct disregard is made when a Supplementary Pension or Special Payment is paid with WWP:

Step	Action
1	for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input: <ul style="list-style-type: none"> the total amount of the WWP and the Supplementary Pension or Special Payment in the Total Rec'd field; and the WWP amount only in the Account Amount field;
2	JSAPS will apply the £10.00 disregard to the basic WWP;
3	for clerically maintained claims: refer to clerical action for JSA (IB).

Claimant's partner in receipt of JSA (C)

312. If the claimant is claiming JSA (C) only any JSA (C) paid to the partner is disregarded. If the claimant is claiming JSA (IB) it is taken fully into account:

Step	Action
1	for system maintained claims: access dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits and input: <ul style="list-style-type: none"> [62] JSA (C); and/or [02] (partner) in the For field; [Y] in the Rec'd field;
2	for clerically maintained claims: refer to clerical action for JSA (IB);

Clerical action for JSA (C)

313. Part 11 of the JSA14A is used to record details of any income on a JSA (C) claim.

314. Other benefits are recorded against the type "Overlapping benefit" as follows;

- the amount of the benefit in the "Amount" column;

- the amount of any disregard in the “Disregard” column;
- the net amount (that is, the amount of benefit less any disregard) in the “Net” column;
- the amount in the “Net” column is then transcribed to the Cont (A) column.

Clerical action for JSA (IB)

315. Part 12 of the JSA14A is used to record details of any income on a JSA (IB) claim.

316. Other benefits are recorded as follows:

- the name of the benefit in payment in the “Type” column;
- to whom the benefit is payable in the “Paid to” column;
- the amount of the benefit in the “Amount” column;
- the amount of any disregard in the “Disregard” column;
- the net amount in the “Net” column;
- the amount in the “Net” column is then transcribed to the IB (Cont) column.

Useful Addresses

Veterans Agency

- Veterans Agency, Norcross, Blackpool, Lancashire, FY5 3WP;
 - Telephone number: 01253 851788.

Carer’s Allowance Unit

- Carer’s Allowance Unit, Palatine house, Preston, PR1 1HB;
 - Tel 0845 6084321
 - Textphone 0845 6045312 (for hearing or speech difficulties).

Disability Benefits Centre - Attendance Allowance Unit, Disability Living Allowance Unit and Personal Independence Payment Unit.

- DLA/PIP, Government Buildings, Warbreck House, Warbreck Hill, Blackpool, FY2 0UZ.
 - Tel 0845 7123456
 - Textphone 0845 7224433 for hearing or speech difficulties).

Appendix 1

To Jobcentre Plus Office
STB Section

From (Address
Stamp of JSA
section)

Surname
.....

Forenames
.....

Assessing previous work

Final payment from employers

1. An employer makes final payments when an employee finishes work because of dismissal, resignation, redundancy or their contract ending.
2. Final payments can include:
 - wages;
 - pay in lieu of notice;
 - holiday pay;
 - redundancy and other payments.

Wages

3. When employment ends, payments may be due for the employed period for services already provided. These payments are owed under the contract of employment and are due because of the employment itself, not because of the end of employment.
4. Such payments include:
 - final earnings;
 - wages held in hand;
 - commission.
5. Payments that are paid in place of a person's normal wage or salary should be treated as wages.
6. Normal wages from remunerative work due for any period up to and including the claimant's or partners last date of employment are ignored.

Holiday pay

7. An employer pays holiday pay if employment ends, and an employee did not take all the holidays legally due to them.
8. Holiday Pay received from an employer can be disregarded as long as:
 - the employment ended before the first day of the claimant's entitlement to JSA; and
 - the holiday pay is paid less than 4 weeks after the employment ended; and
 - the claimant is not involved in a trade dispute.

Employment ended after the start of the claim

9. If the employment ended **on** or **after** the first day of the claimant's entitlement to JSA, the holiday pay should be treated as earnings and taken into account in the normal way.

Holiday pay paid after 4 weeks of employment ending

10. Holiday pay that is payable more than 4 weeks after the employment ended, or was interrupted, should be treated as capital. It is then ignored for JSA(C) but taken into account as capital for JSA(IB), except in the case of a person affected by a trade dispute.

Holiday pay paid on a trade dispute claim

11. Any payment made to a person involved in a trade dispute or any payment a member of the family receives as a result of a trade dispute is taken fully into account as income.

See, Decisions Makers Guide, Volume 5, Chapter 28 Income Other than Earnings, Attribution of income

Pay in lieu of notice

12. An employer pays pay in lieu of notice when they end the employment without giving the agreed notice. The employer makes the payment instead of the employee working notice.

13. Any pay in lieu of notice received from an employer can be disregarded as long as the employment ended before the first day of the claimant's entitlement to JSA.

14. If the employment ended **on** or **after** the first day of the claimant's entitlement to JSA, any pay in lieu of notice received should be treated and attributed as earnings in the normal way.

Redundancy and other payments

15. Listed below are some of the common types of payments made by employers:

- statutory redundancy payments;
- payments in kind;
- Income Tax refunds;
- compensation payments.

Statutory redundancy payments

16. Statutory redundancy payments are treated as capital. They should be ignored for JSA(C) but taken into account as capital for JSA(IB).

Income Tax refunds

17. Any refunds of Income Tax are treated as capital. They should be ignored for JSA(C) but taken into account as capital for JSA(IB).

Compensation payments

18. Any compensation payments received from an employer can be disregarded as long as the employment ended before the first day of the claimant's entitlement to JSA.

19. If the employment ended **on** or **after** the first day of the claimant's entitlement to JSA, the holiday pay should be treated as earnings and attributed as per pay in lieu of notice.

20. **All** retainers will continue to be taken into account in the normal way, as will **all** earnings where employment has been suspended.

Attribution of pay in lieu of notice or compensation payments

21. If pay in lieu of notice (PILON) or a compensation payment has been or is due to be made:

Step	Action
1	establish the: <ul style="list-style-type: none"> • due date; and • amount of notice the claimant is entitled to;
2	if the notice was given on a day that falls: <ul style="list-style-type: none"> • before the first notional benefit week: <ul style="list-style-type: none"> ○ attribute the period of PILON from the due date until the last day of the notice period; • within the first notional benefit week: <ul style="list-style-type: none"> ○ attribute the PILON from the first day of the benefit week until the last day of the notice period.

22. If notice is given within the first notional benefit week, the attribution period may be longer than the notice period. However, because regulations stipulate that a person must be treated as in remunerative work for the whole period of PILON, the exclusion must be continued until the actual end date of notice. See Dialogue JA210: Maintain Suspension Details.

23. The period of disallowance is known as the 'remunerative work exclusion period'. The claimant can receive a National Insurance (NI) credit for the period of disallowance.

24. NI credits for the period of disallowance will be awarded by JSAPS

25. NI credits awarded during the PILON period, where there is no JSAPS claim covering that period, should be notified to NIRS2 using eNIRS, CF201 or CA5481 as appropriate. See Belated Application for Credits.

26. Waiting days, if appropriate, must be served after PILON/compensation payment has ended.

Holiday pay only has been or is due to be paid

27. Holiday pay paid on its own is treated in a different way than it would be if it were paid along with a compensation payment.

28. It is important to work out the correct due date when holiday pay was paid on its own, as this is the date that will determine when any disallowance will start.

29. When the:

- employee leaves and no notice is given:
 - the due date is the date the employer usually pays;
- employee gives agreed notice and notice is worked:
 - the due date is the date agreed in the contract of employment;
- employer terminates the employment and no notice is given:
 - the due date is the last date of employment;
- employer gives notice and notice is worked:
 - the due date is the final pay day according to the contract of employment.

The attribution of holiday pay

30. There have been three Commissioner's decisions regarding the attribution of holiday pay:

- the first attributes holiday pay by using the claimant's normal working week, for example, works 5 days a week and is paid 12 days holiday

pay. This would be attributed for a period of 2 weeks and 2 days (16 calendar days);

- the second decision attributes holiday pay for the period in which it is paid, for example, 12 days holiday pay is attributed for 12 calendar days;
- the third decision confirms the second decision and from 15 June 2005, attribution of holiday pay is on a calendar day basis.

31. Take action as follows:

Step	Action
1	establish the number of days that were in the claimant's working week;
2	attribute holiday pay <ul style="list-style-type: none"> • If due date falls within or after the first notional benefit week – attribute from the first day of the benefit week in which it falls; or • due before the notional benefit week – attribute from due date for period actually covered; or • due and payable more than four weeks after termination or interruption of employment (except interruptions due to trade dispute) – ignore for JSA(C) and treat as capital for JSA(IB); or • if paid along with PILON or compensation payment – attribute from the day following the end of remunerative work exclusion period calculated as a result of PILON or compensation payment.

When holiday pay is paid along with pay in lieu of notice/compensation payments

32. The disallowance period for holiday pay must follow the disallowance period for pay in lieu of notice or compensation payment.

33. Waiting days, if appropriate, must be served after holiday pay has ended.

34. The attribution of holiday pay paid to a partner is the same as for the claimant, but it will only affect the JSA(IB) element of the claimant's claim.

Recording previous work on JSAPS

35. Most claims to JSA will be processed on JSAPS. Therefore JSAPS will calculate any periods of attribution once the processor has input the correct dates.

36. When disallowing a claim for pay in lieu of notice using dialogue JA210: Maintain Suspension and Decision Details, dialogue JA210: Maintain Suspension and Decision Details.

37. Input the due date of PILON or compensation payment in the 'Notice Date' field in the MAINTAIN SUSPENSION DETAILS screen JA210211. This enables JSAPS to calculate the correct end date. See para 227 in JA210: Maintain Suspension Details

38. The partner was previously employed input the details in dialogue JA091: Maintain Claim Details, PREVIOUS WORK screen JA091007, checking correct person [02].

Previous work on a clerical claim

39. After attributing the pay in lieu of notice (PILON), compensation payment and/or holiday pay, and considering waiting days, record this on form A6.

40. The date JSA will be paid from is now known. This is noted on the reverse of the JSA14A clerical assessment form in the 'First Effective Date' box.

41. This first effective date is then transferred onto the JSA14P payment record form, which records dates and payments made for JSA.

42. The period of disallowance is also entered on the reverse of JSA14A form and the notes box can be completed with details of why the disallowance has occurred.

Insolvency Provisions

43. When an employer becomes insolvent, employees who lose their jobs may seek compensation for any loss of holiday or payment in lieu of notice.

44. The Redundancy Payment Office (RPO) will ask any ex-employee making such a claim, whether they have claimed Jobseekers Allowance.

45. Any payments of JSA declared will be deducted from any compensation paid by the RPO. They do not check these amounts with Jobcentre Plus.

46. If an Insolvency Payment is notified by the RPO take the following action:

- Check the period the award is for against any periods of JSA paid;
- If JSA (C) has been paid for the same period and an equivalent amount has been deducted from the award access dialogue JA110; maintain Notepad, and note the amount and dates
- adjustment the cum tots as appropriate for the JSA that has been deducted from the compensation, transfer to clerical and do the adjustment before re-building to JSAPS using dialogues JA035 and JA086. Also adjust the total and taxable pay by the amount of JSA deducted from the Insolvency Payment.
- If JSA (IB) has been paid and deducted from the Insolvency Payment take action to adjust the total and taxable pay by the amount of JSA deducted from the Insolvency Payment.
- If the Insolvency Payment has had no deductions for JSA paid no action is necessary on the claim.

Remainder of the Compensation

47. The remainder of the compensation paid by the RPO should be added to any capital already declared and a re-assessment done.

Seasonal workers

48. Seasonal workers are people whose work regularly stops or reduces at certain times of the year due to the nature of their business.

49. Decide first if the seasonal worker is in remunerative work. If the seasonal worker is not in remunerative work, consider if they are in gainful employment.

50. If the seasonal worker is not in remunerative work and not in gainful employment, treat them in the same way as other claims involving self-employment.

Sub-contractors

51. Sub-contractors often work in the construction industry. They are contracted by another person or company to do a particular job.

52. Claims from sub-contractors must be referred to a Benefit Delivery Expert to decide on whether they are self-employed.

See, Decision Makers Guide, Volume 5, Chapter 27

Absent from work with good cause

53. Good cause is some fact or circumstance that would cause a reasonable person to be absent from work for that period of time.

54. If the claimant cannot show good cause for their absence from work, they are not entitled to JSA, as they are treated as still being in remunerative work.

55. Establish if the claimant or partner is absent from work with good cause. The onus is on the claimant to show that good cause exists. Conditions of entitlement must also be satisfied.

Company Directors

56. Directors:

- are employees of a company;
- are not personally responsible for company debts;
- receive a salary from the company.

57. As a result, directors are not classed as self-employed earners, and therefore should be treated as an employee.

58. The claimant should have annotated their JSA claim form as to whether they are a company director or not.

59. Where the company director is the only or major shareholder of the company, business assets will need to be considered.

Renting out property as a business

60. If a claimant is letting property or properties other than their home, consider whether this is an investment or a business.

Rented property as an investment

61. A property is primarily an investment if the claimant:

- has a single property that is not their home address; and
- lets that property to tenants; and
- collects rent and does repairs.

Rented property as a business

62. A person who joins with others to buy properties to let as flats or offices could be said to be conducting a business. If a case which involves this type of self employment is received, consider the:

- number of properties involved; and
- long term intentions of the person.

63. If it is decided that a claimant is conducting a business from renting out properties, do not treat the rent income as capital because the income is obtained from the person's business.

64. The property is used as a business asset and the rent is a gross receipt of the business. Therefore it is taken into account as income.

See, Decision Makers Guide, Volume 5, Chapter 28 Income other than earnings

Child minders

65. A child minder is a person who engages in a contract for services to care for another person's child in return for payment.

66. To calculate a child minder's normal weekly earnings, use the child minder cash flow proforma to calculate net income.

67..

See, Decision Makers Guide, Volume 5, Chapter 27 Self employed earners and share fisherman, Particular forms of self-employment.

Crofts or small holdings

68. Earnings from a croft or small holding should be decided on the same basis as a small business.

See, Decision Makers Guide, Volume 5, Chapter 27 Self employed earners and share fisherman, Particular forms of self-employment.

Farmers

69. A farmer in need of financial assistance may first seek advice from a surveyor, land agent, valuer or some other similar professional to ensure they are taking advantage of any schemes or subsidies, such as those administered by Department of Food and Rural Affairs (DEFRA), that may be available.

See, Decision Makers Guide, Volume 5, Chapter 27 Self employed earners and share fisherman, Particular forms of self-employment.

Hotels, guest houses, and bed and breakfast establishments

70. Apply the remunerative work rules when considering a claim for a claimant or partner who runs a hotel, guesthouse, lodging house or bed and breakfast establishment.

71. Income received from providing board and lodgings accommodation is not earnings. Treat these payments as income other than earnings.

See, Decision Makers Guide, Volume 5, Chapter 27 Self employed earners and share fisherman.

Bars and restaurants in hotels and guest houses

72. Earnings from self-employment include income from bars and restaurants when services are provided that are not included in the board and lodgings charge.

73. Calculate the earnings assessment period and calculate the gross receipts and allowable expenses in the normal way.

Local exchange trading systems

74. Local exchange trading systems (LETS) are associations that allow participants to exchange goods and services with others in the community.

75. LETS members list their offers of, and requests for, goods and services in a directory and then trade them using a system of credits.

76. The credits are given many different names, for example:

- Bobbins

- Brads
- Newberries
- Beacons
- Acorns

This list is not exhaustive

Participating in a local exchange trading system scheme

77. Regard participation in a LETS scheme as work because the credits obtained are payment for goods or services provided.

78. Decide:

- if a LETS participant is engaged in remunerative work, and/or
- the credit's sterling equivalent so that the credit's value can be added to the:
 - business' income/earnings;
 - claimant's capital.

Factor to consider

79. Participants in a LETS scheme can exchange their credits for goods and services in participating shops and businesses in much the same way as ordinary currency.

80. Her Majesty's Revenue and Customs (HMRC) consider credits as taxable income.

81. For JSA purposes and depending on the circumstances of the case, credits can be treated as:

- capital; or
- earnings.

82. Never treat credits as payment in kind.

83. If a person:

- undertakes occasional, personal transactions for credits, for example, selling an item of furniture, the credits received should be treated as capital; or
- is gainfully employed as a self employed earner and receives credits such as payment for services provided, those credits should be included in the gross receipts of the business and are subject to the appropriate disregard.

See, Decision Makers Guide, Volume 5, Chapter 27 Self employed earners and share fisherman.

Athletes

84. Athletes who receive sponsorship, attendance money or prize money are subject to normal self-employed rules.

Gross income or earnings

85. Income or earnings in self-employed cases may be referred to as gross receipts/ income. See Establishing gross income or earnings.

86. Income from royalties and copyright payments have a different assessment period to other gross receipts/ income. This different rule applies to:

- Royalties or other sums paid as a consideration for the use of, or right to use, any copyright, design, patent or trademark; or

- any payment in respect of any:
 - book registered under the Public Lending Right Scheme 1982, or
 - work made under any international public lending Right Scheme 1982, where the claimant is the first owner of the copyright, design, patent or trademark, or an original contributor to the book or work concerned.

See, Decision Makers Guide, Chapter 27 Self employed earners and share fishermen, Royalties and copyright payments - para 27073 onwards, for information on the differing assessment period.

Establishing gross income or earnings

87. After calculating the earnings assessment period, work out the self-employed person's gross income or earnings in that period.

See, Decision Makers Guide, Volume 5, Chapter 26 Meaning of gross earnings

Evidence of income or earnings

88. There are many different types of self-employment and not all of them record their income or earnings in the same way.

89. If accounts that have been drawn up by an accountant are provided be aware that:

- the net profit/loss figure may not be appropriate for JSA purposes as the HMRC allow different expenses; and
- some of the income and expenses may not have been received or paid out during the period of the accounts.

90. If there are no accounts drawn up by an accountant, ask the claimant to provide other confirmation such as:

- copies of invoices made out to clients in respect of work done;
- copies of receipts of payments by clients;
- a day to day record of all payments received;
- receipts for goods purchased;
- receipts for transport costs;
- business books, for example, a cash book;
- bank statements;
- HMRC form 715, provided to sub-contractors to show how much the contractor has paid them.

See, Decision Makers Guide, Volume 5, Chapter 27 Self employed earners and share fishermen.

Certified accounts

91. The layout and content of accounts varies but if a professional accountant has prepared them, the accountant usually makes a signed statement on the accounts. The accounts should also be signed by the person or persons they relate to.

92. There are different types of accounts, for example:

- trading account;
- Profit and loss account.

Trading account

93. The trading account shows the gross profit of the business.

94. Gross profit is money received before business expenses have been deducted.

Debit side	Credit side
Opening stock	Total sales
+	+
Total purchases	Closing stock

Profit and loss account

95. The profit and loss account shows the net profit of the business.

96. The net profit is the amount of money the company has made after deductions of all business expenses except personal drawings or wages.

Debit side	Credit side
Gross profit	All bills
+	+
Other income	All expenses

The balance sheet

97. The balance sheet is a financial statement of the business at a given date. It lists the business assets and liabilities.

Establish allowable expenses

98. Different types of self-employment will incur different costs. The Benefit Delivery Expert must consider the type of work or services before considering which expenses are allowable.

Evidence of expenses

99. If the claimant's accounts are drawn up by a professional accountant:

Step	Action
1	accept that the expenses detailed are correct;
2	use form A6 to record all details of the business, income and expenditure;
3	complete a cash flow chart to calculate net income.

100. If there are no accounts, or the accounts have not been drawn up by an accountant:

Step	Action
1	ask the claimant to provide other confirmation where possible, for example: <ul style="list-style-type: none">• receipts for bills;• receipts for goods purchased;• receipts for transport costs;
2	record all details on form A6 of the business, income and expenditure;
3	if evidence of expenses has been provided, complete a cash flow chart to calculate net income.

Allowable expenses

101. If all the conditions for deducting business expenses are met, all day-to-day expenses of the business are allowable.

102. If a self employed claimant employs their partner in the business:

- allow their partner's wage as a business expense; and
- take their partner's wages into account in the JSA assessment.

103. Never add back wages to accounts to offset losses, even if the business is making a loss.

See, Decision Makers Guide, Volume 5, Chapter 27 Self employed earners and share fishermen.

Non-allowable expenses

104. The following are not allowed as business expenses:

- money used to acquire a capital asset, for example, a vehicle;
- the depreciation of any capital assets, for example, a vehicle or machinery;
- expenses used in providing business entertainment, for example, business lunches;
- any personal drawings on income or capital.

This list is not exhaustive.

See, Decision Makers Guide, Volume 5, Chapter 27 Self employed earners and share fishermen.

Conditions for deducting business expenses

105. Certain expenses should be deducted from gross income of the business if they were:

- actually paid out during the earnings assessment period;
- reasonably incurred; and
- paid out wholly and exclusively for the purpose of the business.

Claimant's partner employed by the business

106. If a self employed claimant employs their partner in the business:

- allow their partner's wage as a business expense; and
- take their partner's wages into account in the JSA assessment.

107. Never add back wages to accounts to offset losses, even if the business is making a loss.

Value Added Tax

108. A business that is registered for Value Added Tax (VAT) is required to submit returns every three months to HM Revenue and Customs.

109. If the business is not registered for VAT, the VAT will appear on the accounts only as an expense.

110. If the business has paid VAT on purchases and other expenses, this is automatically included in the amounts allowed for expenses.

111. If the business receives more VAT from its claimants than it has paid to its suppliers, it must pay the balance to HM Revenue and Customs.

112. An amount that has been paid to HM Revenue and Customs during the earnings assessment period, can be allowed as a business expense.

Chargeable income or earnings

113. The chargeable income or earnings is equal to the gross income or earnings less allowable expenses.

Allowable deductions from chargeable income or earnings

114. After calculating the chargeable income or earnings, an amount can be deducted for:

- Class 2 National Insurance contributions (NICs);
- Class 4 National Insurance contributions (NICs);
- Income Tax or notional Income Tax;
- half of any premium paid:
 - into a personal pension scheme; or
 - for a retirement annuity contract.

Class 2 National Insurance contributions

115. A Class 2 contribution is a flat rate contribution, paid irrespective of the amount of earnings or profits from the person's self employment.

116. A deduction should be made for Class 2 contributions in all cases.

See, Decision Makers Guide, Volume 5, Chapter 27 Self employed earners and share fisherman, Deduction for notional Class 2 SS contributions

Class 4 National Insurance contributions

117. A Class 4 National Insurance contribution (NIC) is a deduction of a fixed percentage of the annual profits of the business when these profits fall within lower and upper levels.

118. These payments are in addition to Class 2 NICs. Make a notional deduction for this figure.

119. Class 4 contributions are paid in addition to Class 2 contributions when the profits from the self-employment exceed a certain level.

120. Unlike Class 2 NICs, Class 4 NICs are not charged at a fixed rate, and a notional Class 4 NIC should be charged.

121. The calculation is based on the percentage rate and lower and upper levels current at the date of claim only.

See, Decision Makers Guide, Volume 5, Chapter 27 Self employed earners and share fisherman, Deduction for notional Class 4 SS contributions

Notional Income Tax

122. All earnings are liable for Income Tax. Most employers operate the Pay As You Earn (PAYE) scheme and deduct Income Tax and National Insurance Contributions (NICs) from their employees' wages.

123. Self employed people cannot use PAYE because their earnings depend on factors that may not be immediately apparent, for example, turnover and expenses.

124. Because of this:

- self employed people have their Income Tax assessed once a year retrospectively and may pay it in instalments over the following year;

- the actual amount owed/ paid on the earnings used may not be known when assessing a self employed claim; and
 - a notional Income Tax should be used when assessing JSA.
125. All earners get a personal tax allowance, ie an amount that they do not pay tax on. An additional personal allowance for a child or young person can be allowed in certain circumstances.

See, Decision Makers Guide, Volume 5, Chapter 27 Self employed earners and share fisherman, Deduction for notional Income Tax

Calculating net income

126. When the appropriate information has been gathered, calculate a weekly net income figure for the JSA assessment.

Calculating a weekly earnings cashflow for a sole trader

127. Use the cash flow proforma to calculate net income.
128. Only net earnings are entered on the system. Convert to a weekly amount after making all deductions.

Calculating a weekly earnings cashflow for a business partner

129. Before considering sharing out the net profit of the business among the partners, make sure the chargeable income or earnings includes the following for all partners:

- any allowances from schemes to help with self employment; and
- any personal drawings.

130. If the partnership agreement shows that the partners are entitled to equal shares of the profits, divide the chargeable income or earnings into equal parts.

131. If the partnership agreement shows that the partners are entitled to varying proportions of the profits, apportion the chargeable income or earnings according to the percentage due to the claimant or partner.

See, Decision Makers Guide, Volume 5, Chapter 27 Self employed earners and share fisherman, Partnerships

Calculating income of a salaried partner in a business

132. If a self-employed partner receives a salary from the business in addition to a share of the business profit do not deduct their salary before arriving at the total net profit to be shared between the partners.

See, Decision Makers Guide, Volume 5, Chapter 27 Self employed earners and share fisherman, Salaried Partners

Recording current self employment on JSAPS

133. To record a continuing self employed case on JSAPS:

Step	Action
1	access dialogue JA091: Maintain claim details, screen JA091006 CURRENT WORK;
2	input [Y] in the Self Employed field;
3	access dialogue JA091: Maintain claim details, screen JA091107 -

	CURRENT WORK-EARNINGS
4	input: <ul style="list-style-type: none"> • the weekly net income figure; or • [£0.00] if there is no profit;
5	JSAPS prompts for a decision to be made when dialogue JA200 - Award and Decision is accessed;
6	pass to the Benefit Delivery Expert to adjudicate on the decision;
7	access dialogue JA110: Maintain Notepad and make a note to review the case.

134. JSAPS automatically sets a limited case control date to review the claimant's earnings after 52 weeks.

135. If it is decided to do a review more frequently:

Step	Action
1	access dialogue JA530: Case Controls. Set case control and input an appropriate review date;
2	access dialogue JA110: Maintain Notepad and make a note to review the case.

Recording current self employment clerically

136. The weekly average earnings should be recorded on the JSA14A, at Section 10 for JSA(C), or Section 11 for JSA(IB).

Section	Entry
10 Income for JSA(C)	Only the claimant's income affects the assessment of JSA(C). Enter: <ul style="list-style-type: none"> • the type, for example, self-employment; • paid to – the claimant's name; • the weekly amount; • the appropriate disregard; • the net figure. Copy the net figure into the weekly amounts 'Column A (Cont)'
11 Income for JSA(IB)	Any income the claimant, partner or dependants receives affects the assessment of JSA(IB). Enter: <ul style="list-style-type: none"> • the income type; • to whom the income is payable; • the weekly amount; • the appropriate disregard; • the net figure. Copy the net figures into the weekly amount 'Column C (IB)'

Protected entitlement for certain ex-Income Support claimants

137. There is an exception to the remunerative work rule for claimants, who at the time the Income Support (IS) remunerative work rule was changed on 7 April 1992:

- received IS; and
- were working between 16 and 24 hours per week.

138. These claimants were given protected IS entitlement at the time of the change. Claimants covered by this rule carry the protection forward to JSA.

139. If the claimant satisfies these conditions, note their JSA wallet to identify that:

- protected IS entitlement applies; and
- the claimant can work for up to 24 hours a week without the claim being terminated.

140. The linking period for this protection is eight weeks. If the claimant makes a claim to JSA, you must check whether the protection applies and action the claim accordingly.

141. These cases must be clerically maintained and a credit awarded.

See, Decisions Makers Guide, Volume 4, Chapter 20, JSA and IS Conditions of Entitlement

Protected credits entitlement

142. Claimants who satisfy the protected Income Support conditions and work less than 24 hours in a week are also entitled to a National Insurance (NI) credit because an award of JSA is made.

143. As these are clerical cases, use form CF201 to award NI credits.

Councillors

144. Members of local councils and other Local Authority (LA) bodies are not treated as in remunerative work whilst carrying out their duties as a councillor. For further information please see the **Decision Makers Guide, Volume 5, Chapter 26, Employed Earners, Local Authority Councillors.**

Councillors working 16 hours or more per week on council duties may still be able to receive JSA.

Whilst performing their duties they may receive attendance allowance and expenses to attend meetings and committees, these allowances can include:

- basic allowance;
- special responsibilities allowance;
- attendance allowance;
- financial loss allowance;
- travel and subsistence allowance.

145. Any allowances should be treated as earnings for JSA purposes.

For the treatment of expenses, please see guidance on volunteer expenses.

Teachers and ancillary workers

Teachers

146. Details of how to treat teachers can be found in:

- **The Decision Makers Guide Volume 5, Chapter 26 Employed Earners**

Ancillary workers during holiday periods

147. Consider if a claimant is in remunerative work for all their cycle of work when:

- their hours of work fluctuate;

- they have a recognisable cycle of work, consisting of one year;
- they are employed at:
 - a school or other educational establishment;
 - other place of employment with school holidays or similar vacations; and
- on average they work 16 hours or more per week.

148. This decision applies to the whole of the cycle, including non working weeks.

149. All claims from ancillary workers must be referred to the Benefit Delivery Expert for a formal decision on remunerative work. This is because some ancillary workers may not have established a cycle of work and may qualify for JSA providing all other conditions of entitlement are met.

150. If an ancillary worker enquires about possible entitlement to JSA during school holidays, or other similar vacations, tell them that their claim will be decided by the Benefit Delivery Expert who:

- examines the facts of the case and the claimant's circumstances, and
- makes a decision using the current interpretation of the JSA Regulations and relevant case law - the latest case law on this subject is taken from Commissioner's Decision CJSA/395/98.

151. A claimant who is unsure of their position may wish to claim JSA so that the claim may be decided on and a written decision issued. If the claimant does not agree with this decision, they have the right to appeal against it.

152. The decision to claim JSA must be the claimant's. Do not influence them either way and do not under any circumstances tell ancillary workers they cannot claim JSA.

See Decision Makers Guide chapter 20, para 20316 – JSA yearly cycle with school holidays or similar vacations.

Disabled people (75% rule)

153. The remunerative work rule does not apply to certain disabled workers who have been receiving JSA since before 25 January 2010, that is:

- mentally or physically disabled claimants who earn, or work 75% or less than a person without that disability who is in comparable employment in that area, and
- claimants living in a Care Home (CH) or residential accommodation

154. If there is any break in entitlement on or after 25 January 2010 the remunerative work rule will apply if the claimant makes a further claim for JSA. Linking is not possible.

NOTE: This condition of entitlement was removed for all new and repeat claims from disabled workers from 25 January 2010. There are no linking rules

Non-cash vouchers

155. From 1 July 1999, the amount of any non-cash voucher included as earnings for the purposes of calculating Class 1 National Insurance deductions is included in the earnings assessment when calculating both JSA(C) and JSA(IB).

156. A non-cash voucher is any voucher or token that is redeemable for goods or services. The term non-cash voucher could include:

- luncheon vouchers;
- car parking tokens;
- vouchers redeemable in a local store;
- vouchers redeemable at the place of work, for example, Tesco staff may receive non-cash vouchers for staff purchases at the store.

Elite Athletes Programme - Sports Awards

157. The Elite Athletes Programme is a scheme run by the Sports Councils of England, Wales, Scotland, Northern Ireland and the UK.

158. Awards to athletes receiving JSA(IB) do not include day-to-day living expenses.

159. Under the Social Security Amendment (Sports Awards) Regulations 1999, these sports awards are disregarded. Athletes on the World Class Programme must not be treated as being on training, for example, Work based learning for adults, or in remunerative work.

160. Sports awards are usually made for a year and paid either monthly in arrears or quarterly in advance. Small awards, under £500, may be paid as a lump sum for a year, but should be treated as income.

161. Athletes may sometimes receive a large lump sum for an expensive item of equipment, for example, a disabled athlete receiving help to buy a racing wheelchair. Treat this money as capital.

162. Athletes who receive other sponsorship, attendance or prize money are subject to the normal self-employment rules.

163. If the athlete takes part in team events, the sport's governing body may receive money to pay for team events and costs for example, uniforms. Treat these as third party payments.

164. Claimants will still have to meet all other requirements of JSA to remain entitled to benefit. This means that they must remain available, actively seeking and so on.

165. If a claimant who is on the scheme attends a residential training scheme in Great Britain this would be treated as an absence from home, not a period of temporary unavailability.

166. There is no entitlement to JSA for any period abroad.

The Time Exchange Scheme

167. Participation in the Time Exchange Scheme is considered by community organisations and local government, as a way of involving people in their local communities, as part of a regeneration scheme.

168. Although participants in a Time Exchange Scheme may do so in the belief that they are volunteers, it is not regarded as volunteering for either income related or incapacity benefits, as volunteering is done without reward or expectation of reward.

169. However, work carried out under the Time Exchange Scheme is not classed as remunerative work and it is input JSAPS in exactly the same way as volunteering. .

170. As there is a distinction between work undertaken on a voluntary or remunerative basis and that undertaken under the Time Exchange Scheme, offices need to be aware of what scheme(s) exist in their areas.

171. In a Time Exchange Scheme, time credits cannot be exchanged for goods or converted into alternative currency used by a Local Exchange Trading Scheme (LETS). For benefits purposes, participation in a LETS is self-employment and any activity undertaken will count towards the remunerative work rule.

See, Decision Makers Guide Volume 5, Chapter 26, Notional earnings

Appendix 1

Cash flow proforma for calculating the net income of a self employed business

Claimant's name

NINO

Earnings assessment period .../.../...to .../.../...

Total Gross Receipts		£		A
Total Expenses		£		B
Deduct B from A =chargeable income from the business		£		C1
Share of the business..... % x C1 (if a partnership)		£		C2
Deduct the following from C1 or C2 as appropriate				
• Class 2 National Insurance contributions				
.....=>	£			
• Class 4 National Insurance contributions				
.....				
.....				
.....				
.....=>	£			
• Notional Income Tax				
.....				
.....				
.....				
.....=>	£			
• Personal pension contributions				
.....=>	£			
	Total Deductions	£	=>	£
Deduct D from C = net income (profit or loss)				£
Convert to a weekly figure				£

Signature.....

Date.....

Converting to a weekly figure

To convert net income (profit or loss) to a weekly figure:

- Divide the net income at **D** by the number of days in the earnings assessment period
- multiply the result by 7

Building a claim from clerical

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.

Building claims from clerical

3. Dialogue JA086: Build from Clerical is used when building clerically maintained cases on to JSAPS.
4. Before rebuilding, ensure that all the necessary information to put the claim onto JSAPS is held, eg:
 - the customer's National Insurance number and postcode;
 - all documents for periods that have been paid clerically; and
 - all Data Protection Act (DPA) prints that relate to the claim.
5. If the claim is rebuilt after transfer to clerical and the customer's circumstances have not changed, use DPA print JA70150 for the claim information.

Building the claim on JSAPS

6. To build a clerical claim onto JSAPS:

Step	Action
1	access dialogue JA060: Register Claim/Event;
2	compare the personal details displayed on JSAPS with the clerical records held and, where appropriate, amend the details in the relevant PD/CP amendment dialogues;
3	register a build from clerical event on the REGISTER CLAIM/EVENT screen JA060062;
4	press [F3] to save the details recorded and the BUILD FROM CLERICAL DETAILS screen JA086024 of dialogue JA086: Build from Clerical displays;
5	using forms: <ul style="list-style-type: none">• JSA14A;• JSA14C;• JSA14P; and• The DPA print; input:

	<ul style="list-style-type: none"> • the date the claim is to be administered by JSAPS in the 'Commence system payment date' field; • the date of the next full case check, if appropriate, in the 'Next full case check date' field; • [Y] or [N] as appropriate in the 'FCC/SCC satisfied' field; • the start date of the jobseeking period in the 'JSP start date' field; • the number of cumulative days paid in the 'Cumulative total/waiting days' field if JSA(C) has been paid; • the total number of credits awarded in the 'Credits award to date' field, include all credits from all claims in the credit year; and • the last effective day of the clerical claim in the 'Last effective day' field;
6	press [ENTER] and the CLAIM DETAILS PICKLIST screen JA086002 displays;
7	Input [Y] against each of the screens that require visiting and transfer the information from the clerical records to each screen;
8	press [ENTER] after completing each screen to progress to the next
9	when all relevant screen have been visited, input [Y] in the 'Evidence complete' field;
10	press [F3] to go to dialogue JA400: Method of Payment and input the method of payment;
11	<p>if the clerical claim contains third party deductions, the details will require input into dialogues:</p> <ul style="list-style-type: none"> • JA715: Maintain Creditor Details; and • JA300: Maintain General Deductions; <p>and some or all of dialogues:</p> <ul style="list-style-type: none"> • JA301: Maintain Mortgage Direct; • JA302: Maintain Social Fund Deductions; • JA303: Maintain Overpayments; • JA304 Maintain Clerically Identified Overpayments;
12	access dialogue JA200: Award and Decision and decide on the claim;
13	access dialogue JA405: Compute Payment to calculate and pay the award.

Calculating the award

What is an applicable amount?

1. The maximum amount that can be awarded to the claimant is called the applicable amount.
2. The elements that make up the applicable amount are:
 - personal allowance;
 - dependants allowance;
 - premiums;
 - housing costs – for housing costs not covered by Housing Benefit.

See, **Decision Maker's Guide, Volume 4, Chapter 23 Normal amount payable**

Definition of polygamous marriage and polygamous relationship

Polygamous marriage

3. A polygamous marriage is any marriage:
 - during which one of the people concerned is married to more than one person; and
 - for which the marriage ceremony took place under the law of a country that allows such marriages.

See, **Verification of life events (VOLE), Marriage.**

Polygamous relationship

4. A polygamous relationship is where someone lives in a husband and wife relationship with more than one person, but is not married to them.

Joint Claims for JSA

5. A joint claim means that both members of a couple must satisfy the conditions of entitlement to be entitled to JSA
6. Joint Claims applies to couples who claim **and** are awarded income-based Jobseeker's Allowance (JSA (IB)) and who meet the joint claim criteria, unless an exception or exemption applies to them
7. The joint claim criteria are that neither of them are responsible for a child or young person and at least one member is
 - aged 18 or over; and
 - born after 28 October 1947; and
 - under state pension age.

Responsible for children

8. Couples **do not** need to be part of a joint claim if either one of them is responsible for a child or qualifying young person. A couple counts as being responsible for a child or qualifying young person if:
 - they are receiving child benefit for the child or young person; **or**
 - no one is receiving child benefit for the child or young person but:

- the child or young person usually lives with the couple; or
- one member of the couple has claimed child benefit for the child or young person but the claim has not yet been decided; **or**
- someone else is responsible for the child or young person but the child or young person is living with the couple so they can attend school; **or**
- the couple are looking after the child or young person for the local authority or a voluntary organisation (or in Scotland only they have been boarded out with the couple) under specific provisions; **or**
- the couple are looking after the child or young person with a view to adoption.

Joint Claim Exceptions

9. Certain couples, whilst still legally a joint claim, are not required to make a joint claim. For administrative purposes they are treated as a claimant and partner claim. If one of the couple falls into one of the following categories, they are not required to make a joint claim.

- either member is working over 16 hours but under 24 hours or
- either member has been disentitled; or
- payment of a European Economic Area (EEA) imported benefit is being made, whether or not there is also an element of JSA(IB); or
- either member is a Person From Abroad (PFA); or
- either member is subject to immigration controls and has no recourse to public funds or cannot obtain a work permit; or
- either member is in receipt of Statutory Sick Pay (SSP) received from a job of 16 hours or more per week; or
- one member of the couple is temporarily absent from the UK at the date of claim ; or
- one member is over pension age; or
- the woman is pregnant and she is either:
 - in receipt of Statutory Maternity Pay (SMP) or Maternity Allowance (MA) or
 - is within 11 weeks of her EWC and no longer wishes to be available for or to actively seek work.; or
 - is within 28 weeks after the pregnancy ends by reason of stillbirth or peri-natal death or the child is taken into care or surrendered for adoption immediately after birth.

Joint Claim Exemptions

10. A joint claimant can apply for an exemption when making a new or repeat joint claim or at any time during the life of their claim.

11. Exemptions are not granted automatically; they have to be requested by the claimant. However, if a member of staff identifies that a claimant may fall within an exemption category they must offer information about exemptions, so that the claimant can decide what route they wish to take in claiming benefit.

12. In many cases a claimant does not have to be exempt just because they fit into one of the exemption categories. There are flexibilities within JSA that must

be explored before considering an exemption, as they enable the person to keep in touch with the labour market. See the Labour Market Conditions Guide for further information.

13. Please see the Joint Claims Exemption Guidance for further information on the exemption categories and process to be followed

Personal allowance

14. Personal allowance is payable for normal living expenses for the claimant and partner. It is paid at different rates according to the claimant's age and circumstances, for example, if the claimant is:

- part of a couple, or a joint claim;
- a lone parent;
- a single person.

Awarding personal allowance for lone parents

15. For lone parents, different rates apply based on which of the following categories the claimant falls into:

- under or 16/17 years old, living with family and not disabled;
- under or 16/17 years old, but living away from home or disabled;
- aged 18 to state pension age.

How to award lone parent personal allowance

16. For JSAPS maintained claims JSAPS automatically calculates the claimant's personal allowance when the child or young person's details are entered.

How to award lone parent personal allowances clerically

17. If the claim is clerically maintained show details of the personal allowance on form JSA14A.

Awarding personal allowance for single people

18. For single people different rates apply based on which of the following categories the claimant falls into:

- under 18 years old, living with family and not disabled;
- under 18 years old, and living away from home or disabled;
- aged 18-24 years;
- aged 25 to state pension age.

19. JSAPS automatically calculates the claimant's personal allowance when the relevant details are entered.

20. If the claim is clerically maintained show details of the personal allowance on form JSA14A.

Awarding personal allowance for couples and joint claims

21. For couples, different rates apply based on which of the following categories the couple falls into:

- both under 18 years old;
- one or both partners aged over 18 years old;
- for joint claims one or both claimants must be over 18 and born after 28 October 1947.

See, Decision Maker’s Guide, Volume 6, Chapter 30 Students, young claimants and their partners

22. JSAPS automatically calculates the claimant’s personal allowance when the relevant details are entered, for a couple claim to JSA (IB) and for a joint claim.

23. To complete the partner’s details:

Step	Action
1	in dialogue JA091 Maintain Claim Details, screen JA091005 ABOUT PARTNER;
2	input the partner’s NINO and [Y] in the ‘New Partner’ field.

24. Special action may need to be taken to input personal allowances when an exceptional condition has been input in dialogue JA091: Maintain Claim Details, EXCEPTIONAL CONDITIONS screen JA091019. A manual entry may have to be made in the CLERICAL COMPONENT screen JA200203 of dialogue JA200, as JSAPS may not have all the relevant information necessary to make an award of benefit.

25. If the claim is clerically maintained show details of the personal allowance for single person claim, couple claim or joint claim on form JSA14A.

Personal allowances for polygamous marriages and polygamous relationships

Polygamous marriage

26. In polygamous marriage cases award personal allowances for:

- the claimant and the eldest partner at the correct couple rate; and
- each additional partner. Award the difference between the higher rate for a couple and the rate for a single claimant aged 25 or over.

27. The amount may be different where one or more partners are aged 16 or 17.

See, Decision Maker’s Guide, Volume 6, Chapter 30 Students, young claimants and their partners.

Polygamous relationship

28. Treat each member of the relationship as a single claimant or, if appropriate, a lone parent.

See, Decision Maker’s Guide, Volume 3, Chapter 11 Living together as husband and wife

Polygamous marriage system action

29. To award personal allowance in claims involving polygamous marriages:

Step	Action
1	in dialogue JA091 Maintain Claim Details, screen JA091005 ABOUT PARTNER record the eldest partner;
2	in dialogue JA091: Maintain Claim Details, screen JA091011 DEPENDANTS YOU WANT TO CLAIM FOR: <ul style="list-style-type: none"> • record any subsequent partners; and • input [P] in the relevant field.

30. Special action may need to be taken to input personal allowances when an exceptional condition has been input in dialogue JA091: Maintain Claim Details, EXCEPTIONAL CONDITIONS screen JA091019. A manual entry may have to be made in the CLERICAL COMPONENT screen JA200203 of dialogue JA200: Award and Decision as JSAPS may not have all the relevant information necessary to make an award of benefit

31. If the claim is clerically maintained show details of the additional dependants on form JSA14A.

Definition of dependant child or young person

32. A dependant is either:

- a child under 16, for whom the claimant or partner is responsible and who is treated as living in the same household; or
- prior to 10 April 2006 a young person a person aged over 16 and under 19 who is still in full time, non-advanced education whom the claimant or partner is responsible for and who is treated as living in the same household.
- from 10 April 2006 a young person a person aged over 16 and under 20 who is still in full time, non-advanced education whom the claimant or partner is responsible for and who is treated as living in the same household. The young persons 19th birthday must be on or after 10 April 2006

33. A person aged 20 or over cannot be treated as a dependant, except as a partner.

34. If the dependant child has ceased education but Child Benefit (CHB) is still being paid because of the CHB extension period, dependant's allowance and family premium may still be awarded.

Person without accommodation

35. A dependant's allowance cannot be paid when the claimant is a person without accommodation.

See, Decision Maker's Guide, Volume 4, Chapter 24 People without accommodation.

Healthy Start Vouchers

36. In November 2006 the Healthy Start Scheme replaced the Welfare Food Scheme which issued Milk Tokens.

37. The Healthy Start Scheme enables eligible claimants to claim free vouchers that can be redeemed for:

- milk (fresh cows milk only)
- fresh vegetables, including salads
- fresh fruit, but not fruit juices or smoothies; or
- infant formula milk (based on cows milk only).

38. The Healthy Start Scheme is administered by the Department of Health (DoH), who contract the work out to an Issuing Unit.

39. For information on claiming Healthy Start vouchers see the Customer Service A-Z Applying for Healthy Start.

40. Being in receipt of income – based JSA qualifies eligible claimants for Healthy Start vouchers.

41. There are two ways information about qualifying claimants' details are passed to DoH. This depends on whether the case is maintained on JSAPS or clerically.

JSAPS maintained cases

42. Details of children the claimant is responsible for must still be input to JSAPS. Exceptional condition 01 should only be input as an aid to calculating the MA or SMA period, it should **not** be input if there is no allowance being paid.

Clerically maintained cases

43. Clerically maintained cases are not identified by the centrally run scan.

44. Form HS1 must be completed if the claimant/partner:

- is pregnant and/or
- has a child(ren) under four years old **and**
- is being paid dependants allowance and child premium is in the assessment.

45. The HS1 must be completed with the youngest child listed first. In the event of there being more than six children, repeat the parents' details and then list the additional children.

46. The HS1 must be forwarded, once completed via email to Philip Corbett.

47. The HS1 forms are compiled, centrally, on a database and the information passed on to the Healthy Start Issuing Unit to issue vouchers to claimants.

48. An HS1 form should also be issued on change of circumstances occurring in clerically maintained cases, **if** there is a child premium in payment, for example when a:

- claim becomes clerically maintained
- change in the household constitution occurs
- child joins or leaves the household
- change of address is reported
- claimant is disallowed IS
- claimant's details are rebuilt onto JSAPS (give details of the date the case was rebuilt).

49. This enables the database to be kept up to date and the correct details passed to the Healthy Start Issuing Unit.

50. Also, it provides a definitive list of clerically maintained households with children that are awaiting migration to Child Tax Credit, helping to inform plans for the eventual migration to HMRC of remaining child elements within Jobcentre Plus benefits.

Premiums

51. Premiums are additional amounts included in the applicable amount according to the specific needs of the claimant, and if appropriate, their family.

52. The premiums can only be awarded when assessing JSA (IB).

53. A person without accommodation is not entitled to premiums.

Entitlement to more than one premium

54. Some claimants may be entitled to more than one premium. Only the highest premium is paid if there is entitlement to any of the following:

- disability premium;
- pensioner premium;
- higher pensioner premium;
- enhanced pensioner premium;
- .

55. Any or all the following premiums can be awarded in addition to the above.

- enhanced disability premium;
- carer premium;
- severe disability premium.

Bereavement premium

56. For enquiries about the Bereavement premium see Appendix 1.

Child personal allowances, Lone parents, Family and disabled child Premiums.

57. On 6 April 2004, Child Tax Credit (CTC) replaced the elements within JSA (IB) that are paid for children.

58. For JSA claims where there are children in the household statistical symbol **EF** must be recorded even though FP is no longer in payment for the majority of claimants. Stats symbols are used for statistical purposes that identify households where there are children.

59. For the few remaining claimants that may still have children included in their award, see Appendix 1

Definition of blind and treated as blind

60. A person should be treated as blind:

- if they are registered as blind (to be accepted as blind for the departments purposes the claimant would have to be “registered blind in a register compiled by the Local Authority or in Scotland registered blind in a register maintained by a regional or islands council”; or

- for a period of 28 weeks (196 days) following the date registration ended because eyesight has been regained.

61. A person who is registered as partially sighted should not be treated as blind.

Qualifying benefits for disability premium

62. A disability premium (DP) may be included in the applicable amount if the claimant and/or the partner satisfy the conditions for receipt. The Entitlement to more than one premium rule applies to DP.

63. DP is paid at a lower and a higher rate. Detailed information on the qualifying conditions for the award of the DP can be found in DMG Chapter 23 Disability premium.

64. If the claimant or their partner (if they have one) has reached the age at which they can get Pension Credit, consider awarding a Higher Pensioner Premium instead

Lower rate

65. Pay the lower rate DP if the claimant is single or a lone parent aged less than the age at which they can get Pension Credit and they are:

- registered blind or treated as blind; or
- receiving Attendance Allowance (AA); or
- receiving Disability Living Allowance (DLA)/Personal Independence Payment (PIP) payment or any concessionary payments made to compensate for non payment of this benefit; or
- receiving Mobility Supplement; or
- receiving payment through the invalid vehicle scheme or
- receiving Motability Scheme payments when the mobility component of the DLA/PIP is being paid directly to Motability Finance Ltd; or
- has an invalid vehicle; or
- receiving the Disability element or Severe Disability element of Working Tax Credit (WTC).

Higher rate

66. Pay the higher rate DP to a claimant who is a member of a couple or a joint claim or polygamous marriage if the claimant and partner are:

- aged under the age at which they can get Pension Credit: and
 - the claimant satisfies any of the conditions for lower rate DP; **or**
 - the claimant's partner receives any of the following benefits or any concessionary payments made to compensate for non-payment of these benefits:
- Severe Disability Allowance;
- Incapacity Benefit (long term or paid at long term rate); or
- AA or DLA/PIP which has ceased or is abated solely because the partner, or either member of the joint claim couple, has been in hospital for more than 28 days; and

- DP was awarded to the claimant or partner immediately before the AA or DLA/PIP ceased or was abated.

Change of claimant for the Disability Premium

67. If the partner satisfies the incapacity conditions for DP and the claimant is not entitled to DP, advise the claimant that it would be more advantageous if the partner became the claimant. For more information, see the section on change of claimant for DP in DMG chapter 23 Disability premium.

Awarding disability premium

68. If the claimant or partner is in receipt of a qualifying benefit, JSAPS automatically awards the disability premium (DP).

69. If the qualifying benefit is Incapacity Benefit (Long Term) (IBLT) or Severe Disablement Allowance (SDA) paid to the partner, ensure that this is shown on the Other Benefits screen.

70. In the case of a single claimant, JSAPS will automatically award the single rate disability premium.

71. If the claimant claims for a partner, JSAPS will award the couple rate disability premium.

72. If the claimant or partner is registered as blind or has ceased to be registered as blind up to 28 weeks before the claim was made take the following action:

Step	Action
1	access the EXCEPTIONAL CONDITIONS screen JA091019 in dialogue JA091: Maintain Claim Details;
2	input exceptional condition reason code [06] for the claimant or partner who is blind or treated as blind. JSAPS then awards the DP in dialogue JA200: Award And Decision;
3	special action to input an entry in dialogue JA200: Award and Decision, CLERICAL COMPONENT screen JA200203 may be required when an exceptional condition has been entered in dialogue JA091: Maintain Claim Details, screen JA091019 EXCEPTIONAL CONDITIONS.

73. If the claimant is entitled to DP for a reason other than a qualifying benefit take the following action:

Step	Action
1	access the EXCEPTIONAL CONDITIONS screen JA091019 in dialogue JA091: Maintain Claim Details;
2	input code [02] in the Reason code field. JSAPS awards the DP in dialogue JA200: Award and Decision;
3	special action to input an entry in dialogue JA200: Award and Decision, CLERICAL COMPONENT screen JA200203 may be required when an exceptional condition has been entered in dialogue JA091: Maintain Claim Details, screen JA091019 EXCEPTIONAL

CONDITIONS.

74. If the claim is clerically maintained show award of DP on form JSA14A.

Enhanced disability premium

75. Enhanced disability premium (EDP) is payable to claimants receiving JSA (IB) and receiving DLA higher rate care component or PIP higher rate daily living component.

76. It is paid in addition to disability premium and is payable at two rates, single person rate and couple rate.

77. It is automatically awarded by JSAPS and is shown as EDP.

Enhanced disability premium single rate

78. The single rate is payable when the claimant is:

- single;
- Under Pension Credit age;
- receiving DLA higher rate care component;
- receiving PIP higher rate daily living component

Enhanced disability premium couple rate

79. The couple rate is payable when:

- the claimant is a member of a couple or polygamous marriage;
- both the claimant and partner are under Pension Credit age;
- the claimant or partner receive DLA higher rate care component; or DLA higher rate care component was in payment but has ceased due to hospitalisation.
- The claimant or partner receive PIP higher rate daily living component; or PIP higher rate daily living component was in payment but has ceased due to hospitalisation.

Effect of hospitalisation on enhanced disability premium

80. Couples are entitled to enhanced disability premium (EDP) if the claimant or the partner previously received DLA higher rate care component or PIP higher rate daily living component which has ceased due to hospitalisation.

81. Single or lone parent claimants are not entitled to enhanced disability premium (EDP) if their (DLA HRCC) has ceased because they are in hospital.

82. Entitlement to the EDP will continue throughout the stay in hospital if:

- one member of a couple is a patient; or
- at least one member of a polygamous marriage is not a patient.

83. If the claimant is in hospital for more than two weeks and is not part of a joint claim, JSA (IB) will cease and a claim to linked claim to Income Support and Incapacity Benefit or Employment Support Allowance should be made. If the claimant is part of a joint claim, an exemption may apply.

84. EDP will stop when both members of a couple or all members of a polygamous marriage are in hospital for more than six weeks.

Awarding enhanced disability premium

85. JSAPS will automatically award the enhanced disability premium (EDP) to claimants who are in receipt of DLA higher rate care component or PIP higher rate daily living component.

86. It is paid at two rates:

- single person;
- couple.

87. The premium is shown on JSAPS as:

- EDP – enhanced disability premium.

88. If the claim is clerically maintained show award of EDP on form JSA14A.

Run-on of Enhanced Disability Premium following the death of child

89. An 8 week run on period of the EDP may continue to be included in the JSA award or form part of a claimant's applicable amount in Housing Benefit following the death of the child or young person for whom the premium is being paid for. CHB must be in payment for the child for 8 weeks following the child's death. The run on period applies whether CHB is paid to the claimant or partner.

Pensioner premium

90. The claimant is entitled to the pensioner premium if the:

- claimant or their partner is Pension Credit age or over but they do not qualify for the higher pensioner premium; or
- claimant's partner is Pension Credit age or over but does not qualify for enhanced pensioner premium (where the partner has attained the age of 75).

91. Pensioner premium cannot be awarded with any of the other pensioner premiums.

92. It can be paid at one of two rates:

- single rate, for single claimants; or
- couple rate, where either the claimant or partner satisfies the qualifying conditions.

Awarding pensioner premium

93. JSAPs will automatically award the pensioner premium (PP) in dialogue JA200: Award and Decision.

94. If the claim is clerically maintained show award of PP on form JSA14A.

Enhanced pensioner premium

95. Enhanced pensioner premium is payable when a claimant's partner has reached age 75, and they do not qualify for higher pensioner premium. It is paid at one rate only; couple rate.

Awarding enhanced pensioner premium

96. JSAPs will automatically award the enhanced pensioner premium (EPP) in dialogue JA200: Award and Decision.

97. If the claim is clerically maintained show award of EPP on form JSA14A.

Higher pensioner premium

98. Higher pensioner premium (HPP) is paid at two rates

- the lower rate is payable for single claimants; and
- the higher rate is payable to claimants who are members of a couple or a polygamous marriage.

Lower rate

99. The lower rate higher pensioner premium (HPP) is paid to a single claimant or lone parent who has reached or is over Pension Credit age.

Higher rate

100. The higher rate higher pensioner premium (HPP) is paid to a claimant who is a member of a couple or polygamous marriage.

See, Decision Maker's Guide, Volume 4, Chapter 23 Normal amount payable

Awarding higher pensioner premium

101. JSAPs will automatically award the higher pensioner premium (HPP) in dialogue JA200: Award and Decision.

102. If the claim is clerically maintained show award of HPP on form JSA14A.

Carer premium

103. Carer premium (CP) is an amount of benefit payable to the claimant when they or their partner are a carer or has been treated as a carer.

104. It is an additional premium paid at one rate that can be awarded with another premium. More than one carer premium may be awarded if both the claimant and their partner satisfy the qualifying conditions.

Qualification for carer premium

105. To qualify for the carer premium, the claimant, their partner or both must have entitlement to Carer's Allowance (CA).

106. In some circumstances, the claimant or their partner may be entitled to Carer's Allowance but do not receive it because they receive an overlapping benefit.

107. The claimant is said to have an underlying entitlement to CA.

108. It is important to note that in these circumstances, CA must have been claimed on or after 1 October 1990 and the person being cared for must remain in receipt of Attendance Allowance (AA) or Disability Living Allowance care component at the highest or middle rate.

109. If this applies to the claimant or partner, the carer premium can be awarded.

See, Decision Maker's Guide, Volume 4, Chapter 23 Normal amount payable

Awarding carer premium

110. To award carer premium (CP) take the following action:

Step	Action
1	access screen JA091020 OTHER BENEFITS in dialogue JA091: Maintain Claim Details.
2	input details of the claimants or their partners Carers Allowance. JSAPS awards the CP in dialogue JA200: Award and Decision. If both the claimant and partner qualify, JSAPS awards two carer premiums;
3	special action to input an entry in dialogue JA200: Award and Decision, CLERICAL COMPONENT screen JA200203 may be required when an exceptional condition has been entered in dialogue JA091: Maintain Claim Details, screen JA091019 EXCEPTIONAL CONDITIONS.

111. If the claim is clerically maintained show award of CP on form JSA14A.

Carer premium extension period

112. Carer premium is payable to the claimant or their partner for a further eight weeks when:

- an award of Carers Allowance (CA) ends or an underlying entitlement to CA ends, for example, when the person being cared for dies;
- in overlapping benefit cases, the person being cared for stops receiving Attendance Allowance (AA) or Disability Living Allowance (DLA).

See, Decision Maker's Guide, Volume 4, Chapter 23 Normal amount payable

113. If it is a continuous claim to JSA, or a new claim for JSA when the claimant is covered by the carer premium extension period, take the following action:

Step	Action
1	access screen JA091019 EXCEPTIONAL CONDITIONS in dialogue JA091 Maintain Claim Details;
2	input code [20] in the 'Reason code' field to award this premium;
3	special action to input an entry in dialogue JA200: Award and Decision, CLERICAL COMPONENT screen JA200203 may be required when an exceptional condition has been entered in dialogue JA091: Maintain Claim Details, screen JA091019 EXCEPTIONAL CONDITIONS.

114. If the claimant or their partner receives CA or has an underlying entitlement:

Step	Action
1	access screen JA091020 OTHER BENEFITS in dialogue JA091:

	Maintain Claim Details;
2	input details of the claimant's or their partner's CA. JSAPS awards the carer premium in dialogue JA200: Award and Decision. If both the claimant and partner qualify, JSAPS awards two carer premiums;
3	in JSAPS maintained claims, set a case control in dialogue JA530: Case Controls, for eight weeks to end the carer premium.

115. In clerically maintained claims, BF the case for eight weeks to end the carer premium.

Severe disability premium

116. Severe disability premium (SDP) is an additional amount of benefit paid to some disabled claimants. It is paid at a lower and higher rate, depending on the claimant's circumstances. See SDP Good Practices.

117. If a single claimant is receiving DLA/PIP and they have a carer who receives Carers Allowance (CA), the claimant is not entitled to receive the severe disability premium. Underlying entitlement to CA does not affect SDP.

See, Decision Maker's Guide, Volume 4, Chapter 23 Normal amount payable

118. To qualify for the severe disability premium the claimant must:

- receive DLA care component at the highest or middle rate or PIP daily living at the standard or enhanced rate; and
- in most circumstances, live alone.

DLA to PIP reassessment and effect on the SDP

119. When a DLA claimant is reassessed and awarded PIP it must be a seamless process.

120. PIP daily living component at the standard or enhanced rate is a qualifying benefit for SDP.

121. If the claimant has an SDP in their JSA award because of DLA and they are reassessed and awarded PIP daily living component at the standard and enhanced rate, the SDP must continue without a break.

122. Do not send out an IS10 or phone the claimant to recheck entitlement when the award of PIP is downloaded to JSAPS, unless the claimant had another change in their circumstance at the same time, such as a change of address that puts entitlement in doubt.

123. To action the PIP download go to the exceptional condition screen as SDP is not awarded automatically.

124. Take the following action:

Step	Action
1	access the EXCEPTIONAL CONDITIONS screen JA091019 in dialogue JA091: Maintain Claim Details;
2	Input an end date for the previous award of SDP to correspond with the date DLA ends.
3	On the next line down, input the relevant person number in the 'person no' field.

4	Input the start date of the entitlement to SDP in the 'start date' field, to correspond with the start date of PIP.
5	Input 'V' for verified in the final column.
6	JSAPS then awards the SDP in dialogue JA200: Award And Decision.
7	Access dialogue JA405 Compute Payment

125. It is important that all PIP transactions are actioned promptly to prevent delays in the payment of benefit.

How to decide if the claimant lives alone

126. In some circumstances the claimant may be living with someone but still be treated as living alone.

127. When deciding if they live alone, disregard any of the following if they live in the same household:

- dependants;
- anyone under age 18;
- boarders, other than a close relative;
- sub-tenants;
- anyone who lives in to care for a claimant and is engaged by a charitable or voluntary organisation;
- anyone in receipt of AA or DLA care component at the higher or middle rate;
- anyone in receipt of PIP daily living component at the standard or enhanced rate;
- any child or young person who is not treated as a member of a claimant's household;
- anyone who shares only a bathroom, toilet, hall or stairway or who is separately liable to make payments to the landlord, other than a close relative;
- certain joint tenants/ owner occupiers;
- landlords/landladies and their families, other than a close relative;
- anyone who is registered as blind or who has been on the register within the last 28 weeks;
- anyone who joined the household to care for the claimant, and immediately before this, the claimant was treated as a severely disabled person. This applies for the first 12 weeks after the person joined the household for the first time. In JSAPS maintained cases, set a case control for 12 weeks in dialogue JA530: Case Controls, to end the severe disability premium. In clerically maintained cases, BF the case for 12 weeks to end the severe disability premium.

See, Decision Maker's Guide, Volume 4, Chapter 23 Normal amount payable

Awarding severe disability premium lower rate

128. If a single claimant does not have a carer who is receiving Carers Allowance (CA), they are entitled to the severe disability premium (SDP) at lower rate: Underlying entitlement to CA does not affect SDP.

Step	Action
1	access screen JA091019 EXCEPTIONAL CONDITIONS in dialogue JA091: Maintain Claim Details; and
2	input [03] severe disability premium lower rate; and
3	input [V] in the Verification field. JSAPS awards the severe disability premium in dialogue JSA200: Award and Decision;
4	special action to input an entry in dialogue JA200: Award and Decision, CLERICAL COMPONENT screen JA200203 may be required when an exceptional condition has been entered in dialogue JA091: Maintain Claim Details, screen JA091019 EXCEPTIONAL CONDITIONS.

129. If the claim is clerically maintained show the award of lower rate SDP on form JSA14A.

When the claimant has a partner

130. When the claimant has a partner, they are entitled to the severe disability premium if:

- the couple live alone or are treated as living alone;
- they both receive a Disability Living Allowance (DLA) care component at the higher or middle rate; or
- the claimant is receiving a DLA care component at the higher or middle rate and their partner is blind or in receipt of Attendance Allowance.
- The couple receive PIP daily living at the standard or enhanced rate.
- If neither the claimant nor their partner receives AA or DLA care component at the higher or middle rate or PIP daily living at the standard or enhanced rate, they are not entitled to the severe disability premium.

131. JSAPS identifies that the claimant is not entitled and will not therefore require an entry in the EXCEPTIONAL CONDITIONS screen JA091019 in dialogue JA091: Maintain Claim Details.

When the claimant or their partner have a carer

132. Carers Allowance (CA) is paid to someone caring for a disabled person.

133. The claimant supplies this information on form IS10, which will need to be issued clerically.

Carers Allowance paid for both claimant and partner

134. If CA is paid to carers for both the claimant and their partner, the claimant is not entitled to the severe disability premium. JSAPS will identify this claim as having possible entitlement to the severe disability premium.

135. To stop JSAPS awarding the premium:

Step	Action
1	access screen JA091019 EXCEPTIONAL CONDITIONS in dialogue JA091: Maintain Claim Details; and
2	input [NE] in the Verification field;
3	special action to input an entry in dialogue JA200: Award and Decision, CLERICAL COMPONENT screen JA200203 may be required when an exceptional condition has been entered in dialogue JA091: Maintain Claim Details, screen JA091019 EXCEPTIONAL CONDITIONS.

Awarding severe disability premium higher rate

136. If Carers Allowance (CA) is not paid for either partner, the claimant is entitled to the severe disability premium (SDP) at the higher rate: Underlying entitlement to CA does not affect SDP.

Step	Action
1	access screen JA091019 EXCEPTIONAL CONDITIONS in dialogue JA091: Maintain Claim Details; and
2	using reason code 04 input [V] in the Verification field. JSAPS awards the severe disability premium in dialogue JA200: Award and Decision;
3	special action to input an entry in dialogue JA200: Award and Decision, CLERICAL COMPONENT screen JA200203 may be required when an exceptional condition has been entered in dialogue JA091: Maintain Claim Details, screen JA091019 EXCEPTIONAL CONDITIONS.

137. If the claim is clerically maintained show the award of higher rate SDP on form JSA14A.

Carers Allowance is paid to the claimant or partner

138. If CA is in payment for either the claimant or partner, when both receive DLA higher or middle rate, the claimant is entitled to the severe disability premium at the lower rate: Underlying entitlement to CA does not affect SDP.

Step	Action
1	access screen JA091019 EXCEPTIONAL CONDITIONS in dialogue JA091: Maintain Claim Details; and
2	using reason code 03 input [V] in the Verification field;
3	special action to input an entry in dialogue JA200: Award and Decision, CLERICAL COMPONENT screen JA200203 may be required when an exceptional condition has been entered in dialogue JA091: Maintain Claim Details, screen JA091019 EXCEPTIONAL CONDITIONS.

139. If the claim is clerically maintained show the award of lower rate SDP on form JSA14A.

What is entitlement?

140. JSA entitlement is calculated by deducting from the applicable amount, any:

- other benefits;
- occupational or personal pensions;
- income;
- income from earnings;
- tariff Income.

How to establish entitlement

141. In a claim for JSA (C), only the claimant's income affects entitlement.

142. In a claim for JSA (IB), income of the claimant, their partner, children or young people in the household, or a member of a polygamous marriage is taken into account. Children or young people in the assessment affect the assessment of Child Tax Credit Assessment and are only recorded for information purposes on any new claims from 06/04/04.

See, New Tax Credits Handbook, Eligibility and entitlement Child tax credit

143. If a claimant has made a claim for both JSA (IB) and JSA (C), the higher entitlement will be payable.

144. If the amount of JSA (IB) is greater than the amount of JSA (C) they are entitled to, the actual award will be of JSA (IB) but the amount payable to the claimant will be:

- an amount equal to their personal rate, which is regarded as JSA (C); and
- an amount equal to the excess JSA (IB).

145. If no benefit is payable due to an exclusion reason, or because the claimant fails to meet the contribution conditions, the claim will have a Nil Entitlement.

146. A National Insurance credit will still be awarded.

How to establish the weekly amount payable

147. The weekly amount payable is the amount of benefit due once any deductions from benefit have been applied from the entitlement.

148. In order to establish the weekly amount payable, the following deductions may need to be applied:

- flat rate maintenance;
- housing costs, for example, rent, water, service charges;
- electricity;
- gas;
- Community Charge arrears;
- Council Tax arrears;
- fines;
- Child Support (old rules);
- Social Fund loans;
- overpayment recovery;
- out of hour's recovery.

149. These deductions are each applied in the order listed above, which is the order of priority.

See, Decision Maker's Guide, Volume 6, Chapter 33 Payment questions

Clerical components

150. On some claims, JSAPS cannot process part of the assessment as a clerical component needs to be entered when an exceptional condition is input, for example:

- an adjustment on the admission of a partner to hospital;
- changes to personal allowances and premiums.

See, Decision Makers Guide, Volume 4, Chapter 23 Normal amount payable

151. Record all clerical components on form A6.

152. Not all exceptional conditions require the input of a clerical component, for example, blindness and pregnancy are processed automatically by JSAPS.

153. The clerical component may be an additional amount or it may replace one or more of the following:

- the personal allowance;
- the dependant's allowance;
- premiums;
- housing costs.

154. To record the clerical component:

Step	Action
1	access the EXCEPTIONAL CONDITIONS screen JA091019 in dialogue JA091: Maintain claim details and input the exceptional conditions;
2	access the CLERICAL COMPONENT screen JA200203 in dialogue JA200: Award and decision and input an entry for each exceptional condition;
3	access dialogue JA110: Maintain notepad and input details of the clerical component.

155. When all the necessary information has been recorded, JSAPS assesses the JSA claim and calculates the applicable amount.

Calculating the payment

156. JSAPS will automatically issue the appropriate payment after evidence is input in dialogue JA091: Maintain Claim Details.

157. The award and decision is made in dialogue JA200: Award and Decision.

158. The award and decision for joint claims is made in dialogue JA401: Joint Claims Award and Decision.

159. For clerically maintained claims, assess the claim using clerical forms:

- JSA14A-clerical assessment form;
- JSA14P-payment panel;
- JSA14C-control sheet.

How to complete form JSA14A

160. To complete form JSA14A, make the following entries in the appropriate sections:

SECTION	ENTRY
Name A	Claimant's name.
Reference Number	Insert claimant's National Insurance Number (NINO) or other reference number if claimant has no NINO.
Name B	Complete when joint claim.
Reference Number	Complete when joint claim.
Is this assessment a hardship award	Delete as appropriate.
Hardship rate	Delete as appropriate.
1A Contribution Conditions	Enter: <ul style="list-style-type: none"> • whether the contribution conditions are satisfied or not; • the RITYs applicable to the claim; • if applicable, the cumulative total carried forward from previous claims; • whether JSA (C) has exhausted or not; • the claimant's age; • the appropriate rate of JSA (C) in the weekly amounts column Cont A.
1B Contribution Conditions	Complete when joint claim, as per 1A
1C	Enter: <ul style="list-style-type: none"> • claimant's age; • partner's age if appropriate; • the appropriate rate of personal allowance in the weekly amount column C (IB).

2 Dependants	<p>Enter:</p> <ul style="list-style-type: none"> • each dependant child's name; • each dependant child's age; • the appropriate dependant child's allowance. <p>Add all the amounts together and enter the total in the weekly column C (IB);</p> <p>If the dependant child has more than £3000 capital, enter:</p> <ul style="list-style-type: none"> • their name; • their age; • £nil on the appropriate line. • Dependants/child's details are now only recorded for information purposes within the JSA assessment and are now used for the Child Tax Credit assessment. <p>See, New Tax Credits Handbook, Eligibility and entitlement Child tax credit</p>
3 Family Premium	<p>Enter the amount of family premium in the weekly amount column C (IB).</p> <p>Family premium is awarded within the Child Tax Credit assessment for all new claims from the 06/04/04.</p> <p>See, New Tax Credits Handbook, Eligibility and entitlement Child tax credit</p>
4 Carer premium	<p>Enter the amount of the carer premium in the weekly amount column C (IB).</p>
5 Disabled Child Premium	<p>Enter:</p> <ul style="list-style-type: none"> • the name of each disabled child; • qualifying conditions. If the disabled child has more than one qualifying condition, only record the first: Record this in the Notes/other action box on the reverse of form JSA14A; • the total amount due in the weekly amount column C (IB) • disabled child premium is awarded within the Child tax credit assessment for all new claims from the 06/04/04 <p>See, New Tax Credits Handbook, Eligibility and entitlement Child tax credit</p>

6 Premiums	<p>Enter the amount of any:</p> <ul style="list-style-type: none"> • disability premium; • pensioner premium; • higher pensioner premium; • enhanced pensioner premium. <p>In the relevant space and carry forward to the weekly amount column C (IB).</p> <p>If the disability premium or higher pensioner premium is awarded, give the reason in the Notes/other action box on the reverse of form JSA14A.</p>
7 Severe Disability Premium / Enhanced Disability Premium / Enhanced Disabled Child Premium	<p>The severe disability premium can only be awarded if there is an entry in section 6 for either:</p> <ul style="list-style-type: none"> • disability premium or; • higher pensioner premium. <p>Enter the amount of the:</p> <ul style="list-style-type: none"> • enhanced disability premium or; • enhanced disabled child premium <p>in the weekly amount column C (IB).</p>
8 Bereavement Premium	<p>Enter the amount of the bereavement premium in the weekly amount column C (IB).</p>
9 Housing costs	<p>Calculate the claimant's annual housing costs on form A6 and enter the annual interest, ground rent, feu duty in Scotland and any other costs, eg service charges.</p> <p>Add together all of these entries and enter the figure as the yearly total.</p> <p>Divide the figure by 52 and enter this amount as the weekly total.</p> <p>If rent is included in the assessment, for example, crown tenants:</p> <ul style="list-style-type: none"> • enter the amount on the weekly total line and rule through the remaining lines. If the claimant is entitled to housing costs and has a non dependant living in their house, enter: <ul style="list-style-type: none"> ○ the number of non dependants and; ○ other appropriate rates of reductions. <p>Add the deductions together and enter in the space provided. Subtract this total from the weekly total and enter the amount in the weekly amounts column C (IB).</p> <p>If the total deductions exceed the weekly total enter nil in the weekly amount column C (IB).</p>
10 Applicable Amount	<p>Add together all the entries made in the weekly amounts:</p> <ul style="list-style-type: none"> • Column A (Cont only claims), • Column A (Cont), Column B (Cont) and Column C (IB)

	<p>for joint claims; and</p> <ul style="list-style-type: none"> • Column A (Cont) and Column C (IB) and enter totals in the appropriate columns.
11 Income for JSA (C)	<p>Only the claimant's income affects the assessment of JSA (C)</p> <p>Enter:</p> <ul style="list-style-type: none"> • the type, eg occupational pension; • paid to – the claimant's name; • the weekly amount; • the appropriate disregard; • the net figure. <p>Copy the net figure into the weekly amounts column A (Cont).</p>
12 Income for JSA (IB)	<p>Any income the claimant, partner or dependants receive affects the assessment of JSA (IB).</p> <p>Enter:</p> <ul style="list-style-type: none"> • the income type; • to whom the income is payable; • the weekly amount; • any appropriate disregard; • the net figure. <p>Copy the net figures into the weekly amount column C (IB).</p>
13 Capital – claimant and partner	<p>If the claimant and/or partner has capital, enter the total amount of capital. Calculate the tariff income and enter the total against tariff income. Carry this figure to the weekly amount column C (IB).</p>
14 Unadjusted total / excess in red	<p>Subtract the weekly totals of income/tariff income in column A (Cont) and column C (IB) from the figures at section 10. If the total income is more than the Applicable Amount:</p> <ul style="list-style-type: none"> • write in red over the limit by; and • enter the excess figure.
15 Adjustments	<p>Enter the amount of the adjustment and the reason. Make separate entries in the weekly amount column A (Cont) and column C (IB) for each type of addition.</p>
16 Adjustments in a joint claim	<p>Complete when joint claim</p>
17 Entitlement	<p>Enter:</p> <ul style="list-style-type: none"> • the JSA entitlement figure, ie the amount in section 14 plus the amount in section 15; • Nil if a deduction is made because of the minimum payment rule. The minimum amount of JSA (IB) payable is 10p.
18 Entitlement comparison	<p>Enter the column to be carried forward, A, A+B or C. This will be the column with the higher figure at section 17. Bring down the higher figure from section 17 and enter into the weekly amount column.</p>

19 Deductions	<p>Obtain details from form JSA14D and for each deduction enter:</p> <ul style="list-style-type: none"> • what the deduction is for; • weekly rate of deduction; • standard weekly rate of arrears; • total weekly deduction. <p>Add all the total amounts and enter this figure in the weekly amounts column.</p>
20 Weekly allowance payable / date of claim or change	<p>Enter the weekly allowance payable, that is, the amount in section 18 less the amount in section 19.</p> <p>For date of claim or change enter the date;</p> <ul style="list-style-type: none"> • the claim was made, or • of change.

How to complete the reverse of form JSA14A

161. When completing the reverse of form JSA14A:

Step	Action
1	bring forward the claimant's date of claim or change and weekly allowance payable from section 20;
2	enter dates of any sanctions, suspensions or disallowances that apply to the claim;
3	tick the appropriate tax ceiling that applies to the claim;
4	enter the benefit week ending day shown on the claim form JSA1;
5	tick the appropriate box to show if waiting days should be applied and, if Yes enter the relevant dates;
6	enter the first effective date for the assessment. This is the date the rate will actually apply from rather than the date of claim or change, eg if waiting days are imposed this will be the fourth day of the claim;
7	sign and date the form, unless a special decision is required;
8	within the notes box include part week payment details and any other information that is not able to be covered in form.

Nil entitlement

162. If a claimant has claimed JSA (IB) and is not entitled because of an exclusion or disallowance reason, JSAPS displays the exclusion reason in Dialogue JA200: Award and Decision, and nil entitlement is displayed in all fields.

163. The claimant is issued with a nil award notification.

164. Complete the form JSA14A as for a payment, and show the reason for the nil award on the reverse.

165. Issue JSA14J draft letter by post to claimant.

Appendix 1

166. This appendix explains the action to take to award premiums for any remaining JSA claims where there are still children included in the award.

167. The premiums will continue to be included in the JSA award until CTC is awarded.

168. From 6 April 2004 Child personal allowances, Lone parents, Family and disabled child premiums are now awarded within the Child Tax Credit assessment.

See, New Tax Credits Handbook, Eligibility and entitlement Child tax credit

Family Premium

169. Family premium is paid to claimants with dependant children or young persons.

170. Only one family premium can be awarded regardless of the number of children or young persons in the assessment.

171. The claimant is entitled to family premium if the dependant child is:

- under 16 years of age; or
- aged under 20 years and still in full time, non-advanced education.

172. If the dependent child has ceased education but Child Benefit (CHB) is still being paid because of the CHB extension period, the family premium may still be awarded.

173. A young person aged 20 or over cannot be included as a dependant even if they are in full time, non-advanced education.

See, Decision Maker's Guide, Volume 4, Chapter 21 Young People

Awarding family premium

174. For JSAPS maintained claims, family premium is automatically awarded if dependant children are entered:

Step	Action
1	access dialogue JA091: Maintain Claim Details, screen JA091011 DEPENDANTS YOU WANT TO CLAIM FOR and record dependant child or young person details

175. Special action may need to be taken to input premiums when an exceptional condition has been input in dialogue JA091: Maintain Claim Details, EXCEPTIONAL CONDITIONS screen JA091019. A manual entry may have to be made in the CLERICAL COMPONENT screen JA200203 of dialogue JA200 : Award and Decision as JSAPS may not have all the relevant information necessary to make an award of benefit

176. If the claim is clerically maintained show details of the family premium on form JSA14A.

Family premium lone parent

Family premium (lone parent) is no longer payable it was paid to claimants who satisfied certain circumstances.

Linking provisions for family premium

177. Lone parents (LP) who made a new claim for JSA (IB) on or after 6 April 1998 receive the same rate of family premium (FP) as couples unless:

- the new claim links with a previous claim to Income Support (IS) or JSA (IB) where there was entitlement to FP (LP).

178. If a claimant was entitled to an underlying entitlement to FP (LP) on the 5 April 1998, the premium will remain in payment as long as the entitlement conditions are satisfied.

179. A claimant can retain entitlement or underlying entitlement to FP (LP) if there is a break of 12 weeks or less in the IS, JSA or FP (LP) entitlement after 5 April 1998.

Underlying entitlement to family premium lone parent rate

180. Existing lone parents, who were receiving JSA (IB) or Income Support (IS) before 6 April 1998, are paid family premium (FP), but have underlying entitlement to family premium (lone parent rate) (FP (LP)) if one of the following preferential premiums are in payment:

- disability premium (DP);
- pensioner premium (PP);
- enhanced pensioner premium (EPP);
- higher pensioner premium (HPP).

181. The linking provisions for FP (LP) apply to underlying entitlement.

182. New claims that were made from lone parents after 6 April 1998, without linking, who qualified for a preferential premium will not get FP (LP) if that premium ceases.

Effect of hospitalisation on underlying entitlement to family premium lone parent rate

183. If payment of Disability Living Allowance (DLA) has ceased solely because the child or young person is a hospital in-patient, but the child continues to be a member of the claimant's family, treat as though DLA is in payment, and continue to pay the family premium.

Awarding family premium lone parent rate

184. To award family premium (lone parent rate) (FP (LP)) take the following action:

Step	Action
1	enter the details of the claimant's circumstances in dialogue JA091: Maintain Claim Details;
2	ensure the 'Entitlement or Underlying Entitlement to FP (LP)' field in BENEFIT LINKING DETAILS screen JA091022 displays [Y] or [N];
3	JSAPS will award the appropriate premiums in dialogue JA200: Award And Decision.

185. Special action may need to be taken to input premiums when an exceptional condition has been input in dialogue JA091: Maintain Claim Details, EXCEPTIONAL CONDITIONS screen JA091019. A manual entry may have to be made in the CLERICAL COMPONENT screen JA200203 of dialogue JA200:

Award and Decision as JSAPS may not have all the relevant information necessary to make an award of benefit

186. The Entitlement or Underlying Entitlement to FP (LP) field displays [Y] if:

- the claimant had entitlement or underlying entitlement to FP (LP) in a previous JSA (IB) or Income Support (IS) claim; and
- the start date of the current claim is 12 weeks or less since the previous claim ended.

187. The Entitlement or Underlying Entitlement to FP (LP) field displays [N] if the claimant:

- has not been awarded JSA (IB) or IS before; or
- has been awarded JSA (IB) or IS before but they had no entitlement to FP (LP); or
- has been awarded JSA (IB) or IS with entitlement or underlying entitlement to FP (LP) but the start date of the current claim is 12 weeks or less since the previous claim ended.

188. If the claim is clerically maintained show family premium (lone parent rate)(FP (LP)) on form JSA14A.

Family premium lone parent rate entitlement end date field

189. The FP (LP) entitlement end date field displays the FP (LP) end date which is carried forward from the previous claim to JSA (IB) or IS. This field will display blank if there has been no previous claim to JSA (IB) or IS.

190. When a new claim is registered and the end date of the entitlement to FP (LP) has not been brought forward from the previous clerical JSA (IB) claim, or IS claim, input the end date in the FP (LP) Entitlement End Date field.

Disabled child premium

191. The disabled child premium is an amount of benefit paid to claimants who claim for a dependant, disabled child or young person.

192. This premium:

- can be awarded for each dependant disabled child or young person;
- is paid at one rate; and
- can be paid with another premium.

193. The claimant is entitled to the disabled child premium if the dependent child or young person:

- has less than £3000 capital;
- receives Disability Living Allowance (DLA); or
- is registered as blind or ceased to be registered as blind up to 28 weeks before the claim was made; or
- payments of DLA have ceased solely because the child or young person has been admitted to hospital.

Note: If a disabled child premium or enhanced disability premiums is in payment and the child dies, the premium can continue to be paid for a further eight weeks in certain circumstances.

See, Decision Maker's Guide, Volume 4, Chapter 23 Normal amount payable

Effect of hospitalisation on disabled child premium

194. If payment of Disability Living Allowance (DLA) has ceased solely because the child or young person is a hospital in-patient, but the child continues to be a member of the claimant's family, treat as though DLA is in payment.

Awarding disabled child premium/ enhanced disabled child premium

195. JSAPS automatically awards disabled child premium (DCP) when Disability Living Allowance (DLA) is input for a dependant child or young person in the OTHER BENEFITS screen JA091020 in dialogue JA091: Maintain Claim Details.

Enhanced disabled child premium is payable if a dependant child or children receive Disability Living Allowance high rate care component. It is paid in addition to disabled child premium.

How to award disabled child premium when child is blind

196. If DCP has been awarded because a child is registered as blind or has ceased to be registered as blind up to 28 weeks before the claim was made, take the following action:

Step	Action
1	access the EXCEPTIONAL CONDITIONS screen JA091019 in dialogue JA091: Maintain Claim Details.
2	input exceptional condition reason code [06] for the child who is blind or treated as blind. JSAPS then awards the DCP in dialogue JA200: Award and Decision;
3	special action to input an entry from dialogue JA200: Award and Decision CLERICAL COMPONENT screen JA200203 may be required when an exceptional condition has been entered in dialogue JA091: Maintain Claim Details, screen JA091019 EXCEPTIONAL CONDITIONS.

197. If the claim is clerically maintained show the award of DCP on form JSA14A.

Effect of hospitalisation on enhanced disabled child premium

198. If payment of Disability Living Allowance (DLA) high rate care component (HRCC) has ceased solely because the child or young person is a hospital in-patient, but they continue to be a member of the claimant's family, treat as though DLA HRCC is in payment.

199. In these cases JSAPS is unable to recognise that enhanced disabled child premium (EDCP) is payable and user intervention is required.

Dependant who has over £3,000 capital

200. A dependant's allowance is not payable for a child or young person who has more than £3000 capital. This is only the case for claims prior to 6 April

2004 as dependants allowance is now payable within the Child Tax Credit assessment from this date.

See, Decision Maker's Guide, Volume 4, Chapter 22 Membership of the family

See, New Tax Credits Handbook, Eligibility and entitlement Child tax credit.

Dependant's allowance

201. Dependant's allowance is paid for each dependant child or young person living in the claimant's household, for whom the claimant is responsible. **From 6 April 2004 dependant's allowance is not applicable to the JSA assessment** as it is included on the Child Tax Credit assessment.

Awarding dependant's allowance

202. For JSAPS maintained claims JSAPS automatically calculates the claimant's dependant's allowance when the child or young person details are entered:

Step	Action
1	access dialogue JA091: Maintain Claim Details, screen JA091011 DEPENDANTS YOU WANT TO CLAIM FOR and record dependant child or young person details.

203. Special action may need to be taken to input personal allowances when an exceptional condition has been input in dialogue JA091: Maintain Claim Details, EXCEPTIONAL CONDITIONS screen JA091019. A manual entry may have to be made in the CLERICAL COMPONENT screen JA200203 of dialogue JA200: Award and Decision as JSAPS may not have all the relevant information necessary to make an award of benefit

204. From 6 April 2004 dependant's allowance has been replaced with Child Tax Credit. This means that a family entitled to Jobseekers Allowance will receive the appropriate adult elements only.

Bereavement Premium

205. The Bereavement premium is no longer payable with JSA. The premium was replaced with Bereavement payments in April 2006 which are administered by the Pensions Service.

Appendix 2: Severe Disability Premium Good Practices

206. Check the Customer Information System (CIS) on all new claims, to check which benefits have been claimed or are in payment.

207. Periodic checking of CIS, for example whenever any change of circumstances is recorded, could also identify any "other benefits" overlooked.

208. Common Update and Enquiry Dialogue (CUED) provides details of the other benefits in payment, by accessing the individual benefit screens.

209. Set case controls when DLA or PIP has been claimed, but has not yet been awarded. On maturity of the case control, view DLA/PIP award details in Common Enquiries.

210. Given the fact that the claimants concerned are in receipt of DLA care component, PIP daily living component or AFIP, if the IS10 is not returned and it is not possible to contact the claimant in any other way, refer for a visit to establish SDP eligibility.

211. Carer's Allowance(CA) notifications are issued to JSA sections in the names of both the CA claimant and the disabled person therefore:

- use dialogue JA110: notepad to record the details of the disabled person on the carer's claim and vice-versa
- changes in the circumstances of one, can then easily be referred to the JSA claim of the other
- ensure that as soon as the details are no longer relevant, they are removed from dialogue JA110 :notepad.

212. Use dialogue CU001 to establish whether the CA or DLA/PIP/AFIP claimant is the partner of a JSA claimant.

213. Dialogue CU001 can be accessed using a partner's NINO. It will confirm whether that person is currently, or has been the partner of a JSA claimant.

214. Once awarded, monitor SDP entitlement by setting a case control

Capital

Guidance Queries and Help

1. If you are unable to find an answer to a particular question regarding the process 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 ask. These are only to be used to report broken hyperlinks.

Capital

3. This chapter gives an overview of the law and procedures involved in assessing capital. It covers:
 - what capital is
 - the effect of capital on JSA
 - gathering information about capital
 - the ownership of capital
 - disregarded capital
 - valuing capital
 - notional capital (including deprivation of capital)
 - capital available on application
 - different types of capital.
4. For further information, please see DMG Chapter 29 - Capital
5. A payment is capital if it is not made or due to be made regularly and is paid without reference to a specific period, for example a redundancy payment.
6. The payment is considered as income if this does not apply. Most income and earnings count as capital after the relevant period of attribution expires.
7. . Some types of income are always treated as capital, such as:
 - advance of earnings or loan from employer
 - final earnings including pay in lieu of notice
 - tax refunds
 - prisoner discharge grants.
8. For further information, please see the DMG Chapter 29 Income which is treated as capital

Examples of capital

9. Capital can include:
 - savings for example, a bank or building society account, current or savings/deposit accounts or cash
 - investments, for example, Premium Bonds, stocks and shares or insurance policies
 - real property or in Scotland heritable property, that is land and anything that has its foundations in the land such as a house
 - a beneficial interest in the capital of a trust.

Note: this list is not exhaustive

10. Capital can also include property and assets, such as:

- premises;
- land;
- buildings:
 - domestic;
 - business;
- plant;
- machinery;
- investments;
- rights to capital;
- shares;
- timeshares;
- other items, for example, boats and jewellery.

The effect of capital on JSA

11. The amount of capital claimants and/or their partners have may affect their entitlement to JSA(IB).
12. When calculating entitlement to JSA, the claimant's and their partner's capital are added together and treated as the claimants.
13. The same rules apply to members of a joint claim as those that apply to a claimant and partner.

Capital limits

14. There is a lower and upper limit to the amount of capital a claimant and/or their partner can have before entitlement to JSA(IB) is reduced or stopped altogether.

Personal Circumstances	Lower Limit	Upper Limit
Claimant and partner under 60	£6000	£16000
Claimant and/or partner over 60	£6000	£16000
Claimant and/or partner in Care Home	£6000	£16000

15. Capital amounting to the lower limit or less is ignored in the assessment of JSA(IB).
16. Where the capital amount falls between the upper and lower limits (£6000.01p or more and £16,000), Tariff Income from the capital is assumed in the benefit assessment.
17. If the capital exceeds the upper limits there is no entitlement to JSA (IB).

Tariff Income

18. If the total amount of capital is more than £6,000 (£10,000 for permanent care home residents) but no more than £16,000 claimants are treated as having an income. This is known as a tariff income.
19. Tariff income is £1 a week for each complete £250, or part of £250, over £6,000 (or over £10,000 in care home cases) until the capital reaches the upper limit.
20. For application of tariff income, please see the DMG, Chapter 29 Capital, Appendix 4

Capital held by a dependant child or young person

21. Any capital held by a child or young person are not added to the claimants and do not affect the amount of JSA.
22. If a dependants allowance is in payment and the child or young person's capital is more than £3,000 do not include the:
 - personal allowance or any Enhanced Disability Premium or Disabled Child Premium (DCP) for the child or young person when working out the claimant's applicable amount
 - the child or young person's income when working out the claimant's income.

How capital affects JSA(C)

23. Entitlement to JSA(C) is not affected by the amount of capital a claimant or their partner/dependants have.

Gathering Information

24. The claimant provides a full statement of their means when a claim is made and this is used to decide how to treat any capital.

Evidence Requirements

25. If the claimant or partner has savings of £5,500 or more, they may be required to provide verification to satisfy the Evidence Requirement (ER).
26. Claimants are also required to provide details if their capital was £5,500 or more during the previous six months.
27. If the claimant has claimed before and the capital amount is unchanged and was verified before, there is no need to ask for the information again.
28. Please see the Evidence Requirements and Defective Claims guidance for further information.

Additional evidence

29. Additional information or evidence is needed if there are questions about the claimant's capital which might affect the claim, for example:
 - there is a doubt about ownership
 - there was an unexplained or significant decrease in the amount of savings held prior to the claim or there is conflicting evidence – see Notional capital
 - there is a possibility that some or all of the capital might be disregarded.
30. If it is obvious that there is no entitlement to JSA, for any reason, do not request further evidence about capital.

Annual check of capital

31. The claim is subject to an annual check if the claimant has capital of:
 - £5,500 or more, or
 - £9,500 or more in care home cases.
32. JSAPS automatically sets a SO39 case control for an annual review of capital in dialogue JA200: Award and decision, when capital details are input on the MONEY screen in dialogue JA091: Maintain Claim Details or JA086: Build From Clerical
33. If the claimant has declared the capital may increase or reduce significantly before the annual check is due, for example, if they are

expecting a redundancy payment, amend the review date in dialogue
JA200: Award and decision

Ownership of capital

34. To calculate capital for JSA purposes, only include any capital which the claimant or partner is the beneficial owner of. A person is the beneficial owner of capital if they have a “beneficial interest” in it, that is, if the capital is available for that person’s own benefit.
35. The beneficial owner of capital is usually also the legal owner as the capital is held in their name. For further information please see the DMG Chapter 29, ‘Does the person own the capital’.

Disputed or uncertain ownership

36. If there is doubt about whether a claimant is the beneficial owner, for example, if a claimant states that capital in their name is being held on trust for someone else, ask for evidence of the:
 - origin of the capital
 - intention for its current and future use
 - intention for its return to the rightful owner.
37. Examples of acceptable evidence of ownership include a legal document such as a ‘declaration of trust’ or a written statement from a professional person, for example a solicitor, detailing events, including why and how the capital came to be in the claimant's or partner's name or possession.
38. In some cases, usually when friends or relatives are involved, legally documented proof may not be available. Consider the circumstances and explanations relating to the ownership of the capital to decide if the claimant or partner is the beneficial owner.

Example

Melodie holds £11,000 in a bank account in her own name. She provides a letter from her son saying that she is holding the money on his behalf whilst he is travelling abroad. The intention is that the money will be returned to him when he returns to the United Kingdom. The £11,000 can be disregarded as Melodie has no beneficial interest in the money as she is acting as a trustee on behalf of her son.

Example

Jason and Helen declare that £8,000 of the £11,000 in their bank account has been set aside for their daughter's education. However, as there is no deed of trust or other arrangement which prevents them from using the £8,000 for their own purposes, they are beneficial owners. Treat the whole £11,000 as capital and take it into account in full.

Joint ownership

39. If the capital has joint owners, normally treat each joint owner as owning an equal share regardless of how much each person has contributed.
40. This rule may not apply if the claimant can provide evidence that the capital or asset is not owned in equal shares. For further information, please see the DMG Chapter 29, ‘Jointly-owned capital’.
41. If ownership of jointly owned capital is being legally contested, for example, on the breakdown of a marriage, treat it as having a nil value until the question of ownership is settled.

Claimants with a mental or physical disability

42. Claimants with a mental or physical disability who are unable to deal with their capital do not lose their beneficial interest. Another person may be appointed to deal with it. In England and Wales the Court of Protection may appoint a receiver and in Scotland the Sheriff Court may appoint a guardian.
43. For further information about appointees, please see the Agents, Appointees, Attorneys and Deputies guidance.

Payments held in trust

44. Personal injury payments held in trust are fully disregarded.
45. The claimant's capital may include:
- the value of their interest in the trust; and
 - any lump sum payments made by the trust.
46. For further information, please see the DMG, chapter 29, Payment for personal injury - Disregarded Capital
47. The law allows for all capital to be included when working out how much capital is held, unless it can be disregarded. Certain sorts of capital can be disregarded:
- indefinitely
 - for up to 2 years
 - for up to 52 weeks
 - for 26 weeks or longer
 - for 26 weeks
 - for as long as the recipient remains a child or young person.
48. For further information, please see the DMG, Chapter 29,- can capital be disregarded

Capital to be disregarded indefinitely

49. Capital which can be disregarded indefinitely includes:
- the claimant's home
 - homes occupied by former partners, who are not estranged or divorced or whose civil partnership has not been dissolved, for example, when one of a married couple goes into residential care and they are treated as not being members of the same household
 - homes occupied by former partners, who are estranged or divorced or whose civil partnership has been dissolved, if the former partner is a lone parent.
 - homes occupied by a partner or relative who is incapacitated, or over the age at which they can get Pension Credit.
 - personal possessions, including jewellery, clothing and cars
 - the surrender value of a life insurance policy
 - certain payments by a local authority or agency for adoption and guardianship
 - business assets if the claimant works in the business
 - personal injury payments held in trust or administered by the court
 - Social Fund payments
 - any lump sum payments to beneficiaries from the following Government Funded Trusts and Funds:
 - the Independent Living Fund

- the Fund
 - the Eileen Trust
 - the Macfarlane Trusts
 - the Skipton Fund
 - the Caxton Foundation
 - the London Bombings Relief Charitable Fund
 - MFET Limited.
50. Payments from these Government funded Trusts and Funds do not need to be declared by the claimant so long as they are held separately from any other capital the claimant has. .
51. Different rules apply to any payment made to or for the benefit of a child or young person in the beneficiary's family from the point when they are no longer a dependant

Capital which can be disregarded for up to 2 years

52. Payments which originated from the following Government funded Trusts and Funds which have been gifted, passed on to or inherited by a parent or guardian are disregarded for up to 2 years from the death of the original beneficiary:
- the Macfarlane Trusts
 - the Eileen Trust
 - the Skipton Fund
 - the Fund
 - the London Bombings Relief Charitable fund
 - MFET Limited.
 - The Independent Living Fund
 - The Caxton Foundation
53. For further information, please see Appendix 2
54. Payments to certain relatives of a person suffering from Variant Creutzfeldt-Jacob disease can be disregarded for up to 2 years.
55. For full guidance, see the DMG chapter 29, 'Capital which can be disregarded for 2 years'.

Capital which can be disregarded for 52 weeks

56. Capital which can be disregarded for 52 weeks include:
- arrears of most social security benefits, including Housing Benefit
 - arrears of tax credits
 - arrears of payments to certain war widows or surviving civil partners
 - payment for certain travel costs and National Health Service (NHS) charges
 - payments to visit a person in custody
 - lump sum payments for personal injury.
 - Benefit arrears and concessionary payments of £5,000 or more, paid following official error, can in certain circumstances be disregarded for longer than 52 weeks. See DMG 29495, 'Capital disregarded for 52 weeks' for full guidance.
 - Capital which you can disregard for 26 weeks or longer
 - Capital which can be disregarded for 26 weeks or longer includes:
 - business assets, to give a person time to start or return to work

- dwelling left because of estrangement divorce or dissolution of a civil partnership
- grants made to buy, repair or alter premises
- money deposited with a housing association
- money from the sale of premises which were lived in as the home
- money paid for damage to or loss of the home or personal possessions
- money which a person gets to repair or improve the home
- premises a person does not possess or occupy
- premises which a person is taking steps to get possession of
- premises which are to be repaired or altered
- premises which are to be disposed of.

57. For further information, please see the DMG, chapter 29 - Capital disregarded for 26 weeks or longer.

Capital which can be disregarded for 26 weeks

58. A payment of a sports award is disregarded for a period of 26 weeks from the date on which the payment was received. However the disregard does not apply to any amount paid for:

- Food
- ordinary clothing or footwear
- rent for which HB is payable
- household fuel
- housing costs of the claimant or a member of his family that are covered by IS or JSA(IB)
- CT for which the claimant or a member of his family is liable
- water charges for which the claimant or a member of his family is liable.

Valuing capital

59. The value of capital is the current value applicable at the date of claim or review/supersession.

60. For further information, please see the DMG chapter 29 - What is the value of capital and the Valuation of Capital Assets Handbook for guidance on valuing more complex types of capital.

Current market value

61. Apart from National Savings Certificates, capital is valued at its current market or surrender value. This means the amount of money that could be raised by selling it or raising a loan against it.

62. The 'current market value' is the price a willing buyer is prepared to pay a willing seller in that market on a particular date. The market is the market for what is for sale. So if a house is for sale it is in the property market.

Current surrender value

63. The 'current surrender value' is the money a claimant gets if:

- they withdraw their capital at the date of the claim or revision/supersession
- that date is before the date a person gets the capital under the terms of the agreement
- the terms of the agreement let a person withdraw the capital before the agreed date.

64. The DM accepts the money people could get on the date of claim or revision as the value. If the agreement does not allow capital withdrawals before the agreed date, the value of the capital is its current market value.

Life insurance or endowment policies

65. The surrender value of these policies is not needed providing the policy is maintained.

Reduction in the value of capital

66. The value of capital may be reduced to account for:

- expenses of sale
- encumbrances secured on capital.

Expenses of sale

67. If there are expenses involved in selling the capital, deduct 10% from the value of an asset which is wholly owned. If an asset is jointly owned, deduct the selling expenses from the net value of the claimant's share.

68. Expenses of sale do not include:

- postage, for example when a person applies in writing to withdraw premium bonds
- travelling expenses, for example bus fares when a person visits a building society to withdraw money.

Encumbrances secured on capital

69. An encumbrance is secured on capital when another person is owed money and has a right to:

- the capital
- stop it being sold.

70. A mortgage is an example of an encumbrance secured on capital. A debt such as this is deducted from the value of capital.

71. Encumbrances must be verified. Ask to see the claimant's mortgage or loan statement or a letter from the lender verifying the amount of money secured against the asset.

72. An unsecured debt cannot be deducted from the value of the capital.

Notional capital

73. In some cases a claimant may be treated as possessing capital that they do not actually possess. This is called notional capital.

74. Notional capital is capital which:

- is available if the claimant applied for it, for example an unclaimed premium bond win
- is paid to a third party for a member of the family
- the claimant has deprived themselves of in order to be eligible for an award, or higher award of JSA.

Total amount of capital

75. When calculating a claimant's total capital, include notional capital as well as any actual capital that a claimant has.

76. There is no need to consider notional capital if the actual capital held exceeds the capital limits as there is no entitlement to JSA..

Deprivation of capital

77. Claimants may knowingly deprive themselves of capital in order to be eligible for benefit, or a higher award of JSA. This is known as

deprivation of capital and, if proved, the capital in question is treated as notional capital.

78. A claimant can deprive themselves of capital by:

- giving it away to another person
- buying personal possessions
- paying debts before the agreed date
- paying more than the amount due on a debt
- paying back a debt that is not a legal debt, capable of enforcement
- spending it extravagantly, even if the claimant says they have used it to pay for the necessities of life.

79. If capital is used to repay debts which are immediately repayable, this is not considered to be deprivation of capital in order to obtain or increase the amount of benefit payable.

80. Deprivation of capital only applies to claimants and their partners. Do not consider deprivation for a child or young person even if their capital has been disposed of.

Deciding if deprivation of capital occurred

81. In order to decide if deprivation has occurred, consider if the claimant's or partner's significant purpose was to become eligible for, or receive a higher award of JSA..

82. When reaching your decision, consider:

- was the person mentally capable when they deprived themselves of the capital
- did the person have a choice when they deprived themselves of the capital
- did the person know capital affects the amount of benefit they can get
- did the person say what they were going to do with the capital
- when did the person deprive themselves of the capital
- what was the person going to live on after they deprived themselves of capital
- what is the person's previous benefit history.

83. If a claimant or their partner appears to have disposed of assets or capital in order to qualify for, or obtain more JSA, take the following action:

Step	Action
1	ask the claimant: <ul style="list-style-type: none"> • whether a lump sum payment has been recently received; • whether the capital declared reflects this recent payment; • whether the capital declared has reduced prior to the JSA claim; • how much the asset or capital was worth; • who the asset or capital was given to and when; • the conditions of the transactions, for example gift, loan or repayment of an outstanding debt;
2	record the information on form A6;
3	refer to a Decision Maker.

84. If capital has reduced prior to the claim or does not reflect recent payments, verification of expenditure, for example, bills and receipts, must be provided before referring the evidence to a Decision Maker.

85. Send draft letter DLJA109 to the claimant if it is decided they have disposed of capital or assets in order to qualify for or obtain more JSA (IB

86. For further information, please see the DMG, Chapter 29 - Deprivation of capital.

Diminishing Notional Capital Rule

87. The Diminishing Notional Capital Rule (DNCR) provides a calculation for working out how any notional capital may be treated as spent. It is only applied in cases where the claimant or partner has deliberately deprived themselves of capital..

Claimant receiving benefit

88. Reduce notional capital by the amount of extra benefit the claimant would have got if they were not treated as having capital because of deprivation.

89. In effect, this is the tariff income, or that part of the tariff income, attributed to the notional capital.

Claimant not receiving benefit

90. The amount of the reduction if benefit is not in payment is the:

- amount of benefit the claimant would have got if they were not treated as having capital because of deprivation, and the
- difference between the:
 - maximum amount of Housing Benefit claimants can get
 - amount of these benefits the claimant is actually getting.

91. For further information on the DNCR, please see the DMG Chapter 29 - Diminishing notional capital rule.

Failing to apply for capital

92. Claimants can be treated as having capital they could get if they applied for it.

93. This does not apply to if the claimant fails to apply for:

- capital from a discretionary trust
- capital from a personal injury payment held in trust or administered by the court
- capital from a personal pension scheme or retirement annuity contract
- a loan they could only get if they offered their home or other disregarded capital as security.

94. Treat the claimant as having the capital from the date they could be expected to get it if they applied for it, for example an unclaimed win on the premium bonds or money which the person has paid under the terms of a contract and can only get it back if the terms of the contract lets them, or the law specifically allows them to.

Types of capital

Cash savings, bank, building society, post office accounts and Premium Bonds

95. Accept the claimant's statement regarding any cash savings held. The claimant will have savings books or statements as evidence of savings in a:

- bank
- building society
- post office account
- Premium Bonds.

96. Do not deduct 10% from the value of any of these types of capital because there is no expense of sale incurred when they are converted to cash in hand.

Land and property

97. Disregard land and property indefinitely if:

- it is a dwelling which is normally occupied as the claimant's home
- it is impractical and unreasonable to sell the land or property separately
- the premises are occupied by a relative who is over the age at which they can get Pension Credit or incapacitated
- it is used as business premises.

98. Disregard land and property for 26 weeks or longer, if reasonable, when:

- the premises are intended to be occupied
- repairs or alterations to the premises are required
- there are legal proceedings in progress to obtain possession
- there are proceeds from sale of former home
- the property was the former marital home.

Dwelling normally occupied as the home

99. Disregard indefinitely the value of the dwelling normally occupied by the claimant as his home. The home includes the accommodation and any garage, garden or outbuildings normally occupied by the claimant. This also includes any premises or land that are not occupied but it would be impracticable or unreasonable to sell separately, for example:

- croft land in Scotland
- a granny flat to which access can only be obtained through the claimant's home or a field through which the claimant gains access to their home.

Property or land it is practicable and reasonable to sell separately

100. Property or land that is practicable and reasonable to sell separately includes::

- a separate dwelling house in the grounds of the home
- one of a pair of self-contained flats when the other flat is the home.
- a plot of land:
 - having a separate access; or
 - when an adjacent neighbour is a willing buyer

101. If it is not clear if the premises or land can be sold separately, request a valuation. Ask the valuer if, in their opinion, the property is able to be sold separately.

Valuation of property and land in the UK and overseas

102. On a new or repeat claim if the claimant states they own a property, other than the one in which they live, a valuation may be required, if it appears the value is likely to exceed the capital limit.

103. To obtain a valuation:

Step	Action
1	Send form A64A to the claimant, asking them to complete and return it.
2	For system maintained claims: <ul style="list-style-type: none"> Use dialogue JA530: Case Controls, to set a case control to await the return of the A64A For clerically maintained claims: <ul style="list-style-type: none"> BF the claim to await return of the A64A

Form A64A returned

104. When the claimant returns for A64A, take the following action:

Step	Action
1	To request a valuation for each property, complete form A64. Include full details of the: <ul style="list-style-type: none"> address directions grid references
2	Note form A64 with the following information, if applicable: <ul style="list-style-type: none"> The address of the key holder, if the property is not occupied; If the property is jointly owned and any party does not wish to sell, note this clearly on the form.
3	Send forms A64A and A64 to the District Valuer Services to request a valuation of a property in GB (excluding timeshare). All other requests for valuations (including overseas property) are sent to Capital Valuations
4	For system maintained claims: <ul style="list-style-type: none"> Use dialogue JA530: Case Controls, to set a case control for three week to await the return of the valuation and forms. For clerically maintained claims: <ul style="list-style-type: none"> BF the case for three weeks to await the return of the valuation and forms.

105. If the property is overseas, ask the claimant to provide as much information as possible including a map or plan if it is in a remote area and to provide details of its value. This could be:

- purchase and mortgage documents
- details of similar properties and prices in areas of claimant's property provided by an Estate agent in the UK who sells overseas property
- details of the property's worth provided by an Estate agent, or equivalent person who sells property in the country concerned.

106. If a claimant cannot get any evidence to indicate a value, decide if to accept the claimant's statement of the value or use form A64 to get a valuation. See Valuation of Capital Assets handbook for detailed guidance.

107. A valuation may not be required if:

- there is no dispute that the value, less any appropriate deductions, exceeds the capital limit;

- there is other evidence of its market value, for example it has recently changed hands and there is up to date evidence from an estate agent;
- the value of the property is to be disregarded.

Property in Northern Ireland

108. Northern Ireland (NI) is part of the UK although to obtain valuations of property and other capital assets held in NI, refer details in a file to Jobcentre Plus Special Operations.

109. In property cases, ask the claimant to complete the A64A. **Do not send requests to the valuer.**

Overseas Assets

110. Assets abroad may consist of property, land, money in a bank, shares or other forms of capital held outside the United Kingdom.

111. United Kingdom refers to England Wales and Scotland. Investments held in the Channel Islands, Eire and the Isle of Man are regarded as overseas capital.

112. For further information, please see the Valuation of Capital Assets Handbook – Overseas Assets

Assets frozen abroad

113. If a claimant states their assets abroad are frozen, refer details in a file to Jobcentre Plus Special Operations.

Disposal of premises

114. If the claimant is taking reasonable steps to dispose of premises, disregard the value of the premises for 26 weeks starting on the date the claimant first took reasonable steps to dispose of the premises, for example, the date the claimant:

- asked for legal advice or started legal proceedings
- first advertised the premises for sale or contacted an estate agent
- agreed to sell the premises to a willing buyer.

115. The disregard period can be extended beyond 26 weeks in some circumstances for example:

- the claimant has done all they have to do to sell the premises and the asking price is no more than the premises are worth, or
- action is still being taken to:
 - force a sale
 - get possession of the premises
 - appoint someone to act for the legal owner.

Premises intended to be occupied

116. If a claimant buys, inherits or is given premises and they intend to live in the premises as their home, the value of the premises can be disregarded for 26 weeks from the date of acquisition, or longer if you consider it is reasonable. The period of the disregard can be extended to a reasonable date for the claimant to obtain possession and start occupying the premises. In these circumstances consider whether:

- the claimant, partner or other member of the family are in hospital or so ill it prevents the move
- the premises are on land on which the claimant intends to build a home

- there are circumstances preventing the move which are beyond the control of the claimant but they are taking steps to remedy the situation
- major repair or preservation work is necessary at the new home, for example repair of roof, plumbing or rewiring, which is expected to delay occupation of the premises.

Repairs and alterations required

117. If repairs or alterations are required to premises which the claimant intends to live in, disregard the value of the premises for 26 weeks starting on the date the claimant first took steps to make the required repairs or alterations. Extend the disregard period if it seems reasonable to do so.

118. If the value of the property is disregarded because of repairs or alterations, the premises must currently be unfit for occupation. The repairs or alterations must:

- be essential
- make the premises fit for occupation as a home (this does not mean to the satisfaction of the claimant).

119. Treat the claimant as taking steps to make repairs, if they engage a builder to do the work, or purchase materials necessary to do the work or start the work themselves, or get a grant or loan to pay for the work or materials, or get planning permission.

Premises occupied by relatives

120. Disregard indefinitely the value of any premises lived in as the home by a partner or relative of the claimant or any member of their family, if appropriate, and the partner or relative is:

- over the age at which they can get Pension Credit
- disabled
- former partner of a claimant and they are not estranged or divorced, or their civil partnership has not been dissolved, for example when one of a married couple goes into residential care and they are treated as not being members of the same household.

Legal proceedings to obtain possession

121. If a claimant has sought legal advice or started legal proceedings to obtain possession of premises which they intend to occupy as the home, you can disregard the value of the premises for 26 weeks or longer, if it seems reasonable.

122. The disregard starts on the date the claimant seeks legal advice or started legal proceedings, whichever is earlier. The disregard period can be extended if:

- the claimant is still waiting for a grant, loan, or planning permission
- work on the premises will take longer than 26 weeks
- work has been delayed and there is a good reason for the delay
- work has been done and there is a good reason why the person has not moved into the premises.

Proceeds from sale of former home

123. To confirm the value of the proceeds from the sale of a home request a copy of the bill of sale and confirmation from the estate agent/solicitors handling the sale.

124. If a claimant receives money from the sale of premises which they occupied as their home, disregard the money for 26 weeks from the date of sale if they intend to:

- use the money to buy premises
- live in those premises as their home.

125. The disregard period can be extended if it seems reasonable to do so, for example:

- there is limited accommodation available of a type that is:
- suitable or reasonable for the claimant's needs
- the claimant is experiencing difficulty seeking alternative accommodation due to illness
- there are circumstances beyond the claimant's control.

Former marital/civil partnership home

126. A claimant or partner, who is separated, divorced or who has dissolved their civil partnership, may have a beneficial interest in a property such as the matrimonial/civil partnership home.

127. If the claimant or partner moved out of the property more than 26 weeks ago and the property is not disregarded, calculate the value of the interest in the property.

128. To calculate the value of interest in the property, establish the total value of the asset or property. Then divide this total by the number of joint owners, allowing for expense of sale for each net share of the jointly owned asset or property. Treat the resulting figure as the value of the claimant's capital.

129. If the share of the property is being contested, give the property a nil value until the question of ownership is settled, for example an ex-wife or husband may be trying to obtain sole ownership of the property. See Valuation of Capital Assets handbook for more guidance.

Endowment policies

130. If the policy is maintained there is no need to obtain a surrender value.

131. If the claimant states a policy has recently matured or been surrendered they must provide details of how much money was received and the date they received it.

132. Take action as necessary depending on whether the capital limits have been reached or exceeded.

Fixed term investments

133. Building societies, local authorities and some banks give a higher rate of interest for fixed term investments.

134. These institutions normally release the capital/interest payments if the claimant tells them that they need it urgently.

135. If a claimant has a fixed term investment, but states they are unable to gain access to any money from it, ask them to get details of whether they can:

- be paid any of the investment capital or income;
- convert the investment to a realisable form, for example an ordinary account;
- sell their interest;
- raise a loan through a reputable bank using the asset as security.

136. If the claimant provides evidence that a fixed term investment cannot be realised until the completion of the fixed term, the value of that investment depends on whether conditions laid down in the agreement allow the investment to be assigned to a third party.

137. If a capital asset is assignable to a third party, it means the owner can sell it to someone else on the open market. If it cannot be assigned or cannot be sold to another person, and the surrender value has to be obtained.

National Savings Certificates (and Ulster Savings Certificates)

138. The value of National Savings Certificates (and Ulster Savings Certificates) is assessed in the same way as other capital assets. To allow you to get an accurate value for their savings certificates the claimant must provide details of the:

- certificate issue number(s)
- purchase price
- date of purchase.

Valuation

139. The value of Savings Certificates is calculated as if the certificate was:

- bought on the last day of issue
- cashed in on 1 July before the date of application or review.

New Issues

140. Certificates that are still on sale are known as new issues. Their value is the purchase price until they are withdrawn from sale.

Establishing the Number of Units Issued

141. Since 20 September 1994, certificates have been sold for amounts between £100 and £10,000. If a certificate is for an odd amount, an earlier certificate has probably been cashed in and reinvested.

142. To establish the number of units a certificate is for, divide the total value shown on the certificate by the purchase price for that specific issue.

143. If the claimant cashed in the National Savings Certificate, the precise value of the certificate, including fractions of units is paid.

144. The precise value of the units held must be calculated, and not rounded up to whole units.

Treatment of fractions of units

145. To make sure National Savings Certificates, which include fractions of units, are correctly recorded:

Step	Action
1	access dialogue JA091: Maintain claim details;
2	access the MONEY screen JA091013 and in the: <ul style="list-style-type: none"> • 'Person Number' field, identify the owner using the number allocated by JSAPS; • 'Type' field, input [21]; • 'Total £' field, input the value of the National Savings Certificate;
3	record in dialogue JA110: Notepad: <ul style="list-style-type: none"> • the amount of units of National Savings Certificates held, including fractions;

	<ul style="list-style-type: none"> the value of these units; that these details are held in the MONEY screen JA091013 of dialogue JA091;
4	set a case control in dialogue JA530: Case Controls for early July the following year to reassess the value of the National Savings Certificates held.

JSAPS maintained claims

146. JSAPS will work out the value of the National Savings Certificates/Money Value Certificates providing the claimant gives the issue date.

Clerically maintained claims

147. In clerically maintained claims:

Step	Action
1	calculate the value of the National Savings Certificates/Money Value Certificates by using the National Savings Certificates values table;
2	multiply the number of certificates held by the value of a single unit;
3	record on form A6, the: <ul style="list-style-type: none"> issue dates; amount of certificates held.

148. Valuations for savings certificates can be obtained by using the:

- the NS&I online calculator; or
- contacting the NS&I helpline on 0845 964 5000.

149. To get an accurate valuation, the NS&I helpline operators need information about the:

- certificate issue number
- purchase price
- date of purchase.

Note: You must only ask questions of a general nature, questions specific to a claimant can not be answered.

Recording National Savings Certificates – new/repeat claims

150. When a claimant declares National Savings Certificates when they make a claim, take the following action::

Step	Action
1	access dialogue JA091: Maintain claim details;
2	input the details in the NATIONAL SAVINGS CERTIFICATES screen JA091014
3	access dialogue JA530: Case Controls, MAINTAIN USER SET CASE CONTROLS screen JA530532 and set a user case control to mature on 30 May for the following year;
4	when the case control appears on the Work Available Report JA72359, for National Savings Certificates issue the appropriate letter to the claimant.
5	for Index Linked Certificates access: http://www.nsandi.com/savings-index-linked-savings-certificates

6	input the revised details in the NATIONAL SAVINGS CERTIFICATES screen JA091014;
7	This action must be taken annually

Action to take on current claims

151. It is not possible to identify claims with National Savings Certificate information using an IT solution. Cases must be identified clerically by checking dialogue JA501: Claim Details Enquiry, NATIONAL SAVINGS CERTIFICATES screen JA501586 when performing any change of circumstances or claim check.

152. When a current claim holds National Savings Certificate information, take the following action:

Step	Action
1	issue the appropriate letter to the claimant.
2	for Index Linked Certificates access: <ul style="list-style-type: none"> • http://www.nsandi.com/savings-index-linked-savings-certificates
3	input the revised details in the NATIONAL SAVINGS CERTIFICATES screen JA091014;
4	any overpayment will be classed as official error and should be referred to Debt Management, as per current procedures.
5	access dialogue JA530: Case Controls, MAINTAIN USER SET CASE CONTROLS screen JA530532 set a user case control to mature on 30 May for the following year.
6	when the case control appears on the Work Available Report JA72359 repeat steps 1 to 3;
7	This action needs to be taken annually

Businesses

153. A person who is the only owner of a business is the beneficial owner of all of the capital of the business.

154. A person who owns a business with others has an equal share of the beneficial interest in the capital of the business unless the owners agree the shares should not be equal. The agreement between the owners does not have to be in writing. A person who has a share in the beneficial interest is a joint beneficial owner.

155. The value of a business is disregarded if the claimant or partner is still working for the business that they own or part-own.

156. For further information, please see the Valuation of Capital Assets Handbook

157. There are three aspects to valuing a business:

- property
- the business, including turnover and goodwill
- fixtures, fittings and equipment.

Limited companies

158. A limited company's capital is owned by the company.

159. Directors of the company are not the beneficial owners of the capital of the company.

160. If a director has lent capital to the company the loan is included in the capital of the company. The director's right to the capital that has been lent is included when working out the director's capital. If a director has shares in the company is the sole or joint beneficial owner of those shares, include the value of the shares in the director's capital.

Stocks, shares and marketable securities

161. The value of shares is listed in the financial sections of daily newspapers. For further information, please see the Valuation of Capital Assets Handbook

162. An exact valuation is needed of stocks or shares when the total value of capital is close to:

- the upper or lower capital limits
- an amount which would trigger a different amount of tariff income.

163. An exact valuation of shares can be obtained by checking the price listed on the Stock Exchange Daily Official list.

164. Use the Shares Wizard to obtain current or retrospective share prices. Enter the name of the company and the dates for which share prices are required. Shares Wizard displays the highest and lowest share price for each company for that date. See DMG Chapter 29 - Stocks and shares for guidance on how to calculate an exact valuation from these prices.

165. If the share price cannot be obtained from the Shares Wizard, for example if the share is listed on a foreign stock exchange, retrospective closing prices may be obtained from:

- closing prices quoted in newspapers
- closing prices quoted on an internet site
- a library's reference or business section
- banks or financial advisors.

166. Offices should not incur charges when they try to obtain share prices.

167. If it is impossible to get an exact valuation, give the claimant the benefit of the doubt as to the shares' value. For example, if an approximate valuation is around £6,000, value the shares at £6,000 or less to avoid tariff income.

168. Once the shares are valued, take the following action to determine the amount of capital to be taken into account:

Step	Action
1	Multiply the single share value by the number of shares held by the claimant, partner or member of the household.
2	Deduct 10% expense of sale from the total shares value.
3	Treat the remainder as capital to be taken into account.

Stocks and shares in private companies

169. The value of shares held in private companies are not quoted on the London Stock Exchange or in newspapers. For further information, please see the Valuation of Capital Assets Handbook

Securities

170. Government Securities are stocks issued by the British Government. They are sold in £100 units but re-investments can be for different amounts. Government Securities include:

- Consolidated stock
- Conversion loan
- Exchequer stock
- Funding stock
- Treasury stock
- 3½% War Loan.

171. The value of Government Securities should be worked out in the same way as for stocks and shares. Prices are quoted on the Shares Wizard.

Unit trusts

172. The value of unit trusts is listed as a 'bid price' in the financial sections of daily newspapers. To value unit trusts:

Step	Action
1	Find the bid price for the unit trust in a newspaper which is dated the same date as the date of claim or revision/supersession.
2	Multiply the bid price by the number of units the claimant/partner etc has.
3	Take this figure into account as capital. Do not deduct any 10% as an expense of sale as there are no costs of sale even if an agent such as a stockbroker is used to facilitate the sale.

Income Bonds and Capital Bonds

173. If a bond produces an income which is paid at regular intervals before the end of the investment period, treat it as an Income Bond.

174. If interest on a bond is paid when the bond matures, that is, at the end of the investment period, treat it as a Capital Bond.

Payments made on termination of employment

175. Payments of redundancy pay, Payment in Lieu of Notice (PILON), Pay in Lieu of Remuneration (PILOR) and Holiday Pay (HP) paid to the claimant or partner are treated as capital.

Any other investments

176. Other types of investments may include:

- Individual Savings Accounts (ISAs), including Personal Equity Plans which converted to stocks and shares ISAs in 2008;
- fixed term investments;
- personal pension schemes; or
- Premium Bonds

This list is not exhaustive.

177. To confirm the value of ISAs, personal pension schemes and fixed term investments, take the following action:

Step	Action
1	Ask the claimant to obtain the value of their investment for the date they made their claim to JSA
2	If they are unable to provide the details, ask them to complete form A42 – authority to disclose information, so the company can be approached direct.
3	Write to the company, to request the information, enclosing the

claimants authority to disclose form A42.

Premium Bonds

178. Ask the claimant to produce their certificate to confirm the number and value of Premium Bonds held.

Personal Injury payments

179. Personal injury payments must have been made 'in consequence of a personal injury' to the claimant or a member of the claimant's family for whom they are claiming. A personal injury can include:

- disease, for example lung disease caused by working conditions
- injury, for example the loss of a limb in an accident.

180. A personal injury payment can include any of the following:

- vaccine damage payments
- lump-sum awards of damages
- out of court settlements (for example by insurance companies)
- lump-sum gratuities under the War Pensions and Industrial Injuries Schemes
- Criminal Injury Compensation Scheme payments
- lump sum payments to people injured in an accident or disaster following charitable collections or public donations
- lump sum payments from accident insurance
- Lump sum payments from the Armed Forces Compensation Scheme.

Personal Injury lump sum capital payments

181. These are disregarded for up to 52 weeks from the date of receipt. This disregard is known as the grace period and starts from the date the lump sum payment/first instalment is received by the claimant or their partner.

182. If part of the money is spent during the 52 week grace period, deprivation of capital rules must be considered each time. You must also consider this at the start of a claim if the claimant reports that all or part of the money has already been spent.

Personal injury payment held in trust

183. If a personal injury compensation payment is held in a trust, the capital value and the right to receive money from it are disregarded.

184. If a personal injury compensation payment is held under control of the court, for example the Court of Protection, the capital value of the award and the right to receive money from it is disregarded.

185. The 52 week grace period gives the claimant the opportunity to make arrangements to put a lump sum personal injury payment into trust. When the claimant places the award in trust, the capital value and the right to receive money from it will be disregarded. In this case, the claimant will not be treated as having deprived himself of capital when he does put the money in trust.

Action when a personal injury payment is declared

186. On new claims, information about personal injury payments are recorded on CMS. If the claimant declares capital in excess of £5,500 on a clerical claim form or on a change of circumstances, find out from the claimant whether any of the capital has been received as a result of a personal injury.

187. Take the following action:

Step	Action
1	Check to ensure that the lump sum payment has been awarded solely in respect of a personal injury.
2	Find out what date the lump sum payment was received. If the payment is made in instalments the date the first instalment is received is the relevant date.
3	If the date is more than 52 weeks prior to the JSA date of claim then no grace period applies and the money is treated as capital if not held in trust.
4	Calculate the appropriate grace period using the date the personal injury payment (or first instalment) was received.
5	Access the Money screen in dialogue JA091: Maintain Claim Details: <ul style="list-style-type: none"> • Enter relevant person number in "Person No" field. • Enter 21 (other) in "Type" field • In "Total" field input either: <ul style="list-style-type: none"> • the full amount of the lump sum (if none spent) • the amount of instalments received so far • the amount of money remaining from the award if some has already been spent. • Input "N" in "Expense of sale" fields and in available field input "0.00".
6	Set a case control, for 4 weeks prior to the grace period end date, and update JA110:Maintain Notepad with details of the disregard period.
7	Issue draft letter, DLIS JSA900 to the claimant or the appointee. This explains their responsibilities to report if, for example, the money is spent or put into trust.
8	On maturity of the case control issue 2nd draft letter, DLIS JSA901 to the claimant or appointee to establish what has been done with the personal injury payment, and set a case control for a further two weeks. If a reply is still not received, consider suspension/termination action.

How to treat payments made from a trust

188. Establish what payments the award has generated and what payments have been made to or on behalf of the claimant. Then find out how much has been generated or paid and when, using the checklist:

What information is required	Further information
When was the award made?	
How much was it?	
Is the award under the control of the court?	If it is, establish: <ul style="list-style-type: none"> • Who the acting receiver (or Curator Bonis, tutor or Guardian in Scotland) is • If any payments form, or generated

	<p>by the award have been made by the receiver (or Curator Bonis, Tutor or Guardian in Scotland), to, or for a claimant (or a member of the family)</p> <ul style="list-style-type: none"> • If so, how much and when <p>If it isn't:</p> <ul style="list-style-type: none"> • Ask if the trust was established from a personal injury award
<p>Is the Trust a result of a personal injury award?</p>	<p>If it is, establish:</p> <ul style="list-style-type: none"> • When it was set up • What the terms of the Trust are, for example, Bare Trust or a Discretionary Trust • Who the trustees are • If there are any regular payments being made by the trustees to the claimants (or any member of the family), establish: <ul style="list-style-type: none"> • How much and when? • What they are used for (Discretionary Trust only) • Are there any payments being made to a third party on the claimants behalf? If so: <ul style="list-style-type: none"> – How much and when are payments made – What are the payments for.

189. Once this information has been established, the decision maker will decide how to treat these payments.

A receiver

190. A receiver is a person appointed by the court of protection, in England and Wales, to handle the claimant's money, which is legally under the control of the court. They have a responsibility to act in the best interests of the claimant. The receiver may also be appointed to handle any benefit payments.

A curator bonis, tutor or guardian

191. A guardian is a person appointed by the Scottish court to safeguard and manage the financial affairs of a person who cannot do that for themselves.

192. All curator bonis' or tutors appointed before 31 March 2002 automatically became guardians from 1 April 2002, although they retain their original powers under the old law.

Trustees

193. A trustee is someone appointed by the claimant or their representative to handle the claimant's money. The trustee can be a solicitor, friend,

relative or a combination of these. They have a responsibility to act in the best interests of the claimant. The trustee may also be appointed to handle any benefit payments.

Irregular lump sum payments

194. Irregular lump sum payments are treated as capital.

195. In practice, it is likely that these payments will be made to pay for specific items so are likely to be spent quite quickly. In this case the total amount of capital held by the claimant would not increase.

Regular payments

196. Regular payments made from the trust are treated as income, if the claimant actually receives them. They may be disregarded in certain cases.

197. Any income received from an award held under control of the court is treated as capital.

Discretionary trust

198. If the money is held in a discretionary trust, the beneficiary has no rights to payments, nor any right to say how the trust should be administered.

199. Payments are made at the discretion of the trustees. Any payments received are treated as voluntary payments.

200. Any income from the trust received by the claimant is fully disregarded if intended and used for something other than any of the following:

- food;
- fuel for the household the claimant normally occupies;
- ordinary clothing and footwear;
- accommodation costs covered by IS or JSA(IB);
- rent for which Housing Benefit is payable;
- water charges;
- council tax.

201. If a full disregard is not appropriate, the decision maker considers if a £20 disregard is appropriate.

Absolute entitlement

202. If a claimant has absolute entitlement to income under the terms of a trust, any regular payments made to them should be taken into account in full.

203. Any regular payments made to a third party on the claimant's behalf should be disregarded if intended to be used and actually used for something other than any of the following:

- food;
- fuel for the household which the claimant normally occupies;
- ordinary clothing and footwear;
- accommodation costs covered by IS or JSA(IB);
- rent for which Housing Benefit is payable;
- water charges;
- council tax.

204. Any other payments are taken into account in full.

Bare trust

205. If monies are held in a bare trust, the beneficiary has the right to say how the money is spent.

206. Regular payments are taken into account in full if paid to a third party for items shown in absolute entitlement.

Investments as part of the trust

207. The trustees may invest part of the award in things like:

- investment bonds;
- stocks and shares;
- property;
- a business.

208. If these investments form part of the trust they are disregarded.

Income received from award held under the control of the court

209. Any income received from an award held under the control of the court is treated as capital.

Structured settlements

210. Under a structured settlement, the person receives part of the award as a lump sum, also known as a contingency fund, but the rest (often the major part) as an annuity.

211. The lump sum is disregarded for 52 weeks. Regular payments from the annuity are treated as income and fully disregarded.

Compensation in respect of deceased relatives

212. If a claimant receives a payment in respect of a deceased relative, the personal injury payment rules do not apply as the rules are intended to ensure that the person who has suffered the injury or disease benefits by them. The normal capital rules apply.

213. Compensation for the death of one or both parents held under the control of a court when the person is under 18 is disregarded.

Recording capital on JSAPS

214. Once the total amount of capital is established, take the following action:

Step	Action
1	access dialogue JA091: Maintain Claim Details and input the details in the appropriate screens: <ul style="list-style-type: none">• JA091013: MONEY; or• JA091014: NATIONAL SAVINGS CERTIFICATES;
2	insert appropriate code relating to whom the capital belongs. ;
3	insert appropriate code for the capital type.

Recording capital clerically

215. Once the total amount of capital is established, take the following action:

Step	Action
1	record the capital details on form A6; and
2	if the claimant and/or partner has capital enter the total amount of capital on form JSA14A 'capital - claimant and partner'. Calculate any tariff income and enter the total against 'tariff income' Carry this figure to the weekly amount column C (IB).

Appendix 1

National Savings Certificates Values

Five year National Savings Certificates

To establish the value of the National Savings Certificates, use the following table:

Issue number & purchase price of each unit	Last Day of Sale	*Value of each unit in £'s at: 1 July 2005	Input code
1 st 15s 6d	31 Mar 1922	4.96	1
2 nd 16s	29 Sep 1923	4.89	2
3 rd 16s	30 Jun 1932	4.20	3
Conversion 16s	23 May 1932	4.20	17
4 th 16s	31 May 1933	3.62	4
5 th 16s	28 Feb 1935	3.50	5
6 th 15s	21 Nov 1939	3.55	6
7 th 15s	31 Mar 1947	6.46	7
£ issue	31 Mar 1947	6.46	22
8 th 10s	31 Jan 1951	4.14	8
9 th 15s	31 Jul 1956	5.39	9
10 th 15s	12 Mar 1963	4.62	10
11 th £1	26 Mar 1966	6.01	11
12 th £1	3 Oct 1970	4.94	12
Decimal £1	15 Jun 1974	4.58	13
14 th £1	11 Dec 1976	4.26	53
14 th index linked £1	27 Jan 1979	3.59	14
16 th £5	31 Mar 1977	22.21	16
Index linked retirement £10	15 Nov 1980	35.41	15
18 th £10	2 Feb 1980	33.95	18
19 th £10	9 May 1981	33.29	19
2 nd index linked £10	29 Jun 1985	25.49	20
21 st £10	7 Nov 1981	30.14	21
23 rd £25	10 Mar 1982	78.57	23
24 th £25	4 Nov 1982	69.65	24
25 th £25	13 Aug 1983	62.57	25
26 th £25	19 Mar 1984	63.03	26
27 th £25	7 Aug 1984	58.85	27
28 th £25	11 Sep 1984	63.66	28
29 th £25	12 Feb 1985	59.44	29
30 th £25	9 Sep 1985	60.18	30
3 rd index linked £25	31 Jul 1986	61.41	50
31 st £25	11 Nov 1986	54.20	31
4 th index linked £25	30 Jun 1990	48.71	51
32 nd £25	10 Mar 1987	55.69	32

33 rd £25	21 Jul 1988	48.24	33
33 rd reinvestment £25	21 Jul 1988	48.24	52
34 th £25	16 Jun 1990	46.35	34
34 th reinvestment £25	16 Jun 1990	46.35	54
35 th £25	14 Mar 1991	49.53	35
35 th reinvestment £25	14 Mar 1991	49.53	56
5 th index linked £25	12 Nov 1992	42.58	57
5 th index linked reinvestment £25	12 Nov 1992	42.58	58
36 th £25	2 May 1992	45.35	36
36 th reinvestment £25	2 May 1992	45.35	59
37 th £25	5 Aug 1992	43.97	60
37 th reinvestment £25	5 Aug 1992	43.97	61
38 th £25	22 Sep 1992	42.90	38
38 th reinvestment £25	4 Oct 1992	42.90	62
39 th £100	12 Nov 1992	164.44	39
39 th reinvestment £100	12 Nov 1992	164.44	63
40 th £25	16 Dec 1993	37.85	40
40 th reinvestment £25	16 Dec 1993	37.85	64
6 th index linked £25	16 Dec 1993	39.46	65
6 th index linked reinvestment £25	16 Dec 1993	39.46	66
41 st £25	19 Sep 1994	36.50	41
41 st reinvestment £25	19 Sep 1994	36.50	67
7 th index linked £100	19 Sep 1994	153.71	68
7 th index linked reinvestment £100	19 Sep 1994	153.71	69
42 nd £100	25 Jan 1996	143.11	42
42 nd reinvestment £100	25 Jan 1996	143.11	70
8 th index linked £100	25 Jan 1996	147.71	71
8 th index linked reinvestment	25 Jan 1996	147.71	72

£100			
43 rd £100	31 Mar 1997	144.05	43
43 rd reinvestment £100	31 Mar 1997	144.05	73
9 th index linked £100	31 Mar 1997	146.22	74
9 th index linked reinvestment £100	31 Mar 1997	146.22	75
44 th £100	8 Jan 1998	138.03	44
44 th reinvestment £100	8 Jan 1998	138.03	76
10 th index linked £100	24 Jul 1997	143.12	77
10 th index linked reinvestment £100	24 Jul 1997	143.12	78
11 th index linked £100	8 Jan 1998	140.98	79
11 th index linked reinvestment £100	8 Jan 1998	140.98	80
45 th £100	26 Mar 1998	134.72	45
45 th reinvestment £100	26 Mar 1998	134.72	81
12 th index linked £100	26 Mar 1998	137.11	82
12 th index linked reinvestment £100	26 Mar 1998	137.11	83
46 th £100	15 Oct 1998	131.55	46
46 th reinvestment £100	15 Oct 1998	131.55	84
13 th index linked £100	15 Oct 1998	132.05	85
13 th index linked reinvestment £100	15 Oct 1998	132.05	86
47 th £100	30 Dec 1998	127.26	47
47 th reinvestment £100	30 Dec 1998	127.26	89
14 th index linked £100	30 Dec 1998	130.09	87
14 th index linked reinvestment £100	30 Dec 1998	130.09	88
48 th £100	2 Feb 1999	123.29	48
48 th reinvestment £100	2 Feb 1999	123.29	92

15 th index linked £100	7 Oct 1999	126.06	90
15 th index linked reinvestment £100	7 Oct 1999	126.06	91
49 th £100	18 Mar 1999	121.51	49
49 th reinvestment £100	18 Mar 1999	121.51	93
50 th £100	19 May 1999	122.17	94
50 th reinvestment £100	19 May 1999	122.17	95
51 st £100	13 Jul 1999	122.56	96
51 st reinvestment £100	13 Jul 1999	122.56	97
52 nd £100	7 Oct 1999	122.64	98
52 nd reinvestment £100	7 Oct 1999	122.64	99
53 rd £100	26 Jan 2000	124.26	100
53 rd reinvestment £100	26 Jan 2000	124.26	101
16 th index linked £100	23 Feb 2000	125.20	102
16 th index linked reinvestment £100	23 Feb 2000	125.20	103
54 th £100	22 Jun 2000	124.63	104
54 th reinvestment £100	22 Jun 2000	124.63	105
17 th index linked £100	4 Dec 2000	121.35	106
17 th index linked reinvestment £100	4 Dec 2000	121.35	107
55 th £100	23 Dec 2000	119.71	108
55 th reinvestment £100	23 Dec 2000	119.71	109
18 th index linked £100	22 Jan 2001	120.22	126
18 th index linked reinvestment £100	22 Jan 2001	120.22	127
56 th £100	22 Jan 2001	116.77	128
56 th reinvestment £100	22 Jan 2001	116.77	129
19 th index linked £100	23 May 2001	117.62	130
19 th index linked reinvestment £100	23 May 2001	117.62	131

57 th £100	23 May 2001	114.42	132
57 th reinvestment £100	23 May 2001	114.42	133
20 th index linked £100	25 Oct 2001	116.71	134
20 th index linked reinvestment £100	25 Oct 2001	116.71	135
58 th £100	18 Jul 2001	114.03	136
58 th reinvestment £100	18 Jul 2001	114.03	137
59 th £100	23 Aug 2001	114.45	150
59 th reinvestment £100	23 Aug 2001	114.45	151
60 th £100	25 Oct 2001	112.79	152
60 th reinvestment £100	25 Oct 2001	112.79	153
61 st £100	29 Nov 2001	112.21	154
61 st reinvestment £100	29 Nov 2001	112.21	155
21 st index linked £100	29 Nov 2001	115.52	160
21 st index linked reinvestment £100	29 Nov 2001	115.52	161
62 nd £100	24 Jan 2002	110.31	156
62 nd reinvestment £100	24 Jan 2002	110.31	157
22 nd index linked £100	24 Jan 2002	114.81	162
22 nd index linked reinvestment £100	24 Jan 2002	114.81	163
63 rd £100	22 Aug 2002	109.11	158
63 rd reinvestment £100	22 Aug 2002	109.11	159
23 rd index linked £100	3 Oct 2002	112.36	164
23 rd index linked reinvestment £100	Oct 2002	112.36	165
64 th £100	3 Oct 2002	107.29	198
64 th reinvestment £100	27 Nov 2002	107.29	199
24 th index linked £100	27 Nov 2002	110.86	188
24 th index linked reinvestment £100	27 Nov 2002	110.86	189

65 th £100	27 Nov 2002	106.77	200
65 th reinvestment £100	27 Nov 2002	106.77	201
25 th index linked £100	4 Feb 2003	110.25	190
25 th index linked reinvestment £100	4 Feb 2003	110.25	191
66 th £100	4 Feb 2003	106.37	202
66 th reinvestment £100	4 Feb 2003	106.37	203
26 th index linked £100	20 Feb 2003	109.14	192
26 th index linked reinvestment £100	20 Feb 2003	109.14	193
67 th £100	20 Feb 2003	105.90	204
67 th reinvestment £100	20 Feb 2003	105.90	205
27 th index linked £100	25 June 2003	106.77	194
27 th index linked reinvestment £100	25 June 2003	106.77	195
68 th £100	25 June 2003	104.86	206
68 th reinvestment £100	25 June 2003	104.86	207
28 th index linked £100	20 Aug 2003	106.42	196
28 th index linked reinvestment £100	20 Aug 2003	106.42	197
69 th £100	20 Aug 2003	103.96	208
69 th reinvestment £100	20 Aug 2003	103.96	209
70 th £100	24 Sept 2003	104.50	237
29 th index linked £100	24 Sept 2003	106.73	230
71 st £100	21 Oct 2003	104.06	238
72 nd £100	19 Nov 2003	104.29	239
30 th index linked £100	19 Nov 2003	106.16	231
73 rd £100	18 Feb 2004	103.80	240
31 st index linked £100	18 Feb 2004	105.64	232
74 th £100	21 April 2004	102.80	241
32 nd index linked £100	21 April 2004	105.11	233
75 th £100	19 May 2004	102.85	242

33 nd index linked £100	19 May 2004	104.52	234
76 th £100	23 June 2004	103.05	243
34 th index linked £100	23 June 2004	103.98	234
77 th £100	18 Aug 2004	100.00	244
35 th index linked £100	18 Aug 2004	100.00	236
78 th £100	24 Nov 2004	100.00	260
36 th index linked £100	24 Nov 2004	100.00	261
79 th £100	25 Nov 2004 to date	100.00	262
37 th index linked £100	25 Nov 2004 to date	100.00	263

*Take the purchase price as the capital value if the:

- value of the last preceding 1 July is shown as '-'; or
- certificates are from a new issue not yet shown on this table.

Three year National Savings Certificates

To establish the value of the National Savings Certificates, use the following table:

Issue number & purchase price of each unit	Date of purchase	*Value of each unit in £'s at: 1 July 2005	Input code
1 st index linked & 1 st index linked reinvestment £100	20 Aug 2003	106.63	210 211
2 nd	24 Sept 2003	107.02	245
3 rd	19 Nov 2003	106.63	246
4 th	18 Feb 2004	106.02	247
5 th	21 April 2004	105.41	248
6 th	19 May 2004	104.76	249
7 th	23 June 2004	104.28	250
8 th	18 Aug 2004	100.00	251
9 th	24 Nov 2004	100.00	264
10 th	25 Nov 2004 to date	100.00	265

*Take the purchase price as the capital value if the:

- value of the last preceding 1 July is shown as '-'; or
- certificates are from a new issue not yet shown on this table.

Two year National Savings Certificates

To establish the value of the National Savings Certificates, use the following table:

Issue number & purchase price of each unit	Last day of sale	*Value of each unit in £'s at: 1 July 2005	Input code
1 st £100	21 Dec 1999	120.39	110

1 st reinvestment £100	21 Dec 1999	120.39	111
1 st index linked £100	21 Dec 1999	125.74	112
1 st index linked reinvestment £100	21 Dec 1999	125.74	113
2 nd £100	26 Jan 2000	120.75	114
2 nd reinvestment £100	26 Jan 2000	120.75	115
2 nd index linked £100	23 Feb 2000	127.28	116
2 nd index linked reinvestment £100	23 Feb 2000	127.28	117
3 rd £100	22 Jun 2000	120.68	118
3 rd reinvestment £100	22 Jun 2000	120.68	119
3 rd index linked £100	22 Jun 2000	124.11	120
3 rd index linked reinvestment £100	22 Jun 2000	124.11	121
4 th £100	23 Oct 2000	116.73	122
4 th reinvestment £100	23 Oct 2000	116.73	123
4 th index linked £100	23 Oct 2000	123.21	124
4 th index linked reinvestment £100	23 Oct 2000	123.21	125
5 th £100	4 Dec 2000	116.54	138
5 th reinvestment £100	4 Dec 2000	116.54	139
5 th index linked £100	4 Dec 2000	120.61	140
5 th index linked reinvestment £100	4 Dec 2000	120.61	141
6 th £100	22 Jan 2001	114.94	142
6 th reinvestment £100	22 Jan 2001	114.94	143
6 th index linked £100	22 Jan 2001	119.83	144
6 th index linked reinvestment £100	22 Jan 2001	119.83	145
7 th £100	18 Jul 2001	111.67	146
7 th reinvestment	18 Jul 2001	111.67	147

£100			
7 th index linked £100	18 Jul 2001	115.60	148
7 th index linked reinvestment £100	18 Jul 2001	115.60	149
8 th £100	23 Aug 2001	112.61	166
8 th reinvestment £100	23 Aug 2001	112.61	167
8 th index linked £100	25 Oct 2001	116.36	168
8 th index linked reinvestment £100	25 Oct 2001	116.36	169
9 th £100	25 Oct 2001	111.85	170
9 th reinvestment £100	25 Oct 2001	111.85	171
9 th index linked £100	29 Nov 2001	114.76	172
9 th index linked reinvestment £100	29 Nov 2001	114.76	173
10 th £100	29 Nov 2001	111.63	174
10 th reinvestment £100	29 Nov 2001	111.63	175
10 th index linked £100	24 Jan 2002	114.80	176
10 th index linked reinvestment £100	24 Jan 2002	114.80	177
11 th £100	24 Jan 2002	110.03	178
11 th reinvestment £100	24 Jan 2002	110.03	179
11 th index linked £100	25 Apr 2002	115.08	180
11 th index linked reinvestment £100	25 Apr 2002	115.08	181
12 th £100	25 Jul 2002	109.34	182
12 th reinvestment £100	25 Jul 2002	109.34	183
12 th index linked £100	3 Oct 2002	112.35	184
12 th index linked reinvestment £100	3 Oct 2002	112.35	185
13 th £100	22 Aug 2002	108.69	186
13 th reinvestment £100	22 Aug 2002	108.69	187

13 th index linked £100	27 Nov 2002	111.20	212
13 th index linked reinvestment £100	27 Nov 2002	111.20	213
14 th £100	3 Oct 2002	107.19	214
14 th reinvestment £100	3 Oct 2002	107.19	215
14 th index linked £100	4 Feb 2003	110.01	216
14 th index linked reinvestment £100	4 Feb 2003	110.01	217
15 th £100	27 Nov 2002	106.88	218
15 th reinvestment £100	27 Nov 2002	106.88	219
15 th index linked £100	25 June 2003	107.06	220
15 th index linked reinvestment £100	25 June 2003	107.06	221
16 th £100	4 Feb 2003	106.36	222
16 th reinvestment £100	4 Feb 2003	106.36	223
17 th £100	20 Feb 2003	106.04	224
17 th reinvestment £100	20 Feb 2003	106.04	225
18 th £100	25 June 2003	104.87	226
18 th reinvestment £100	25 June 2003	104.87	227
19 th £100	20 Aug 2003	103.93	228
19 th reinvestment £100	26 June 2003 – current date	103.93	229
20 th £100	24 Sept 2003	104.51	252
21 st £100	21 Oct 2003	104.07	253
22 nd £100	19 Nov 2003	104.51	254
23 rd £100	18 Feb 2004	103.80	255
24 th £100	21 April 2004	102.90	256
25 th £100	19 May 2004	102.95	257
26 th £100	23 June 2004	103.15	258
27 th £100	18 Aug 2004	100.00	259
28 th £100	24 Nov 2004	100.00	266
29 th £100	25 Nov 2004 to date	100.00	267

*Take the purchase price as the capital value if the:

- value of the last preceding 1 July is shown as '-'; or
- certificates are from a new issue not yet shown on this table.

National Savings Certificates

Initial letter

Dear

About your Jobseeker's Allowance

I am writing because each year from now on we will be asking you to provide the revised valuation of your National Savings Certificates (NSC) following their annual review. This is because we are no longer able to calculate it automatically.

Any changes in property or savings can affect how much Jobseeker's Allowance you get.

Our records show that you currently hold ofthe issue NCSs

You can obtain the current valuation of your NSCs by contacting:

- National Savings Customer Management on 0845 964 5000.

You must have the following details when you call in order for a valuation to be provided:

- certificate issue number;
- purchase price;
- date of purchase; and
- term, for example:
 - 2, 3 or 5 years.

If you have obtained any other NSCs, you must forward details as above. You can use the envelope provided, it does not need a stamp. If you prefer you can bring the information into the office.

If you want more information, please get in touch with us. Our address and telephone number are at the top of this letter.

Yours sincerely

For Manager

Reminder letter

Dear

About your Jobseeker's Allowance

We sent you a letter on / / regarding information on the current value of your National Savings Certificates. To date we have not received a reply.

You must send the reply to us by / / You can use the envelope

provided, it does not need a stamp.

If a reply is not received by this date, your payment of Jobseeker's Allowance may be affected.

Please let us know straight away if you:

- did not get the letter;
- have lost the letter;
- need more time to obtain the information; or
- have already sent the reply back to us.

If you want more information, please get in touch with us. Our address and telephone number are at the top of this letter.

Yours sincerely

For Manager

Appendix 2 Government Funded Trusts and Funds

The Macfarlane Trust

The Macfarlane Trust helps people suffering from haemophilia. The MFET Ltd funding stream runs alongside the existing Trust. Any payments received from the trust/MFET Ltd do not affect entitlement to JSA (IB)..Disregard any payment from the Macfarlane Trust when calculating entitlement to JSA (IB). This includes payments from the:

- Macfarlane Trust;
- Macfarlane (Special Payments) Trust;
- Macfarlane (Special Payments No 2) Trust.

The Eileen Trust, Independent Living Fund and Vaccine Damage payments

The Eileen Trust, Independent Living Fund and Vaccine Damage payments are charitable trusts established out of funds provided by the Secretary of State. The MFET Ltd funding stream runs alongside The Eileen Trust. Any payments received from MFET Ltd are treated in the same way as payments from the existing Trust. Disregard any one-off payments received from Eileen Trust, Independent Living Fund and Vaccine Damage payments when calculating entitlement to JSA(IB).

Note: In certain circumstances payments from the Macfarlane Trust and the Eileen Trust are only disregarded for a period of up to two years. For further information, please see the Decision Makers Guide, , Chapter 29 - Capital disregarded for up to two years.

The Skipton Fund

The Skipton Fund is the Skipton Fund Limited which was incorporated on 25 March 2004 to administer an ex-gratia payment scheme for the benefit of people suffering from Hepatitis C and other people eligible for payment in accordance with the scheme's provisions. The ex-gratia payments are a:

- lump sum payment of £20,000 to people infected with Hepatitis C and

- further payment of £25,000 to people who develop advanced liver disease.

Note: No payments are made in respect of people who died before 29 August 2003 or recover from Hepatitis C naturally.

Note: Where a person who is entitled to an ex-gratia payment dies on or after 29 August 2003 but before a payment can be made, the payment is made to that person's dependants.

The Fund

The Fund is money made available from time to time by the Secretary of State for the benefit of people who satisfy the terms of the scheme which was set up in Scotland on 10 April 1992 and elsewhere on 24 April 1992. It benefits non-haemophiliacs who were infected with HIV whilst undergoing treatment by NHS blood or tissue transfer or blood products. It makes one-off payments.

London Bombings Relief Charitable Fund

The London Bombings Relief Charitable Fund (LBRCF) was set up following the 7 July 2005 terrorist attacks in London, to provide relief for those directly affected. All payments made by the LBRCF are disregarded in full. The disregard applies to all payments from the LBRCF regardless of whom they are paid to. Any derived payments made to either parents, or, where the qualifying person is a child, to a guardian attract a two year maximum disregard. For further guidance see: Decision Makers Guide, – Chapter 29 - Capital disregarded for up to two years.

Note: Refer any cases where it is considered a grant is to be taken into account, to DMA Leeds for specific advice.

The Caxton Foundation

The Caxton Foundation was established on 28 March 2011. It administers funds provided by the Secretary of State for Health for the benefit of certain persons suffering from hepatitis C and other persons eligible for payments. Payments from the Caxton Foundation for the purposes of JSA are treated in the same way as payments from the Skipton Fund.

Changes to Income and Benefits

Claimant ends training

1. The action to take for a claimant who ends a period of training depends upon whether the Training Allowance they received was based on JSA(IB) or JSA(C).
2. Further information regarding this is available in the Gathering Evidence chapter of this guide.

Occupational/personal pensions

3. An existing JSA claimant or their partner may start to receive, during the life of a claim, income from:
 - an occupational pension;
 - a personal pension;
 - Financial Assistance Scheme;
 - Pension Protection Fund;
 - periodic redundancy payments;
 - an annual compensation payment.
4. The claimant is required to produce the appropriate verification documents when any of the above is declared.

Periodic redundancy payments

5. These are payments made to employees who leave employment through voluntary/ compulsory severance schemes. Treat these payments as occupational pensions for JSA purposes.

Annual compensation payments

6. Some employers pay an annual compensation payment (ACP) to employees leaving employment under severance schemes. Treat these payments as occupational pension payments.
7. Notification that an existing JSA claimant, or their partner, receives any of the above payments can be made by:
 - a declaration by the claimant;
 - notification from a third party, for example the Local Authority.

Occupational/personal pension or annual compensation payment received

8. When notification is received that an existing JSA claimant or their partner receives income from an occupational/personal pension or annual compensation payment, the way it is treated depends on whether the claimant has claimed JSA (C) only or JSA (C) and JSA (IB).
9. If the claimant's/partner's pension details are notified, access dialogue JA060: Register Claim/Event and input the change of circumstances.

10. When form JS460 has been received or a change of circumstances has been registered, record the pension details.
11. If more than one pension is input, the total amounts are added together, giving a total amount of pension payable each week. This amount is fully taken into account for JSA (IB) purposes.

Special cases

12. Certain employers have special pension schemes for making payments to their retired or redundant workers. There are special arrangements for the ex-employees of:
 - British Coal;
 - British Steel;
 - Rover Group.

Claimant/partner in receipt of annual compensation payments

13. Some employers, mainly public service, under voluntary/compulsory severance schemes (CSS) pay employees who leave their employment, one of the following:
 - an annual compensation payment (ACP) equivalent to preserved pension;
 - a superannuation lump sum equivalent to a multiple of the value of the ACP; or
 - a lump sum of up to six months pensionable pay.
14. Notification that an existing JSA claimant, or their partner, receives any of the above payments can be made by:
 - a declaration by the claimant;
 - notification from a third party, for example the Local Authority.
15. If the claimant receives an ACP, treat it as an occupational pension. This is because the payment is:
 - made in connection with the end of the employment;
 - paid periodically, usually at monthly intervals;
 - paid out of money provided:
 - either wholly or partly by an employer; or
 - under arrangements made by an employer; or
 - out of money provided under an enactment having the force of law in the United Kingdom or elsewhere.

Creditor Insurance Payments

16. On receipt of completed creditor insurance payments letter, refer the papers to the Decision Maker (DM) to decide whether the payment should be:
 - fully disregarded; or
 - partially taken into account as income.

See Decision Maker's Guide, Volume 5, chapter 28 income other than earnings, credit insurance policies

17. When the DM has made their decision they will record their decision in dialogue JA110: Maintain Notepad, or form A6 for clerical claims together with their calculations of a weekly figure to be taken into account.
18. When making their decision the DM must have evidence of the:
- payment(s) received;
 - amounts of the payment(s), for example a bank/building society statement showing a direct debit to a lender, a loan repayment book or the credit agreement.

Income from a Trust

19. If a claimant receives income from a trust.

See Decision Maker’s Guide, Volume 5, chapter 28 Income other than earnings, payments from funds and trusts

Partner claims/receives Incapacity Benefit

20. If the partner has claimed a linked claim to Incapacity Benefit or is receiving Incapacity Benefit (IB) check whether the claimant receives:

- JSA (C); or
- JSA (IB).

21. If the claimant receives JSA (C), disregard the partner’s IB.

22. For both JSA (C) and JSA (IB) claims that are not joint:

Step	Action
1	access Common enquiry service (CES) to see if IB is in payment;
2	access dialogue JA091: Maintain Claim Details, OTHER BENEFITS screen JA091020 and input: <ul style="list-style-type: none"> • the appropriate code for the partner’s benefit in the ‘type’ field, that is: <ul style="list-style-type: none"> ○ [61] for Incapacity Benefit (IB); ○ [10] for Maternity Allowance (MA); ○ [16] for Severe Disablement Allowance (SDA); ○ [30] for Statutory Maternity Pay (SMP); ○ [31] for Statutory Sick Pay (SSP); ○ [49] for Statutory Adoption Pay(SAP) and Statutory Paternity Pay (SPP) • [02] (partner) in the ‘For’ field;
3	if the partner is getting IB, complete the ‘Benefit sub-type’ field to show which rate is paid: [STL] for short term lower rate; [STH] for short term higher rate; [LT] for long term rate;
4	if IB, SDA or MA has been claimed but not paid: <ul style="list-style-type: none"> • input [C] in the ‘Rec’d’ field, • do not enter any amounts, • send clerical prevention of duplication of payment forms C73

	and IS(R)1 to the Short Term Benefits section, <ul style="list-style-type: none"> • access dialogue JA530: Case Controls and set a user case control for 42 days to show benefit claimed but not yet paid;
5	if SSP or SMP is due but not paid: <ul style="list-style-type: none"> • input [C] in the 'Rec'd' field, • do not enter any amounts, • consider interim payments, • access dialogue JA530: case controls and set a user case control for 42 days to show SSP/SMP due but not yet paid.

23. When SSP/SMP is paid, access dialogue JA091: Maintain Claim Details OTHER BENEFITS screen JA091020 and input the benefit amount and dates of payment, taking into account any interim payments made.

Notification of award received

24. When the Short Term Benefit (STB) section notifies the JSA unit about the outcome of the partner's IB or SDA or MA claim, check whether IB/SDA/MA has been awarded.

25. If IB/SDA/MA has been awarded and the claim is not joint, input the IB/SDA/MA details on JSAPS:

Step	Action
1	access dialogue JA091: Maintain Claim Details OTHER BENEFITS screen JA091020 and input: <ul style="list-style-type: none"> • the appropriate code in the 'Type' field, that is: <ul style="list-style-type: none"> ○ [61] IB; ○ [16] SDA; ○ [10] MA; • [02] partner in the 'For' field; • the full payment details in the other fields;
2	if the STB section have: <ul style="list-style-type: none"> • not withheld arrears, consider overpayment action; • withheld arrears, make a recovery against the arrears, using from C73B, making sure the: <ul style="list-style-type: none"> ○ weekly rate of JSA (IB) payable because of the partner's overlapping benefit is correct; ○ overall calculation is correct.

See Overpayment recovery guide

26. If the partner's IB/SDA/MA claim was unsuccessful:

Step	Action
1	access dialogue JA091: Maintain Claim Details OTHER BENEFITS screen JA091020;
2	clear the appropriate 'benefit claimed' entry by inputting [N] in the 'Rec'd' field.

Partner who was in receipt of Incapacity Benefit/ Income Support joins claim

27. When a partner who was in receipt of Incapacity Benefit (IB)/ Income Support (IS) joins a JSA claim, the claim needs to be reassessed and any final overlapping benefit payments taken into account.

When a linked claim to Incapacity Benefit or ESA is made for a period for which JSA was paid

28. If a claimant claims linked Incapacity Benefit (IB) or ESA for a period where JSA was paid, linking information to the relevant section would highlight the overlap and section will:

- send form BF251 to the JSA Unit for details of the overlap; and
- make a revised/ superseded decision stating if JSA is to be treated as IB or ESA and send a copy of the decision to the JSA Unit.

29. When a revised/superseded decision and offset decision has been made:

- access dialogue JA210: Maintain Suspension and Decision Details and disallow the claim using AR code 1660; and
- record the created overpayment as offset.

30. JSAPS will automatically amend the credits when the JSA unit input the disallowance.

31. If cumulative totals are involved the claim would have to be transferred to clerical and the credits awarded clerically.

32. Adjust the tax clerically using forms PB10 and P180Man.

Partner claims/receives ESA

33. If the partner is in receipt of ESA it is disregarded if the claimant receives JSA (C).

34. If the claimant is receiving JSA (IB) and the Partner is claiming ESA (C), the ESA (C) claim should be maintained clerically and any payments of ESA (C) should be taken fully into account on the claimants JSA (IB) claim.

35. If the claimant's partner is in receipt of ESA (IR) this is incompatible with JSA (IB) and one of the benefits must be terminated.

36. Where a partner who was in receipt of ESA (IR) joins a JSA claim, the claim will need reassessing and any final overlapping benefit payments taken into account.

37. For further information on ESA see;

- Assessing other Benefits

ESA, Incapacity Benefit and/or Income support awarded on appeal

38. A claimant who has claimed JSA may win an appeal to Her Majesty's Courts and Tribunal Service (HMCTS), against disallowance of Employment Support allowance, Incapacity Benefit and/or Income Support claim.

39. When the JSA unit receive appeal notification form Appeal Tribunal 3 (AT3):

Step	Action
1	suspend and disallow the JSA claim using Adjudication Reference (AR) code 1660 to adjust First effective date (FED), Last effective date (LED) and credits but not cumulative totals;
2	adjust tax using PB10 and P180 Man;
3	classify the overpayment as write-off when the incapacity/ESA offset decision is made.

40. When HMCTS decides to allow ESA, IB/SDA and/ or IS, they may also decide whether JSA paid for any overlapping period should be offset against any ESA, IB/SDA and/ or IS due.

41. The relevant benefit section will identify these cases and send form BF251 to request details of any JSA paid during the overlapping period. Take action to:

- suspend and disallow the JSA overlap, and
- adjust the award of credits.

Claimant/Partner is pregnant and within 11 weeks of the Expected Week of Confinement

42. If the claimant, partner or member of a joint claim couple is pregnant and within 11 weeks of the Expected Week of Confinement (EWC), they have several options available to them. An Advisor discusses the options available which enables the pregnant woman to make an informed choice of the benefits to claim. For further information please see the Get Britain Working guidance for JSA claimants – pregnant women chapter. .

43. A JSA claimant is not required to claim Income Support or Maternity Benefit from 11 weeks before the EWC. They can if they choose continue to meet the JSA conditions up until the birth.

44. See the

- Labour Market Conditions guidance;
- Get Britain Working guidance for JSA claimants – pregnant women chapter;. and
- Maternity Allowance guidance

Joint Claims

45. There are certain joint claim couples who are not required to meet all the joint claim criteria, even though legally they are still joint claims. For administrative purposes they are treated as jobseeker/partner claims.

46. This applies when one member of the joint claim is pregnant and:

- in receipt of Statutory Maternity Pay (SMP) or Maternity Allowance (MA) **or**
- is within 11 weeks of her EWC and no longer wishes to be available for or to actively seek work.

47. Joint claimants must be told of the choices available to them. The benefits of remaining on JSA must be explained as well as an explanation of the other options they have.

Note: It is preferable for the couple to remain on JSA as tailored help and support is still available to the claimant.

48. Once a child is born to the couple, the joint claim requirements no longer apply and do not until the couple are no longer responsible for the child or young person. For an explanation of the joint claim criteria, please see the Joint Claims Exemptions Guide.

EEA nationals

49. Special rules apply to EEA nationals who are pregnant or lone parents when they claim Income Support.

50. If they are making a new/repeat claim or are currently claiming JSA they must not be advised that a claim is needed as in some circumstances they may not be entitled. The Advisor will encourage the claimant to contact the BDC to discuss her options. The claimant must be made aware that by applying for Income Support she may be subject to the Right To Reside element of the Habitual Residence Test .

51. Under no circumstances must advice be given about entitlement to benefit. It is for the claimant to decide which benefit they wish to claim.

52. See the EU Rights of residence-Habitual Residence Test guidance for further information.

Payment of Carer's Allowance by four weekly direct payment

53. JSA claimants or their partners who are also entitled to Carer's Allowance (CA) can be paid their CA by four weekly direct payment.

54. CA four weekly direct payments (DP) are made three weeks in arrears and one week in advance.

55. For four weekly payments, the first payment is due on the fourth payday after the date of award. The payday for CA DP payments is Monday unless Constant Attendance Allowance is also in payment, when the payday is Wednesday.

56. If CA is awarded to a claimant or partner and the payment is to be four weekly DP, the CA unit withhold at least the initial eight weeks CA entitlement for JSA recovery action. If the CA unit need to withhold payment for longer, they withhold the amounts in four weekly periods.

57. Following the CA award, the CA unit send form DS1078 to the JSA processing site showing:

- the date from which CA has been awarded;
- the period for which arrears are withheld;
- the method of payment; and
- whether the claimant's CA payday is Monday or Wednesday.

Award and recovery action for Carer's Allowance paid 4 weekly by direct payment

58. When the JSA unit receive form DS1078, via email from the group email box recovery action should be taken along with action to record the award on JSAPS.

59. To record the award of CA on JSAPS, the system must be updated twice, once to include the Carer Premium from the date CA is awarded, and again from the date CA is actually put into payment.

60. To update JSAPS:

Step	Action
1	access dialogue JA091: Maintain Claim Details and record the same date of change, selecting 'Other Benefits' and 'Exceptional Conditions' from the CLAIM DETAILS PICKLIST screen JA091002;
2	in the OTHER BENEFITS screen JA091020, complete the: <ul style="list-style-type: none"> • 'Type' field to show [08]; • 'For' field to show: <ul style="list-style-type: none"> ○ [01] if claimant is the CA recipient; or ○ [02] if the partner is the CA recipient; • 'Rec'd' field to show [C]; • 'Total Rec'd' field to show [0.00]; • 'Verified' field to show [V]; • 'Account Amount' field to show [0.00]; and • 'Office' field to show [01912];
3	in the EXCEPTIONAL CONDITIONS screen JA091019, input: <ul style="list-style-type: none"> • code [20]; • the correct person code, and • CA award date;
4	re-access the CLAIM DETAILS PICKLIST screen JA091002 for the date CA will be paid, selecting 'Other Benefits';
5	in the OTHER BENEFITS screen JA091020, change the 'Rec'd' field from [C] to [Y], and input the weekly amount of CA payable;
6	return to the CLAIM DETAILS PICKLIST screen JA091002 and change the 'Evidence Complete?' Fields to [Y];
7	fast path to dialogue JA200: Award and Decision, then dialogue JA405: Compute Payment and issue a notification to the claimant;
8	access dialogue JA110: Maintain Notepad and make a note, 'CA has been awarded from .. / .. / .. and Carer Premium is payable'.

61. The JSA recovery from the arrears of CA is the amount of JSA due less the amount of JSA paid.

62. When the JSA unit have calculated the JSA recovery:

Step	Action
1	access dialogue JA110: Maintain Notepad and note:

	<ul style="list-style-type: none"> • the total amount of the recovery; • the period of the recovery; • that CA is being paid by DP. <p>Note: The JSA unit must record the CA method of payment because this will be the only indication that CA is being paid by DP;</p> <ul style="list-style-type: none"> • the date of the initial four weekly payment;
2	complete DS1078 email to show details of the recovery;

Completing DS1078 email

63. Following allocation of work from the Group email box, staff, must complete:

- the amount of IS/JSA that would not have been paid
- contact details of the person completing the form.

64. Use the Notes Box to confirm to Carers Allowance Unit (CAU) if the dates of the abatement period have been amended.

65. Contact CAU by telephone, before completing the DS1078, to advise them of the new dates and the reason why the amendment is necessary.

66. Once all the relevant details have been completed, select the 'Send' button, which will automatically return the form DS1078 to the correct email address, at the CAU . The form must be 'Sent' direct to the originating address from CAU.

67. If the email DS1078 has been sent to the wrong BDC, record this in the 'Notes Box' and return the form DS1078 to the CA Unit for their action.

68. If the form has been completed and sent to the CA Unit but for some reason is not received the sent email can be "forwarded" to CA Unit again (it is not expected that this will happen often).

Essential action after completing DS1078 email

69. Make an entry in dialogue JA110: Notepad, stating:

- The total amount of recovery
- The period of recovery
- That CA is being paid weekly/ four weekly
- The date the first actual week/ four weekly payment will be issued to the claimant
- The date that the form DS1078 was returned to the CA Unit.

DS1078 completed incorrectly

70. If the DS1078 is completed incorrectly, complete a new one and email to CAU.

DS1078 reminder received

71. If the DS1078 has not been returned by the date given on the form, an email reminder will be received. This contains details of the claimant and the date when a response is required.

72. If a reminder email is received, complete and return the DS1078 to the CA Unit urgently.

Retention of emails

73. Keep the original email for one month, before deletion, retain sent emails for one month.
74. Sub-folders can be set up in the group email in-box and the original received emails moved into these once a reply has been sent. These sub-folders can be identified by month of receipt. That sub-folder can then be deleted at the end of the following month, as any problems with the DS1078 forms will have been identified by then.

Up-rating when Carer's Allowance is paid four weekly by direct payment

75. JSAPS cannot differentiate between CA paid four weekly by direct payments (DP) and CA paid weekly. As a result, JSAPS cannot up-rate CA that is paid four weekly by DP without user intervention.
76. In these circumstances, set a case control to mature before 'A' week to take the appropriate action to up-rate.

Carer's Allowance awarded under special rules

77. Special rules apply to people who are diagnosed as being terminally ill and the normal abatement procedures should be fast tracked.

Action for Carer's Allowance awarded under special rules

78. To fast track the abatement process for special rules cases:

Step	Action
1	when CA unit telephones to advise that an award of CA under special rules has been made, agree a date for downrating JSA over the telephone. CA unit will fax form DS1078 (IS/JSA) to confirm the benefit and downrating details;
2	when the JSA unit receive form DS1078 (IS/JSA), complete it immediately and return it by fax to the CA unit who can then make a prompt payment of CA to their claimant.

Late award of Carer's Allowance

79. Because of the time limits on paying arrears, a late award of Carer's Allowance (CA) can mean that premiums included in the claimant's JSA are restricted to 52 weeks.
80. Because of this, special action needs to be taken if, following a late award of CA:
- the Decision Maker restricts the arrears to 52 weeks; and
 - the claimant claims they have lost benefit because of official error.

Action on late award of Carer's Allowance

81. In these circumstances, refer the case for consideration of an ex gratia payment to Operations and Performance Improvement Division (OPID) Special Payments Section.

82. To refer case to Special Payments Section, send:

Step	Action
1	a copy of the CA award notice;
2	a minute showing: <ul style="list-style-type: none"> • the weekly rate and period of the backdated JSA arrears award; • details of the period for which JSA arrears could have been awarded if the 52 week restriction did not apply, that is: <ul style="list-style-type: none"> ○ to and from dates of the award; ○ weekly rate(s) of JSA; and ○ any unrecovered overpayments of JSA but only if the overpayment arose during the period when JSA arrears were awarded when no restrictions applied;
3	do not send the JSA clerical records.

See Special Payments Handbook

Abatement of Carer's Allowance

Award of Carer's Allowance covers separate periods of JSA and IS

83. If the Carer's Allowance (CA) award covers separate periods of Income Support (IS) and JSA, CA unit sends form DS1078 (IS/JSA)D to whichever JSA unit is currently paying benefit. That office actions the form and then sends it to the appropriate unit for abatement of the second benefit.

84. The CA unit only send form DS1078 (IS/JSA)D if the period of abatement spans separate periods of JSA and IS. In other cases form DS 1078(IS/JSA) is issued.

Time limit for completion of abatement action

85. The time limit for completing all abatement action is three weeks in total for all JSA unit and district office action to complete the DS1078 (IS/JSA)D (over recovery action).

Payment of arrears

86. Do not pay any arrears of JSA (IB) Carer Premium to the claimant for any part of the abatement period. Any arrears due are CA and must be paid by the CA unit.

Claimant claims or receives Carer's Allowance

87. If a claimant claims, or receives, or has underlying entitlement to Carer's Allowance, consider whether the claimant satisfies the labour market

qualifying conditions, unless the claimant is a member of a joint claim and has applied for an exemption.

88. If there are any doubts about whether these conditions are satisfied, suspend the JSA claim and refer the case for a Sector Decision Maker's (SDM) decision.
89. If the SDM decides that the claimant still satisfies the labour market qualifying conditions for JSA, action depends on whether the claimant claims/receives:
 - JSA (C); or
 - JSA (IB).
90. If a claimant receives Carer's Allowance, paid four weekly by direct payment, special award and recovery action is required.

Claimant's partner claims or receives Carer's Allowance

91. If the claimant's partner claims, already receives or has underlying entitlement to Carer's Allowance (CA), action depends on whether the claimant receives:
 - JSA (C); or
 - JSA (IB).
92. If the claimant claims or receives JSA (C) only, there is no special action required because the partner's CA does not affect the claimant's JSA (C).

Claimant claims Carer's Allowance and claims or receives JSA (C)

93. If the claimant claims or receives JSA (C) and they:
 - already receive Carer's Allowance (CA);
 - have claimed CA but CA is not yet in payment.

Carer's Allowance in payment to claimant

94. If CA is already in payment:

Step	Action
1	tell the claimant that their CA will be reduced by the amount of their JSA (C) award because the two benefits overlap;
2	tell the claimant to inform the CA Unit immediately or: <ul style="list-style-type: none"> • if CA is paid by direct payment (DP), contact CA Unit giving details of the JSA award, asking them to recall DP and amend award.
3	draft a minute to CA Unit showing: <ul style="list-style-type: none"> • the date of the JSA (C) claim; and • if known, the details of the claimant's entitlement to JSA (C);
4	send the minute to the CA Unit;
5	for system maintained claims: access dialogue JA530: Case Controls and set a user case control for 14 days for a reply from CA Unit; for clerically maintained claims: set a clerical BF for 14 days for a reply from CA Unit

Claimant applied for Carer’s Allowance but has not received a decision

95. If the claimant has applied for CA but has not received a decision:

Step	Action
1	for system maintained claims: access dialogue JA091: Maintain Claim OTHER BENEFITS screen JA091020 and input: <ul style="list-style-type: none"> • [8] CA in the ‘Type’ field; • [01] customer in the ‘For’ field; • [C] in the ‘Rec’d’ field; for clerically maintained claims: note CA interest on part 11 of JSA14A for JSA (C);
2	draft a minute to CA Unit showing: <ul style="list-style-type: none"> • the date of the JSA claim; and • if known, details of the claimant's entitlement to JSA (C);

96. The CA unit will notify the JSA unit about the outcome of the CA claim when a decision is made.

97. When the notification is received, action depends on whether CA is:

- awarded and payable;
- awarded but not payable;
- not awarded.

Carer’s Allowance awarded and payable

98. If CA unit make a CA award which is payable, that is, any entitlement to JSA (C) does not extinguish its payability, they will notify the JSA unit using form DS1078(IS/JSA).

99. When form DS1078 (IS/JSA) is received:

Step	Action
1	for system maintained claims: access dialogue JA091: Maintain Claim Details OTHER BENEFITS screen JA091020 and input: <ul style="list-style-type: none"> • [8] CA in the ‘Type’ field; • [01] customer in the ‘For’ field; • [Y] in the ‘Rec’d’ field; • the CA payment details in the other fields; for clerically maintained claims: record the CA details on part 11 of JSA14A for JSA (C);
2	if the person who receives the care gets JSA (IB) or Income Support, make sure the Severe Disability Premium is withdrawn.

Carer’s Allowance awarded but not payable

100. If CA unit make a CA award, which is not payable, that is, because entitlement to JSA (C) extinguishes its payability, they will notify the JSA unit using Proforma 169 or form DS751D (ADP).

101. CA unit uses:

- Proforma 169 to notify an underlying title to CA on an established CA claim;
- form DS751D (ADP) to notify an underlying title to CA when a new CA claim has been made.

102. When either Proforma 169 or form DS751D (ADP) are received:

Step	Action
1	for system maintained claims: access dialogue JA091: Maintain Claim Details OTHER BENEFITS screen JA091020 and input: <ul style="list-style-type: none"> • [8] CA in the ‘Type’ field; • [01] customer in the ‘For’ field; • [U] in the ‘Rec’d’ field; • date CA awarded from in the D/Start field; for clerically maintained claims: record the CA details on part 11 of JSA14A for JSA (C);
2	if the person who receives the care gets JSA (IB) or Income Support, make sure the Severe Disability Premium has not been removed from their assessment.

Carer’s Allowance not awarded – notification from Carer’s Allowance unit received

103. If the CA unit do not make a CA award, that is because there is no entitlement, they will notify JSA unit.

104. When the notification is received:

Step	Action
1	for system maintained claims: access dialogue JA091: Maintain Claim Details OTHER BENEFITS screen JA091020 and input: <ul style="list-style-type: none"> • [8] CA in the ‘Type’ field; • [01] customer in the ‘For’ field; • [N] in the ‘Rec’d’ field; for clerically maintained claims: note form JSA14A that there is no entitlement to CA;
2	if the person who receives the care gets JSA (IB) or Income Support, make sure the Severe Disability Premium has not been removed from their assessment.

Claimant/partner claims Carer's Allowance and Claimant claims or receives JSA (IB)

105. If the claimant claims or receives JSA (IB) and they and/or their partner:

- already receive Carer's Allowance (CA);
- have claimed CA but CA is not yet in payment;

Carer's Allowance in payment to claimant and/or partner

106. If CA is already in payment:

Step	Action
1	for system maintained claims: access dialogue JA091: Maintain Claim Details OTHER BENEFITS screen JA091020 and input: <ul style="list-style-type: none"> ○ [8] CA in the 'Type' field; ○ [01] customer or [02] partner in the 'For' field; ○ [Y] in the 'Rec'd' field; and ○ the CA payment details in the other fields; for clerically maintained claims, record the CA details on part 12 of JSA14A for JSA (IB) and award Carer Premium;
2	If both claimant and partner receive CA, 2 entries will need to be made, once for the claimant and once for the partner, so that the correct Carer Premium is awarded.

Claimant and/or partner applied for Carer's Allowance but no decision received

107. If the claimant and/or partner has applied for CA but has not received a decision:

Step	Action
1	for system maintained claims: access dialogue JA091: Maintain Claim Details OTHER BENEFITS screen JA091020 and input: <ul style="list-style-type: none"> • [8] CA in the 'Type' field; • [01] customer or [02] partner in the 'For' field; • [C] in the 'Rec'd' field; for clerically maintained claims: note CA interest on part 12 of JSA14A for JSA (IB);
2	send clerical Prevention Of Duplication Of Payment (PODOP) form IS(R)1 to the CA Unit showing: <ul style="list-style-type: none"> • details of the JSA (IB) award; • the carer's name, address and NINO in red.

108. The CA unit will notify the JSA unit about the outcome of the CA claim when a decision is made.

109. When the JSA unit receive the CA unit's notification, action depends on whether CA is:

- awarded and payable;
- awarded but not payable;
- not awarded.

Carer's Allowance awarded and payable

110. If CA unit make a CA award which is payable, they will notify the JSA unit using form DS1078(IS/JSA).

111. When the form is received:

Step	Action
1	use form A6 to clerically calculate the amount of JSA (IB) or interim payments to be abated against the arrears of CA;
2	note form DS1078(TO) with the amount of JSA (IB) or interim payment to be recovered against the arrears of CA, making sure the: <ul style="list-style-type: none"> • weekly rate of JSA (IB) recovered is correct; and • overall calculation is correct;
3	return the completed form DS1078(TO) to the CA Unit within 21 days of receiving it;
4	for system maintained claims: access dialogue JA091: Maintain Claim Details OTHER BENEFITS screen JA091020 and input: <ul style="list-style-type: none"> • [8] CA in the 'Type' field; • [01] customer or [02] partner in the 'For' field; • [Y] in the 'Rec'd' field; • the CA payment details in the 'other' fields; for clerically maintained claims: record the CA details on part 12 of JSA14A for JSA (IB) and award Carer Premium; Note: If both claimant and partner receive CA, 2 entries will need to be made, once for the claimant and once for the partner so that the correct Carer Premium is awarded.
5	if the person who receives the care gets JSA (IB) or Income Support, make sure the Severe Disability Premium is withdrawn.

Carer's Allowance awarded but not payable

112. If the CA unit makes an award, which is not payable, that is, because another overlapping benefit extinguishes its payability, they will notify the JSA unit using Proforma 169 or form DS751D (ADP).

113. CA unit uses:

- proforma 169 to notify an underlying title to CA on an established CA claim;
- form DS751D (ADP) to notify an underlying title to CA when a new CA claim has been made.

114. When the JSA unit receive Proforma 169 or form DS751D (ADP):

Step	Action
1	<p>for system maintained claims: access dialogue JA091: Maintain Claim Details OTHER BENEFITS screen JA091020 and input:</p> <ul style="list-style-type: none"> • [8] CA in the 'Type' field; • [01] customer or [02] partner in the 'For' field; • [U] in the 'Rec'd' field; • date CA awarded from in the 'D/Start' field; <p>for clerically maintained claims: record the CA details on part 12 of JSA14A for JSA (IB) and award Carer Premium; Note: If both claimant and partner receive CA, 2 entries will need to be made, once for the claimant and once for the partner so that the correct Carer Premium is awarded.</p>
2	<p>if the person who receives the care gets JSA (IB) or Income Support, make sure the Severe Disability Premium has not been removed from their assessment.</p>

Carer's Allowance not awarded – notification from Carer's Allowance unit received

115. If the CA unit do not make a CA award, that is because there is no entitlement, they will notify JSA unit.

116. When the notification is received:

Step	Action
1	<p>for system maintained claims: access dialogue JA091: Maintain Claim Details OTHER BENEFITS screen JA091020 and input:</p> <ul style="list-style-type: none"> • [8] CA in the 'Type' field; • [01] customer or [02] partner in the 'For' field; • [N] in the 'Rec'd' field; <p>for clerically maintained claims: Note form JSA14A that there is no entitlement to CA;</p>
2	<p>if the person who receives the care gets JSA (IB) or Income Support, make sure the Severe Disability Premium has not been removed from their assessment.</p>

117. If the CA Unit notifies the JSA Unit that CA is not payable and the person who applied for CA is a member of a joint claim who has been awarded an exemption pending the decision to award Attendance Allowance/Disability Living Allowance and CA, action must be taken immediately to review the exemption.

118. If, as a result of the review of the exemption, the member of a joint claim is no longer exempt, interview the claimant and agree a Jobseeker's Agreement.

Claimant excluded from receiving JSA (IB)

119. If a claimant is excluded from receiving JSA (IB), JSA (C) may become payable. If so take action where claimant claims/receives JSA (C).

Carer's Allowance in payment to a claimant's dependant

120. Carer's Allowance (CA) and Child Benefit (ChB) have different definitions of full time education:

- CA is not payable if a person is in education for 21 hours or more a week;
- ChB is payable if a person is in education for more than 12 hours a week.

121. Therefore a young person may be eligible for CA while their parents are still eligible for ChB and JSA (IB) for them:

- if they are in education for between 12 and 21 hours a week; or
- between the date of leaving school and the next terminal date.

122. When CA is in payment to a young person who is a dependant of a JSA claimant, take CA into account up to the amount of the dependant's addition payable for that young person and disregard any remaining CA.

123. The CA is taken into account up to the dependant's addition which includes the following allowances:

- Dependant's Allowance;
- Disabled Child Premium
- Enhanced Disabled Child Premium

124. The CA is not payable for a dependant. It is only payable for a claimant and/or their partner.

Action when a dependant receives Carer's Allowance

For system maintained claims

125. If a claimant's dependant receives Carer's Allowance (CA), and the claim is maintained on JSAPS:

Step	Action
1	access dialogue JA091: Maintain Claim Details;
2	on the CLAIM DETAILS PICKLIST screen JA091002, input the date of change and select the OTHER INCOME screen JA091015;
3	in the OTHER INCOME screen JA091015, input: <ul style="list-style-type: none">• [49] in the 'Type' field;• the person number relating to the dependant who receives the CA in the 'For' field;• the weekly rate of the CA award in the 'Total Rec'd' field;• the weekly rate of the dependant's applicable amount, if this is less than the CA weekly rate, in the 'Account Amount' field; Note: If the dependant's addition includes the Dependant's Allowance and Disabled Child Premium, the amount input in the Account Amount field is the full rate CA; <ul style="list-style-type: none">• [2] in the 'Period' field;

	<ul style="list-style-type: none"> • [Y] in the 'Rec'd' field; • the start date of the CA award in the 'D/Start' field;
4	the EVIDENCE SUMMARY screen JA200201 will display the Dependant Allowance and a [Y] in the 'Dis' column, where appropriate. The weekly CA award taken into account will display as an other income for the dependant;
5	at the last AWARD SUMMARY screen JA200202, the following error message displays, E6262 'Error: Case requires LO1 specialist decision': <ul style="list-style-type: none"> • press [END] to save the evidence; and • pass the case details to the JSA Processing Section Manager;
6	set a yearly case control in dialogue JA530: Case Controls, to review the amount of CA taken into account as an other income in line with uprating;
7	record the details of the CA award on form A6 and dialogue JA110: Maintain Notepad; Note: The entry in Notepad must not be removed whilst CA is in payment to the dependant.

126. The above action ensures that these cases are not missed during the yearly uprating, when the Dependant's Allowance, Disabled Child Premium, Enhanced Disabled Child Premium and Carer's Allowance award will change.

For clerically maintained claims

127. If a claimant's dependant receives CA, and the claim is maintained clerically:

Step	Action
1	complete a new JSA14A assessment panel. Do not award the Carer Premium;
2	ensure that all the dependant's names and personal allowances are recorded in the Dependants part;
3	on JSA14A, in part 12, 'Income for JSA (IB)', record: <ul style="list-style-type: none"> • Carer's Allowance in the 'Type' column; • the name of the dependant in receipt of the CA, in the 'Paid to' column; • the weekly amount of the CA award, in the 'Amount' column; • any excess CA payable, that is the CA award less the dependant's addition, in the 'Disregard' column; • in the 'Net' column, the lowest weekly amount of: <ul style="list-style-type: none"> ○ the dependant's addition; or ○ CA.

128. The above action ensures that no benefit is paid for the dependant in receipt of CA.

Changing Carer's Allowance method of payment

129. If an existing claimant decides to change their Carer's Allowance (CA) method of payment (MOP) to direct payments (DP), the CA unit will fax the following details before making the change:

- date of the initial DP payment;
- period the payment covers;
- total amount payable;
- claimant's CA payday, Monday or Wednesday.

130. The CA unit will start DP payments on the fourth payday following:

- expiry, or
- date last order cashed.

131. When the fax is received from the ICA unit:

Step	Action
1	access dialogue JA060: Register Claim/Event and record a change of circumstances for the day after the expiry;
2	access dialogue JA091: Maintain Claim Details and record the same date as the date of change, selecting Other Benefits in CLAIM DETAILS PICKLIST screen JA091002;
3	input an end date against the CA entry of the day before the date of change, that is, the last day CA has been paid for;
4	re-access the CLAIM DETAILS PICKLIST screen JA091002 and record a further change of circumstances on the date CA DP payments are due to start;
5	in the OTHER BENEFITS screen JA091020 , complete the: <ul style="list-style-type: none"> • 'Type' field to show [08]; • 'For' field to show: <ul style="list-style-type: none"> ○ [01] if the claimant is the CA recipient; or ○ [02] if the partner is the CA recipient; • 'Rec'd' field to show [Y]; • 'Total Rec'd' field to show the amount paid; • 'Verified' field to show [V]; • 'Account amount' field to show the amount paid; and • 'Office' field to show [01912];
6	re-access the CLAIM DETAILS PICKLIST screen JA091002 and input [Y] to 'Evidence Complete?' Field;
7	fastpath to dialogue JA200: Award and Decision, then dialogue JA405: Compute Payment to issue a notification;
8	access dialogue JA110: Maintain Notepad and record the: <ul style="list-style-type: none"> • CA method of payment; and • date of the initial payment by DP.

Changes of circumstances affecting Carer's Allowance

132. Unlike other departmental computer systems, the Carer's Allowance (CA) has no interface with the Departmental Central Index (DCI). However, the CA unit still receive DCI broadcasts for carer's who receive other benefits, which are administered using a strategy computer system.
133. Because of this, if a claimant's JSA is maintained on JSAPS, the only changes that need to be notified to the CA unit are changes to the claimant's entitlement to JSA (C) and the carer's admission to hospital. Other changes will automatically be broadcast to the CA unit by DCI.

Action on changes of circumstances affecting Carer's Allowance

134. If the claimant's JSA is maintained clerically, send a minute to the CA Unit. Tell them about all changes of circumstances which affect CA, for example when:
- the person who receives CA stops being a carer;
 - the carer starts work;
 - there is a change of address;
 - the carer is admitted to hospital.

Qualifying benefits for Carer's Allowance

135. A carer can only receive Carer's Allowance while Attendance Allowance, Constant Attendance Allowance at the full day or higher rate or Disability Living Allowance highest or middle rate care component is paid for the person being cared for.

See Decision Makers guide, Volume 10, chapter 60, Carer's Allowance

Establish end date for Carer's Allowance

136. If entitlement to Attendance Allowance, Constant Attendance Allowance or Disability Living Allowance care component stops, contact the Carer's Allowance (CA) unit to find out when the CA will be withdrawn.

When entitlement to Carer's Allowance ends

The eight week extension period

137. When a claimant's entitlement to Carer's Allowance (CA) ends, establish the date and period of the final payment of CA and attribute it according to the claimant's normal four weekly CA payment cycle.
138. When CA entitlement ceases, regulations provide that the claimant is treated as if they were still entitled to CA for a further eight weeks. During this period, the claimant is entitled to the Carer Premium.
Note: The eight-week period begins when entitlement to CA ceases, not when CA ceases to be taken into account.
139. JSAPS does not calculate the eight-week period correctly. To ensure the Carer Premium is not paid erroneously, calculate it clerically.

140. Once the eight week extension period is calculated clerically, take action to update JSAPS:

Step	Action
1	access dialogue JA060: Register Claim/Event and record a change of circumstances for the day after the end of the eight week extension period;
2	access dialogue JA091: Maintain Claim Details and record the same date of change, selecting 'Exceptional Conditions' in the CLAIM DETAILS PICKLIST screen JA091002;
3	access the EXCEPTIONAL CONDITIONS screen JA091019 and: <ul style="list-style-type: none"> • change the 'reason Code' field to [21]; • input the start date as the day after the end of the eight week extension period; and • input the end date as eight weeks from the last day CA is actually paid;
4	re-access the CLAIM DETAILS PICKLIST screen JA091002 and change the 'Evidence complete?' fields to [Y][Y];
5	fastpath to dialogue JA200: Award and Decision, then dialogue JA405: Compute Payment to issue a notification to the claimant.

141. If Carer Premium is awarded under the "last eight weeks" conditions, the premium is payable for a maximum of eight weeks. After the eight weeks, the claimant or their partner are no longer considered a carer.

Claimant's partner has claimed Attendance Allowance

142. It may become apparent that a claimant's partner has claimed Attendance Allowance (AA) at any time during a JSA claim, for example:

- on the claimant's claim form;
- from a system broadcast through the Departmental Central Index (DCI) when an AA award is recorded on the AA computer system (AACCS);
- from the claimant:
 - in person;
 - in a letter;
 - by post.

143. Take the appropriate action if AA has been claimed and:

- is not yet awarded;
- is disallowed;
- is in payment; or
- a late award is due.

Attendance Allowance claimed but not yet awarded

144. If a claimant's partner claims AA but it has not yet been awarded:

Step	Action
1	if the JSA unit do not have a DCI broadcast, use DCI to confirm:

	<ul style="list-style-type: none"> the partner has claimed AA; which Disability Benefit Centre (DBC) is dealing with the claim;
2	complete form C73T for the claimant's partner;
3	send the completed form C73T to the appropriate DBC;
4	access dialogue JA091: Maintain Claim Details, OTHER BENEFITS screen JA091020 and input code: <ul style="list-style-type: none"> [01] AA in the 'Type' field; [02] partner in the 'For' field; [C] in the 'rec'd' field;
5	access dialogue JA530: Case Controls and set a user case control for 42 days to monitor the return of form C73T.

145. When the DBC returns form C73T, it will show the outcome of the claim, that is:

- AA is disallowed;
- AA is awarded to partner.

146. If when the claim is made, JSA is not payable but the claimant, partner or child has made a claim for Carer's Allowance (CA), deal with the JSA claim as a normal claim and issue a nil decision. This is subject to the claimant having made the claim not later than 10 days after the date of the original claim and with no decision having been made on the CA claim.

147. When the qualifying benefit is awarded, a further claim form will need completing. The original nil decision can be revised and, as the further claim was made within three months of the date on which the claim for the qualifying benefit was decided, this further claim can be treated as made on the later of the:

- date of the original claim; or
- first date in respect of which the qualifying benefit was payable.

Attendance Allowance disallowed

148. If form C73T is returned by the Disability and Carer Benefit Directorate (DCBD) showing the claim for AA is disallowed:

Step	Action
1	access dialogue JA091: Maintain Claim Details, OTHER BENEFITS screen JA091020 and input code: <ul style="list-style-type: none"> [01] AA on the 'type' field; [02] partner on the 'For' field; [N] in the 'Rec'd' field;
2	access dialogue JA530: Case Controls and clear the user case control if appropriate;
3	take no further action.

Attendance Allowance awarded for partner

149. If AA is awarded for the claimant's partner, it is disregarded in full in the claimant's JSA (C) and JSA (IB) assessment.

150. To record that the claimant's partner receives AA:

Step	Action
1	access dialogue JA091: Maintain Claim details, OTHER BENEFITS screen JA091020 and input code: <ul style="list-style-type: none">• [01] AA in the 'Type' field;• [02] partner in the 'For' field;• [Y] in the 'Rec'd field'; and• the full AA payment details in the other fields; and
2	consider whether the higher pensioner premium and severe disability premium are appropriate.

Late award of Attendance Allowance

151. Because of time limits on paying arrears contained in social security legislation, a late award of AA can mean that the award premiums included in a claimant's JSA are restricted to 52 weeks.

152. Because of this, take special action if, following a late award of AA:

- the arrears are restricted to 52 weeks; and
- the claimant claims they have lost benefit because of an official error.

153. Refer these cases for consideration of an ex gratia payment to Operations & Performance Improvement Division Special Payments Section

154. To refer a case to Special Payment Section, send:

Step	Action
1	a copy of the AA award notice;
2	a minute showing: <ul style="list-style-type: none">• the weekly rate and period of the backdated JSA arrears award;• details of the period for which JSA arrears could have been awarded if the 52 week restriction did not apply, that is:<ul style="list-style-type: none">○ to and from dates of the award;○ weekly rate(s) of JSA;○ any unrecovered overpayments of JSA but only if the overpayment arose during the period JSA arrears awarded when no restrictions apply;
3	do not send the JSA clerical records.

See Special Payments Handbook

Changes of circumstances that affect Attendance Allowance

155. Usually when a change of circumstances occurs, the Disability and Carer Benefit Directorate (DCBD) will receive a Departmental Central Index (DCI)

broadcast when a change of circumstances is recorded on JSAPS. However, send form BF600 to the DCBD if the partner:

- is admitted to:
 - hospital – include the hospital address on form BF 600;
 - hospice – in these cases, mark form BF600 prominently in red ‘URGENT – HOSPICE CASE’ and include the hospice address on form BF600;
 - prison – include the prison address on form BF600;
- moves to accommodation where Local Authority (LA) sponsors the landlady/ landlord. This is because the LA may contribute to the partner’s expenses. Include the address on form BF600;
- is absent or intends to be absent from Great Britain;
- has an appointee and the partner’s appointee’s details change;
- has an improvement or deterioration in the partner’s health – in these cases, obtain a statement about the change and send it to the DCBD with form BF600.

156. If the JSA claim is maintained clerically, use a form BF600 for all changes in circumstances.

157. To refer a case to Operations & Performance Improvement Division Special (OPID) Payments Section, send:

Step	Action
1	a copy of the AA award notice;
2	a minute showing: <ul style="list-style-type: none"> • the weekly rate and period of the backdated JSA arrears award; • details of the period for which JSA arrears could have been awarded if the 52 week restriction did not apply, that is: <ul style="list-style-type: none"> ○ to and from dates of the award; ○ weekly rate(s) of JSA; ○ any unrecovered overpayments of JSA but only if the overpayment arose during the period within the to and from dates when no restrictions apply;
3	do not send the JSA clerical records.

Notifying a change of circumstances to the Disability and Carer Benefit Directorate

Attendance Allowance not combined with another benefit

158. If Attendance Allowance (AA) is not combined with another benefit and Jobcentre Plus is notified about change of circumstances which the Disability and Carer Benefit Directorate (DCBD) needs to know about:

Step	Action
1	action the change on JSAPS as appropriate;

2	complete form BF600 showing the change of circumstances;
3	send form BF600 to the appropriate DCBD;
4	access dialogue JA110: Maintain Notepad and record that the JSA unit have sent form BF600;
5	access dialogue JA530: Case Controls and set a user case control for a reply from the DCBD.

Attendance Allowance combined with another benefit

159. If AA is combined with another benefit and Jobcentre Plus is notified about a change of circumstances which the DCBD needs to know about:

Step	Action
1	action change on JSAPS as appropriate;
2	complete form BF600 showing the change of circumstances and send it to the DCBD;
3	phone the other benefit section to make sure they are aware of the change. If the other benefit section is: <ul style="list-style-type: none"> • aware of the change: <ul style="list-style-type: none"> ○ record the JSA unit phone call on form A6; ○ access dialogue JA110: Maintain Notepad and record that the JSA unit have sent form BF600; • not aware of the change: <ul style="list-style-type: none"> ○ tell them about the change and that the JSA unit will inform the DCBD; ○ access dialogue JA110: Maintain Notepad and record that the JSA unit sent form BF600;
4	access dialogue JA530: Case Controls and set a user case control for a reply from the DCBD.

Attendance Allowance award notices

160. When an award of Attendance Allowance (AA) is made or changed, the Disability and Carer Benefit Directorate (DCBD) sends one of the following forms to the JSA unit:

- computer produced report FAA40105 showing changes to:
 - AA;
 - the date and period of the award. This report is always sent to the Income Support (IS) section first, even if the person does not receive IS. The IS section is then responsible for sending report FAA40105 to the JSA benefit processing section;
- clerical form DLA70 showing the date and period of the AA award.

Report received from Disability and Carer Benefit Directorate

Partner's award of Attendance Allowance stops

161. If report FAA40105 or form DLA70 is received stating that the partner's AA has stopped:

Step	Action
1	access dialogue JA091: Maintain Claim Details, OTHER BENEFITS screen JA091020 and input the final AA payment details;
2	access dialogue JA200: Award and Decision and make a decision;
3	send a report FAA40105 or form DLA70 to the Contributory benefits section for filing.

Partner's award of Attendance Allowance continues unchanged

162. If report FAA40105 or form DLA70 is received stating that the partner's AA continues unchanged, the claimant's JSA award is not affected.

Partner's award of Attendance Allowance has changed or will change

163. If report FAA40105 or form DLA70 is received stating that the partner's award of AA has changed or will change:

Step	Action
1	access dialogue JA091: Maintain Claim Details, OTHER BENEFITS screen JA091020 and amend the AA award details as appropriate;
2	access dialogue JA200: Award and Decision and make a decision;
3	send a report FAA40105 or form DLA70 to the Contributory benefits section for filing.

Disability Living Allowance award period

164. Each Disability Living Allowance (DLA) component can be awarded for:

- a specific period; or
- life.

165. Normally, there is a three month qualifying period for both components of DLA. However if someone claims under the special rules. DLA can be awarded from the date of claim.

166. When DLA is awarded it continues to be paid irrespective of age, provided the qualifying criteria continue to be met.

Disability Living Allowance in payment

167. If Disability Living Allowance (DLA) is in payment:

Step	Action
1	access dialogue JA091: Maintain Claim Details, OTHER BENEFITS screen JA091020 and input:

	<ul style="list-style-type: none"> • type code: <ul style="list-style-type: none"> ○ [44] DLA care component; and/or ○ [11] DLA mobility component; • the appropriate person number in the 'For' field; • [Y] in the 'Rec'd' field; and • the payment day and the payment frequency of the partner's or child's DLA in the 'PRD' field; and
2	consider awarding the appropriate premiums as either component of DLA is a qualifying benefit for some JSA premiums.

168. The partner's or child's DLA:

- does not affect JSA (C);
- is not taken into account against JSA (IB).

Disability Living Allowance decision outstanding

169. If the claimant, partner or child has claimed Disability Living Allowance (DLA), but has not received a decision:

Step	Action
1	access dialogue JA091: Maintain Claim Details OTHER BENEFITS screen JA091020 and record both components of DLA. To do this, complete the fields as follows: <ul style="list-style-type: none"> • in the 'Type' fields, input code: <ul style="list-style-type: none"> ○ [44] DLA care component; and/or ○ [11] DLA mobility component; • the appropriate person number in the 'For' field; • [C] in the 'Rec'd' field; and
2	access dialogue JA530: Case Controls and set a user case control for 42 days to check if DLA is awarded or not.

170. If when the claim is made, JSA is not payable but the claimant, partner or child has made a claim for Carer's Allowance (CA), deal with the JSA claim as a normal claim and issue a nil decision. This is subject to the claimant having made the claim not later than 10 days after the date of the original claim and with no decision having been made on the CA claim.

171. When the qualifying benefit is awarded, a further claim form will need completing. The original nil decision can be revised and, as on the further claim was made within three months of the date on which the claim for the qualifying benefit was decided, this further claim can be treated as made on the later of the:

- date of the original claim; or
- first date in respect of which the qualifying benefit was payable.

Case control appears on the work available report

172. If the 42 day case control set to check whether DLA was awarded, appears on the work available report and form FDA40105 or form DLA70, has

been received, contact the Disability and Carer Benefit Directorate (DCBD) to see if the DLA claim has been decided.

173. If the DCBD confirm:

- DLA has been awarded;
- DLA has not been awarded;
- the DLA claim has not been decided, access dialogue JA530: Case Controls and set a further user control for 42 days to check if DLA is awarded or not.

Disability Living Allowance awarded

174. If DLA is awarded, the DCBD:

- use the Common Enquiry Service (CES) to check for any JSA claim which includes the DLA claimant; and
- send report FDA40105 or form DLA70 giving details of the award.

175. When report FDA40105 or form DLA70 is received:

Step	Action
1	access dialogue JA091: Maintain Claim details, OTHER BENEFITS screen JA091020 and, depending on the award details, complete the Amount field for each component awarded;
2	remove the benefit codes for any component not awarded;
3	if appropriate, access dialogue JA530: Case Controls and clear the user case control which was set to check if DLA was awarded or not.

Disability Living Allowance is not awarded

176. If DLA is not awarded:

Step	Action
1	access dialogue JA091 Maintain Claim Details, OTHER BENEFITS screen JA091020 and input [N] in the 'Rec'd' field; and
2	if appropriate, access dialogue JA530: Case Controls and clear the user case control which was set to check if DLA was awarded or not.

Late award of Disability Living Allowance

177. Because of time limits on paying arrears, a late award of Disability Living Allowance (DLA) can mean that the award of premiums included in a claimant's JSA are restricted to 52 weeks.

178. Because of this, special action needs to be taken if, following a late award of DLA:

- the arrears are restricted to 52 weeks; and
- the claimant claims they have lost benefit because of official error.

Action on late award of Disability Living Allowance

179. Refer these cases for consideration of an ex gratia payment to Operations & Performance Improvement Division (OPID) Special Payments Section.

See Special Payments Handbook

180. To refer a case to OPID Special Payments Section:

Step	Action
1	draft a minute showing: <ul style="list-style-type: none"> • the weekly rate and period of the backdated JSA arrears award; • details of the period for which JSA arrears could have been awarded if the 52 week if no restrictions applied, that is: <ul style="list-style-type: none"> ○ to and from dates of the award; ○ weekly rate(s) of JSA; • any unrecovered overpayments of JSA but only if the overpayment arose during the period within the to and from dates when no restrictions apply;
2	send a copy of the DLA award notice to OPID;
3	do not send the JSA clerical records.

Changes of circumstances that affect Disability Living Allowance

181. When a change of circumstances occurs, the Disability and Carer Benefit Directorate (DCBD) usually receive a Departmental Central Index (DCI) broadcast when the change is recorded on JSAPS.

182. However, send form BF600 to the DCBD if the Disability Living Allowance (DLA) claimant:

- is admitted to:
 - hospital – include the hospital's address on form BF600;
 - hospice – include the hospice's address on form BF600;
 - any type of care home. Include the address on form BF600;
 - prison – include the prison's address on form BF600;
- has a deterioration or improvement in their condition – in these cases, obtain a statement about the change and send it to the DCBD with form BF600;
- dies.

Note: DCI will issue a broadcast but a form BF600 is still needed as confirmation.

183. If the JSA claim is maintained clerically, use form BF600 for all change of circumstances.

Notifying a change of circumstances to the Disability and Carer Benefit Directorate

Disability Living Allowance not combined with another benefit

184. If Disability living Allowance (DLA) is not combined with another benefit and notification is received about a change of circumstances which the Disability and Carer Benefit Directorate (DCBD) needs to know about:

Step	Action
1	action change on JSAPS as appropriate;
2	complete form BF600 showing the change of circumstances;
3	send form BF600 to the appropriate DCBD;
4	access dialogue JA110: Maintain Notepad and record that the JSA unit have sent form BF600;
5	access dialogue JA530: Case Controls and set a user case control for a reply from the DCBD.

Disability Living Allowance combined with another benefit

185. If DLA is combined with another benefit and notification is received about a change of circumstances which the DCBD needs to know about:

Step	Action
1	action change on JSAPS as appropriate;
2	complete form BF600 showing the change of circumstances;
3	phone the other benefit section to make sure they are aware of the change. If the other benefit section is: <ul style="list-style-type: none"> • aware of the change: <ul style="list-style-type: none"> ○ record the phone call on form A6; ○ access dialogue JA110: Maintain Notepad and record that form BF600 has been sent; • not aware of the change: <ul style="list-style-type: none"> ○ tell them about the change and that DCBD will be informed; • access dialogue JA110: Maintain Notepad and record that form BF600 has been sent;
4	access dialogue JA530: Case Controls and set a user case control for a reply from the DCBD.

Notification of Disability Living Allowance award

186. The Disability and Carer Benefit Directorate (DCBD) notify an award of Disability Living Allowance (DLA) on report FDA40105 or form DLA70. An individual report is issued for each award and the information includes:

- the name of the DLA claimant;
- a breakdown including the amount of the components making up the award;

- the period of the award.
187. Report FDA40105 is always sent to the Income Support (IS) section first, even if the person does not receive IS. The IS section then is responsible for sending report FDA40105 to Jobcentre Plus. DCBD issue form DLA70 in clerical cases instead of report FDA40105.

Report FDA40105 or form DLA70 received from Disability and Carer Benefit Directorate

Disability Living Allowance award stops

188. If report FDA40105 or form DLA70 is received stating that Disability Living Allowance (DLA) has stopped:

Step	Action
1	access dialogue JA091: Maintain Claim Details, OTHER BENEFITS screen JA091020 and input the final DLA payment;
2	access dialogue JA200: Award and Decision and make a decision;
3	send report FDA40105 or form DLA70 to the Contributory Benefits section for filing.

Disability Living Allowance award continues unchanged

189. If report FDA40105 is received stating that the DLA will continue unchanged, the claimant's JSA award is not affected.

Disability Living Allowance award continues at a changed rate

190. If report FDA40105 is received stating that the award of DLA has changed or will change:

- access dialogue JA091: Maintain Claim Details, OTHER BENEFITS screen JA091020 and amend the DLA award details as appropriate; and
- revise/ superseded the claimant's JSA (IB) award as appropriate.

Industrial Injuries Disablement Benefit

Notification received from Disability Benefits Section

191. When form IS(R)1 is received from Industrial Injuries Branch, check whether Industrial Injuries Disablement Benefit (IIDB) has been awarded.

192. If IIDB has been awarded:

Step	Action
1	access dialogue JA091: Maintain Claim Details, OTHER BENEFITS screen JA091020 and input: <ul style="list-style-type: none"> • code [07] IIDB in the 'Type' field; • [01] customer or [02] partner in the 'For' field, as appropriate; • [Y] in the 'Rec'd' field;

	<ul style="list-style-type: none"> the full IIDB payment details in the other fields;
--	--

193. if Industrial Injuries Branch have:

- not withheld arrears:
 - consider overpayment action;
- withheld arrears of IIDB:
 - ask them to make a recovery against the arrears of IIDB, making sure the:
 - weekly rate of JSA (IB) recovered is stated and correct; and
 - overall calculation is correct.

See Overpayment Recovery Guide

See Decision Makers Guide, Volume 3, chapter 9, overpayments, offsets and recoverability

194. If the IIDB claim was disallowed:

Step	Action
1	access dialogue JA091: Maintain Claim Details, OTHER BENEFITS screen JA091020 and input: <ul style="list-style-type: none"> [01] customer or [02] partner in the 'For' field, as appropriate; and [D] in the 'Rec'd' field; and
2	access dialogue JA530: Case Controls to clear the case control set to monitor the outcome of the IIDB claim.

Enquiry from Disability Benefits Section

195. When a person is awarded IIDB and Disability Benefits Section do not know whether to withhold arrears for the recovery of JSA (IB), they will contact Jobcentre Plus for advice. The contact may be made:

- by phone;
- in writing.

196. If an enquiry is received from Disability Benefits Section:

Step	Action
1	use the JSA enquiry dialogues to find out whether a claimant or claimant's partner has received JSA (IB) for any part(s) of the IIDB award period;
2	notify Disability Benefits Section in writing whether or not JSA (IB) needs to be recovered from the IIDB arrears;
3	if a recovery of JSA (IB) is needed, include details about the: <ul style="list-style-type: none"> recovery period; rates of JSA (IB) paid; total JSA (IB) to be recovered from the IIDB arrears.

See Decision Makers Guide, Volume 3, chapter 9 Overpayments, offsets and recoverability

197. Take this action promptly because Industrial Injuries Branch cannot pay the arrears to the claimant or partner until they receive the JSA unit written reply.

Changes to War Disablement Pension

Form WPA880 received from the War Pensions Agency

198. When form WPA880 is received from the War Pensions Agency (WPA), check whether War Disablement Pension (WDP) has been awarded.

199. If WDP has been awarded, input the details on JSAPS:

Step	Action
1	access dialogue JA091: Maintain Claim Details, OTHER BENEFITS screen JA091020 and input: <ul style="list-style-type: none"> • code [32] WDP in the 'Type' field; • [01] customer or [02] partner in the 'For' field; • [Y] in the 'Rec'd' field; • the full WDP payment details in the other fields;
2	JSAPS automatically applies a £10.00 disregard to the WDP;
3	complete and return Part 2 of form WPA880 to the WPA, making sure the: <ul style="list-style-type: none"> • disregard is applied; • weekly rate of JSA (IB) recovered is correct; and • overall calculation is correct;
4	if any JSA (IB) payments have been made, take them into account when completing form WPA880.

Form C73S tear-off returned from War Pensions Agency

200. WPA will return form IS(R)1 tear-off if the WDP claim is unsuccessful.

201. When this form is received, access dialogue JA091: Maintain Claim Details, OTHER BENEFITS screen JA091020 ; and input:

- code [32] WDP in the 'Type' field;
- [01] customer or [02] partner in the 'For' field;
- [N] in the 'Rec'd' field; and
- the full WDP details in the Other fields

Claimant or partner receives one of the allowances payable with War Disablement Pension

202. If the claimant receives one of the allowances that can be paid with War Disablement Pension (WDP), check whether the allowance is:

- disregarded in full;
- taken fully into account in the claimant's JSA (IB) assessment;
- Unemployment Supplement;
- Treatment allowance.

Claimant receiving JSA makes a claim for Widow's benefit

203. Widow's Benefit consists of Widowed Mothers Allowance (WMA) and Widow's Pension (WP).

Notifying Pensions Section of JSA interest

204. If a claimant receiving JSA makes a claim for Widow's Benefit :

Step	Action
1	access dialogue JA091: Maintain Claim Details, OTHER BENEFITS screen JA091020 and input: <ul style="list-style-type: none">• Code [76] WMA or [94] WP in the 'Type' field;• [01] customer in the 'For' field;• [C] in the 'Rec'd' field;
2	access dialogue JA530: Case Controls and set a user case control for 14 days to check if the Widow's Benefit has been awarded;
3	if the claimant is receiving: <ul style="list-style-type: none">• JSA (C) – send form C79 and a minute to Pension service to:<ul style="list-style-type: none">○ advise that JSA is in payment;○ request details of the Widow's Benefit award, in writing, when the award is decided;• JSA (IB) – send forms IS(R)1 and C79 to the Pensions Service.

Decision about Widow's Benefit received

205. When a decision about Widow's Benefit is made, Pensions service send form BR403 or form IS(R)1 part B. These forms:

- give details of the award;
- request details of any recovery or offset of JSA to be made from the arrears of the Widow's Benefit, if appropriate.

206. However, if JSA (C) is in payment Pensions Service will send form BR42.

Widow's Benefit disallowed

207. If Widow's Benefit is disallowed, access dialogue JA091: Maintain Claim Details, OTHER BENEFITS screen JA091020 and input [D] in the 'Rec'd' field. JSA will continue to be paid unchanged.

Widow's Benefit awarded

208. If Widow's Benefit is awarded, action to take depends on whether the claimant receives:

- JSA (C);
- JSA (IB).

JSA (C) in payment

209. If the claimant receives JSA (C):

Step	Action
1	access dialogue JA091: Maintain Claim Details, OTHER BENEFITS screen JA091020 and input: <ul style="list-style-type: none"> • Code [76] WMA or [94] WP in the 'Type' field; • [01] customer in the 'For' field; • [Y] in the 'Rec'd' field; • the full Widow's Benefit details in the other fields;
2	check if the Widow's Benefit award covers any period for which JSA (C) has already been paid;
3	if JSA (C) has been paid for the same period or part of the period covered by the widows benefit award: <ul style="list-style-type: none"> • calculate the amount of JSA (C) paid; • send a minute to the Pensions Service to ask them to treat the amount calculated as paid 'on account' of the Widows Benefit; • Pensions Service will send a copy of their decision about the JSA (C) paid on account.

210. When the reply from the Pensions Service is received, consider if overpayment action is appropriate.

See Overpayment recovery guide

JSA (IB) in payment

211. If JSA (IB) is in payment:

Step	Action
1	access dialogue JA091: Maintain Claim Details, OTHER BENEFITS screen JA091020 and input: <ul style="list-style-type: none"> • Code [76] WMA or [94] WP in the 'Type' field; • [01] customer in the 'For' field; • [Y] in the 'Rec'd' field; • the full Widow's Benefit details in the other fields;
2	if JSA (IB) has been paid for the same period or part of the period covered by the Widow's Benefit award: <ul style="list-style-type: none"> • calculate the amount of JSA (IB) paid and record the amount on form A6; • return form BR403 or send form C73B, as appropriate, to the Pension Service giving details of the JSA (IB) amount calculated; • Pensions Service will advise if recovery was made or if overpayment action may be appropriate.

Action when a Bereavement Benefit has been claimed

212. If the claimant is already in receipt of JSA and their claim to Widowed Parent's Allowance (WPA) or Bereavement Allowance (BAL) has not yet been decided:

Step	Action
1	award/ reassess JSA to record WPA or BALLce as claimed;
2	access dialogue JA530: Case Controls and set a user case control for 14 days to check if a Bereavement Benefit (BB) has been awarded;
3	if the claimant is receiving: <ul style="list-style-type: none"> • JSA (C) – send form C79 and a minute to BB section; • JSA (IB) – send form IS(R)1 and C79 to BB section.

Bereavement Benefit awarded

213. If the Bereavement Benefit (BB) section award BB and they know JSA has been paid for the same period, they will issue form BR403.

214. When this form is received:

Step	Action
1	check the claimant received JSA for the period the arrears of Widowed Parents Allowance (WPA) or Bereavement Allowance (BALLce) are due for;
2	check dialogue JA110: Notepad and enquiry dialogues, or clerical records to see if a recovery has already been done;
3	if the recovery has yet to be done check that the £10.00 disregard for WPA has not been missed.

How to reassess the JSA award when Bereavement Benefit has been awarded

215. If BB has been awarded and JSA is already in payment, take the following action to notify the BB section of the recovery amount and reassess the JSA award:

Step	Action
1	calculate the difference between the amount of JSA paid and the amount of JSA that would have been paid had Widowed Parents Allowance (WPA) or Bereavement Allowance (BALLce) been in payment throughout; Note: The £10.00 disregard due from April is paid as part of the WPA arrears issued by the BB section
2	complete form BR403 tear – off and send to the BB section;
3	access dialogue JA091: Maintain Claim Details and enter the JSA Treat as Made (TAM) or the first day of the recovery period in the 'date of change field';
4	access the OTHER BENEFITS screen JA091020 and amend the WPA or BALLce entry to show: <ul style="list-style-type: none"> • [N] in the 'rec'd' field; • [V] in the 'verified' field;

	<ul style="list-style-type: none"> • the local office number in the 'Office' field; • the date of change in the 'D/Start' field; • the last day of the recovery period in the 'D/End' field; and • press [F2];
5	amend the date of change to the first day following the recovery period;
6	access the OTHER BENEFITS screen JA091020 and amend the WPA or BALLce entry to show: <ul style="list-style-type: none"> • [Y] in the 'rec'd' field; • the amount received in the 'Total' field; • [V] in the 'verified' field; • the local office number in the 'Office' field; • first day after the recovery period in the 'D/Start' field; • for BALLce only – the end day of the award in the 'D/End' field;
7	access dialogue JA110: Notepad and record action taken.

JSA (C) in payment

216. If the claimant receives JSA (C):

Step	Action
1	access dialogue JA091: Maintain Claim details, OTHER BENEFITS screen JA091020; and input: <ul style="list-style-type: none"> • Code [92] BALLce or [93] WPA in the 'Type' field; • [01] customer in the 'For' field; • [Y] in the 'Rec'd' field; • the full BB details in the other fields;
2	check the BB award covers any period for which JSA (C) has already been paid;
3	if JSA (C) has been paid for the same period or part of the period covered by the BB award: <ul style="list-style-type: none"> • calculate the amount of JSA (C) paid; • send a minute to the BB section to ask them to treat the amount calculated as paid 'on account' of the BB, • Bereavement section will send a copy of their decision about the JSA (C) paid on account.

Completion of Widowed Mother's Allowance and Widowed Parent's Allowance recovery calculation sheet

217. To calculate the Widowed Parent's Allowance (WPA) recovery on the calculation sheet:

Step	Action
1	record the claimant details;
2	in 'column 1' record the benefit weeks affected by recovery;

3	in 'column 2' record the amount of JSA that would have been paid if WPA had been paid on time, that is JSA less the remaining Widowed Mother's Allowance (WMA) or WPA after the £10.00 disregard is applied;
4	in 'column 3' record the total JSA paid, that is JSA without WPA taken into account;
5	in 'column 4' record the weekly amount of recovery, that is 'column 3' less 'column 2';
6	in 'column 6' record the total recovery;

War Widow's Pension awarded

JSA (C) in payment

218. If War Widow's Pension is awarded for period for which JSA (C) has been paid and the War Widow's Pension is to be treated as an overlapping benefit, JSA (C) is treated as paid 'on account' of War Widow's Pension.

See Decision Maker's Guide: Volume 3, chapter 17 overlapping benefits

JSA (IB) in payment

219. If War Widow's Pension is awarded for period for which JSA (IB) has been paid, recovery can be made from the War Widow's Pension arrears. War Pensions Agency (WPA) will send form WPA880 to request details of JSA (IB) payments.

220. When form WPA880 is received:

- complete part 2 of the form and return it to the WPA;
- make sure the:
 - appropriate disregard is applied to each week of the recovery period;
 - weekly rate of JSA (IB) recovered is correct; and
 - overall calculation is correct.

Pension Credit age and State Pension age

221. There is a difference between Pension Credit age and State Pension age.

Pension Credit age (PCa)

222. Pension Credit age (PCa) is the earliest age that a person can claim Pension Credit. **PCa is the same for men and women.**

Between 2010 and 2020 the minimum age from which a person can claim Pension Credit, will increase in stages for both men and women in line with changes to women's State Pension age. For relevant dates see: State Pension Age Calculator.

For male claimants in this client group see also: Male Claimant or Male partner approaching Pension Credit age and Conditions of entitlement to Automatic Credits.

State Pension age (SPa)

223. State Pension age (SPa) is the earliest age that Retirement Pension can be claimed. SPa is different for men and women:

- for **men** SPa is 65;
- for **women** SPa will increase in stages from 60 to 65 between 2010 and 2020.

See also: Claimant approaching or reached State Pension age.

Male Claimant or male partner approaching Pension Credit age – Consider entitlement to Pension Credit

224. Everyone who has reached Pension Credit age (PCa), or are within four months of it, can apply for Pension Credit from the date they reach PCa.

225. Male JSA claimants have the choice of claiming Pension Credit, or continuing to claim JSA until they reach State Pension age. JSA ceases to be paid to women once they reach PCa.

226. Case Control P128 is set to mature four months prior to a male claimant/partner reaching PCa. On maturity, JSAPS issues either a notification equivalent to:

- DLJA 668 notification (Claimant's male partner approaching minimum pension credit age); or
- DLJA 669 notification (Male claimant approaching minimum pension credit age),

to advise the claimant that they may be entitled to claim Pension Credit.

Note : Male claimants approaching PCa are offered a Better off Calculation to help them decide whether to claim Pension Credit or remain on JSA. For further details see the Get Britain Working Guidance.

Also, for this category of claimant see instructions on Automatic Jobseeking Periods and the issue of form CR8 for automatic credits.

New and repeat claims made within four months of the male claimant/partner reaching Pension Credit age

227. New claims made within 4 months of a **male** claimant/partner reaching Pension Credit age (PCa) will not have a system generated notification issued.

228. The instructions for clerical cases must be followed to identify relevant claimants/partners and advise them that they may be entitled to receive Pension Credit from the date they reach PCa.

Termination action - Claimant or partner receiving JSA(IB)

229. If the claimant or partner decides to claim Pension Credit, it is important to keep JSA in payment until the Pension Credit application is processed. Keeping JSA in payment will prevent the need for interim Pension Credit payments.

Note: JSA can only be paid until the day before a male claimant's reaches State Pension age.

230. When the Pension Credit application has been assessed and is ready to be input, the Pension Service will write to the claimant or partner advising them to end their JSA claim from the appropriate date (ie the date from which they will qualify for Pension Credit). To ensure that there are no delays in payment, the JSA claim must be terminated promptly (using termination codes 30, 31 or 32 as appropriate) to allow the Pension Credit record to be registered and processed. See: Claim termination action.

Termination action - Claimant receiving JSA(C)

231. If a JSA(C) claimant decides to claim Pension Credit the JSA record must not be terminated. Any entitlement to Pension Credit will be paid clerically until JSA(C) entitlement exhausts. The Pension Service use a BF system to remind them of the JSA(C) exhaustion date and a prompt to set up the Pension Credit record after the JSA(C) claim has terminated.

Clerical cases – consider entitlement to Pension Credit for male claimants/ partners

232. For new and existing clerical records, the following action must be taken

Step	Action
1	Record the date that the claimant/ partner reaches Pension Credit age (PCa) on the case papers.
2	Tab clerical records with a 'BF' date to take appropriate action four months prior to the claimant/ partner reaching PCa (or take action at the earliest possible date where a new or repeat claim falls within 4 months of the claimant/ partner reaching PCa).
3	Four months prior to the claimant/ partner reaching PCa (or as soon as possible where a new or repeat claim falls within 4 months of the claimant/ partner reaching PCa), issue either: <ul style="list-style-type: none"> • DLJA 668 notification (Claimant's male partner approaching minimum pension credit age); or • DLJA 669 notification (Male claimant approaching minimum pension credit age), as appropriate. See collated CN letters.
4	Refer case to the advisors to book BoC interview.
5	Continue paying JSA until notification is received from the Pension Service that Pension Credit is awarded.
6	Close the claim down using the terminal date supplied by the Pension Service (ie date before Pension Credit is awarded).

Male claimant over Pension Credit age (PCa) whose entitlement to JSA(C) is about to cease or has ceased – Consider entitlement to Pension Credit

233. When a male claimant's entitlement to JSA(C) exhausts or ceases between Pension Credit age and the day before they reach State Pension

age, they should be reminded about their entitlement to claim Pension Credit. Prior to the exhaustion date, a Better-Off calculation should be offered to allow them to make an informed decision about whether they should claim Pension Credit or JSA(IB). For further information about identification of these claimants and the Better-Off calculation, see Get Britain Working Guidance.

Note: For this category of claimant, also see instructions on Automatic Jobseeking Periods and the issue of form CR8.

Automatic Jobseeking Periods and Automatic Credits

234. An Automatic Jobseeking Period is a Jobseeking Period (JSP) that includes a period of a claim to JSA, during or after the tax year containing the date the claimant reaches Pension Credit age. This can continue automatically without the claimant having to attend the office. For further information on auto credits see Conditions of entitlement for Automatic Jobseeking Periods.

Claimant approaching or reached State Pension age

Claimant Approaching State Pension age

- 235. Prior to the claimant reaching State Pension age, JSAPS sets a system case control P034 that matures when the claimant reaches State Pension age (SPa).
- 236. The claimant can receive JSA up to and including the day before they reach SPa.
- 237. If a claimant who is part of a joint claim receives, or becomes eligible for Retirement Pension the claim will be treated as a claimant or partner claim.

Claimant reaches State Pension age

238. When the claimant reaches State Pension age (SPa), terminate their JSA award and make the final payment:

Step	Action
1	access: <ul style="list-style-type: none"> • dialogue JA099: Record Claim Termination, RECORD CLAIM TERMINATION DETAILS screen JA099091 and complete field: <ul style="list-style-type: none"> ○ ‘Claim Termination Reason’ – Input the date the claimant reached SPa, input code [11]; or • dialogue JA050: Maintain Joint Claim, END JOINT CLAIM screen JA050170 and complete field: <ul style="list-style-type: none"> ○ input [06] End of joint claim reason; ○ input [11] termination reasons for individual’s claim;
2	access dialogue JA200: Award and Decision and decide, and for Joint Claims, dialogue JA401: Joint Claim Award Decision;

3	access dialogue JA405: Compute Payment and issue final payment;
4	JSAPS automatically clears the system set case control;
5	for joint claims take action to reassess the other member's claim as appropriate.

239. In some cases there may be a gap in payment between the claimant's last day of entitlement to JSA and the first payment of Pension Credit. If the claimant asks for a payment for this period, they must claim Pension Credit.

Claimant's partner approaching State Pension age

240. Start the action needed to check if the partner will receive Retirement Pension (RP) a year before they reach State Pension age (SPa), if possible.

241. If the claimant's claim is an existing claim:

- check when the partner will be one year before SPa; and
- access dialogue JA530: Case controls and set a user case control to mature one year before the partner reaches SPa,

Partner one year before State Pension age

242. If the claimant's partner is one year before SPa, access dialogue JA530: Case controls and set a user case control to mature four months before the partner reaches SPa.

Four months case control appears on the work available report

243. When the four month case control appears on the work available report (WAR):

- send forms C76 and C79 for the partner to the Pensions Service; and
- access dialogue JA530: Case controls and set a user case control to mature 21 days before the partner reaches SPa.

21 day case control appears on the work available report

244. When the 21 day case control appears on the WAR:

- check if form BR401 has been received from the Pensions Service. If form BR401:
 - has been received: Access dialogue JA530: Case controls and set a user case control to mature 14 days before the partner reaches SPa.
 - has not been received:
 - phone Pensions Service and ask for form BR401; and
 - access dialogue JA530: Case controls and set a user case control to mature 14 days before the partner reaches SPa.

14 day case control appears on the work available report

245. When the 14 day case control appears on the WAR, action taken depends on whether the partner:

- has been awarded RP;
- has not been awarded RP;
- has decided to defer retirement.

Claimant's partner has reached State Pension age

Partner awarded Retirement Pension

246. The partner's Retirement Pension (RP):

- does not affect the claimant's JSA (C); and
- is taken fully into account against the claimant's JSA (IB).

247. If the partner is awarded RP, review the claimant's JSA (IB) award: access dialogue JA091: Maintain Claim Details, OTHER BENEFITS screen JA091020 and input:

- code [15] RP in the 'Type' field;
- [02] partner in the 'For' field;
- [Y] in the 'Rec'd' field; and
- the full RP details in the other fields; and
- If the partner's award includes RP due for any period the partner was included in the claimant's JSA (IB) award:
 - issue recovery form IS(R)1 and, if appropriate, form C79 to the Pensions Service;
 - access dialogue JA530: Case controls and set user case control for a reply; and
 - when the Pensions Service reply:
 - calculate how much JSA (IB) has been paid during the award period;
 - send form C73B to Pensions Service to advise them of the recovery needed.

248. JSAPS automatically includes the appropriate pensioner premium in the claimant's JSA award from the correct week.

Partner does not qualify for Retirement Pension

249. If form BR401 is received and the claimant's partner does not qualify for Retirement Pension (RP), access dialogue JA530: Case controls and clear the user case control set to check the award of the partner's RP.

250. Whether or not the partner qualifies for RP, JSAPS automatically includes the appropriate pensioner premium in the claimant's JSA award from the correct week.

Partner defers claiming Retirement Pension

251. A person can defer claiming Retirement Pension (RP) until after State Pension age, however, once they have reached Pension Credit age (PCa) they may be entitled to Pension Credit. To calculate the relevant PCa for women see State Pension Age Calculator).

252. If a claimant's partner decides to defer their claim for RP, or claim Pension Credit, the Pensions Service notify this on form BR401.

253. Refer the claimant's claim to the Decision Maker to decide:

- if the partner has deferred their RP entitlement to allow the claimant to receive JSA or extra JSA;

- if any award of Pension Credit is to be treated as income; and
- if the deferred RP is to be treated as notional income.

See Decision Maker's Guide, volume 5, Chapter 28, Income other than earnings, notional income

Using PSCS to confirm the partner's Retirement Pension details

254. To confirm the amount of RP the claimant's partner receives use the Common Enquiry Service (CES).
255. Send form C79 for the partner to Pensions Service to make sure they note the JSA interest on PSCS.
256. If a PSCS account does not exist, obtain details of the partner's RP by sending form C76 and, if appropriate, form C79 to the Pensions Service.

Employment Rehabilitation Allowance

257. Employment Rehabilitation is flexible rehabilitation programme for people whose disabilities prevent them from:
- being able to enter work immediately; or
 - taking up vocational training of a type, which would otherwise be suitable for them.
258. Claimants taking part in the Employment Rehabilitation Programme can receive an Employment Rehabilitation Allowance.

The effect of Employment Rehabilitation Programme on entitlement to JSA

Claimant in receipt of JSA (C)

259. Claimants in receipt of JSA (C) can choose whether or not to claim Rehabilitation Allowance (RA).
260. If RA is:
- not in payment, pay the full amount of JSA (C);
 - is in payment, adjust the amount of JSA (C) by the rate of RA. Maintain these cases clerically.

Claimant in Receipt of JSA (IB)

261. Claimants in receipt of JSA (IB) can choose whether or not to claim RA.
262. If a claimant decides not to claim RA, do not treat it as notional income.
263. If the RA is in payment, take it into account in full for JSA (IB).

Claimant claiming credits only

264. Claimants who are claiming credits only can receive RA with no effect on their credits only application.

Appendix 1

ANNUAL TRAINING CERTIFICATE DECLARATION OF ATTENDANCE FOR

TAVR MEMBERS AND OTHER RESERVISTS

NATIONAL INSURANCE NUMBER _____

I (full name in capitals) MR/MRS/MISS/MS _____
declare that as a territorial Army Volunteer Reserve member or other HMF
reservist taking part in annual training, I will not be available for employment
from _____ (date of report for duty) until _____ (date of discharge
from duty).

I will renew my claim upon return from training at the Jobcentre below:

(address of the Jobcentre at which you attend).

Signed: _____

Date: _____

Changes to Personal Details

Change of circumstances in personal details

1. There are various changes of circumstances in personal details that may be reported, for example:
 - name;
 - address;
 - correspondence address;
 - post office;
 - adding other payee Appointee/Agent;
 - ending other payee relationship;
 - National Insurance number;
 - date of birth;
 - claimant's sex recorded in error; or
 - Male claimant or partner is approaching or has reached Pension Credit age (PCa).
2. If it is not possible to update CIS directly with changes in personal details, a clerical form CIS500 can be sent to CIS Frontline Services. Please note that this is an internal form and should not, under any circumstances, be given to a claimant to complete and submit at a later date. CIS Frontline Services will not accept forms that are not countersigned by an appropriate officer.

Domestic Violence

3. Claimants whose circumstances have changed because they have been subject to Domestic Violence, they may can be treated as meeting JSA labour market conditions for up to 13 weeks if they disclose they have been subject to actual or threatened domestic violence during the preceding 26 weeks.
4. If a claimant reports that their circumstances have changed due to domestic violence, contact the Jobcentre and ask them to arrange an advisory interview for the claimant as soon as possible.
5. If notification is received that a claimant is being treated as meeting JSA labour market conditions because of domestic violence, update JSAPS.

Destitute Domestic Violence Concessions for Migrants

6. Individuals who:
 - come to the UK; or
 - were granted leave to stay in the UK as the spouse or partner of:
 - a British Citizen or
 - someone settled in the UK; and
 - whose relationship has broken down due to domestic violencemay be given 3 months **limited leave to remain** in the UK by the United Kingdom Border Agency (UKBA), pending consideration of an application for Indefinite Leave to Remain.
7. See Gathering Evidence for further information on processing these claims.

Change of circumstances for a young person

8. A 16/17 year old claimant is referred to as a young person (YP).
9. Most YPs are not usually entitled to JSA. YPs therefore do not have access to JSA except in special circumstances. See JSA for 16 and 17 year olds guide

Change of address

10. A claimant's change of address could be:
 - temporary;
 - permanent, within the existing JSA Unit area;
 - permanent, in another area.
11. A reported change of address notification should include:
 - sufficient information to identify the claimant;
 - the new address in full, including the postcode;
 - the date of change;
 - if appropriate, the claimant's new post office details; and
 - the appropriate verification documents.
12. If the claimant states that they no longer have an address, consider whether they are:
 - a Person Without Accommodation; or
 - a person with No Fixed Address.

Change of address updated by another business system

13. If another business system has updated CIS with a change to a claimant's or Other Payee's address, JSAPS:
 - is notified by the next on-line working day, if details are input before 4pm;
 - is notified within two on-line working days, if the details are input after 4pm;
 - if appropriate, sets a case control to make sure that the change is decided on, if the case is:
 - Live; or
 - Live Not in Payment.
14. The Other Payee's address displays on JSAPS in the AGENT/APPOINTEE DETAILS screen JA400403 in dialogue JA400: Method of Payment, if dialogues PD350: Register Interest and PD375: Input/End Other Payee have been updated with Other Payee's details.
Note: No JSAPS action is required to verify the change to the Other Payee's personal details.
15. If CIS is updated due to a Postal Address File scan, the change will be updated on JSAPS. There will be no output for users because these changes are only to the address format.

Actioning change of address updated by another business system

16. Before the change of circumstances can be processed or the entry cleared on the JSAPS report:

Step	Action
1	<p>check in Customer Information System (CIS) View Personal Details whether the change of address is to a:</p> <ul style="list-style-type: none"> • residential address; • correspondence address; or • residential and correspondence address;
2	<p>issue form JSA3 and, if appropriate, form NHB1A to the claimant to find out details of the new accommodation. In order to have enough information to decide on the change of circumstances, the correct start date for the change of address is needed. For example, the address start date to record on:</p> <ul style="list-style-type: none"> • JSAPS is the actual date of the change of address; • CIS is the date the claimant notifies the change of address;
3	<p>when there is enough information to make a decision on the change:</p> <ul style="list-style-type: none"> • access dialogue JA060: Register Claim/Event and register the change of circumstances event; • access dialogue JA091: Maintain Claim Details and: <ul style="list-style-type: none"> ○ in the CLAIMS DETAILS PICKLIST screen JA091002, input the date of change in the 'Change of circumstances effective date' field and press [F24]; ○ from the PICKLIST access the PERSONAL DETAILS screen JA091003. For correspondence changes input the actual date of change of address in the 'Address Effv Date' field in the CORRESPONDANCE ADDRESS screen JA091085 using the [F6] function key to access the field. ○ return to the PICKLIST and set the evidence complete flags to [Y] and fastpath to dialogue JA200: Award and Decision;
4	<p>If there isn't enough information to make a decision on;</p> <ul style="list-style-type: none"> • telephone the claimant to confirm the details where possible or • If the claimant cannot be contacted, arrange for the jobcentre to discuss the change at the claimants next jobsearch review; • complete forms JSA460 and JSA3 if needed.
5	<p>make a decision on the change on JSAPS as normal.</p>

Further change of address received before a decision is made on the first change

17. If another business system has recorded a further change of address on CIS and it has been broadcast to JSAPS before a decision has been made on a first change of address, JSAPS:

- overwrites the first change of address; and

- displays error message E6667: 'Error: Update not allowed due to pending broadcast. Refer to Technical Guide'.

18. To decide on a first change of address, if payment is due:

Step	Action
1	clerically assess the JSA entitlement for the first address;
2	record the reason for the clerical assessment on form A6;
3	pay clerically any benefit due to the claimant using form JSA14P and complete form FF260A. Send JSA14P and FF260A to Finance to issue payment;
4	use clerical form NHB2 to notify the Local Authority of any relevant changes to the claimant's Housing Benefit/Council Tax Benefit;
5	record details of the clerical assessment in dialogue JA110: Maintain Notepad. Note: The claim must be transferred to clerical and rebuilt from the day the last payment was made.

Postcode not known by the claimant/Other Payee

19. If the postcode is not known, for example, the claimant has moved into a new property and does not know the postcode, find out the postcode from:

- the postcode support tool;
- the postcode list;
- Royal Mail.

Claimant moving to Northern Ireland

20. If a claimant is moving to Northern Ireland (NI) from Great Britain (GB) the claimant must:

- notify their Jobcentre/BC in GB with details of:
 - their move;
 - the date they moved or intend to leave GB; and
 - their new address in NI and bank details.
- contact the Northern Ireland Social Security Office (NISSO) with details of:
 - their move;
 - the date they moved or intend to leave GB; and
 - their new address in NI and bank details.

21. The claimant must return their ES40JP to ensure the claim is closed in GB. If the claimant returns it promptly, termination action should be complete before their claim reaches the Benefit Processing Officer in NI.

22. The GB office must ensure that

- any outstanding days are paid;
- all appropriate claim action is complete
- the Jobcentre has been notified of the end of the claim; and
- the claim has been terminated

before sending the claim documentation to NI.

Temporary change of address

23. A temporary change of address is one that is not likely to last for more than 13 weeks. This period could be extended at the discretion of the Decision Maker.

24. If notification is received from a claimant, who is moving to a new address for a temporary period:

Step	Action
1	register the change of circumstances event in dialogue JA060: Register Claim/Event, if appropriate;
2	input the date the change of correspondence address was received in dialogue PD365: Amend Address;
3	access dialogue JA091: Maintain Claim Details. From the PICKLIST access the PERSONAL DETAILS screen JA091003 and record the actual date of change in the 'Address Effv Date' field in the CORRESPONDENCE ADDRESS screen JA091085;
4	record the decision in dialogue JA200: Award and Decision and press [END] in dialogue JA405: Compute Payment. This action prompts the system to issue notification to the claimant;
5	set a case control in dialogue JA530: Case Controls to check on the claimant's return to their original address;
6	notify the relevant Local Authority of the claimant's new address;
7	clerical action: annotate the case papers with the new address, send details to the relevant Local Authority and file the notification.

Permanent change of address within the existing JSA area

25. If notification is received from a claimant who is moving to a permanent address in the existing JSA area:

Step	Action
1	register the change of circumstances event in dialogue JA060: Register Claim/Event, if appropriate;
2	input the date the change of address was received in dialogue PD365: Amend Address;
3	record the decision in dialogue JA200: Award and Decision and press [END] in dialogue JA405: Compute Payment. This action prompts the system to issue notification to the claimant;
4	clerical action: file the notification and annotate the case papers with the new address.

Person Without Accommodation

26. A Person Without Accommodation (PWA) is a claimant who does not have any of the accommodation described in the definition of Accommodation and is a homeless person.

27. Claimants who are classed as PWA must be registered on CIS, using the Jobcentre/Jobcentre Plus office as a correspondence address.

28. When a claimant has been classed as a PWA:

Step	Action
1	access dialogue PD365: Amend Address and in put the Jobcentre/Jobcentre Plus office address as a correspondence address;
2	access dialogue JA400: Method of Payment, GIRO DETAILS screen JA400401 and amend the 'Personal Issue' field to [Y];
3	access dialogue JA110: Maintain Notepad and note that the claimant is PWA;
4	use the MAINTAIN CLAIM ADMINISTRATION DETAILS screen JA091004 in dialogue JA091: Maintain Claim Details to make any changes, if appropriate, to the claim file and/or the benefit week ending day.

29. JSAPS automatically sets a system case control type S053 when the claimant's Personal Issue flag is changed. The case control:

- appears on the work available report JA72539; and
- is cleared when the claimant's payment is processed in dialogue JA405: Compute Payment.

Definition of accommodation

30. For the purposes of Jobseeker's Allowance, the definition of accommodation is described as:

- an effective shelter from the elements which is capable of being heated; and
- in which the occupants can sit, lie, cook and eat; and
- is reasonably suited for continuous occupation.

31. The site of the accommodation may alter from day to day, but it is still accommodation if the structure is habitable.

32. Material which gives only a small amount of protection from the elements, for example:

- cardboard boxes;
- sleeping bags;
- bus shelters; or
- park benches;

do not fall within the description of accommodation.

Person with No Fixed Address

33. A claimant who has no permanent residential address but may have an address where they can be contacted is regarded as a Person with No Fixed Address (NFA).

34. when a claimant has been classed as NFA:

Step	Action
1	access dialogue JA091: Maintain Claim Details and in PERSONAL DETAILS screen JA091003: <ul style="list-style-type: none"> • amend the address if necessary; and • set the 'correspondence address exists?' field to [Y];
2	access CORRESPONDENCE ADDRESS screen JA091085 and enter the Jobcentre/Jobcentre Plus office address as the correspondence address;
3	access MAINTAIN CLAIM ADMINISTRATION DETAILS screen JA091004 to make any changes, if appropriate, to the claim file and/or the benefit week ending day.
4	access dialogue JA400: Method of Payment, GIRO DETAILS screen JA400401 and amend the 'Personal Issue' field to [Y];
5	access dialogue JA110: Maintain Notepad and note that the claimant is NFA;

35. JSAPS automatically sets a system case control type S053 when the claimant's Personal Issue flag is changed. The case control:

- appears on the work available report JA72539; and
- is cleared when the claimant's payment is processed in dialogue JA405: Compute Payment.

Correspondence address

36. A correspondence address is a secure address of a person the claimant knows, usually:

- a friend;
- a relative; or sometimes
- the Jobcentre address.

37. Using the Jobcentre address as a correspondence address is not the same as a personal issue (PI).

38. A post office must never be used as a correspondence address.

Correspondence address on existing claims

39. If the claimant is allowed to use the Jobcentre as a correspondence address on an existing claim, they will send form JSA460 or JSA1C noted in the 'Other Changes' box 'Correspondence Address Personal Issue – please do not set the PI indicator'. The correspondence address is 'Jobcentre address stamp'.

40. When form JSA460/JSA1C is received, in addition to the action required to make a permanent change of address, the following actions are required:

Step	Action
1	access dialogue PD365: Amend address;
2	input the claimant's postcode and flat or house name/number;
3	press [F9] to generate a correspondence address.

Customer Compliance

41. Customer Compliance is the term for the action taken to ensure a benefit claimant gives the correct information and reports all relevant changes at the right time during the life of the benefit claim.
42. It is **not** a criminal investigation and Customer Compliance interviews will not be performed under caution.
43. In the vast majority of Customer Compliance cases a robust and challenging, face-to-face interview takes place with the claimant to ensure:
 - correct benefit entitlement;
 - all information is obtained to enable an overpayment/underpayment to be calculated;
 - the causes of the overpayment/underpayment;
 - how to stop it happening again; and
 - the claimant understands the possible consequences of not complying in the future.

High Risk cases

44. When it is recognised or when a change in circumstance is identified as being in a high risk category, a case control must be set in dialogue JA530: Case controls.
45. On notification of the following high risk type of cases take the following action in dialogue JA530:
46. Risk C - Recent Separation - JSA IB cases

Step	Action
1	Set a review date of 8 weeks from the date of claim or date the change in claimant circumstances occurred;
2	Insert type U;
3	Input customer compliance risk C in reason/action box;
4	Section -Type 7;
5	Del/Mod/Ins – I.

47. Risk D - Previously Self Employed – JSA C & IB cases

Step	Action
1	Set a review date of 8 weeks from the date of claim or date the change in claimant circumstances occurred;
2	Insert type U;
3	Input customer compliance risk D in reason/action box;
4	Section -Type 7;
5	Del/Mod/Ins – I.

48. Risk E - WFI Sanction – JSA IB cases

Step	Action
1	Set a review date of 4 weeks from the effective date of the sanction in

	cases where claimants have a sanction on their claim for 4 weeks or more for failing to attend their WFI;
2	Insert type U;
3	Input customer compliance risk E in reason/action box;
4	Section -Type 7;
5	Del/Mod/Ins – I.

49. When the case control matures Customer Compliance Officers will make further investigations in order to support the MVFE agenda.
50. Details all the specific types of referrals, reasons and the suggested method of interview, office or home visit, appropriate to each referral type can be found in the Customer Compliance Guide.

Referral to Customer Compliance

51. When a case has been identified for activity:

Step	Action
1	complete form A23 and a summary of the circumstances; Note: Many offices use a locally produced stencil.
2	forward the relevant forms to the Customer Compliance team for Customer Compliance activity.

Change of Jobcentre

52. Where a claimant asks to attend a different Jobcentre to the one linked to their home address, the claim should be processed and maintained on JSAPS by the Benefit Centre linked to the new Jobcentre.
53. Claims must not be maintained clerically purely because a claimant is signing at a Jobcentre which is not linked to the Benefit Centre which would normally deal with their home address.
54. For further information, see the CMS BDO guidance.

Change of post office

55. If the claimant notifies a change of post office, the JSA Processor updates Customer Payment Computer System using dialogue CP650: Amend Post Office.
56. This change does not need to be recorded in dialogue JA060: Register Claim/Event.

Change of name

57. When a change of name is reported:

Step	Action
1	register the change of circumstances event in dialogue JA060: Register Claim/Event, if appropriate; Note: if the change of personal details relates to the claimant's Other Payee only, input [02] in the 'Event Type' field and [18] in the

	'Event Sub Type' field.
2	input new details CIS in dialogue PD355: Amend Names;
3	complete the notified start date;
4	access dialogue JA091: Maintain Claim Details and input the date of change in the CLAIM DETAILS PICKLIST screen JA091002 for the claimant only;
5	access dialogue JA200: Award and Decision to: <ul style="list-style-type: none"> • decide the change, if the change to the personal details relates to the claimant; • authorise the change, if the change to the personal details relates to the Other Payee only.

58. CIS updates JSAPS on-line.

Correcting a name

59. If a name has been recorded in error, do not enter a new notified start date when correcting the error in dialogue PD355: Amend Names.

60. If the start date is left unchanged, this will alert CIS that the previous entry was recorded in error. These records will display in dull text in the view only dialogues for easy identification. They are known as void entries.

Changing the claimant's date of birth

61. After a date of birth (DOB) is input, any changes to the date must be actioned in the following dialogues:

- dialogue PD360: Further Personal Details if the date is classed as not verified (NV);
- dialogue PD053: Management Amendment by the nominated person with an appropriate level of access if the date is classed as verified (V).

62. Documentary evidence must be held to amend a verified date of birth. Any amendment to a verified date of birth must be notified to Newcastle Records on form CA5453.

Claimant's sex recorded in error

63. No one may legally change their sex, except if their sex was wrongly identified at birth.

64. The field is protected for all accounts.

65. Amendments are made by referring the case to the nominated person who will make an amendment to the claimant's sex in dialogue PD053: Management Amendment.

66. Documentary evidence must be held before amending the recorded sex for a claimant.

67. When recording the sex of the claimant/other payee on CIS, make sure when inputting non-gender specific names, for example Hilary, that the correct sex is recorded.

68. The Gender Recognition Act, which came into effect on 4 April 2005 allows transgender people to be legally recognised in their acquired gender and to benefit from any rights and responsibilities relevant to that gender.

Change of National Insurance number

69. There is no on-line facility within CIS to change a National Insurance number (NINO).
70. If a NINO needs changing contact the PD Operations and Live Support Section for details.

Change of Payment Details

71. Claimants who wish to either change to Direct Payment or change their account details can do so by telephone. After verifying the claimant/legally appointed representative's identity, complete the action shown in the Guide to Completing the DP Tel Form. The form must be signed and dated by the member of staff taking the account details in all cases.
72. Either member of a joint-claim couple can request the change.
73. If a claimant does not want to provide account details over the telephone, issue DP Gen – Direct Payment into an account by post to the claimant. If the form is not returned within 7 days telephone the claimant and offer to take the details by telephone.
74. If a claimant wants to change their method of payment and open a Post Office Card Account, follow the Post Office Card Account opening process guidance.
75. If a claimant asks about having their payments made by cheque, advise them that cheque payments are being phased out and that any change made to their method of payment would therefore have to be to either direct payment or a POca account.

Adding other payee, Appointee or Agent

76. To add an 'Other Payee' take the following action on the claimant's account

Step	Action
1	using the claimant's National Insurance number, access dialogue PD375: Input/End Other Payee;
2	Complete screen PD375308 Input/Other Payee using <ul style="list-style-type: none">• Code 07 for Standing Agent• Code 08 for an Appointee
3	Confirm Other Payee details in PD375309 Confirm Other Payee, press 'End' to update
4	Access dialogue JA400 Method of Payment and check Other Payee details in screen JA400403 Agent/Appointee Details

Ending an other payee relationship

77. Take the following action on the claimant's account to end the other payee relationship:

Step	Action
1	using the claimant's National Insurance number, access dialogue PD375: Input/End Other Payee
2	record the end date of the other payee relationship and update the dialogue. The other payee will not be able to collect any further payments for the claimant from the date of input;
3	input a new other payee if appropriate (see Adding another payee)

78. When another payee relationship is ended in dialogue PD375: Input/End Other Payee, CIS automatically ends the link between the other payee and the claimant.

Change to partner or dependant's circumstances

79. There are different changes that can occur within the assessment unit. These changes will all require specific action, for example, when:

- a partner joins the household;
- a dependant joins the household;
- the partner/dependant(s) has other benefits or capital;
- the partner/dependant(s) leaves the household;
- the dependant child is approaching 16 years of age;
- the dependant child is approaching 17 or 18 years of age;
- the dependant child is approaching 20 years of age.

80. The claimant should notify the office when:

- there is a change in the details of their current partner and/or dependant(s);
- a partner and/or dependant(s) joins or leaves the household.

81. The claimant should notify the changes in the details relating to the claimant's partner/dependant(s) by:

- letter;
- telephone;
- personal visit to the office.

82. When a change of circumstances relating to the claimant's partner/dependant(s) is reported, the claimant will be asked, depending on the nature of the change, to:

- provide appropriate verification documents;
- complete form JSA3; or
- complete form JSA460.

83. If the claimant only receives JSA (C) but the addition of the partner and/or dependant(s) would entitle the claimant to JSA (IB), invite them to complete form JSA3.

84. If the claimant does not want to claim JSA (IB), the change in circumstances does not affect the amount of JSA (C) they receive.

85. If a claimant entitled to JSA (IB) reports a change of circumstances relating to their partner/dependant(s), the change only affects the amount of JSA(IB) that is received for them.
86. When a claimant reports a change in details for their partner and/or dependant(s), always consider whether joint claim criteria may now apply or cease to apply.
87. If a claimant reports a change of circumstances that means joint claim criteria may now apply, check that the necessary action has been taken to make both members of the couple aware of their rights and responsibilities.

Partner joins the household

Definition of a partner

88. A partner is either:

- the claimant's spouse; or
- a person who lives with the claimant as a husband or wife or civil partner.

Polygamous marriages

89. A polygamous marriage is a marriage in which one of the partners is married to more than one person and the ceremony took place under the law of a country which allows polygamy.

90. For benefit purposes, polygamous un-married relationships are not recognised.

91. Members of a polygamous marriage may still be required to form a joint claim.

See Decision Maker's Guide, Volume 4, chapter 22, Membership of family

System maintained claims: not Joint Claim

92. For system maintained claims, when the partner joins the household and the joint claim criteria does not apply:

Step	Action
1	ask the claimant to complete form JSA3;
2	access dialogue JA060: Register Claim/Event and record the claim event type [02], and event sub type [06]; Note: A work available report JA72539 is produced prompting further action;
3	access the ABOUT PARTNER screen JA091005 and input [Y] in the 'New Partner?' field; If the partner joining the household is a polygamous partner, access the DEPENDANTS YOU WANT TO CLAIM FOR screen JA091011 and any other screens which need updating with the polygamous partner's details; See Decision Maker's Guide, Volume 4, chapter 22, Membership of family
4	access any other relevant screens which need updating with the partner's details;

5	input the partner's details;
6	access dialogue JA200: Award and Decision to authorise the increase in entitlement, if appropriate. JSAPS issues a notification, advising the claimant of their entitlement. Note: Always consider any joint claims action.

If E7637 – ‘Error Requested Partner has clerical claim’ displays in JA091005 and E6323 ‘Error No record found for this NINO’ in PD052 then E6215 ‘Error Previous partner must be deleted before new partner added’

Step	Action
1	Access JA035 ‘Transfer to Clerical’ using the prospective partner NINO
2	When TTC completed take action as para 88

Clerically maintained claims

93. For clerically maintained claims, when the partner joins the household and joint claim criteria does not apply:

- re-assess the claim on form JSA14A;
- issue form JSA14J to the claimant, advising them of any change to JSA entitlement.

System maintained claims: Joint Claim applies

94. For system maintained claims, when the partner joins the household and joint claim criteria applies:

95. To create a joint claim link:

Step	Action
1	Access JA050168 Maintain Joint Claim input: <ul style="list-style-type: none"> • the NINO of the other member in the ‘NINO 2’ field; and • the first three characters of the other member's surname in the ‘Chkbrick’ field;
2	input [Y] in one of the ‘Nominated Payee’ fields for the member chosen to be the nominated payee; Note: [Y] cannot be input in both fields;
3	if an exemption applies, input the following details in the ‘Exemption Period’ fields: <ul style="list-style-type: none"> • [01] for the member whose NINO was used to access dialogue JA050 or [02] for the other member in the ‘Jobseeker ID’ field; • the start date of the exemption in the ‘Start Date’ field; • the end date of the exemption, if known, in the ‘End Date’ field; • the appropriate exemption reason in the ‘Reason’ field;

	Note: only one member may be exempt on a joint claim at any one time;
4	press [F1] to redisplay the joint claim details;
5	press [F3] to: <ul style="list-style-type: none"> go to the OUTSTANDING ACTIONS ON SINGLE CLAIMS screen JA050170 if there are any outstanding actions. These must be cleared before registering a joint claim; or fastpath to dialogue JA060: Register Claim/Event if there are no outstanding actions.

If E7637 – ‘Error Requested Partner has clerical claim’ displays in JA091005 and E6323 ‘Error No record found for this NINO’ in PD052 then E6215 ‘Error Previous partner must be deleted before new partner added’

Step	Action
1	Access JA035 ‘Transfer to Clerical’ using the prospective Joint Claimant NINO
2	When TTC completed access <ul style="list-style-type: none"> PD350: Register Interest dialogue JA060: Register Claim/Event take action as para 91

96. On creating a joint claim link, an entry will be made on reports:

JA72066 Joint Claims report for BPO; and
JA72067 Joint Claims report for ESJ office.

97. If one or both members are a new claim, case control S243 Outstanding actions on J/C will be set to identify that joint claim action is ongoing and that all appropriate action is carried out. The case control will be created for the member whose NINO was used to access this dialogue.

98. If both members have existing claims, case control S226 Outstanding actions on J/C will be set to identify that joint claim action is ongoing and that all appropriate action is carried out. The case control will be created for the member whose NINO was used to access this dialogue.

99. If one member has a special customer record, the other member will be set to the same level. Case control S238 for the other member is created. I.

Dependant joins the household

Definition of a dependant

100. A dependant is either:

- a child under aged 16, for whom the claimant or partner is responsible and who is treated as living in the same household; or
- prior to 10th April 2006 a young person, aged over 16 and under 19 who is still in full time education up to and including A level standard, ordinary or

higher grades in Scotland, for whom the claimant or partner is responsible and who is treated as living in the same household.

- From 10th April 2006 a young person, aged over 16 and under 20 who is still in full time education up to and including A level standard, ordinary or higher grades in Scotland, for whom the claimant or partner is responsible and who is treated as living in the same household. The young persons 19th birthday must have been on or after 10th April 2006

101. A person aged over 20 cannot be treated as a dependant, except as a partner.

The dependant is not a new born child

102. If the dependant is not a newborn child, ask the claimant to include in their statement who was responsible for the dependant prior to them joining the household.

103. A completed form JSA460 and evidence that the claimant or their partner is responsible for the child is sufficient evidence to assess any applicable amounts of JSA(IB) the claimant is entitled to.

See Decision Maker's Guide, Volume 4, chapter 22, Membership of the family

The dependant is a new born child

104. The introduction of Child Tax Credit from April 2004 brought together the income related benefit support for families with children into one system.

105. If the dependant is a new born child, inform the claimant that they must make a claim for Child Benefit and Child Tax Credit as their assessment of JSA(IB) will not include additional elements for children.

106. Form JSA460 must be completed with the details of the new born child.

See the New Tax Credits Procedural Guidance Handbook.

Tell Us Once - Reporting a birth

107. The Tell Us Once (TUO) Programme is a cross government programme that makes it possible to inform government just once of a birth or death. This information is shared with other government departments and Local Authority (LA) services saving the claimant from making multiple declarations.

Partner/dependant leaves the household

108. When the partner/dependant leaves the household:

Step	Action
1	ask the claimant to complete form JSA3;
2	remove details for the partner or polygamous partner/dependant;
3	re-assess the amount of JSA the claimant is entitled to.

109. It is important that this type of change of circumstances is actioned immediately, for example, by dissolving the partnership and removing the ex-partner's National Insurance number from the claimant's claim. This is

because if the partner claims Income Support (IS) in their own right, the IS Section cannot process their claim on ISCS while they remain a part of the claimant's claim.

110. When a partner or dependant leaves the household decide whether it is appropriate to take action to create or end a joint claim.

Removing partner details

111. To remove details for a partner who is not part of a joint claim:

Step	Action
1	for system maintained claims: <ul style="list-style-type: none"> • ask the claimant to complete form JSA460 or JSA3 as appropriate; • access dialogue JA060: Register Claim/Event and record the claim event, type and sub type;
2	access the ABOUT PARTNER screen JA091005 and input [D] in the 'New Partner' field. This will end the claim for the partner and JSAPS will issue a notification to the claimant advising them of any change to JSA entitlement;
3	for clerically maintained claims re-assess the claim using form JSA14A;
4	issue form JSA14J to the claimant, advising them of any change to JSA entitlement.

Removing polygamous partner/dependant details

112. To remove details for a polygamous partner/dependant who is not part of a joint claim:

Step	Action
1	for system maintained claims: <ul style="list-style-type: none"> ○ ask the claimant to complete form JSA460 or JSA3 as appropriate; ○ access dialogue JA060: Register Claim/Event and record the claim event, type and sub type;
2	access the DEPENDANTS YOU WANT TO CLAIM FOR screen JA091015. Overtyping any entries relating to polygamous partner or dependant with spaces. This will end the claim for the partner or dependant. JSAPS will issue a notification to the claimant advising them of any change to JSA entitlement;
3	for clerically maintained claims re-assess the claim on form JSA14A;
4	issue form JSA14J to the claimant, advising them of any change to JSA entitlement.

Ending a Joint Claim

113. On ending a joint claim link, an entry will be made on reports:

- JA72066 Joint Claims Report for Benefit Processing Offices; and
- JA72067 Joint Claims Report for Jobcentres.

Action

114. To make a claim ineffective when the joint claim has not been registered in dialogue JA060:Register Claim/Event:

Step	Action
1	Access JA050169 End Joint Claim input the end date in the 'End Date of Joint Claim' field. This date must be the same date as the date in the 'Start Date of Joint Claim' field;
2	press [F1]: <ul style="list-style-type: none"> • to save the information recorded and fastpath to the AWARD AND DECISION PROMPT screen JA200200 in dialogue JA200: Award and Decision; and • to set Case Control S228 Single claim due to J/C end;
3	cancel out of dialogue JA200 Award and Decision as JSAPS will deny access to this dialogue;
4	ensure that the appropriate action is taken on the two single claims.

115. To record the intention to end a joint claim:

Step	Action
1	Access JA050169 End Joint Claim input the end date, if different to the system end date, in the 'End Date of Joint Claim' field. Note: Input the day after the last day of the joint claim;
2	input the appropriate reason to the end of the joint claim link;
3	if appropriate, input the termination reasons for one or both of the individual claims in the 'Termination reasons for Individual's claim' fields, NINO 1 and/or NINO 2;
4	press [F1]. The screen will display the following details: <ul style="list-style-type: none"> • the system end date; • a description of the ending of the joint claim link; and • if appropriate, a description of the termination reasons on an individual's claim;
5	press [F1] to fastpath to dialogue JA200 Award and Decision; Note: a joint claim is not ended until you pass through dialogue JA405: Compute Payment.

Dependant child is approaching 16 years of age

116. To continue payment for a dependant child of 16 or over, the child must be in relevant education of:

- twelve hours or more of study per week; and
- below or equivalent to A level standard, ordinary or higher grades for Scotland.

System maintained claims

117. If the dependant child is approaching 16 years of age, one month before their 16th birthday, JSAPS:
- issues a notification to the claimant to determine whether the claimant can still claim for the dependant child; and
 - sets a case control to await a reply.
118. If the claimant does not respond to the notification within four weeks, JSAPS:
- sends a reminder to the claimant; and
 - sets a case control to await a reply. The claimant's details will also appear on the overdue work report.
119. If a reply is not received, decide if payment should be suspended for the child until a response is received and the assessment can be carried out.

Clerically maintained claims

120. In clerically maintained claims:
- BF the claim for four weeks before the dependant child reaches their 16th birthday; and
 - when the review date matures, write to the claimant to find out if the child will be continuing in relevant education.
121. If the claimant does not respond to the notification within four weeks:
- send a reminder letter to the claimant; and
 - BF the claim for two weeks.
122. If no reply is received within two weeks, decide if the payment should be suspended for the child until a response is received and the assessment can be carried out.
123. If the dependant is to continue in relevant education, BF the claim for four weeks before the dependant child reaches their 17th birthday.

Dependant child is approaching 17 or 18 years of age

System maintained claims

124. If the dependant is reaching 17 or 18 years of age, one month before their 17th and 18th birthday, JSAPS:
- issues a notification to the claimant to find out whether the claimant can still claim for the dependant child; and
 - sets a four week case control for a reply.
125. If the claimant does not respond to the notification within four weeks, JSAPS:
- sends a reminder to the claimant; and
 - sets a two week case control to await a reply. The claimant's details will also appear on the work available report JA72539.
126. If a reply is not received within two weeks, decide if the payment should be suspended for the child until a response is received and the assessment can be carried out.

Clerically maintained claims

127. In clerically maintained claims:
 - BF the claim for four weeks before the dependant child reaches their 17th and 18th birthday; and
 - when the review date matures, write to the claimant to find out if the child will be continuing in relevant education.
128. If the claimant does not respond to the notification within four weeks:
 - send a reminder letter to the claimant; and
 - BF the claim for two weeks.
129. If a reply is not received within two weeks, decide if the payment for the child should be suspended until a response is received and the assessment can be carried out.
130. If the dependant is to continue in relevant education, BF the claim for four weeks before the dependant child reaches their 19th birthday.

Dependant child approaching 20 years of age

System maintained claims

131. If the dependant child is approaching 20 years of age JSAPS sets a case control for one month before the dependant child's birthday. This appears on the Work Available Report JA72539.
132. JSAPS automatically removes the allowance for the dependant from the assessment on their twentieth birthday.
133. Access dialogue JA091: Maintain Claim Details and delete all details of the dependant child, for example other benefits payable for that child.
134. If dialogue JA091 is not accessed, the dependant child's details remain on the enquiry screen of dialogue JA501: Claim Details Enquiry.
135. When the dependant's details are entered on JSAPS, a change of circumstances notification will be issued to the claimant. The notification will tell the claimant the new rate at which they will be paid.
136. Case control S233 'Potential J/C Required' will be set if JSAPS detects that:
 - the youngest or only dependant is approaching 20; and
 - joint claim criteria may apply to the couple once there is no responsibility for a dependant.
137. Take action to create a joint claim, if appropriate.

Clerically maintained claims

138. A BF will have been set for four weeks before the dependant reaches their twentieth birthday.
139. When the review date matures, re-assess the claim from the dependants twentieth birthday using form JSA14A and notify the claimant of any change to JSA entitlement on form JSA14J

Temporary unavailability

140. When a claimant reports a period of temporary unavailability, it must be established whether the unavailability is due to sickness or for other reasons.

Temporary periods of sickness

141. A claimant who is temporarily sick has the option to:
- remain on JSA for a period of up to two weeks twice in any Jobseeking Period (JSP) or if a JSP exceeds 12 months, each successive 12 months (the first 12 months begins on the first day of the JSP); or
 - make a linked Incapacity Benefit (IB) and Income Support (IS) claim or claim Employment Support Allowance (ESA).
142. If the period of sickness links with a previous claim to Statutory Sick Pay (SSP), the claimant cannot remain on JSA unless they are a member of a joint claim and are granted an exemption.

The claimant chooses to remain on JSA

143. When the claimant reports a period of sickness and chooses to remain on JSA, the jobcentre issues them with form JSA28. For further information see 'Temporary periods of sickness' in the Labour Market Conditions Guide.

Joint Claims

144. A person who is a member of a joint claim who also meets the criteria to claim IS/IB, can continue to claim JSA and be granted an exemption from meeting all the JSA conditions. This enables the other member of the joint claim to remain in contact with the Labour Market.

The period of sickness links to a previous period of sickness

145. JSA cannot be paid for a period of sickness if it links, that is, it is within eight weeks of a previous claim to Statutory Sick Pay.

Note: This does not apply to joint claims when an exemption is granted.

146. If the claimant cannot be paid for a period of sickness because it links with a claim to SSP, the claimant must be advised to make a claim ESA.

147. If the claimant is a member of a joint claim, they also have the option of continuing to claim JSA and apply for an exemption.

Claimant cannot be treated as capable, available and actively seeking employment

148. A Claimant cannot remain on JSA, if;
- They have had a period of temporary sickness on two occasions in 12 months or in a current jobseeking period; or
 - The period of sickness exceeds 14 days; or
 - They have had a claim to SSP in the previous eight weeks.
149. In these circumstances the Jobcentre must advise the claimant to make a claim to ESA.

150. If the Claimant insists on claiming JSA, the Jobcentre will forward details to the processing section who must;
- Consider disallowing the award on capability; and
 - Terminate the claim.

Action on receipt of form JSA28

151. Take different action when form JSA28 is received depending on if:
- the claim is system maintained; or
 - the claim is clerical.

System maintained claims

152. When form JSA28 is received and the claimant wants to continue claiming JSA for the period of sickness:

Step	Action
1	access dialogue JA060: Register Claim/Event and register the appropriate change of circumstances;
2	access dialogue JA091: Maintain Claim Details and on the TEMPORARY PERIODS OF UNAVAILABILITY screen JA091021 input: <ul style="list-style-type: none"> • the start date of the sickness in the 'Start date' field; and • the end date if known in the 'End date' field.

153. When the details are input, JSAPS produces a warning message, advising the user to consider termination of the JSA claim if :

- the claimant has previously claimed JSA for periods of sickness twice within the same Jobseeking Period (JSP), or if a JSP exceeds 12 months, each successive 12 months.
- the claimant has had a claim to SSP in the previous eight weeks.

The claimants JSA claim needs to be terminated and the claimant should be advised to claim ESA, unless they are a member of a joint claim and an exemption can be granted.

154. If the claimant insists on continuing the claim to JSA:

- suspend the claimant's JSA claim; 'a decision on capability is required to end the entitlement and terminate the claim. There is no need for a Labour Market Decision in these circumstances.'
- When the decision is received, issue a JSA29B to formally notify the claimant that JSA cannot continue.

Note: This action is not appropriate if the claimant is a member of a joint claim and an exemption is granted.

155. If the claimant agrees to claim ESA:

- terminate the claim;
- issue an ESA1, as appropriate.

156. If the claimant can continue on JSA for the period of sickness:

- access dialogue JA530: Case Controls: and

- set a two week case control from the start of the period of sickness to check the period of sickness and date.

The period of sickness ends before the 14th day

157. If the period of sickness ends before the 14th day:

- access dialogue JA091: Maintain Claim Details; and
- on the TEMPORARY PERIODS OF UNAVAILABILITY screen JA091021 input the end date.

The period of sickness lasts 14 days or more

158. On the 14th day of sickness, if there has been no notification that the period of sickness has ended, JSAPS produces an entry on a Work Available Report JA72539 advising the JSA claim should be terminated:

Step	Action
1	advise the claimant to make a linked claim to IB and IS or ESA, unless they are a member of a joint claim and an exemption is granted;
2	If the claimant insists on continuing the claim to JSA: <ul style="list-style-type: none"> • suspend the claimant’s claim; • pass the claim to the SDM for a decision on the claimant’s availability for work;
3	if the SDM decides that the claimant cannot be treated as available for work, disallow the claim unless an award under the JSA Hardship Provisions is appropriate. Note: This action is not appropriate if the claimant is a member of a joint claim and an exemption is granted.
4	If the claimant agrees to make a linked claim to IB and IS or ESA: <ul style="list-style-type: none"> • terminate the claim; • issue a SC1 claim pack and form A1 or ESA1 as appropriate.

Clerically maintained claims

159. If notification has been received about a period of sickness and the claimant wants to continue claiming JSA for this period:

Step	Action
1	record, in the ‘Notes’ box of form JSA14C, the: <ul style="list-style-type: none"> • start date of the period of sickness; and • end date if known;
2	check forms JSA28, JSA14P and JSA14C and any previous system maintained claims to establish if the: <ul style="list-style-type: none"> • period of sickness links to a previous claim to SSP; or • the claimant has previously claimed JSA for periods of sickness twice within the same Jobseeking Period (JSP), or if a JSP exceeds 12 months, twice in each successive 12 months thereafter;

3	<p>if the circumstances in Step 2 apply, advise the claimant to make a linked claim to IB and IS or claim ESA.</p> <p>If the claimant insists on continuing the claim to JSA the Jobcentre must:</p> <ul style="list-style-type: none"> • suspend the claimant's JSA claim; • pass the claim to the Benefit Delivery Expert (Labour Market) for a decision on the claimant's availability for work; • if the Benefit Delivery Expert (labour Market) decides that the claimant cannot be treated as available for work, disallow the claim unless an award under the JSA Hardship Provisions is appropriate. <p>If the claimant agrees to make a linked claim to IB and IS or claim ESA;</p> <ul style="list-style-type: none"> • terminate the claim; • issue a SC1 claim pack and form A1 or ESA1, as appropriate;
4	<p>if the circumstances in Step 2 do not apply and the claimant can continue on JSA for the period of sickness, BF the claim for 14 days from the start of the period of sickness.</p>

The period of sickness ends before the 14th day

160. If the period of sickness ends before the 14th day, note the end date of the period of sickness on the 'Notes' box of form JSA14C. No further action is required as the claimant carries on claiming JSA as normal.

The period of sickness lasts 14 days or more

161. If, by the 14th day of sickness, there has been no notification received that the period of sickness has ended, advise the claimant to either make a linked claim to IB and IS, or claim ESA.

162. If the claimant insists on continuing the claim to JSA:

Step	Action
1	suspend the claimant's claim;
2	pass the claim to the Benefit Delivery Expert (Labour Market) for a decision on the claimant's availability for work.

163. If the Benefit Delivery Expert (Labour Market) decides that the claimant cannot be treated as available for work, disallow the claim unless an award under the JSA Hardship Provisions is appropriate.

Note: This action is not appropriate if the claimant is a member of a joint claim and an exemption is granted.

164. If the claimant agrees to make a linked claim to IB and IS or claim ESA;

Step	Action
1	terminate the claim;
2	issue a SC1 claim pack and form A1 or ESA1, as appropriate.

Temporary unavailability for reasons other than sickness

165. There are specific actions that must be taken when a claimant reports a period of temporary unavailability other than sickness.
166. Legislation allows claimants to be treated as available for a number of other reasons, these include:
- attending an Open University Residential School;
 - domestic emergency;
 - caring for children when the normal carer is unwell.

See the Labour Market Conditions Guide, Chapter 2.

Initial contact

167. Notification of a temporary period of unavailability for a claimant will be received:
- on a JSA460, if the claimant has attended to report the change;
 - on a minute, if the details were reported by telephone call etc.
168. If there is doubt about the claimant's availability:
- suspend the claim using dialogue JA210: Maintain Suspension and Decision Details; and
 - refer the case to the Sector Decision Maker.

Action on receipt of notification of temporary unavailability

169. When the notification is received:

Step	Action
1	access dialogue JA091: Maintain Claim Details, TEMPORARY PERIODS OF UNAVAILABILITY screen JA091021;
2	input the appropriate reason code from the Jobseeker's Allowance deskaid; Note: Do not use input code [03] – claimant attending court because the claimant cannot be treated as available when attending court;
3	input start date and end date, if known;
4	set a case control using dialogue JA530: Case Controls for the limit of the period of unavailability.

170. Some reasons may only be used once in a 12 month period or Jobseeking Period (JSP), others may be used repeatedly.

171. If JSA is to remain in payment, that is, the claimant is treated as available, payments will be issued automatically when the Temporary Period of unavailability is input to dialogue JA091: Maintain Claim Details, there is no the need for any input in dialogue JA470: Attendance,

172. If there is any doubt about a claimant's availability, for example court attendance, suspend the case, if this has not already been done, using dialogue JA210: Maintain Suspension and Decision Details.

173. When the case control matures, check that the claimant has become available again. If there is any doubt, suspend the case using dialogue JA210: Maintain Suspension and Decision Details.

174. Case control S207 – ‘Unavailability Period’ is created when a period of unavailability is entered without an end date in the TEMPORARY PERIOD OF UNAVAILIBILITY screen JA091021.
175. When an end date is received access dialogue JA091: Maintain Claim Details, TEMPORARY PERIOD OF UNAVAILIBILITY screen JA091021 to input an end date.
176. Either or both members of a joint claim can have individual temporary periods of unavailability. These periods may be at different times or may overlap. For example each claimant can attend an Open University course of up to one week per course.

Action on receipt of notification of domestic violence

177. When notification is received from the Jobcentre that the claimant has been granted a 4 week easement as the victim of domestic violence:

STEP	ACTION
1	access dialogue JA091: Maintain Claim Details, TEMPORARY PERIODS OF UNAVAILIBILITY screen JA091021;
2	input the temporary periods of unavailability reason code [11]; Note: Temporary periods of unavailability reason code [11] is usually applied when a claimant is engaged in one of the special occupations. However, until a new code can be added to JSAPS, reason code [11] must also be used for victims of domestic violence.
3	input the start date and end date of the 4 week period;
4	set a case control using dialogue JA530: Case Controls for the limit of the period of unavailability.

178. When notification is received from the Jobcentre that the claimant has been granted the full 13 week easement as the victim of domestic violence:

STEP	ACTION
1	access dialogue JA091: Maintain Claim Details, TEMPORARY PERIODS OF UNAVAILIBILITY screen JA091021;
2	input the temporary periods of unavailability reason code [11]; Note: Temporary periods of unavailability reason code [11] is usually applied when a claimant is engaged in one of the special occupations. However, until a new code can be added to JSAPS, reason code [11] must also be used for victims of domestic violence.
3	Input the start date and end date of the full domestic violence

	<p>easement;</p> <p>Note: the start date should be the day after the end of the 4 week period</p> <p>Note: the end date should be 9 weeks after the start date.</p>
4	set a case control using dialogue JA530: Case Controls for the limit of the period of unavailability.

Notification of admission to hospital

179. When notification of admission to hospital has been received, action can vary depending on if the person admitted is now classed as a hospital inpatient.
180. Notification of admission to hospital could be reported by the:
- claimant when they attend the office;
 - hospital, on medical certificate form MED10 or form BR409.
181. Most hospitals complete form BR409 when patients are admitted. It gives:
- details of the patient, for example:
 - when they were admitted;
 - some benefit details;
 - the patient's permission for the hospital to notify Jobcentre Plus of their admission.
182. However, there is no legal requirement for hospitals to complete form BR409 or to notify when people are admitted. If information about admission and discharge dates is required, send form BF9 to the hospital.
183. If an excessive number of overpayments caused by failure to report admission to hospital are received, ask a senior officer to contact hospitals, Social Services or Social Work Departments in the area and ask them to use form BR409.
184. Keep stocks of forms BR409 and issue them to hospitals on request.

Action for different members of assessment unit

185. When taking action for someone in the assessment unit who has been admitted to hospital, the action varies depending on whether the person:
- is the claimant;
 - is the claimant's partner
 - is a child or young person under the care of the claimant or claimant's partner;
 - is a third party whom the claimant or claimant's partner have care of;
 - is admitted direct from Care Home; or
 - has private health insurance.

Hospital inpatients

186. Hospital inpatients are people:
- receiving free medical treatment in a:
 - National Health Service(NHS) hospital; or

- military hospital; or
 - NHS funded treatment abroad; or
 - getting medical or other treatment in any other establishment which is subsidised by public funds;
187. 'Partner', 'child' and 'young person' refer to persons included in the claimants JSA (IB) award.
188. These instructions do not apply if:
- the claimant is in hospital for more than two weeks. This is because, after two weeks, the claimant could not be meeting the labour market entitlement conditions;
 - the claimant or the claimant's dependant is meeting the cost of hospital treatment in full from a private source. In these circumstances, the dependant's personal allowance is not downrated while they are a hospital inpatient;
 - if the partner, child or young person is not included in the claimant's JSA award.

See Decision Maker's Guide, Volume 4, Chapter 24, Special cases

Claimant in hospital

189. Usually, when a claimant is admitted to hospital, they cannot claim JSA because they do not satisfy the labour market entitlement conditions.
190. However, claimants have the option to continue claiming JSA while they are unavailable due to sickness for periods of up to two weeks twice in any jobseeking period (JSP). But if the JSP lasts for more than a year, claimants have the option to continue claiming JSA while they are unavailable due to sickness for periods of up to two weeks twice in each successive 12 months, starting from the beginning of the JSP.

Action for claimant admitted to hospital

191. If the claimant has been admitted to hospital:

Step	Action
1	access dialogue JA110: Maintain Notepad and input the hospital's name and address;
2	access dialogue JA091: Maintain Claim Details, EXCEPTIONAL CONDITIONS screen JA091019 and complete the: <ul style="list-style-type: none"> ● 'Person No' field to show code [01]; ● 'Reason code' field to show code [07]; ● 'D/start' field to show the date of admission;
3	Access dialogue JA530: Case Controls and set a user case control for 2 weeks to review if claimant is still in hospital.

Linking Periods in hospital

192. If somebody is re-admitted to hospital within 28 days of discharge, the days spent in hospital are said to link and count as one continuous period in hospital.
193. When working out linking periods, the days of admission are not counted as days in hospital, but the days of discharge are counted as days in hospital.

Partner in hospital

194. When a partner is admitted to hospital, JSA (IB) may need to be adjusted after:
- 28 days if:
 - the claimant receives Carer's Allowance (CA) for caring for their partner; or
 - the partner receives Disability Living Allowance (DLA) or Attendance Allowance (AA). This is because DLA mobility component and DLA care component, AA and CA are all withdrawn after 28 days in hospital;
 - 84 days if the partner is a carer who was paid CA before going into hospital;
 - 52 weeks in all other cases.
195. When notification is received stating the claimant's partner is in hospital:

Step	Action
1	check if there are any linking periods as an inpatient;
2	access dialogue JA110: Maintain Notepad and input the hospital's name and address;
3	access dialogue JA091: Maintain Claim Details, EXCEPTIONAL CONDITIONS screen JA091019 and complete the: <ul style="list-style-type: none"> • 'Person No' field to show code [02]; • 'Reason' code field to show code [07]; • 'D/start' field to show the date of admission;
4	check if the partner has made a linked Incapacity Benefit (IB) claim or ESA claim by: <ul style="list-style-type: none"> • contacting the relevant Section; or • accessing the Common Enquiry Service and viewing the enquiry dialogues;
5	if the partner: <ul style="list-style-type: none"> • has claimed but not received IB/ESA, send form IS(R)1 to the Section asking for any award to be withheld so that JSA can take recovery action; • is being paid IB or ESA, review the JSA award, that is: <ul style="list-style-type: none"> ○ access dialogue JA091: Maintain Claim Details, OTHER BENEFITS screen JA091020 and input the partner's IB/ESAdetails and any other changes needed to revise/supersede the claimant's award; ○ access dialogue JA200: Award and Decision to decide;

	<ul style="list-style-type: none"> ○ refer the claim to Debt Management; ● has not claimed IB/ESA, send form IS(R) to relevant Section and then go to step 6;
6	<p>access OTHER BENEFITS screen JA091020 and check whether:</p> <ul style="list-style-type: none"> ● the claimant receives CA for caring for their partner; ● the partner receives CA as a carer or DLA/AA for themselves; ● JSA (IB) includes any premiums linked to CA, DLA or AA awards. <p>If any of these conditions are satisfied, go to step 7. If none of these conditions are satisfied, go to step 8;</p>
7	<p>if any of the conditions at step 6 are satisfied:</p> <ul style="list-style-type: none"> ● access dialogue JA530: Case Controls and set a user case control for the 28th day of hospital inpatient treatment, taking account of any linked periods; ● notify the relevant departments that their payee has been admitted to hospital using: <ul style="list-style-type: none"> ○ form BF600 for DLA/AA; ○ a minute for CA and ask them to advise when CA is withdrawn; ● if the partner is getting CA access dialogue JA530: Case Controls and set a user case control for a date 84 days after the date of admission; ● send the claimant leaflet NI9 and a suitably completed form JSA30. Form JSA30 tells the claimant when their JSA (IB) will reduce; ● when the user case control appears on the work available report JA72539, take appropriate action;
8	<p>if none of the conditions at step 6 are satisfied:</p> <ul style="list-style-type: none"> ● access dialogue JSA530: Case Controls and set a user case control for a day 51 weeks after the date of admission for hospital inpatient treatment, taking account of any linking periods; ● send the claimant leaflet NI9 and a suitably completed form JSA30: Form JSA30 tells the claimant when their JSA (IB) will reduce; ● when the user case control appears on the WAR, take appropriate action.

28 days user case control for partner appears on the work available report

196. When the 28 days user case control appears on the work available report JA72539 (WAR), contact the hospital/relevant benefit Section to find out whether the partner is still in hospital.

197. This needs to be done because, if the partner is still in hospital:

- any Disability Living Allowance (DLA) mobility component or DLA care component will stop;
- any Attendance Allowance (AA) will stop;
- any premiums paid to the claimant on account of AA/DLA care component paid at the higher or middle rate and/or Carer's Allowance (CA) must be checked.

Partner discharged

198. If the partner has been discharged before the 28th day and returned home:
- access dialogue JA091: Maintain Claim Details, EXCEPTIONAL CONDITIONS screen JA091019 and complete the 'D/end' field to show the date of discharge; and
 - notify the relevant departments that their payee has been discharged from hospital using:
 - form BF600 for DLA/AA; or
 - a minute for CA.

Partner still in hospital

199. If the partner has been in hospital for 28 days, find out whether during the 28 days period, the partner has spent any periods on hospital leave or if they have been discharged and readmitted.

200. If the partner has been out of hospital during the 28 days:

- clerically recalculate the 28th day as an inpatient;

Note: Remember that days of admission and readmission are counted as days out of hospital.

- access dialogue JA530: Case Controls and set another case control for the recalculated 28th day.

201. When the partner has been in hospital for 28 days:

Step	Action
1	check entitlement to premiums, that is, if the: <ul style="list-style-type: none"> • partner receives AA, DLA mobility component or DLA care component, access dialogue JA901: Maintain Claim Details: <ul style="list-style-type: none"> ○ OTHER BENEFITS screen JA091020 and complete the 'D/end' field for the AA, DLA mobility component or DLA care component to show the date of the 28th day; ○ EXCEPTIONAL CONDITIONS screen JA091019 and extend any Disability Premium, Higher Pensioner Premium as appropriate from the day after AA/DLA withdrawn. The Disability Premium, Higher Pensioner Premium is not affected by the partner's stay in hospital; • claimant receives CA for caring for their partner, access dialogue JA091: Maintain Claim Details: <ul style="list-style-type: none"> ○ OTHER BENEFITS screen JA091020 and complete the 'D/end' field for CA to show the 28th day;

	<ul style="list-style-type: none"> ○ EXCEPTIONAL CONDITIONS screen JA091019 and extend the carer premium to 56 days after CA is withdrawn. This is because the carer premium is not affected until eight weeks after CA is withdrawn;
2	access dialogue JA530: Case Controls and set a user case control for a date 51 weeks after the date of admission to consider hospital adjustments;
3	when the user case control appears on the WAR take appropriate action.

See Decision Maker's Guide, Volume 4, Chapter 23, Normal Amount Payable

84 days user case control for partner appears on work available report

202. When the 84 days user case control appears on the work available report (WAR), contact the hospital/Incapacity Benefit (IB) Section to find out whether or not the partner is still in hospital.

203. If the partner is still in hospital, the Carer's Allowance (CA) Unit must be contacted for advice about whether CA should stop.

See Decision Maker's Guide, Volume 10, Chapter 60, Carer's Allowance

Partner discharged

204. If the partner has been discharged before the 84th day and has returned home:

Step	Action
1	access dialogue JA091: Maintain Claim Details, EXCEPTIONAL CONDITIONS screen JA091019 and complete the 'D/end' field to show: <ul style="list-style-type: none"> • the date of discharge; and • the end of exceptional condition code [08];
2	access dialogue JA200: Award and Decision to decide;
3	notify the relevant departments that their payee has been discharged from hospital using: <ul style="list-style-type: none"> • form BF600 for Disability Living Allowance/Attendance Allowance; or • a minute for CA.

Partner still in hospital

205. If the partner is still in hospital at the 84th day, find out whether during the 84 day period, the partner has spent any periods on hospital leave or if they have been discharged and readmitted.

206. If the partner has been out of hospital during the 84 days:

- clerically recalculate the 84th day as an inpatient; and

- access dialogue JA530: Case Controls and set another user case control for the recalculated 84th day.

Note: Remember that days of discharge and readmission are counted as days out of hospital;

207. When the partner has been in hospital for 84 days:

Step	Action
1	contact the CA Unit for advice about whether CA is still payable to the partner as a carer after 84 days hospital;
2	if the CA Unit advise CA will not stop, take action according to their advice;
3	if the CA Unit advise CA must stop: <ul style="list-style-type: none"> • access dialogue JA091: Maintain Claim Details: <ul style="list-style-type: none"> ○ OTHER BENEFITS screen JA091020 and complete the 'D/end' field for CA to show the date of the 84th day; ○ EXCEPTIONAL CONDITIONS screen JA091019 and extend the carer premium to 56 days after CA is withdrawn. This is because the carer premium is not affected until eight weeks after CA is withdrawn; • if the person for whom the partner was a carer gets Income Support (IS), notify the IS Section for them to consider awarding the Severe Disability Premium now that CA has stopped; • access dialogue JA530: Case Controls and set a user case control for a date 51 weeks after the date of admission; • take appropriate action when the user case control appears on the WAR.

See Decision Maker's Guide, Volume 4, Chapter 23, Normal Amount Payable

52 weeks in hospital, user case control for partner appears on work available report

208. When the 51 weeks user case control appears on the work available report, contact the hospital/relevant benefit Section to find out whether the partner is still in hospital.

209. If the partner is still in hospital after 52 weeks, the decision must be made as to whether the stay in hospital should be considered as permanent.

Partner discharged

210. If the partner has been discharged before the 52nd week and has returned home:

Step	Action
1	access dialogue JA091: Maintain Claim Details, EXCEPTIONAL

	<p>CONDITIONS screen JA091019 and complete the 'D/end' fields to show:</p> <ul style="list-style-type: none"> • the date of discharge; and • the end of exceptional condition code [08];
2	access dialogue JA200: Award and Decision to ensure details of the decision are correct;
3	<p>notify the relevant departments that their payee has been discharged from hospital using:</p> <ul style="list-style-type: none"> • form BF600 for Disability Living Allowance/Attendance Allowance; or • a minute for Carer's Allowance.

Partner still in hospital

211. If the partner has been in hospital for 52 weeks, find out whether during the 52 week period, the partner has spent any periods on hospital leave or if they have been discharged and readmitted.

212. If the partner has been out of hospital during the 52 weeks:

- clerically recalculate the 357th day as an inpatient; and
- access dialogue JA530: Case Controls and set another user case control for the recalculated 357th day.

Note: Remember that days of discharge are counted as days in hospital but days of readmission are counted as days out of hospital.

213. When the partner has been in hospital for 357 days, it must be decided whether the stay in hospital should be considered as permanent.

Making a decision

214. Whenever possible, make a decision within 14 days.

215. When making a decision:

- consider all the available evidence and guidance; and
- decide whether:
 - the couple should continue being treated as a couple; or
 - the couple should be treated separately.

See Decision Maker's Guide, Volume 3, Chapter 18, Hospital Inpatients and Decision Maker's Guide, Volume 4, Chapter 22, Membership of the family

Decision to treat as a couple

216. Refer to the Decision Maker's Guide and decide whether the claimant and partner should continue to be assessed as a couple.

Decision to treat couple separately

217. If the decision is that the claimant and partner should be treated separately:

Step	Action
1	send draft letter:

	<ul style="list-style-type: none"> • DLJA355 to the claimant telling them why they and their partner must be paid separately; and • DLJA356 to the partner to invite the partner to claim Income Support;
2	revise/supersede the claimant's JSA award removing all premiums paid in respect of the partner in hospital.

Partner in hospital permanently

218. If the claimant notifies, or it becomes clear, that their partner will be in hospital permanently, decide whether the couple should be treated separately.

Child or young person in hospital

219. When a child or young person is admitted to hospital, JSA (IB) is adjusted after 84 days in hospital. This action will only apply to non-migrated cases where an element of JSA(IB) is still payable for children.

220. Where Child Tax Credit is in payment, notify Her Majesty's Revenue and Customs - Tax Credit Section.

221. When it is known that a child or young person is in hospital in non-migrated cases:

Step	Action
1	check if there are any linking periods as an inpatient;
2	access dialogue JA110: Maintain Notepad and input the hospital's name and address;
3	access dialogue JA091: Maintain Claim Details EXCEPTIONAL CONDITIONS screen JA091019 and complete the: <ul style="list-style-type: none"> • 'Person No' field to show the child/young person's code number; • 'Reason' code field to show code [07]; • 'D/start' field to show the date of admission;
4	access dialogue JA501: Claim Details Enquiry and check whether: <ul style="list-style-type: none"> • anybody receives Carer's Allowance (CA) for caring for the child or young person; • Disability Living Allowance (DLA) is paid for the child or young person; if either of these conditions are satisfied, go to Step 5 if neither of these conditions are satisfied, go to Step 6
5	if either of the conditions at Step 4 are satisfied, notify the relevant departments that the child or young person has been admitted to hospital using: <ul style="list-style-type: none"> • form BF600 for DLA; • a minute for CA;
6	access dialogue JA530: Case Controls and set a user case control for a date 84 days after the date of admission, taking account of any

	linking periods;
7	send the claimant leaflet NI9 and a suitably completed form JSA30. Form JSA30 tells the claimant when their JSA (IB) will reduce;
8	take appropriate action when the user case control appears on the Work Available Report.

Dependant discharged from hospital

222. When the claimant's dependant, or somebody for whom the claimant or partner receives Carer's Allowance, is discharged from hospital, the adjusted JSA (IB) award must be revised/superseded to:

- increase the award, if appropriate;
- include any relevant premiums.

See Decision Maker's Guide, Volume 4, Chapter 23, Normal amount payable

84 days user case control for child/young person appears on the work available report

223. When the 84 days user case control appears on the work available report, contact the hospital to find out whether the child or young person is still in hospital.

224. If the child or young person is still in hospital:

- the personal allowance for the child or young person reduces to the hospital personal allowance rate;
- any Disability Living Allowance (DLA) mobility component, DLA care component payments for the child or young person stop;
- the Carer's Allowance (CA) Unit must be contacted for advice if the claimant or their partner receives CA for looking after the child or young person.

See Decision Maker's Guide, Volume 10, Chapter 60, Carer's Allowance

Child or young person discharged

225. If the child or young person has been discharged before the 84th day and has returned home:

Step	Action
1	access dialogue JA091: Maintain Claim Details, EXCEPTIONAL CONDITIONS screen JA091019 and complete 'D/end' field to show date of discharge;
2	if appropriate, notify the relevant departments that the child or young person has been discharged from hospital using: <ul style="list-style-type: none"> • form BF600 for DLA; or • a minute for CA.

Child or young person still in hospital

226. If the child or young person has been in hospital for 84 days, find out whether during the 84 day period, the child or young person has spent any periods on hospital leave or if they have been discharged and readmitted.

227. If the child or young person has been out of hospital during the 84 days:

Step	Action
1	clerically recalculate the 84 th day as an inpatient; Note: Remember that days of discharge and readmission are counted as days out of hospital;
2	access dialogue JA530: Case Controls and set another user case control for the recalculated 84 th day.

See Decision Maker's Guide, Volume 4, Chapter 24, Special cases

228. When the child or young person has been in hospital for 84 days:

Step	Action
1	access dialogue JA091: Maintain Claim Details, EXCEPTIONAL CONDITIONS screen JA091019 and input exceptional condition code [08] to zero the applicable amount for the child or young person;
2	access dialogue JA200: Award and Decision, CLERICAL COMPONENTS screen JA200203 and input the hospital personal allowance rate as a clerical component in the 'Amount' field. This amount is included in the claimant's JSA (IB) for as long as the child or young person is treated as being a member of the claimant's household; See Decision Maker's Guide, Volume 4, Chapter 22, Membership of the family
3	check if the claimant or partner receives: <ul style="list-style-type: none"> DLA mobility/care component for the child/young person in hospital; or CA for caring for the child or young person in hospital;
4	if the claimant or partner: <ul style="list-style-type: none"> receive DLA mobility/care component or CA for the child/young person in hospital, go to step 5; do not receive DLA mobility/care component or CA for the child/young person in hospital, go to step 8;
5	DLA mobility/care component always stops after a child or young person has been in hospital for 84 days. CA usually stops when a child or young person has been in hospital for 84 days;
6	if the claimant or partner receives DLA mobility/care component for the child or young person in hospital, payments of DLA mobility/care component will stop after the child/young person has been in hospital for 84 days. In these circumstances, access dialogue JA901: Maintain Claim Details:

	<ul style="list-style-type: none"> • OTHER BENEFITS screen JA091020 and complete the 'D/end' field for DLA mobility/care component to show the date of the 84th day; • EXCEPTIONAL CONDITIONS screen JA091019 and extend any Disabled Child Premium from the day after DLA is withdrawn. The Disabled Child Premium is not affected by the child/young persons stay in hospital; <p>See Decision Maker's Guide, Volume 4, Chapter 23, Normal amount payable</p>
7	<p>if the claimant or partner receives CA for the child or young person in hospital:</p> <ul style="list-style-type: none"> • contact the CA Unit for advice about whether CA is still payable after 84th days in hospital; • if the CA Unit advise CA will not stop, take action according to their advice; • if the CA Unit advise CA must stop, access dialogue JA091: Maintain Claim Details: <ul style="list-style-type: none"> ○ OTHER BENEFITS screen JA091020 and complete the 'D/end' field for CA to show the date of the 84th day; ○ EXCEPTIONAL CONDITIONS screen JA091019 and extend the carer premium to 56 days after CA is withdrawn. This is because the carer premium is not affected until eight weeks after CA is withdrawn; <p>See Decision Maker's Guide, Volume 4, Chapter 24, Special cases</p>
8	<p>access dialogue JA530: Case Controls and set a user case control for an appropriate period to check if payments for the child/young person should continue based on whether or not the claimant or partner maintain regular contact with the child/young person in hospital.</p> <p>See Decision Maker's Guide, Volume 4, Chapter 22, Membership of the family</p>

Third party in hospital

229. If a third party for whom the claimant or the claimant's partner receives Carer's Allowance (CA) is admitted to hospital, JSA (IB) is adjusted after:

- 28 days because CA stops after an adult has been in hospital for 28 days;
- 84 days because the carer premium stops eight weeks after CA payments stop.

230. When notified that a third party for whom the claimant or the claimant's partner receives CA has been admitted to hospital:

Step	Action
1	check if there are any linking periods as an inpatient;
2	access dialogue JA110: Maintain Notepad and input the hospital's

	name and address;
3	access dialogue JA530: Case Controls and set a user case control for the 28 th day of hospital inpatient treatment, taking account of any linking periods;
4	notify Carer's Allowance unit by minute that their payee has been admitted to hospital and ask them to notify you when CA is withdrawn;
5	send the claimant leaflet NI9 and a suitably completed form JSA30. Form JSA30 tells the claimants when their JSA (IB) will reduce;
6	take appropriate action when the user case control appears on the Work Available Report.

28 days user case control for third party appears on Work Available Report

231. When the 28 days user case control appears on the Work Available Report, contact the hospital/Incapacity Benefit (IB) Section to find out whether the third party is still in hospital.
232. If the third party is still in hospital:
- the Carer's Allowance (CA) paid to the claimant or claimant's partner for caring for the third party will stop;
 - the carer's premium paid in the claimant's JSA (IB) will need to be reviewed.

Third party discharged

233. If the third party has been discharged before the 28th day and the claimant or the claimant's partner has resumed their carer role, no further action is needed.

Third party still in hospital

234. If the third party has been in hospital for 28 days, find out whether during the 28 day period, the third party has spent any periods on hospital leave or if they have been discharged and readmitted.
235. If the third party has been out of hospital during the 28 days:

Step	Action
1	clerically recalculate the 28 th day as an inpatient;
2	access dialogue JA530: Case Controls and set a user case control for the recalculated 28 th day.

See Decision Maker's Guide, Volume 4, Chapter 24, Special cases

236. When the third party has been in hospital for 28 days:

Step	Action
1	access dialogue JA091: Maintain Claim Details: <ul style="list-style-type: none"> • OTHER BENEFITS screen JA091020 and complete the 'D/end' field for CA to show the date of the 28th day; and

	<ul style="list-style-type: none"> EXCEPTIONAL CONDITIONS screen JA091019 and extend the carer premium to 56 days after CA is withdrawn. The carer premium is not affected until eight weeks after CA is withdrawn;
2	write to the claimant reminding them that they must let the JSA Unit know if they or their partner re-apply for CA when the third party is discharged.

Admission direct from a Care Home

237. If any of the claimant's dependants go into hospital for less than 28 days, it is not usually necessary to adjust the claimant's JSA (IB) award. However, if a dependant goes into hospital direct from a care home, special rules apply.

See Decision Maker's Guide, Volume 4, Chapter 24, Special cases

238. From 21st May 2003 all claimants who are in Care Homes will have their benefit downrated to the hospital personal allowance rate only after they have been in hospital for a period of 52 weeks.

Private health insurance

239. If the claimant or the claimant's dependant receives money from a private health scheme, reduce the JSA (IB) award immediately by the full amount paid by the scheme.

Death of a claimant, partner or dependant

240. Notification of death may be received from various sources. It may be:

- by telephone;
- by letter;
- on form JSA460;
- On form BD8
- On form 334SI (Scotland)
- by death certificate
- from the National Insurance Pay as You Earn System (NPS)
- from the Customer Information System (CIS)
- by email from DWP Bereavement Service

241. When notification of death is received it must be dealt with swiftly and tactfully.

242. When a claimant or member of their family reports a death directly to the office, make sure they are aware of any assistance, which may be available to them.

243. The cost of essential funeral expenses may be met from the Social Fund (SF). However, if a claimant's funeral has been arranged, the circumstances of the person making the arrangements determine whether a SF funeral payment is made.

244. Any funeral expenses met from the SF are recovered from the deceased's estate.

245. It is important to take appropriate action depending on whether the death has been:
- the claimant;
 - the claimant's partner;
 - the claimant's dependant(s).
246. This includes notifying interested parties of the death, whether that be the death of the partner or the death of a dependant.
247. The effective date, when dealing with all change of circumstances as a result of death, is always the day following the date of death. This ensures the system will assess entitlement correctly because benefit is due up to and including the date of death.

Death of a claimant

248. When notification of a claimant's death is received, record on form A6, the:
- date of death;
 - date the notification is received;
 - name of the person notifying the death;
 - name of the person dealing with the late claimant's affairs and their relationship to the claimant.
249. It is important to check in these circumstances if the claimant has been survived by a partner.

Tell Us Once - Reporting a death

250. The Tell Us Once (TWO) Programme is a cross government programme that makes it possible to inform government just once of a birth or death. This information is shared with other government departments and Local Authority (LA) services saving the claimant from making multiple declarations.

Verification of the death

251. Primary verification is:
- A form BD8 (Registrars issue a Certificate of Registration of Death (BD8) if there is a 'benefit interest')
 - A verified date from CIS
 - A verified date from NPS
 - Any statutory certificate of death
 - Email from DWP Bereavement Service stating that the date of death can be regarded as verified

Verification by DWP Bereavement Service.

252. DWP Bereavement Service (BS) will ask a number of Identity Verification (IDV) questions to the caller. If the caller passes these IDV questions the email from the BS states "Knowledge of deceased: Passed (regard date of death as verified)".
253. If the claimant cannot answer the IDV questions the email states "Knowledge of deceased: Failed (regard date of death as not verified)".

Note: Until the Bereavement Information Capture Tool (BICT) can be updated to support Universal Credit (UC), a workaround using a JSA indicator is in place to record the death of a UC claimant. JSA sites may receive a death notification email containing the following annotation:

'***** IMPORTANT – UC PATHFINDER CUSTOMER – PLEASE IGNORE THIS EMAIL – UC PROCESSING WILL DEAL *****'

Emails containing this annotation need no JSA processing action as UC processors take all necessary action.

Date of death recorded on CIS

254. When a claimant's date of death is recorded on CIS, all other payee relationships are automatically ended. For further details see the Agents, Appointees, Attorneys and Deputies Guide.

Recording Death of a Claimant and Paying Arrears

Death not verified

255. If the death is not verified:

Step	Action
1	access Dialogue JA210: Maintain Suspension and Decision Details and suspend the claim;
2	access Customer Information System (CIS) Personal Details Screen to check if the Date Of Death (DOD) has been recorded: <ul style="list-style-type: none"> • if the DOD has been recorded, check that the correct date has been input and [NV] (Not Verified) has been recorded as the verification type; or • if the DOD has not been recorded, access dialogue PD360: Further Personal Details and input the specified date and verification type [NV]; Verification of death is essential before the death can be registered on JSAPS. Obtain form BD8/334SI from the person who notified the death or any known relative of the deceased;
3	access dialogue JA530: Case Controls and set a case control for seven days and await the reply.

System maintained claims

256. When verification of the claimant's death has been received, to input the details onto JSAPS/CIS:

Step	Action
1	register the event as a change of circumstances in dialogue JA060: Register Claim/Event. A JSAPS Report will be produced, prompting further action;
2	if appropriate access dialogue JA060: Register Claim/Event and

	input event type [02] and event sub type [01];
3	<p>access dialogue PD360: Further Personal Details and if the DOD has:</p> <ul style="list-style-type: none"> • not been recorded, input the DOD and verification type [V]; • already been recorded, check the date is correct and if appropriate, amend the verification type to [V]; • been recorded incorrectly, overwrite the details with the correct date and verification type [V];
4	Press end to update CIS.
5	Access JA400 Method of Payment and set method of payment to Personal Issue
6	<p>access the CLAIM DETAILS PICKLIST screen JA091002 in dialogue JA091: Maintain Claim Details and:</p> <ul style="list-style-type: none"> • input the date the notification of death was received; • input the effective date of the change (this is the day after the DOD) and press [F24]; • select the PERSONAL DETAILS screen JA091003 and press [Enter] to fastpath to dialogue JA099: Record Claim Termination Details; <p>Note: CIS will transfer the DOD details onto JSAPS. Therefore, the DOD will already be displayed in the 'date of death' field. Any amendment to the DOD must be done via CIS;</p>
7	<p>in dialogue JA099: Record Claim Termination Details:</p> <ul style="list-style-type: none"> • if appropriate, overwrite any incorrect termination details, and • press [F1] to accept the details; • if Personal Issue Indicator has not been set in JA400 Method of Payment the E9658 Error: Jobseeker deceased – set method of payment to Personal Issue will display in JA405 Compute Payment <p>or if it is a joint claim, in dialogue JA050: Maintain Joint Claim:</p> <ul style="list-style-type: none"> • end the joint claim; • change the nominated payee for the final payment, if necessary; • enter the individual termination reason and date; • press [F1] to accept the details;
8	access dialogue JA200: Award and Decision, and decide on the claim termination;
9	Press F24 to go to dialogue JA405: Compute Payment
10	Press END. Any correspondence, including arrears payments, will be sent to the processing office rather than the claimant;
11	Access dialogue JA530: Case Controls and take action to clear any outstanding case controls;
12	Where at all possible, payment of arrears must be made by direct payment into the account of the person who has made the application for the arrears. Ensure that death arrears payee details

	on noted on form JSA14A/J for any payments made clerically;
13	Access dialogue JA110: Maintain Notepad and enter details of the death arrears and clerical payment;
14	Send form BR330 or BD8/334SI for the death arrears payee details if unknown and enter a note 'Death arrears outstanding' in dialogue JA110: Maintain Notepad. See claiming benefit arrears;
15	It may also be necessary to notify other third parties and specialist sections that a claim has terminated. Dialogue JA094: Claim Administration shows Special Interest Indicators which may suggest relevant third parties and specialist sections requiring notification, for example: <ul style="list-style-type: none"> • Third party Deductions • Overpayments • Social Fund • Fraud • Legal Aid
16	If the claimant was part of a joint claim, take appropriate action to reassess the remaining claimant's claim.

Note: Please ensure that when correspondence is received at the processing office, care is taken to ensure that it is not sent on to the deceased claimant.

Clerically maintained claims

257. In clerically maintained claims:

Step	Action
1	re-assess the claim using form JSA14A. Ensure the death arrears payee details are recorded;
2	retain form JSA14J;
3	notify the claimant's Jobcentre/Jobcentre Plus office of the DOD on form JSA1C;
4	terminate the claim.

Incorrect date of death verified in error

258. If an incorrect DOD has been verified in error in dialogue PD360: Further Personal Details, refer the case to Band D grade officer or nominated person with the appropriate level of access.

259. The nominated person will access dialogue PD053: Management Amendment and amend the DOD accordingly. The nominated person will then refer the case back to the JSA Processor to continue the action.

Claiming benefit arrears

260. Possible benefit arrears can be claimed:

- on form BR330 or form BD8/334SI;
- by letter.

261. Only certain people can claim benefit owing to a deceased person. If more than one person claims, pay benefit in this order of priority:

Priority	Who to pay
1	the same person as nominated by the Incapacity/ESA Benefit Section;
2	personal representatives, that is executors of the deceased's will or if they die without leaving a will, the estate administrators;
3	a person taking responsibility for the cost of the funeral expenses. However, only pay arrears up to the cost of these expenses;
4	a person who maintained the beneficiary before death, for example care homes but only: <ul style="list-style-type: none"> • if there is benefit left after funeral costs have been paid from outstanding benefit; • to the extent of the outstanding fees;
5	legatees;
6	next of kin;
7	any other creditor.

262. As JSA is paid in arrears, benefit may be due unless the deceased died on the day they last signed for benefit

263. The final payment cheque and any Tax Refund cheque will have been sent to the BC, as the Personal Issue indicator has been set.

264. Pay these arrears clerically by direct payment wherever possible, to the appropriate person, as the claimant's claim has now terminated.

The claimant is survived by a partner

265. If a claimant is survived by a partner, the partner's circumstances dictate the options available.

266. If there are no surviving dependants, advise the partner, depending on their age, that they may claim:

- JSA if under State Pension age (SPa) (SPa is age 65 for men. To calculate relevant age/ date for women see: State Pension Age Calculator).
- Employment Support Allowance
- Income Support (IS) if not required to be available for work;
- Pension Credit;
- Bereavement Allowance for widows/widowers aged 45 or over;
- Bereavement Payment.

The surviving partner has dependants

267. If the claimant or partner dies leaving a surviving partner with dependants, the benefits available to them include:

- Income Support. The partner is now a Lone Parent with dependants and therefore exempt from registering for JSA;
- JSA. The requirements for a lone parent to register is voluntary so the surviving partner can choose whether to register or not;
- Employment Support Allowance

- Pension Credit;
- Widowed Parent's Allowance which is payable to widows/widowers responsible for at least one child under 19;
- Bereavement Payment which is a lump sum payable to widows/widowers under State Pension age or over State Pension age if their husband or wife was not receiving Retirement Pension when they died.

Scottish Law

268. Scottish Law recognises a form of irregular marriage by cohabitation with habit and repute. The existence of such a marriage can be:
- accepted by the Department for Work and Pensions, following a reference to their solicitor;
 - confirmed by a decree of declarator of marriage pronounced by the Court of Session.
269. For advice on both Marriage by Cohabitation with Habit and Repute and Declarator of Marriage contact Adjudication and Constitutional Issues Scotland (ACIS).
270. If such a marriage is confirmed, there may be an entitlement to a Bereavement Benefit and other related benefits.
271. If the claimant received Housing Benefit or Council Tax Benefit, consider whether the surviving partner may be entitled to them. Consult the Local Authority if more detailed advice is required.

Action when a claim is terminated

272. If the claim is terminated, due to death of the claimant, make sure all interested parties are informed.
273. If the claimant was having deductions taken from their JSA, advise the appropriate section of the claim termination, for example, Third Party Deductions, Social Fund etc, so that they can complete their action. This can be done:
- on form A6;
 - by telephone.
274. If the claimant received Housing Benefit or Council Tax Benefit, JSAPS produces form NHB (JSA) for issue to the Local Authority (LA).
275. When a claimant dies, send Recovery from Estates (RFE) section forms Reg113 and JSA113, form Reg113(S) in Scotland, as soon as possible after notification is received. RFE section have two months after the death is registered, to claim recovery or an overpayment against an estate.
276. Failure to take immediate action may result in a claimant's estate being distributed before the RFE section can register a claim for recovery with the executor or legal personal representative.
277. If the total JSA paid was under £50 and stopped because of increased assets, unless there is an outstanding overpayment of more than £40:
- do not complete the forms JSA113 and Reg113/113(S);
 - note form A6 'No JSA113 or Reg113/113(S)...(initials and date)' to show that no Reg form is issued and why.

278. If forms JSA113 and Reg113/113(S) were sent in error, cancel them by minute, quoting the claimant's details and the date of death shown on the form.
279. If the date of death was incorrectly recorded or the form was incorrectly completed, cancel the original JSA113 and Reg113/113(S) either by:
- minute; or
 - sending a duplicate headed 'amended' in red.
280. For tax action, send Form P45U(MAN) to the Inland Revenue.

Death of a partner

281. When notification is received the death of a claimant's partner:

Step	Action
1	record on form A6 the: <ul style="list-style-type: none"> • date of death; • date the notification was received; • name of the person notifying the death; • name of the person dealing with the deceased's affairs;
2	establish whether the deceased partner had a claim in their own right by: <ul style="list-style-type: none"> • checking JSAPS or CIS; or • requesting the information from the person dealing with the deceased's affairs;
3	take action to close the claim, if there is a claim for the deceased partner or the deceased partner forms part of a joint claim.

282. Take appropriate action if the date of death has already been input into the system but now needs to be changed.

283. Ensure all interested parties are notified of the death.

System action for death of a partner

284. When verification of the death of a claimant's partner is received and the claim is not a joint claim, to input the change of circumstances on the claimant's claim:

Step	Action
1	<ul style="list-style-type: none"> • access dialogue JA060: Register Claim/Event and input: <ul style="list-style-type: none"> – event code [02] in the 'Event type' field; – the appropriate code in the 'Event sub type' field. This alerts JSAPS of a change in the claimant's circumstances. • press [F1]. JSAPS displays the CLAIM DETAILS PICKLIST screen JA091002, in dialogue JA091: Maintain Claim Details
2	input: <ul style="list-style-type: none"> • the date that notification of the death was received; • the effective date of the change. This is the day after the date

	of death;
3	access the ABOUT PARTNER screen JA091005 and input the date of death in the 'Date of death' field; Warning message W5907: 'Warning: Relationship will be ended at new Date of Death' displays;
4	JSAPS automatically ends the partner relationship by removing information held about the partner. However, if capital or other income details are held for the partner, remove them first. If these details are not removed, error message E6674: 'Error: Remove future capital/income evidence to enter date of death' displays. JSAPS automatically deletes other information recorded for the partner, for example, other benefits. Warning message W9083: 'Warning: Person you wish to delete has other evidences' displays;
5	check that the correct evidence is held before deciding the claim. When satisfactory evidence is shown on JSAPS, press [ENTER] to accept the information held. JSAPS automatically updates the latest evidence input and fastpaths to dialogue JA405: Compute Payment. The new adjusted benefit amount is issued to the claimant along with an accompanying change of circumstances notification.

Clerical action for death of a partner

285. In clerically maintained claims, re-assess the claim using form JSA14A. Issue form JSA14J to the claimant, advising them of the change in entitlement.

Changing the date of death for a partner

286. A date of death for a partner can only be amended or removed on JSAPS if it has not been recorded as verified on JSAPS.

Date of death verified

287. If the date of death had been verified, the 'Date of Death' and 'Verified Status' fields are protected.

Date of Death not verified

288. If the date of death for a partner has been input incorrectly, the action required depends on whether the date of death needs removing or amending.

289. If the date of death needs to be removed completely, action depends on whether CIS has been updated in the overnight batch.

290. If the batch has not been run:

Step	Action
1	access dialogue JA091: Maintain Claim Details and remove the date of death;
2	rebuild the relationship by re-inputting the partner's details in dialogue JA091: Maintain Claim Details.

291. If CIS has already been updated with the date of death:

Step	Action
1	access dialogue JA091: Maintain Claim Details and remove the incorrect date of death;
2	wait for CIS to be updated again before rebuilding the relationship. This normally takes 24 hours.

292. If a rebuild of the relationship is attempted before CIS is updated, error message E4618: 'Error: Unable to take record – client dead' displays.

293. If the date of death needs to be amended:

Step	Action
1	access dialogue JA091: Maintain Claim Details and remove the incorrect date using a date prior to the previous change of circumstance date, that is, the date of death or earlier;
2	input the correct date from the new change of circumstances date, that is, the new date of death plus 1.

Note: a date of death cannot be removed or amended once it has been recorded as verified on JSAPS.

294. If any change is made to the date of death, the following entry shows on exceptional activity report (EAR) JA7232 'Change to partner's date of death'.

295. Ensure that the partner's date of death has been changed correctly and that the date has been verified.

Notifying interested parties of the partner's death

296. Notify all the interested parties of the claimant's partner's death. These may include:

Interested party	When to notify them
Direct payments	If any deductions were for the partner only, for example, fines or Child Support Agency deductions, notify the appropriate sections or departments by: <ul style="list-style-type: none"> • minute; • telephone.
Local Authority	If the claimant receives Housing Benefit, send a JSAPS produced form NHB(IS), or a locally produced form for clerical claims, to the appropriate Local Authority.
Social Fund (SF)	Deductions may be being taken for a SF loan originally paid to the partner. Tell the SF section of the partner's death to amend their records. This can be done by: <ul style="list-style-type: none"> • minute; • telephone.
Recovery from Estates	If the partner received JSA in their own right, send form Reg113/113(S) Scotland or JSA113 to the Recovery from Estates section.

Death of a dependant

297. If the claimant's dependant dies, this may affect the amount of JSA (IB) payable to the claimant.

298. It is important to notify all interested parties of this change of circumstances within the claim.

299. When notification of the death of a claimant's dependant has been received:

Step	Action
1	record on form A6, the: <ul style="list-style-type: none"> • the name of the deceased; • date of death; • date the notification was received; • name of the person who notified the change;
2	check whether Child Benefit (CHB) is in payment for the deceased by: <ul style="list-style-type: none"> • checking JSAPS/the clerically maintained records; or • asking the claimant for the information;
3	if CHB is in payment, notify the Child Benefit Centre (CBC) of the dependant's death, giving the date and whether or not this date is verified, by: <ul style="list-style-type: none"> • telephone, if telephoning the CBC, confirm the information in writing by sending them form BF90 to Child Benefit Office, Claims and Amendments Section, Waterview Park, Washington, Tyne & Wear; or • fax.

System action for death of a dependant

300. When notification of the death of the dependant is received:

Step	Action
1	register the event as a change of circumstances in dialogue JA060: Register Claim/Event. A Work Available Report JA72539 (WAR) is also produced, prompting further action. When notification is received: <ul style="list-style-type: none"> • access dialogue JA091: Maintain Claim Details; and • press [Enter]. The CLAIM DETAILS PICKLIST screen JA091002 displays; • access dialogue JA060: Register Claim/Event and input: <ul style="list-style-type: none"> ○ event code [02] in the 'Event type' field; ○ the appropriate code in the 'Event sub type' field. This alerts JSAPS of a change in the claimant's circumstances; • press [F3]. JSAPS displays the CLAIM DETAILS PICKLIST screen JA091002, in dialogue JA091: Maintain Claim Details;
2	input:

	<ul style="list-style-type: none"> • the date that notification of the death was received; • the effective date of the change. This is the day after the date of death; • [Y] in all the screens and press [Enter], to visit all the screens and remove all the information held about them. Further action may be required if the claimant receives a benefit for the dependant;
3	check that the correct evidence is held before deciding the claim. When satisfactory evidence is shown on JSAPS, press [Enter] to accept the information held. JSAPS automatically updates the latest evidence input and fastpaths to dialogue JA405: Compute Payment. The new adjusted benefit amount is issued to the claimant along with an accompanying change of circumstances notification.

Clerical action for death of a dependant

301. In clerically maintained claims, re-assess the claim using form JSA14A. Issue form JSA14J to the claimant, advising them of the change in entitlement.

Notifying interested parties of the death of a dependant

302. Notify any interested parties of a dependant child or a young person's death. This may include:

Interested party	When to notify them
Local Authority (LA)	If the claimant receives Housing Benefit or Council Tax Benefit, JSAPS will produce form NHB(JSA) for issue to the appropriate LA as the dependant's death could affect their claim.
Child Benefit Centre (CBC)	If the CBC are not aware of the claimant's deceased dependant: <ul style="list-style-type: none"> • send full details to the CBC by minute or fax; • ask the claimant to return the Child Benefit (CHB) order book to CBC.
Child Support Agency (CSA)	If maintenance is being collected directly from the Non Resident Parent, notify the CSA of the relevant change in circumstances.

Notification of imprisonment

303. Details of JSA claimants entering prison in England and Wales are sent to the Prisoners Benefit Action Team (PBAT), who complete all claim closure action for JSA claimants entering prison. Scotland has its own centralised prisoner claim closure team based in HMP Barlinnie.

304. For further information see Claim Termination.

Report RIS24003

305. General Matching Service (GMS) do a monthly run of all newly convicted prisoners in England, Scotland and Wales to check if any are receiving benefits. If GMS identifies that a newly convicted prisoner is receiving benefit, it issues a prisoner notification report to the relevant Sector Fraud office.
306. If Sector Fraud considers a prisoner notification report is not appropriate for them, they forward the notification to the relevant DWP office.
307. If the claim has been closed, no further action is required.
308. If the claim is still open, compare the date of sentence shown on the report with the date of claim displayed on JSAPS.
309. If there is a discrepancy, do not automatically assume fraud is involved. Check the JSA claim for further information that may suggest the date of claim:
- is before the date of sentence; or
 - was made on the same day or later than the date of sentence.

Date of claim is before the date of sentence

310. If the date of claim is before the date of sentence:

Step	Action
1	access dialogue JA300: Maintain General Deductions and terminate any direct payments;
2	access dialogue JA099: Record Claim Termination Details and complete the following fields: <ul style="list-style-type: none"> • 'Claim termination date' input the date of sentence; • 'Reason code' input code [15];
3	access dialogue JA200: Award and Decision and decide on the termination;
4	if the claimant has not nominated a person to receive the final payment, take action to withhold the payment;
5	if the claimant has nominated someone to receive their payment, access dialogue: JA405: Compute Payment and either: <ul style="list-style-type: none"> • issue payment and notifications to the claimant in prison, by making cheques payable to HM Prison Services. Further information regarding this is available in the LPS Generic User Manual; or • issue payment and notifications to the person the claimant has nominated to receive their payment.
6	send form JSA1C to the Personal Adviser showing: <ul style="list-style-type: none"> • details of the claimant; • the current claim start date at 'Current period of jobseeking'; tick the box marked 'Imprisoned from' and the date the claimant was imprisoned – this is shown on report RIS24003;

Date of claim is on or after sentence

311. If the date of claim is on or after the date of sentence shown on report RIS24003, contact the Prisoner Location Service (PLS) to find out if the prisoner has been released.
312. If PLS confirm that the claimant was released on or before the date of claim, take the same action as for a date of claim before the date of the sentence.
313. If PLS confirm that the prisoner was released after the date of claim or is still in prison, write up a report on form A6 detailing what has been discovered and refer form A6 to the JSA Processing Section Manager with:
- report RIS24003;
 - computer printouts of the claim.

Discrepancy discovered on report RIS24003

314. If a discrepancy is identified on report RIS24003, the RIS report to the Section Manager with:
- a print out of the claimant's JSAPS record; and
 - form A6 giving an explanation of why they have referred the matter.
315. When the Section Manager receives the referral they will:
- confirm that there is a discrepancy between the date of claim and date of sentence; and
 - decide whether the JSA claim should:
 - continue;
 - be terminated.
316. When the decision has been made:
- record the decision:
 - on form A6; and
 - access dialogue JA110: Maintain Notepad and record the decision; and
 - pass form A6 showing the decision to the JSA Processor
317. If a discrepancy is identified, consider whether it should be referred back to Fraud for further investigation.

Prisoner Location Service

318. Any queries about information given on prisoner notification reports or if information is needed about:
- date of admission
 - date of release
 - prison location.

should be referred to the Prisoner Location Services (PLS). However, the PLS cannot provide details of whether the offence was civil or criminal.

319. All enquiries to PLS must quote the prisoner's name and date of birth. The Fax number should only be used in an emergency, for example if someone is in the office and notification states they are in prison.

Scotland

320. Queries relating to Scottish prisons are dealt with at Saughton Prison. Staff are able to suspend payments for all prisoners admitted on conviction to any Scottish prison and update dialogue JA110: Maintain Notepad but additional information such as the court attended, the nature of the plea or offence committed is not available.

When claimants have been temporarily abroad

321. One of the conditions for receiving JSA is that the claimant is in Great Britain (GB).

322. If a claimant is absent from GB for a whole day or more, for example on holiday abroad, they are not usually entitled to JSA.

323. If the claimant's partner goes abroad, specific action must be taken to record the details.

324. However, in certain circumstances it may be that a claimant who is temporarily absent from GB can be treated as being in GB if they:

- attend a job interview abroad;
- accompany a child or young person for treatment abroad;
- accompany their partner abroad;
- are travelling to Northern Ireland;
- get a training allowance;
- are going abroad for National Health Service (NHS) funded treatment.

Note: A claimant can be treated as being in GB, available and actively seeking employment for a period of seven days or less whilst they are attending an interview in any country.

Attending an interview abroad

325. If a claimant intends to go abroad temporarily to attend a job interview, they may be treated as being in Great Britain (GB) for up to seven days if they satisfy all the following conditions:

- the claimant goes abroad to attend a job interview and they give notice of their intended absence before leaving; and
- the claimant is temporarily absent abroad for three days or more that week;
- when they return to GB, the claimant satisfies Jobcentre Plus that they attended the job interview.

Note: If the claimant is temporarily absent from GB for part of a day, then that does not count as a day of absence from GB; and

326. If, on their return, the claimant satisfies the above conditions, the JSA Processor may decide that full payment can be made for up to seven days.

327. Consider if the days the claimant travels to, and from abroad, can be treated as days in GB.

See Decision Makers Guide, Volume 4, Chapter 21, JSA – Labour Market Questions

Accompanying a child/young person abroad

328. If a claimant intends to accompany a child or young person abroad, they may be treated as being in Great Britain (GB) for up to eight weeks if they satisfy all the following conditions:

- the claimant accompanies a child or young person who is going abroad for treatment; and
- arrangements have been made for the child or young person to receive treatment for a disease or a bodily or mental disablement; and
- the claimant is responsible for the child or young person; and
- the claimant is entitled to JSA before the absence; and
- the claimant satisfies or is treated as satisfying the JSA entitlement conditions while they are absent; and
- the claimant is temporarily absent abroad for three days or more in each week; and
- the period abroad is unlikely to exceed 52 weeks.

Note: If the claimant is temporarily absent from GB for part of a day, then that does not count as a day of absence from GB.

329. A definition of child/young person is given in the Decision Makers Guide.

See Decision Makers Guide, Volume 4, Chapter 20, JSA and IS – conditions of entitlement

330. If the claimant satisfies the above conditions, it may be that full payment can be made for up to eight weeks during their absence.

331. Payment is made to the claimant by their normal payment method unless they arrange, before departure, for payment to a nominated person.

332. To receive benefit after eight weeks, the partner remaining in GB could claim:

- Income Support as a lone parent if they have other dependant children;
- other benefits in their own right if they do not have other dependant children and satisfy the necessary entitlement conditions.

333. If the absence is expected to exceed 52 weeks, the claimant is not entitled to JSA even for the first eight weeks.

334. The claimant's partner must therefore claim benefit in their own right from the start of the absence.

See Decision Makers Guide, Volume 4, Chapter 21, JSA – Labour Market Questions

Accompanying a partner abroad

335. If the claimant is one of a couple and intends to accompany their partner abroad for any reason, they may be treated as being in Great Britain (GB) for up to four weeks if they satisfy all the following conditions:

- any pensioner/disability or severe disability premiums are payable for the partner; and
- the claimant is entitled to JSA before the absence; and
- the claimant satisfies or is treated as satisfying the JSA entitlement conditions while they are absent; and

- the claimant is temporarily absent abroad for three days or more in each week; and
- the period abroad is unlikely to exceed 52 weeks.

Note: If the claimant is temporarily absent from GB for part of a day, then that does not count as a day of absence from GB.

336. If the claimant satisfies the above conditions, it may be that full payment can be made for up to four weeks during their absence.

337. Payment is made to the claimant by their normal payment method unless they arrange, before departure, for payment to a nominated person.

338. If the absence is expected to exceed 52 weeks, the claimant is not entitled to JSA even for the first four weeks.

See Decision Makers Guide, Volume 4, Chapter 21, JSA – Labour Market Questions

Travel to Northern Ireland

339. If the claimant intends to go to Northern Ireland for any reason, they may be treated as being in Great Britain (GB) for up to four weeks if they satisfy all the following conditions:

- the claimant is entitled to JSA before the absence; and
- the claimant satisfies the JSA entitlement conditions while absent; and
- the period abroad is unlikely to exceed 52 weeks.

340. If the claimant satisfies the above conditions, it may be that full payment can be made for up to four weeks during their absence.

341. Payment is made to the claimant by their normal payment method unless they arrange, before departure, for payment to a nominated person.

342. If the absence is expected to exceed 52 weeks, the claimant is not entitled to JSA even for the first four weeks.

See Decision Makers Guide, Volume 4, Chapter 21, JSA – Labour Market Questions

Claimant going abroad for National Health Service funded treatment

343. When a claimant states that they are going abroad for National Health Service (NHS) funded medical treatment, they should complete JSA460 and provide supporting medical evidence.

344. They will need to provide medical evidence for the whole absence from Great Britain (GB).

Note: For a claimant's entitlement to JSA to continue for a period of NHS funded medical treatment abroad, they must have satisfied in full the conditions of entitlement immediately before the beginning of the temporary absence.

345. Ask the claimant to provide the details of a contact name, address and telephone number for our use during the absence abroad. In return give them details of a named contact in your office to notify any further change of circumstances.

346. Using Informed Choice discuss the best method of payment during their absence.
347. Advise the claimant that any further change of circumstance arising during the absence must be notified to us as soon as possible.
348. For claimants in receipt of JSA (C), check whether the exhaustion date occurs during the absence and issue the appropriate claim forms for JSA (IB) so that the claim can be processed at the earliest opportunity after the exhaustion date.
349. Inform the claimant that they will need to contact their local office immediately they return to GB. If it is known that on their return they will not be able to work they can be issued with the relevant claim forms to make an advance claim for a more appropriate benefit.
350. Record in LMS Conversations and in dialogue JA110: Notepad, complete form ES673JP and attach to the front of the claimant's Labour Market Unit.

Action for claimant going abroad for funded treatment

351. On receipt of the claimant's written declaration on form JSA460, together with medical evidence:

Step	Action
1	system action: set a case control for the next fortnightly benefit week ending date; clerical action: set a BF for the next fortnightly benefit week ending date;
2	contact the OS Adviceline for instructions on how to proceed further.

Action when claimant returns to Great Britain

352. Inform the claimant that normal fortnightly attendance will resume and they should once again be actively seeking work and be available for work.
353. A referral should be made to a more appropriate benefit if the claimant is still not fit for work.

Joint claims

354. Claimants who are members of a joint claim can also be treated as being in GB, being capable of, available for and actively seeking work during a period of temporary absence from GB for NHS funded medical treatment.
355. This provision applies to whichever of the claimants is the patient.

Notification of intention to go abroad

356. When a claimant is going abroad temporarily, notification may be made via the:
- claimant in person, in writing or by phone;
 - case appearing on a work available report following suspension by the Jobcentre/Jobcentre Plus adviser.

357. If just the claimant's partner goes abroad, or the claimant has returned from abroad, specific action must be taken to record the details.

Notification received direct from claimant

358. If the claimant notifies the processing section direct that they intend to go abroad temporarily, tell them to contact the Jobcentre/Jobcentre Plus adviser.

359. The advisor must establish if, while the claimant is temporarily absent from Great Britain, they can be treated as satisfying the labour market entitlement conditions.

Claimant informs Jobcentre Plus

360. The main point of contact for claimants is the Jobcentre/Jobcentre Plus office.

361. If a claimant intends to go abroad, they will usually tell their Personal Adviser and will complete form JSA460.

362. The action taken depends on whether or not the claimant:

- is going abroad on holiday;
- is not going abroad on holiday.

363. It is important to be told of this change in circumstances as, depending on why the claimant is temporarily abroad, they may:

- be treated as being in Great Britain;
- not be treated as being in Great Britain.

See the Labour Market Conditions Guide, Chapter 2, Section 3.

Claimant going abroad for reasons other than holiday

364. If the claimant is going abroad for any reason other than a holiday:

Step	Action
1	note the details on form JSA460;
2	for system cases only: access dialogue JA210: Maintain Suspension and Decision Details and suspend the claimant's payments pending a decision by the Sector Decision Maker. If the payments are suspended, an entry appears on the Work Available Report prompting further action by the JSA Processor;
3	refer form JSA460 to the JSA Processor. Note: If the claimant receives a training allowance, a Sector Decision Maker's decision is not needed because the claimant is not required to meet the labour market entitlement conditions.

See Decision Makers Guide, Volume 4, Chapter 21, JSA – Labour Market Questions

Claimant going abroad on holiday

365. There are three ways the Jobcentre may advise the JSA Processor that the claimant intends going abroad:

- form ES676B is received;

- an entry appears on the work available report (WAR) following suspension;
- form JSA460 is received.

366. If the claimant is going abroad on holiday:

Step	Action
1	access dialogue JA099: Record claim termination details to initiate the action to terminate the claimant's claim to JSA on JSAPS;
2	complete form ES676B with the dates the claimant will be abroad; and
3	send form ES676B to the JSA Processor.

Claimant returns from abroad

367. Do not send out claim forms to confirm that the claimant has returned from abroad.

368. A form will only be issued if the claimant contacts the office to notify them that they have returned and that they wish to reclaim JSA.

Form ES676B received

369. When form ES676B is received from the Personal Adviser stating that the claimant is going abroad on holiday:

Step	Action
1	check: <ul style="list-style-type: none"> • when the claimant intends to go abroad; and • the period of absence;
2	terminate their JSA claim.

Entry appears on the work available report

370. If an entry about the claimant's suspension appears on the WAR, check to see whether or not form JSA460 has been received from the Personal Adviser.

371. If form JSA460 cannot be found, phone the Personal Adviser to find out details of the claimant's absence and ask for form JSA460.

Form JSA460 received

372. The Personal Adviser sends form JSA460 if the claimant is going abroad for reasons other than on holiday.

373. When form JSA460 is received, check whether the case has been referred to the Sector Decision Maker (SDM) for a decision on the labour market entitlement conditions.

374. The SDM's decision may be:

- outstanding;
- not outstanding.

Sector Decision Maker's decision outstanding

375. If a SDM's decision is outstanding, await the outcome before:

- a decision on entitlement can be made; and
- processing the JSA claim further.

Clerical action if Sector Decision Maker's decision is outstanding

376. If a SDM's decision is outstanding:

Step	Action
1	suspend the claimant's JSA;
2	wait for the Sector Decision Maker's decision;
3	take action when the Sector Decision Maker's decision is received.

Sector Decision Maker's decision received

377. If the SDM's decision is completed or is not needed:

Step	Action
1	check form JSA460 to find out why the claimant is going abroad;
2	complete form A6 from the information shown on form JSA460;
3	decide whether the claimant can be paid for any part of the temporary absence abroad.

The decision

378. Whenever possible, make the decision within 14 days of receiving the request.

379. To make a decision:

- consider all the available evidence;
- decide whether:
 - the claimant can be treated as being in Great Britain (GB) for the period/part of the period the claimant is abroad;
 - the claimant cannot be treated as being in Great Britain for the period/part of the period the claimant is abroad;
- record the decision on form A6.

See Decision Makers Guide, Volume 4, Chapter 21, JSA – Labour Market Questions

Claimant returns from abroad

380. When either form JSA1 or JSA4(RR) is received stating that the claimant has returned from abroad, consider disallowing the claim for the period the claimant was outside Great Britain (GB).

See Decision Maker's Guide, Volume 4, Chapter 21, JSA – Labour Market Questions

381. Write to the claimant to advise them that:

- their claim was disallowed for the period they were absent from Great Britain;

- they are not entitled to credits for the period they were away and therefore cannot be treated as being in GB.
382. JSA is only paid up to the claimant's normal day of attendance before going abroad.
383. The claimant will receive any payment due for days up to the start of the period abroad after confirmation that the claimant has returned.

Claimant to be treated as being in Great Britain

384. If it is decided that the claimant can be treated as being in Great Britain (GB) for all or part of their temporary absence abroad:

Step	Action
1	access dialogue JA091: Maintain Claim Details, TEMPORARY PERIODS OF UNAVAILABILITY screen JA091021 and complete the following fields from the information noted on forms A6 Reason code: <ul style="list-style-type: none"> • input code: <ul style="list-style-type: none"> ○ input the appropriate code from the Jobseeker's Allowance deskaid; • Start date: <ul style="list-style-type: none"> ○ input the start date of the temporary period of unavailability as shown on form JSA460; • End date: <ul style="list-style-type: none"> ○ input the end date of the temporary period of unavailability as shown on form JSA460; for clerical action: BF the case for a fortnightly intervention so that payment can go to the claimant as normal;
2	press: <ul style="list-style-type: none"> • [End] to save the details you have input; or • [Enter] to continue processing the details input;
3	access dialogue JA530: Case Controls and set a user case control to mature when the claimant's temporary absence ends, that is, the date input in the 'End date' field; for clerical action: BF the case to mature at the end of the period of absence.

385. When the above details have been input, JSAPS will issue payment on the due date during the period of temporary absence.
386. The claimant can elect to have their benefit paid to a nominated person also.

Case control appears on the work available report

387. When the case control appears on the work available report, check whether or not the claimant has reported their return to Great Britain.
388. If the claimant has contacted the JSA Unit following their return from abroad, take no further action.

389. If the claimant has not reported their return, decide if payments of JSA can continue.

Claimant cannot be treated as being in Great Britain

390. If it is decided that the claimant cannot be treated as being in Great Britain during their temporary absence abroad, terminate their JSA claim.

Claimant's partner goes abroad

391. The partner of a claimant is not required to be available for work or actively seeking employment to be included in an entitlement assessment.

392. The exception to this statement is within a joint claim, where both members of the claim must satisfy Labour Market Conditions.

393. When a claimant reports that their partner is going abroad, the JSA Processor must decide whether the partner can still be included in an entitlement assessment.

394. Whenever possible, make a decision within 14 days. When making a decision:

- consider all the available evidence and guidance;
- decide if the absence:
 - can be treated as temporary;
 - should be treated as permanent;
- record their decision on form A6.

395. In certain circumstances, the couple rate of JSA is paid for the first four weeks of the partner's absence abroad.

See Decision Makers Guide, Volume 4, Chapter 21, JSA – Labour Market Questions

Absence to be treated as temporary

396. If the absence is to be treated as temporary:

Step	Action
1	continue paying the claimant as normal;
2	access dialogue JA110: Maintain Notepad and record details of the partner's absence;
3	access dialogue JA530: Case Controls and set a case control to mature 52 weeks from the start of the partner's absence from Great Britain (GB).

When the case control matures

397. When the case control matures, check if the partner has returned to GB. If the partner has:

- returned to GB, no further action is needed; or
- not returned to GB decide whether the partner can be included in an initial assessment.

Absence to be treated as permanent

398. If the absence is to be treated as permanent:

Step	Action
1	access dialogue JA060: Register Claim/Event and input sub event type [18];
2	press [F1] to access dialogue JA091: Maintain Claim Details and remove the claimant's partner from the assessment. The date of change is the day after the claimant's partner left Great Britain;
3	pay any benefit due to the claimant;
4	access dialogue JA110: Maintain Notepad and record the reason why the partner is removed from the assessment.

Child Maintenance and Liable Relative Payments

Summary

1. Liable relative payments are maintenance payments made by liable relatives to support a spouse, a civil partner or a sponsored immigrant. They are taken fully into account when calculating entitlement to JSA even if the payment is in respect of a sponsored immigrant who is a child.
2. As liable relative payments may be paid irregularly there are special rules on how they are taken into account for JSA purposes. These rules are different from the normal JSA rules for assessing income and capital.
3. A liable relative is a person who is liable to maintain another person i.e. a spouse, civil partner, sponsor, parent of a child. A liable relative may pay maintenance to or on behalf of a person they are liable to maintain.
4. Child maintenance is any payment in respect of a child made by a parent of a child or by someone who it is reasonable to treat as the parent of the child. It is fully disregarded as income when calculating entitlement to JSA.

Introduction

5. This chapter gives details about maintenance income and how it affects JSA and includes guidance on:
 - the different ways in which maintenance may be paid
 - the child maintenance disregard
 - liable relative payments
 - the rules to use when attributing regular liable relative payments
 - the rules to use when attributing irregular liable relative payments
 - the rules to use when attributing arrears of liable relative payments.
6. For further information on the definition and treatment of child maintenance and liable relative payments see DMG Chapter 28

Types of maintenance payments

Arrangements for maintenance payments

7. A claimant may report receipt of maintenance under a:
 - voluntary agreement, or
 - court order, or
 - consent order, or
 - maintenance agreement registered with the Scottish courts.
8. Most arrangements will result in an agreed pattern of payment. However, the claimant may also report receipt of maintenance income outside of or in addition to an agreement.

Establishing the type of maintenance Income

9. Most maintenance income is child maintenance. Child maintenance is defined as a payment in respect of a child who is a member of the claimant's family, made by the parent of the child or by someone who it is reasonable to treat as the parent of the child.

10. Child maintenance is fully disregarded as income when calculating entitlement to JSA.
11. Liable relative payments are maintenance payments made to support a spouse, a civil partner or a sponsored immigrant.
12. Maintenance paid for a spouse/civil partner/sponsored immigrant, even if the payment is to support a child who is a sponsored immigrant, is not disregarded and is taken fully into account.
13. If there is any doubt about the purpose of the maintenance payment check details of the court order or agreement to determine whether a payment is in respect of a child or a spouse, or both. If the payment is in respect of a child and a spouse it must be apportioned to the agreed amounts as stated on the court order agreement. See DMG Volume 5, chapter 28 Liable relative payments.

Child Maintenance

14. Child maintenance income paid by the parent or parents of a child is fully disregarded when calculating entitlement to JSA.
15. Information is still gathered at the new/repeat claim stage as the claimant is offered the services of the Child Maintenance Options. This service provides the claimant with information about the choices available to enable them to obtain maintenance for the child from the Non Resident Parent (NRP).
16. As with other income that is fully disregarded when calculating entitlement to JSA the claimant must still provide details of any child maintenance income they may receive, or any changes to their child maintenance income and that information should be recorded.
17. The child maintenance disregard is automatically applied when the child maintenance is recorded in dialogue JA091015: Other Income, input code 71. See JSA Desk Aide for the full list of input codes.
18. Prior to 12 April 2010 child maintenance income had a disregard of up to £20 per week per assessment unit.

Lump sum payments of child maintenance

19. If a claimant reports receiving a lump sum payment of child maintenance, decide whether it is appropriate to treat it as income or capital.
20. If it is income, it is attributed to a future period and fully disregard it. Any maintenance left unspent at the end of the period for which it is due is treated as capital.
21. If it is a one-off payment which cannot be attributed to a specific period, then treat it as capital on receipt and apply the normal capital limits and tariff income rules.

Payments made by grandparents or other relatives

22. Payments made by grandparents or persons other than the parent of the child are not treated as child maintenance/liable relative payments. They are voluntary payments and are fully disregarded.

Liabe Relative Payments

23. Any income that the claimant receives that is determined to be a liable relative payment is taken fully into account even if the payment is to support a child who is a sponsored immigrant.

24. As liable relative payments may be paid irregularly it is taken into account for JSA purposes by reference to the Liable Relative Regulations. These regulations are different from the JSA income and capital regulations.

25. The following types of payment do **not** count as liable relative payments:

- Gifts: i.e. payments that are made for a specific purpose The first £250 of a gift should not be treated as maintenance but as other income or capital as appropriate. In a 52 week period treat any excess over £250 as a non-periodical payment of maintenance.
- Payments in kind e.g. food: these are fully disregarded.
- Some payments made to or for third parties

Periodical liable relative payments

26. A periodical payment is a payment that is due to be made as a result of an agreement or forms part of an established pattern

27. A periodical payment can be paid in advance or in arrears.

Non-periodical liable relative payments

28. A non-periodical payment is an unexpected payment that does not fall within the definition of a periodic payment. This is usually maintenance income that has been received outside of or in addition to an agreement.

Claimant reports receipt of/increase of liable relative payments

29. The claimant may report the receipt of/or an increase in a liable relative payment by letter or telephone.

30. Verification of the payment that results in a decrease in the amount of benefit payable is not generally required.

31. You may need to gather further information to make a decision on the attribution of the payment. The claimant may be required to obtain this information from the person/agency that made the payment.

32. Information be gathered and recorded in dialogue JA110110: Maintain notepad, include the:

- amount of the payment
- date payment was received
- period it covers, if known
- details of the maintenance agreement if there is one
- do they receive maintenance from another source, if so
- details of the other agreement
- which arrangement the payment relates to (if more than one arrangement exists)

33. Remind the claimant they are responsible for reporting any future changes in the amount of liable relative payments they receive or to any agreement.

Claimant reports non receipt/decrease of liable relative payments

34. If the claimant reports non receipt of, or a decrease in a payment of a liable relative payment the report can be accepted by letter or telephone.

35. Verification of the non receipt or decrease in payment that results in an increase in the amount of benefit payable is generally required.

36. Information that should be gathered and recorded in Notepad

- amount of the previous payment received
- date previous payment was received
- period it covered, if known
- details of the maintenance agreement if there is one
- details of reduced payment (if a decrease is reported)
- reason for decrease or non-payment, if known
- how long does the claimant think the decrease/non-payment will last
- do they receive maintenance from another source, if so
- details of the other agreement
- which arrangement the decrease/non-payment relates to (if more than one arrangement exists)

37. Remind the claimant they are responsible for reporting any future changes in the amount of liable relative payments they receive or to any agreement.

38. Advise the claimant they must report if they receive arrears to cover the decrease/non-payment and that they may be required to repay any additional benefit that may be paid.

39. Consider whether or not the reported change is short term or long term and make arrangements to continue to pay benefit as appropriate.

40. Depending on the duration of the reported change set a case control to check if the claimant's liable relative payments have resumed or increased or if arrears have been received.

Attributing liable relative income

Establishing the date income is treated as paid – income received during an award

41. The normal rule for income received during an award is to treat the income as paid:

- on the first day of the benefit week in which it is due, or
- on the first day of the first benefit week in which it is practicable to take the payment into account.

Establishing Date maintenance income is treated as paid on a new claim

42. If the claimant declares on a new claim that they received a periodical liable relative payment before the first benefit week of the claim, treat the payment as paid on the same weekday as the first day of the benefit week.

Receipt of maintenance income reported late

43. If the claimant reports receipt of liable relative income late calculate an overpayment unless the practicability rule applies.

Attribution of periodical payments

Regular periodical payments

44. Periodical liable relatives payments made at regular intervals are taken into account for the period equal to the length of time between payments. That is:

- Income that is paid for one week is taken into account for one benefit week
- Income that is paid for four weeks is taken into account for four benefit weeks.
- Income that is paid calendar monthly is taken into account for one calendar month

45. When a claimant reports receipt of a periodical liable relative payment, check if the payment includes an amount in respect of arrears.

46. If the payment does not include arrears; issue an on going payment taking the payment into account at the amount and frequency of the agreement until the claimant notifies a change.

47. If the payment includes a regular increase in respect of arrears see Arrears included in a regular payment

Irregular periodical payments

48. In cases where periodical liable relative payments that are due to be made at regular intervals but are not so made, divide the amount of the payment by the weekly amount of the periodical payment to give the period over which the payment should be taken into account.

49. Issue an on going payment taking the payment into account at the weekly amount. See Irregular periodical payments for examples.

How to calculate the weekly amount to be taken into account

50. Calculate the amount of weekly income as follows:

- Income paid weekly is taken into account for a period of one week:
- Income paid calendar monthly, multiply by 12 and divide by 52
- Income that is made other than weekly or monthly, the weekly amount to be taken account is calculated by dividing the amount of the payment by the number of weeks (including part weeks) in the interval between the payments. Any balance for odd days is taken into account as income for the next whole benefit week

Irregular periodical payments

51. In cases where a claimant has an agreement but the payments are made irregularly, calculate the number of weeks the payment is attributed for by dividing the amount received by the agreement.

52. A series of irregular payments may be received. They may be made in advance or in arrears and they may or may not be a complete multiple of the amount agreed. Treat such payments as representing a series of payments.

53. Record details of the agreement, the calculation of the weekly amount and details of the payments received in dialogue JA110110 Maintain notepad.

Liabe relative payment received and JSA already paid (practicability rule)

54. A periodical liabe relative payment is taken into account from the first day of the benefit week in which it is received. Where the claimant reports receipt of a liabe relative payment and it is not practicable to do this consider whether to take it into account from the next benefit week. DMG Chapter 28

Attribution of non-periodical payments

Non-periodical payment only received

55. A non-periodical payment that is less than the weekly amount of JSA in payment is taken into account for one week.

56. A non-periodical payment that is greater than the weekly amount of JSA in payment is taken into account for the number of weeks obtained by dividing the payment received by the total of the amount of JSA which would have been paid had the non-periodical payment not been made + £2.00

57. As the above calculation results in a nil entitlement to benefit for the period the non-periodical payment is taken into account.

Note: The additional £2.00 is a standard amount provided for in legislation that ensures that the claimant will be better off by £2.00 per week.

Non-periodical payment received and a periodical payment is in payment

58. Where a claimant receives a periodical and a non periodical payment at the same time the period the non-periodical payment is taken into account is calculated using the formula A divided by (B minus C)

59. Where:

- A = the amount of the non-periodical payment
- B = the amount of JSA that would have been paid had the periodical payment not been made plus £2
- C = the amount of the periodical payment.

See DMG Chapter 28

Attribution of payments made to or for third parties

60. Treat payments made to a third party by a liabe relative as a liabe relative payment if the payment is for an item covered by the benefit rates. i.e., food, fuel, housing costs, ordinary clothing and footwear.

61. If the payment is in respect of a child or for the benefit of the child it will be fully disregarded

62. If the payment is for an item not covered by the benefit rates do not treat it as a liabe relative payment but consider it under the normal income and capital rules.

Treatment of arrears

63. A claimant may report receiving a payment that represents arrears. Where arrears cannot be attributed clearly to a specific period, attribute them to the date(s) which seem most appropriate to the circumstances of the case.

64. When attributing a payment distinguish between a payment in arrears, that is attributed forward as a normal periodical payment, and a payment of arrears which is in addition to the normal payment.

Arrears included in a regular payment

65. Where a claimant is due to receive liable relative payments under a voluntary agreement or court order and the payments fall into arrears they may arrange to clear the arrears by increasing the original liable relative payment amount payable until the arrears are cleared.

66. In these cases the increased amount is to be treated as the new maintenance agreement.

New and repeat claims

Child Maintenance Interest

67. Child maintenance interest exists when a claimant has a dependent child and that child has a parent who lives elsewhere.

68. In a new and repeat claim, a child maintenance interest will normally be identified by the contact centre who will ask the claimant if they wish to be referred to the Child Maintenance Options service. This service provides the claimant with information about the choices available to them in respect of child maintenance.

69. In a change of circumstance case, the BC processor will need to identify where a new child maintenance interest is created and issue a Child Maintenance Options leaflet.

70. If the claimant (or their partner) is a parent of the child and also the main provider of day-to-day care of the child or children they are referred to as the parent with care (PWC).

71. If the person who is the main provider of day-to-day care of the child or children is not a parent but another relative e.g. grandparent they are referred to as the person with care (PeWC).

72. A parent who does not live in the same household as the child but should contribute to the maintenance of the child is referred to as the non-resident parent (NRP)

New and repeat claims

73. When child maintenance interest is identified by the contact centre at the new/repeat claim stage, the claimant will be advised that there is a new service called Child Maintenance Options that can provide them with information about the choices available to enable them to obtain child maintenance for the child.

74. They will ask the claimant if they wish to be referred to Child Maintenance Options and unless the claimant states that they do not wish to be referred the claimants details will be automatically sent to Child Maintenance Options by CMS.

75. Child Maintenance Options will contact the claimant and advise them of the various choices they have to arrange child maintenance. The PWC may for example decide that they wish to make a voluntary arrangement for child maintenance, to arrange child maintenance via CSA or to take no action.

76. The child maintenance interest is captured by CMS. The benefit processor will have to input the child maintenance marker clerically on JSAPs by inputting a Y or N in the CM field in dialogue JA091015 if child

maintenance interest has been missed on CMS and the claimant declared receipt of child maintenance income.

Change of circumstance

77. A claimant may report a change of circumstance that creates a new child maintenance interest, for example:

- the claimant notifies that their partner has left the household and there are children present and the partner is the parent of all/some of the children in the household, regardless of whether or not there is existing CS interest held for the other children .
- the claimant notifies the birth of a baby or a child joining the household this can create a new CS interest when:
 - this is the first/only child in the assessment and the claimant does not have a partner living with them
 - this is an additional child, and the claimant does not have a partner living with them
 - this is the first/only child in the assessment and information is provided /further enquires reveal that the PWC’s partner is not the parent of the child
 - this is an additional child in the assessment and information is provided /further enquires reveal that the PWC’s partner is not the parent of the child

78. If the claimant advises that they have an existing child(ren) for whom they had previously not applied for child maintenance but that they now wish to do so, treat these cases as a change of circumstance that creates a new child maintenance interest.

79. In these cases send the claimant the leaflet “If you are claiming benefit” EMA-CL-0010 to advise the claimant of the Child Maintenance Options service.

80. Record the child maintenance interest on JSAP’s by inputting a Y in the CM field in dialogue JA091015

Processing a JSA (IB) claim on system

81. Before entering the claim details on system, you will already have established that the claim has a Child Maintenance interest.

82. Once the claim is ready for processing, you should enter the claim details on system:

Step	Action
1	access dialogue JA091: Maintain Claim Details and select all the appropriate screens from the pick list including: <ul style="list-style-type: none"> • Children • Other Income if Child Maintenance (CM) is in payment. • Claim Admin.
2	access dialogue JA091: Maintain Claim Details, DEPENDANTS YOU WANT TO CLAIM FOR screen JA091011 and input: Full name and date of birth of child
3	access dialogue JA091: Maintain Claim Details , select claim Admin screen JA91004 and input:

	[Y] in the CM indicator field. Note: The indicator field should be pre-populated by CMS at new claim stage. For claims that fail to push, input [Y] if there is CM interest and [N] if there isn't.
5	If the claimant has stated that maintenance is in payment, access dialogue JA091: Maintain Claim Details, OTHER INCOME screen JA091015 and input: type [71] in the Type field if maintenance is paid direct to claimant and/or partner.
6	access dialogue JA200: Award And Decision and check evidence and award details on the claim before making the decision.
7	access dialogue JA405: Compute Payment to issue decision and, if appropriate, release payment.
8	access dialogue JA110: Maintain Notepad and input entry.

Assessing a JSA(IB) claim clerically

83. If JSA(IB) is not payable, no further action is required:

84. If JSA(IB) is payable:

Step	Action
1	complete form JSA14A clerical assessment sheet;
2	if Child Maintenance (CM) is in payment enter CM amount on form JSA14A.
4	make a decision on benefit entitlement and issue notification/payment;

Claim Termination Action

Notification of claim termination – Claimant Starting Work

1. All claimants who notify Jobcentre Plus that they are starting work must be encouraged to use the into work telephony service offered by the IOW team.
2. The objective of the “in to work” process is to capture information about the claimant’s employment at one point of contact (Jobcentre Plus) and share the information with:
 - Jobcentre Plus (internally to BDC’s and Jobcentres)
 - Local authorities – where there is an HB claim
 - HMRC where there is a Tax Credit interest
3. The aim is to speed up claim closure and instigate payments of any in-work benefits due.
4. Claimants are issued with an IOW2 leaflet when they claim or at their Fortnightly Jobsearch Reviews. The leaflet gives the claimant the telephone number to ring when they find work and explains the service provided.
5. The telephone number on the leaflet is for the local Claim Termination team. Claim termination teams may be sited centrally within districts or regions or on a single site basis.
6. Claim termination teams input claimant information into templates using an IT application called iWorks2. Forms are transferred electronically using government approved secure e mail.
7. In order to apply the process the claimant must be:
 - be claiming JSA or IS; and
 - must not be starting work more than 7 days in advance of the call; **or**
 - be due to attend a jobsearch review before starting work; **or**
 - have failed to attend their jobsearch review.
8. Only IS customers who are in contact with an Adviser regarding any WFI activity can close their claim using the iWorks system. This is because these are the only IS cases where there is Adviser contact and an IWK2 letter is issued to advise on the process. For further information, please see the Income Support Guidance – claim closure

Claim Termination Team Action

9. There is no need for claim termination teams to input dialogue JA099. The BC take all necessary action to clear outstanding actions and ensure the claim is fully terminated.
10. When the claimant calls:

Step	Action
1	verify the claimants identity by asking normal security questions, including: <ul style="list-style-type: none">• name;• National Insurance Number;

	<ul style="list-style-type: none"> • date of birth; and <p>a minimum of three security questions, the answer to which only the claimant or their genuine representative is likely to know.</p>
2	<p>Advise the claimant that some details are needed to be gathered in order to close the claim. Then:</p> <ul style="list-style-type: none"> • Establish if the claimant wishes to claim any in-work benefits and explain the need to take further details; and • Tell the claimant we will share relevant information with HMRC Tax Credits and the Local Authority as appropriate in order to put any in-work benefits they may be entitled to in to payment. <p>Note: If the claimant does not give permission for their information to be shared, explain that we cannot help them claim any in-work benefits and they must contact the local authority and/or tax credits office. Explain that this may delay payment of any in-work payments.</p>
3	<p>Check the claim is current, and their work start date is within 7 days and after last normal date of attendance.</p>
4	<p>Access iWorks 2</p>
5	<p>Gather the information using the in-to work script.</p>
6	<p>iWorks 2 automatically navigates users through the completion of -</p> <ul style="list-style-type: none"> • IWK2 – for all claimants • IWK4 – for claimants wishing to claim Housing Benefit • TC600 - for claimants with a new claim to tax credits <p>For claimants already in receipt of Working Tax or Child Credits iworks directs users to contact the Tax Credit Office using a three-way call involving the Tax Credit Office, Jobcentre Plus and the claimant.</p> <p>Note: This is a dedicated number for Jobcentre Plus use only and must not be given to the claimant</p>
7	<p>iWorks 2 produces a summary which allows users to preview information being to sent to the BC and Local Authority. There is no preview facility for the TC600.</p>
8	<p>Within the IWK2 preview, print the IWK2 and retain for audit.</p>
9	<p>Click “submit”. This will forward completed forms to the relevant processing site:</p> <ul style="list-style-type: none"> • IWK2 to BC • IWK4 to Local Authority • TC600 to Tax Credit Office.
10	<p>Update LMS and close the LMS record.</p>

BC Action

11. If the claim has been Disallowed, check JA513 Suspension and AR Decision Enquiry and there is an indefinite suspension following a Disallowance for an Intermediate level Sanction, use the date after the last day of Disallowance as the Termination Date NOT the date on the ES40/email

12. The claim termination reason on the ES40 applies

13. Claimants who start their employment with a nightshift can claim for the day they start work if they satisfy the conditions of entitlement for that day (i.e. they are available for and actively seeking work).

Step	Action
1	Monitor the shared email box at regular intervals for receipt of any IWK2s.
2	Access dialogue JA060: Register Claim/Event and record: <ul style="list-style-type: none"> the claim event [02 - change in circumstances]; and sub event [18 - multiple/other changes];
3	There is no requirement to access the BENEFIT LINKING screen JA091022 . The 'LED of JSP' displays in JA507534 Linking Summary for any enquiries while the claim is Dormant or when a repeat claim is made
4	Use dialogue JA099: Record Claim Termination Details, JA200 Award and Decision, JA405 Compute Payment to terminate the claim. There is no need to verify claimant details as this has been done by the claim termination team when completing the IWK2 .
5	Once complete, delete the email from the mail box
6	Use FARIO to mark claim documents as PA and input a decision date.

Notification of Claim Termination – Other than Starting Work

14. A change of circumstances, other than starting work that results in the claim being terminated must be notified in writing.

15. If you are notified by telephone:

Step	Action
1	Ask the claimant to: <ul style="list-style-type: none"> attend the jobcentre in person; or complete and return forms: <ul style="list-style-type: none"> ES40, ensuring it is signed at Part 5; and B7 and/or Wageslip, if they have done any part-time work;
2	record the telephone call on form A6 and in dialogue JA110: Maintain Notepad.

Information required to terminate a claim

16. The following information is required to terminate a claim:

- if the claimant is starting full-time work:
 - the date work is due to start; and
 - details of any part-time work undertaken before starting full-time work;
- if the claimant is starting training (excluding employment programmes that attract an allowance payment):
 - the date training is due to start;
 - details of any part-time work they have undertaken before starting training;
- if another benefit is claimed:
 - details of the other benefit being claimed (if the claimant is pregnant the claim must not be terminated just because the woman has reached 11 weeks before the expected week of confinement, see guidance for further information);
 - the date the other benefit is being claimed from;
 - which office is claimant claiming the other benefit from;
 - details of any part-time work undertaken prior to the date JSA ends.
- if the request for termination comes as a result of some other event, for example fraud referral:
 - the date on which the termination is to be effective;
 - the reason for the termination;
 - details of any part-time work undertaken prior to the date JSA ends.

Notification of Imprisonment

17. The National Offender Management Service (NOMS) notify the central prisoner closure team for England and Wales, the Prisoners Benefit Action Team (PBAT), of all IS/JSA/ESA claimants admitted to prison. The central team take all the action to close the claim and send out final payment to the prisoner.

18. Scotland has its own centralised prisoner claim closure team based in HMP Barlinnie.

19. PBAT arrange to pay any outstanding benefit into the claimants prison account within 15 days of notification of imprisonment.

Note: Do not contact PBAT about final payments until after that period.

20. If the ES40JP is received, check to see if the PBAT has closed the claim. If they have, file the ES40JP.

21. If the claim has not been closed, take claim termination action.

22. General Matching Service (GMS) will continue to do a monthly run of all newly convicted prisoners in England, Scotland and Wales to check if any are receiving a Department for Work and Pensions (DWP) benefit or credit. For further information on these reports see Changes to Personal Details.

Insufficient information supplied to terminate a claim

23. If insufficient information to terminate a claim is received:

Step	Action
1	contact the claimant:

	<ul style="list-style-type: none"> • by telephone to clarify details; and/or • sending form ES40S for further details;
2	access dialogue JA530: Case controls and set a case control for one week to await a reply.

24. if the claimants address has been changed on JSAPS due to a CIS broadcast and not yet confirmed by the claimant

- See Changes to Personal details
- Input a payment suspension in JA210 Maintain Suspension and Decision details until confirmation received
- if confirmation not received after 1 month
- Set PI indicator in JA400 Method of Payment
- Lift payment suspension and continue claim termination action

Claimant fails to supply the information requested

25. If the claimant does not supply the requested information, terminate the claim from the date they last attended, if the:

- information cannot be obtained elsewhere, for example, an earnings enquiry resolved by contacting an employer; or
- claimant subsequently fails to attend.

Claim termination action

26. When notification of claim termination is received and the claim is not a joint claim, **immediate** action must be taken at both the Jobcentre and BC.

Jobcentre Action

See Jobseekers Allowance Claimants – Claim Termination Action

Benefit Centre Action

27. Check for Disallowance before using the termination date on the ES40

28. The claim termination reason on the ES40 applies

29. S069 Claim Termination appears on the WAR the next day, take the following action:

STEP	ACTION
1	There is no requirement to access the BENEFIT LINKING screen JA091022 . The 'LED of JSP' displays in JA507534 Linking Summary for any enquiries while the claim is Dormant or when a repeat claim is made
2	Access JA200 Award and Decision to decide on the claim and award any payments due;
3	Access JA405 Compute Payment to calculate any payments or arrears due. If the claim termination date is: <ul style="list-style-type: none"> • the current date or before, final payments are calculated and paid ;

	<ul style="list-style-type: none"> • after the current date, final payments are calculated and can be paid up to a maximum of 7 days in advance; <p>Note: no further amendments to termination claim details can be made after payment is issued.</p>
4	Use FARIO to mark claim documents as PA and input a decision date.

30. Failure to take prompt claim termination action has negative impacts for DWP, claimants, HMRC and the LA. For example:

- Form P45U is not issued which results in extra work for HMRC and employers and delays any refund the claimant is entitled to;
- Work related payments such as Jobgrant are not issued which may result in hardship for the claimant
- Overpayments of housing benefits may occur.
- This list is not exhaustive

31. If the claimant whose claim is terminating is the partner of another JSA(IB) claimant, JSAPS sets a case control S065 and/or S066 Partners evidence change on the JSA(IB) claim to prompt a reassessment.

32. If claim termination is before a partnership start date, JSAPS will display error message 'E6557 Error: Partnerships starting after closure date must be deleted'.

33. When this message is displayed, delete the partnership before closing the claim in dialogue JA099: Record Claim Termination Details.

Terminating a claim when MOP is Cheque, no Bank Account details held

34. Claims must not be suspended due to absence of Bank Account/Direct Payment details

35. Cheques are no longer issued by JSAPS

36. Terminate the claim

37. Details of cases where the MOP is held as Cheque and JSAPS attempts to pay will appear on a daily Common Payments Package (CPP) Solution Report received by Payment Resolution Service (PRS).

38. PRS will "mark back" the Cheque by accessing JSAPS

39. PRS will attempt to contact the claimant to advise that an attempt to pay has been made, They will then issue a DP1 Gen to the customer inviting them to supply account details – where customer does not respond these cases will be handed off to Business SPOCs

Terminating a clerical claim

40. To terminate a clerical claim:

Step	Action
1	calculate any final payment of JSA and enter the amount on form JSA14P;
2	make closing entries by crossing through unused lines and entering

	the totals at the bottom of columns 3, 4 and 6;
3	take End of Claim Tax action
4	<ul style="list-style-type: none"> • calculate any National Insurance credits due and enter on ENIRS; and • record the award on form CR1 and retain with the claim papers;) and • issue form CR6 to the claimant to notify them of the credits award.
5	Access PD52 to input end date of JSA Clerical Interest
6	send form JSA285 to the claimant informing them of claim termination;
7	note the action taken on form MR204JSA.
8	Use FARIO to mark claim documents as PA and input a decision date..

One day claims

41. A one day claim arises when the claim termination date is the same as the claim start date, for example, the claimant makes a claim and starts remunerative work on the same day.

42. These claims do not qualify as a waiting day or as a day of payment.

43. To terminate the claim, use the appropriate reason code. This prevents JSAPS issuing one day payments and from treating this as a Jobseeking Period, for example, when a claim is processed it will link to the claim prior to the one day nil entitlement.

Reclaim Gather fail to attend the New Jobseeker Interview – One day claim

44. Cases where Reclaim Gather (RG) claimants fail to attend their NJI are treated as one day claims.

45. If a RG claimant fails to attend an NJI, they have five working days in which to make contact. Their claim must be terminated after the end of the fifth working day following the interview date

46. The claim termination date is the day after the claim start date, use termination code 10 – FTA, and 1 day payment is issued if entitled.

Ending a joint claim

47. A joint claim must be ended if the joint claim criteria are no longer satisfied, even when both members of the couple continue with separate claims for JSA.

48. If a joint claim reverts to two single claims, both are treated as continuous claims and neither claimant need to make a repeat claim. JSAPS tells the relevant Local Authority (LA) that the joint claim has ended and that there are now single claims.

49. Ending a joint claim does not terminate a claim to JSA, claim termination action must be taken for the appropriate member of the joint claim.

50. A joint claim cannot be ended from a date earlier than the date to which the claim has been paid as a joint claim, but a notional end date from which the joint claim should have ended can be registered.

51. If a joint claim is no longer appropriate:

Step	Action
1	Check that there is a signature from both claimants covering the period from the last payment until the day the joint claim ends. If there isn't, one must be obtained before proceeding.
2	access dialogue JA060: Register Claim/Event and record a change of circumstances by completing the following fields: <ul style="list-style-type: none"> • 'Event type' input [02]; • 'Sub event type' input [18];
3	access dialogue JA050: Maintain Joint Claim for either member and in END JOINT CLAIM screen JA050169 input the date as the day after the last day joint claim criteria was met. Input the appropriate reason code for the end of the joint claim; This will decode with a text reason
4	if one or both claims are to be terminated the termination reason can be input into the lower half of this screen. <ul style="list-style-type: none"> • Use the existing termination reasons by inputting a reason code for the claim termination circumstance. If using reason code [18], other reason, the notification issued to the claimant advises them to contact the office if further information is needed. Input the actual reason in dialogue JA110: Maintain Notepad. 'Length of employment' by inputting: <ul style="list-style-type: none"> ○ [1] if the employment is expected to last 5 weeks or more; ○ [2] if the employment is expected to last less than 5 weeks; or ○ [3] if the expected length of employment is not known; Note: completion of the 'Length of employment' field is mandatory if the reason code entered is either:02, 04, 16, 20, 21, 22, 23 or29;
5	fastpath to dialogue <ul style="list-style-type: none"> • JA200 Award and Decision • dialogue JA401:Joint Claim Decision then • JA405 Compute Payment . This will issue a final joint claim payment and notification to the joint claim couple
6	Use FARIO to mark claim documents as PA and input a decision date.

52. Case control S228 'Single claim due to J/C end' is set when a joint claim is ended and any single claim from the other member is not immediately terminated or formed into another joint claim. It is output the following day. To clear it, access dialogue JA200: Award and Decision on the single claim. The case control is cleared once action is complete in dialogue JA405: Compute Payment.

Claim terminated in error

53. If a claim for Jobseeker's Allowance is closed in error:

Step	Action
1	transfer the claim to clerical using dialogue JA035: Transfer to Clerical;
2	rebuild the claim in dialogue JA086: Build from Clerical.

54. Do not rebuild claims in dialogue JA091: Maintain Claim Details as this causes:

- the office to hold an incorrectly terminated claim on JSAPS;
- audit problems as there is no supporting claim form relating to the new claim date; and
- event start dates to be incorrect which could affect JSA(C) calculations, linking provisions and entitlement to Social Fund assistance.

Who to notify of claim closure

Notifying Local Authorities – JSAPS maintained claims,

55. If the claimant is in receipt of HB and the claimant has used the into work process to report their employment an IWK4 is sent to the LA

56. JSAPS automatically notifies the LA of claim closure when the claim termination details have been input and dialogue JA200: Award and Decision has been completed

57. If JSAPS fails to notify the LA automatically, complete and send a NHB(JSA) form .

Notifying Local Authorities - Clerical claims

58. To notify the LA of claim closure on a clerically maintained claim, complete a NHB(JSA) form with the closure details and send it to the LA.

Extended payments of HB

59. Payment of HB can continue at the same rate in some circumstances for the first four weeks of employment, irrespective of earnings. For more information see Work Related Payments.

Notifying the Jobcentre

60. If the claimant has used the into work process to report their employment an IWK2 is sent to the Jobcentre.

61. If the claimant sends the ES40 to the BC, notify the Jobcentre so they can take relevant action.

Notifying specialist sections

62. All specialist sections relevant to the claim must be notified of claim closure, for example if the following are present:


Section to notify	Why?	System Claim	Clerical Claim
Third Party Deductions (TPDs)	to end payments to third parties at the correct time, to prevent overpayments	No action required JSAPS issues report JA72305 if there is an under or overpayment of deductions or JA72350: Termination of deduction report if no action required	issue a minute to the TPD section with the relevant information.
Overpayments	to end recovery from benefit and consider referral to Compensation Recovery Group (CRG)	When an overpayment is created on JSAPS, a case control S100: Overpayment record created appears immediately in Dialogue JA530 Case Controls JA72921: Termination of overpayment recovery report is produced for the O/P section when the deduction ends before full recovery. No action required	issue a minute to the overpayment section with the relevant information. If an Overpayment is created take Overpayment business as usual action
<p>NOTE: Only Overpayment Types:</p> <ul style="list-style-type: none"> • Unemployment Benefit • JSA(C) and • JSA(IB) <p>will be displayed in JA303 and JA523 after the claim has been terminated Take this into account, when checking the final payment, if an O/P deduction appears in JA502507 'Payment Breakdown Enquiry' but there is no record in JA303 'Maintain Overpayments' or in JA523 'Award Details Enquiry'</p>			
Social Fund (SF)	to end repayment from benefit and to consider further repayment from the claimant	RSF50203 is produce, for SF Section, if this is a non-JARI (JSA Automated Recovery Interface) loan. Otherwise no action required	form SF711 tear-off to SF section
Fraud	to suspend	CIS will inform FRAIMS	for all cases with

Investigation Service (FIS)	investigation and consider possible monetary value of adjustment (MVA)	that the JSA claim has terminated No action required	a Fraud interest, issue a minute to Fraud Section.
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Notifying other government agencies

63. There are other government agencies that may need to be notified when a claim is closed.

64. In Child Support Agency (CSA) maintenance cases the notification of claim closure is not automatic if Contribution to Maintenance (CTM) applies. **See** Third Party Deductions Guidance Contributions towards Maintenance

Agency	System Claim	Clerical Claim
The Child Maintenance and Enforcement Commission (CMEC) previously CSA	for NRP (non resident parent) JSAPS sends a report to CSA that the claim has terminated No action required	Complete form CSA701  tear off and return to the issuing CSA office.
Compensation Recovery Unit (CRU)	Issue a minute to CRU with the relevant information	Issue a minute to CRU with the relevant information.
Legal Aid Section Glasgow Benefit Centre Legal Aid Section Block 2/4 Northgate 96 Milton Street Glasgow G4 ODX	Report received at Legal Aid section through an interface	For clerical cases with a legal aid interest return form L19(Rev)/L19(Scot).
Tax Credits Office (into work process only)	If the claimant is starting work the iWorks system will produce claim form TC600 to be sent to the TCO. If the claimant is already getting Child Tax Credits the Tax Credits gateway will alert HMRC when the claim is closed.	If the claimant tells you in writing that they are starting work contact the Tax Credits Helpline to report the change of circumstances.

	No action required	
HMRC	JSAPS takes necessary tax action and send the P45(U) to customer and HMRC. No action required	take clerical End of Claim Tax action

Termination reason codes

65. When terminating a Jobseeker's Allowance claim in dialogue JA099: Record Claim Termination Details, and JSA Deskaide input the appropriate termination reason code.

End of claim tax action

66. When the claim is terminated and the final payment has been made, JSAPS calculates the total and taxable income for the current tax year and issues form P45U to the claimant.

67. Further information about End of Claim Tax Action is in the Taxation Chapter of the JSA Procedural Guidance.

Confirming identity

Background

1. For a JSA claim to succeed the claimant must provide enough information to:
 - confirm their and their partner's National Insurance number (NINo), or
 - enable a NINo to be traced or
 - enable a NINo to be applied for.
2. Action to confirm identity and trace the NINo is normally completed during the Financial Assessment meeting, either face to face or over the telephone.
3. Form JCP5 is issued if there are any doubts that the claimant is who they say they are. Form JCP5 tells the claimant what documentary evidence is required to help confirm their identity.
4. Documentary evidence is not required if there are no doubts that the claimant is who they say they are.
5. Please see the Financial Assessment guidance for further information.
6. The claimants and/or partner's identity must be confirmed when they claim benefit. This is to ensure that :
 - Departmental records are protected;
 - claimant records are correct and consistent;
 - the use of a National Insurance number (NINo) is secure;
 - personal details are as secure as possible;
 - as far as possible, identity fraud is prevented.
7. If identity is not confirmed there is a risk another person may use the claimant's or partner's National Insurance (NI) account to claim benefit or work while claiming benefit.
8. If the claimant or partners details cannot be confirmed, consider referring the case for fraud investigation.
9. The claimant's identity must be checked at every contact. See Appendix 2 for further information.
10. Further details can be found in the Secure NINO Allocation Process guidance.

Data Protection

11. All the information asked for and recorded must comply with Data Protection principles.
12. Information collected and/or recorded on JSAPS or clerically, will be available to the claimant if they make a Service Access Request under the Data Protection Act.

What the claimant must provide

13. To satisfy section 1 of the Social Security Administration Act 1992, both the claimant and their partner must provide enough information and evidence to:
 - confirm that the NINo quoted on the claim are their own;
 - trace their NINo;
 - enable an NINo to be allocated.

14. If either the claimant or their partner fails to satisfy either of the above requirements, the JSA claim cannot be processed. Notify the claimant that the claim is defective. One month is allowed to provide the necessary evidence.

Claimant asked to provide documentary evidence of identity

15. If documentary evidence is required to prove identity, form JCP5 is used. The claimant must return the evidence to the Benefit Centre (BC).

Documentary evidence received

16. Process the claim once the evidence of identity requested on form JCP5 has been received and it helps to confirm that the claimant and/or partner is who they say they are.

17. Any documents produced **must** be checked for authenticity. If there are any doubts about the claimants identity, refer to fraud or contact the National Identity Fraud Unit for advice.

Documentary evidence not received or possibly not authentic

18. Record everything that has been done or presented to help confirm and verify the claimant/partner's identity.

19. Only in exceptional circumstances will a claimant be unable to provide any supporting documentation. For example, claimants may not be able to provide documentation to support all aspects of their claim, if they are an asylum seeker who has been granted:

- refugee status; or
- Humanitarian Protection; or
- Discretionary Leave; or
- exceptional leave to enter the UK, if granted prior to 1 April 2003; or
- exceptional leave to remain in the UK, if granted prior to 1 April 2003.

20. If the claimant/partner is unable to provide adequate evidence of identity consider referring the case to the Decision Maker (DM) for a defective claim decision.

Note: Claims cannot be substantiated by documentary evidence alone. Treat all claims on their own merits. The aim is to build up a picture of the person's circumstances supported by valid documentary evidence whenever possible to confirm the identity.

False identity or documents

21. If there is suspicion that a claimant is using a false identity, refer the claim to the fraud section by clicking on the fraud referral icon on the desktop.

Verifying and tracing National Insurance Numbers (NINo)

Personal details provided, excluding a NINo

22. If personal details are provided, excluding a NINo, these must be used to try and trace the claimants and/or partners NINo. Use dialogue JA010: Local NINo Search to try and find the NINo before using the Customer Information System (CIS)

Potential NINo traced

23. If a potential is traced, take action to validate identity

Trace selected for a test check in JSAPS

24. One per cent of all traces are subject to a test check. When a trace is selected for a test check the following warning message displays: W6928
Warning: Test Check: Refer Papers to Supervisor.

25. If this warning message displays, take the following action:

Step	Action
1	List the personal details of the application on form TC4, including the reason for accessing JSAPS.
2	Pass TC4 and evidence to the nominated officer.

Tracing the NINo using CIS

26. If there are no potential traces found in dialogue JA010: Local NINo Search, use the Standard Enquiry Facility (SEF) Trace screen in CIS to try and trace the NINo. Full guidance on using the trace facility is in the CIS Trace Allocation Guide

Potential NINo traced on CIS

27. If a potential NINo is traced in CIS, take action to validate identity. If there are any differences in the information held or more than one potential match, take further action to identify the correct record.

Personal details on CIS differ from those provided by the claimant

28. If the CIS trace finds a potential NINo but the personal details differ from those provided by the claimant, for example, a different address:

- investigate:
 - the reasons for the difference; and
 - if the differences can be readily explained.
- take action to validate identity

More than one NINo matches the personal details provided

29. If CIS traces more than one potential record, take action to validate identity to ensure the right NINo is used.

NINo not traced

30. If the NINo cannot be traced after the claimant provides all their and/or their partners personal details, take the following action:

Step	Action
1	Telephone or write to the claimant to find out if there are any reasons why they/their partner do not seem to have a NINo. Ask: <ul style="list-style-type: none">• about their personal circumstances• how they have supported themselves if they have not been receiving benefit or working• if they/their partner have used previous names or alternative

	spelling of their surnames or forenames.
2	Record this information and keep it with the claim documents.
3	Use the new information to try to trace the record again.
4	If there is still no trace on CIS, send the claim documents and copies of any evidence of identity documents to the local Specialist Trace Officer who may decide to make more detailed enquiries.

Trace selected for a test check in CIS

31. If an enquiry in CIS is selected for a management check, the screen displays a pop up box with a message: Current Access is subject to Management Check refer papers to the Checking Officer.

32. If this warning message displays, take the following action:

Step	Action
1	List the personal details of the application on form TC4, including the reason for accessing CIS.
2	Pass TC4 and evidence to the nominated officer.

Validating identity

33. Once a potential NINo has been traced, action must be taken to validate the information to ensure the correct NINo is used. To do this:

Step	Action
1	Compare the information and documentary evidence the claimant supplied with the details on departmental computer systems.
2	Continue with processing action if there are no doubts that the correct NINo for the claimant/partner has been traced. .
3	Refer the case for specialist trace action. If there is a doubt that the correct NINo has been traced.
4	If duplicate accounts are discovered, refer the application for specialist trace action.

Referring for specialist trace

34. Responsibility for making NINo allocation decisions lies with specialist NINo allocation officers only. Processors must not make or give a decision on whether the available information and evidence properly allows a NINo to be allocated.

35. If entitlement to benefit has been established but a CIS record cannot be traced after:

- further validation; and/or,
- checks of additional personal details, and/or
- local specialist trace action
- the claimant or partner has

or the claimant/ partner has a NINo which needs upgrading (not verified):

Step	Action
1	Complete form eDCI1 (see Completion of form eDCI1)
3	Send the DCI1 to the appropriate NINo Centre (NC).

4	Set a B/F for seven days for a reply.
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If presented with a juvenile who does not hold a verified NINo see instructions in the Secure NINO Allocation Process guidance.

36. The NINo Centre (NC) either

- traces a NINo, or
- arranges an evidence of identity interview, and
- establishes if the claimant is entitled to a NINo.

Partner does not have a NINo

37. If the partner does not have a NINo, complete form eDCI1 and send to the appropriate NINo Centre (NC).

38. The NDC either

- traces a NINo, or
- arranges for an evidence of identity interview, and
- establishes if the partner is entitled to a NINo.

39. A NINo is not allocated to a partner in a benefit claim where they do not have the right to enter, or remain, in the UK.

40. Where the partner of a benefit claimant has illegally entered the UK, the claim can be progressed but the partner is **not** allocated NINo and **no** payment must be made in respect of the partner. For further information see the Secure NINO Allocation Process guidance, Identity not established.

41. If the claimant and/or partner's identity cannot be established, do not enter any details on any Departmental computer systems

42. Consider disallowing the claim under Section 1(A) and 1(B) of the Social Security Administration Act 1992 and the further provision in Section 19 of that Act.

43. This decision is subject to reconsideration if information is presented at a later date.

44. In an existing case:

- if the claimant wants to include a new partner, and
- the partner's identity cannot be established or confirmed, and
- the NDC has refused a NINo on that basis, both the claimant and the partner:
 - must be excluded from receiving JSA as a couple, effective from the date the partnership began, and
 - a clerical disallowance notice issued to the claimant telling them there is the right of appeal against the decision to disallow JSA.

Checking identity

45. Once identity has been confirmed, it must be checked whenever there is contact with the claimant. This is to ensure that information is not disclosed inappropriately. Please see appendix 2 for suggestions about the type of questions to use to check the claimant is who they say they are.

Appendix 1 – Evidence of identity

Evidence of identity

Any evidence of identity produced by a claimant, their partner or appointee must relate to them.

If payment is issued to an appointee the evidence of identity must relate to the appointee.

Examples of acceptable evidence of identity include:

- bank cheque card
- Credit card
- photographic driving licence full or provisional
- National savings bank book
- council rent book
- National Health Service medical card – completed in black ink only
- current trade union or trade association membership card
- Services (Forces) identity card
- valid passport
- B79 discharge document with photograph
- a Biometric Residence Permit or Residence Permit (was the UK Identity Card for Foreign Nationals) with supporting documentation. Guidance on how to recognise and check them is available on the UKBA website.
- original birth or marriage certificate/civil partnership certificate or deed poll documentation (please note that photocopies of British birth/marriage/civil partnership certificates cannot be accepted due to crown copyright);
- personal cheque book
- form BF7 issued by Jobcentre Plus office is valid for one payment only once the identity of the customer has been confirmed.
- national ID card from an EU/EAA member state.

Note: this list is not exhaustive, but is for guidance purposes only. Claimants may carry other forms of identity and discretion can be used to decide what is acceptable for confirming identity.

Examples of unacceptable evidence of identity include:

- the envelope or letter in which the cheque was received
- any other letter or envelope addressed to the payee
- From midnight 21 January 2011 the UK Identity Card (for UK nationals) and the UK Identification Card for EEA nationals **must not be accepted as evidence of identity**. Visit the Identity and Passport Service website for more information.
- Checking the following claimants details **is not** acceptable as evidence of identity:
 - date of birth
 - National Insurance Number (NINo), or
 - children's date of birth.
- All plastic documents including NINo cards, even though they are not acceptable as evidence of identity should:
 - be valid;
 - match the claimant's details;
 - include an expiry date that is in the future (if applicable);
 - include a signature (if applicable)

Appendix 2

Desk Aid: Confirming Claimant and Partner Identity

<p>Use a selection of the questions below to corroborate information held on the computer or Labour Market Unit with information provided by the claimant /partner. . (These questions are meant only as a guide and are not exhaustive)</p>		
<ul style="list-style-type: none"> • Surname/family name, ask if there are other ways of spelling the name; • Forenames or first names; • Previous names • Date of Birth; • Current address; • Previous Addresses; • Any other names/alias or known as • Dependant details? • Employment history 	<ul style="list-style-type: none"> • How long have they had/used the NINo? • Name and address of previous employers? • If Person From Abroad - details and dates of arrival in UK? • Type of benefit claimed - does this match information provided by the claimant? • Was the person part of another claim? • When/where were these claims made and what was the outcome? • How much benefit was in payment? • Which Post Office was used to collect benefit? • Bank Details 	<p>REMEMBER TO USE</p> <ul style="list-style-type: none"> • LMS – Labour Market System • CIS – Customer Information System • JSAPS – Jobseeker’s Allowance Payment System • PSCS - Pension Strategy Computer System • ISCS - Income Support Computer System • CES – Common Enquiry Service • Tax Credits Portal • e-NIRS2

Consider other corroborating information

Information from third parties should be considered to confirm identity and to corroborate circumstances and history Questions to third parties should be relevant to information required to confirm identity, and to the facts held by third parties	Refer to: Other Government Departments Employers Registered	The SNAP Guide holds contact numbers and procedures for contacting the Republic of Ireland and Home Office etc The claimant's interest in benefit should not
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	<p>Voluntary Organisations</p> <p>Social Work Departments</p> <p>Local Authorities</p> <p>Hospitals</p> <p>Schools</p>	be divulged.
Other tools and databases that should be considered	<p>Consider:</p> <p>Ultra Violet (UV) scanners</p> <p>Requesting RD18/19 for employment history</p> <p>Electoral registers</p> <p>Telephone directories</p> <p>Search by Address (SBA)</p> <p>Common Enquiry Service (CES)</p>	<p>Guidance available:</p> <p>UV scanner deskaid/guidance</p> <p>SBA Guide</p> <p>CES Guide</p>

Contribution record disputes

Claimant disputes enhanced contribution details

1. If the claimant disputes the International Pension Centre's (IPC) decision about their contribution details:

- ask them for any relevant information that can be used as evidence; and
- forward the details to the International Pension Centre.

Dispute about enabling conditions

2. If the International Pension Centre (IPC) decide the claimant does not satisfy an enabling condition when the claim was first made, but they may satisfy an enabling condition on a subsequent claim based on the same Relevant Income Tax Years (RITYs):

Step	Action
1	obtain a statement from the claimant on form JSA31;
2	complete form BF627 with 'Additional information' completed as follows: [From _____ (country): RITY _____ current claim links/does not link for continuity with previous claim. Class 1 contributions paid as an employed earner from _____ to _____ IPC reference _____ (if known): enabling condition appears satisfied. Please issue revised record if appropriate];
3	attach JSA31 to form BF627 and send both to IPC.

Claimant complains about delays

3. As it takes time to get advice from International Pension Centre (IPC), make sure the claimant is kept up to date with developments on their claim.

4. If the claimant, despite being kept informed about developments, complains about the delay in assessing their entitlement to JSA (C):

Step	Action
1	explain that IPC may need to contact the employment service of the country in which the claimant worked and may be awaiting a reply;
2	ask IPC for an update on their action on the claimant's claim by: <ul style="list-style-type: none"> • post using form BF627, marked [Urgent] before sending it to International Pension Centre; • phone on any of the following phone numbers: <ul style="list-style-type: none"> ○ 0191 218 7652; ○ 0191 218 7135; ○ 0191 218 7139; ○ 0191 218 7141; ○ 0191 218 7064; ○ 0191 218 7065;

	<ul style="list-style-type: none"> ○ 0191 218 7067. <p>These numbers can be given to the claimant if they insist on phoning IPC themselves;</p>
3	<p>note on form JSA14C:</p> <ul style="list-style-type: none"> ● the date BF627 was sent; or ● details of the phone call to IPC;
4	<p>explain what action has been taken to the claimant;</p>
5	<p>tell them to ask again in three weeks if they have not heard anything from IPC or Jobcentre Plus.</p>

Seafarer disputes decision on their Contribution Record

5. Special action must be taken if:

- JSA (C) is not payable because the seafarer's recorded contributions are deficient; and
- the seafarer disputes the contribution record the assessment is based on.

6. In these circumstances:

Step	Action
1	<ul style="list-style-type: none"> ● check the seafarer's discharge book and any certificate(s) of pay they have brought with them; and ● try to establish a record of recent insurable employment;
2	<p>compare the breakdown of their contribution record for the Relevant Income Tax Years (RITYs) shown on the benefit reply form against the record of insurable employment;</p>
3	<p>decide whether contributions have clearly not been recorded for a period when employed as a seafarer on a foreign voyage for which contributions were payable. Note: Such voyages do not necessarily mean the seafarer will have paid Class 1 contributions. Use their certificate of pay to establish whether Class 1 contributions have been paid;</p>
4	<p>if the recorded contributions:</p> <ul style="list-style-type: none"> ● appear to be correct: <ul style="list-style-type: none"> ○ go to step 5; ● are clearly out of date: <ul style="list-style-type: none"> ○ go to step 6;
5	<p>if the contribution record appears to be correct:</p> <ul style="list-style-type: none"> ● tell them: <ul style="list-style-type: none"> ○ their record appears to be correct; ○ National Insurance Contributions Office will be contacted to confirm their contribution record; ○ when confirmation is received, they will be contacted; ● take normal action to find out the actual earnings factor; ● when details of the updated contributions record are

	received from NIRS2, take action as indicated on RD26 or eNIRS2.
6	<p>if the recorded contributions are clearly out of date:</p> <ul style="list-style-type: none"> • for the period of the foreign voyage(s), deem that the seafarer has paid contributions: <ul style="list-style-type: none"> ○ on earnings equal to the lower earnings limit in force for the RITY; ○ for each week in the period beginning on the Sunday of the week in which the voyage began and ending on the termination of the voyage; • record any contributions deemed as paid on the back of the benefit reply form covering the RITY. The record must include: <ul style="list-style-type: none"> ○ tax year; ○ name of employer; ○ period for which contributions have been deemed; ○ earnings factor derived from these contributions.
7	<p>note the record 'Deemed Conts' and sign and date it:</p> <ul style="list-style-type: none"> • access dialogue JA097: Maintain Revised Contributions and input: <ul style="list-style-type: none"> ○ the relevant RITY in the NINO PROMPT screen JA097197; ○ deemed RITY record in the INPUT/MAINTAIN CONTRIBUTION RECORD DETAILS screen JA097198; • take normal action to find out the actual earnings factor; <p>when details of the updated contribution record are received from NIRS2, take action as indicated on RD26 or eNIRS2.</p>

Appendix 1 - Useful addresses

International Pension Centre contact details:

- Department for Work and Pensions, International Pension Centre, JBES, Room TC013, Tyneview Park, Whitley Road, Benton, Newcastle Upon Tyne, NE98 1BA
- Telephone Number: 0191 218 7652. This number can be given to a claimant, if they want to contact IPC themselves. Never use the abbreviation IPC when speaking or writing to a claimant, always use International Pension Centre.

Inland Revenue National Insurance Contributions Office

- Inland Revenue National Insurance Contributions Office (NICO), Longbenton, Newcastle upon Tyne, NE98 1YX.

Current Work

Introduction

1. Claimants and/or their partners can undertake some work while claiming Jobseekers Allowance.

How remunerative work affects JSA

2. Remunerative work is work in which a person is engaged for, on average, 16 hours or more a week and 24 hours for partners of people receiving income-based Jobseeker's Allowance, consideration is given to averaging the hours for part time work. Jobseeker's Allowance is intended to help people who are **not** in remunerative work.

Earnings

3. Earnings is money received by employed earners and self employed earners. Earnings affect the amount of Jobseekers Allowance a person receives, consideration is given to averaging the earnings received for part time work.

Disregards

4. Some of the earnings a claimant gets from part time work are disregarded. The amount of disregard depends on a claimant's circumstances. Earnings in excess of the appropriate disregard are taken into account against benefit entitlement.

Income

5. Payment of Income is part of a series of payments whether or not they are made regularly or are made over a given period of time.

Notional Income

6. A claimant may be treated as having income that is actually not received. This type of income is known as notional income. When a claimant or their partner works part time, then notional earnings may need to be considered.

Averaging Hours

7. Consideration is given to averaging the hours a person works for part time work or work where the hours fluctuate. All the hours a person works or anticipated, are included. If the hours vary, the average hours are calculated by looking at those worked over a specific period of time.

Special Occupations

8. Certain occupations are referred to as special occupations and a higher earnings disregard is awarded in recognition of the value of the services they undertake.

Remunerative work, how it affects JSA

9. Remunerative work is work for which payment is made, or which is done in expectation of payment and in which the claimant is engaged for not less than 16 hours a week on average where the hours of work fluctuate.

Councillors

10. Members of local councils and other Local Authority (LA) bodies are not treated as in remunerative work whilst carrying out their duties as a councillor. For further information please see the DMG Volume 5, Chapter 26. Employed Earners, Local Authority Councillors.
11. Councillors working 16 hours or more per week on council duties may still be able to receive JSA.
12. Whilst performing their duties they may receive attendance allowance and expenses to attend meetings and committees, these allowances can include:
- basic allowance;
 - special responsibilities allowance;
 - attendance allowance;
 - financial loss allowance;
 - travel and subsistence allowance.
13. Any allowances should be treated as earnings for JSA purposes. For the treatment of expenses, please see guidance on volunteer expenses

Disabled people (75% rule)

14. The remunerative work rule does not apply to certain disabled workers who have been receiving JSA since before 25 January 2010, that is:
- mentally or physically disabled claimants who earn, or work 75% or less than a person without that disability who is in comparable employment in that area, and
 - claimants living in a Care Home (CH) or residential accommodation
15. If there is any break in entitlement on or after 25 January 2010 the remunerative work rule will apply if the claimant makes a further claim for JSA. Linking is not possible.

NOTE: This condition of entitlement was removed for all new and repeat claims from disabled workers from 25 January 2010. There are no linking rules

Contribution based Jobseekers Allowance (JSA(C))

16. JSA(C) is a personal benefit payable only for the claimant, there is no additional payments for a partner. JSA(C) is unaffected by any work the partner does.

Jobseekers Allowance Income Based (JSA(IB))

17. Remunerative work is work for which payment is made, or which is done in expectation of payment and in which the claimant is engaged for not less than;
- 16 hours a week on average where the hours of work fluctuate; or
 - in which any partner of the claimant is engaged for not less than 24 hours a week on average where the hours of work fluctuate; or

- in which any non-dependant, or child or young person still included in the JSA award who is treated as receiving relevant education, is engaged for not less than;
 - 16 hours a week on average where the hours of work fluctuate, and responsibility for the child **has not** been transferred to Her Majesty's Revenue and Customs (HMRC), under Child Tax Credit regulations.

Joint Claims

18. If either member starts work consideration must be given to averaging their hours before ending the joint claim.
19. If the person who starts work is working over 16 hours on average but less than 24 hours, the joint claim ends and the working partner is treated as a dependant.
20. If the person working works over 24 hours on average then they are in remunerative work and the claim would be terminated. See circular JSA Circular 01/01 for action on Joint claims. The other member can claim JSA(C) and/or a National Insurance credit in their own right

Exceptions to Remunerative work

21. A person is not treated as being in remunerative work if they are engaged in voluntary work for someone who is not a relative or they work for a charity. See DMG Volume 5, Chapter 26.
22. People carrying out their duties in one of the special occupations are treated as not being in remunerative work.

Earnings and disregards

23. Earnings for JSA purposes are any pay or profit earned whilst in employment. A claimant who works 16 hours or more on average per week, or whose partner works 24 hours on average or more per week, normally has no entitlement to benefit or a National Insurance (NI) credit.
24. Part-time earnings are taken into account, less any tax, NI deductions and half of any occupational or personal pension deductions and subject to the appropriate disregard which is:
 - £5 for a single claimant
 - £10 for a claimant with partner/s
 - £20 for lone parents, disabled people, carers and certain special occupations. See DMG Volume 5 Chapter 26 for disregards on special occupations.
25. Part-time earnings are taken into account from the first day of the relevant benefit week in which they are paid, or from the first day it is practicable to do so.

Notional earnings

26. Notional earnings are earnings that a claimant or their partner does not have, but that a Decision Maker may treat them as having. The earnings of a claimant or other member of the family are treated as notional earnings where
 - they perform a service for another person **and**
 - that person;
 - makes no payment of earnings **or**

- pays less than the rate paid for a comparable employment in the area.
27. The rate for comparable employment in the area is a question of fact and is based on evidence. Do not assume that the national minimum wage applies in all cases. If the notional income rules are satisfied, see DMG Volume 5 Chapter 26 for details of how much income to take into account.
28. Where it is not possible to find out what the claimants earnings are at the time the Decision Maker is making the decision, the claimant is treated as having such earnings as is reasonable in the circumstances taking into account the number of hours worked and the earnings paid for comparable employment in the area.
- See DMG Chapter 26, Notional Earnings for further information.

Payments in kind

26. Payments in kind are disregarded for both elements of JSA. Where wages are paid at a reduced rate because of a payment in kind, consider notional earnings.

Income that affects JSA

JSA (C) claims

27. In a claim for JSA (C), only the income of the claimant is considered. The only income except for earnings that affects JSA (C) is the claimant's occupational or personal pension.

JSA (IB) claims

28. All income is treated as income belonging to the claimant, consider the income of:
- the claimant;
 - the partner;
 - all members of the household if the claimant or partner is married polygamously;
 - any child or young person who is part of the claimant's family and included in the JSA award, **until responsibility for the child has been transferred to Her Majesty's Revenue and Customs (HMRC)**, under Child Tax Credit regulations.
 - where a partner works between 16 and 24 hours per week, only Working Tax Credit (WTC) paid to the partner is taken fully into account as income.

JSA Joint claims

29. Income affects joint claims in the same way as JSA (IB) claims.

Notional Income

30. A person may be treated as having income that is actually not received. This type of income is known as notional income and it may take a number of different forms:
- income the claimant or partner has deprived themselves of;

- income the claimant or partner deprived themselves of for a previous claim to:
 - Income Support; or
 - Employment and Support Allowance;
 where the claimant or their partner is moving directly from that benefit on to JSA;
 - income available on application;
 - income due but not yet paid;
 - income for a member of the family paid to a third party;
 - income for a third party made to a member of the family;
 - income for a child or young person attending a boarding school.
31. Calculate notional income in the same way as actual income, including applying any appropriate disregard. See DMG Volume 5 Chapter 28 - Income other than earnings, 'Notional income' and 'Income available on application'

When Part Time work is declared

32. Part time hours and earnings are declared on form B7, supported by payslips, Form A15 can be issued to employers for confirmation of hours and earnings if the payslips haven't been produced.
33. Claimants whose hours and earnings have been averaged declare any changes to their hours or earnings on form B7AVE and provide their payslips.

Averaging hours

34. The preferred method of managing the assessment of part time work is to average the hours over a suitable period of time. Averaging must be applied as soon as possible after part time work has started whenever practicable.
35. At the end of an assessment period send form A15 to the employer to obtain verification of the employment details **if** the claimant has not provided payslips. .

Note: Only send A15 to the Employer if payslips are not provided

36. Where a claim is already in payment and new part time work is declared, a decision must be made as to when a review date is set for averaging of hours and earnings.
37. Use the A15, A15c or B7 to determine if:
 - a work cycle can be established; or
 - the work is one-off; or
 - the work is likely to continue for a period of time.

National Insurance credits for part-time work

38. If a claimant receives JSA for any week in which part-time work has been undertaken, a National Insurance credit is awarded regardless of the number of hours worked.
39. Part-time work declared by a partner does not affect the award of a National Insurance credit to a claimant.
40. Both members of a joint claim are awarded a National Insurance credit.

People treated as not in remunerative work

41. People who work for a charity or volunteer are not treated as being in remunerative work although it may seem they are. See DMG Volume 5, Chapter 26.
42. People carrying out their duties in one of the special occupations are treated as not being in remunerative work. Claimants are treated as available for employment while they are carrying out these duties.

Special Occupations

43. The special occupations are:
 - a part-time fire-fighter;
 - an auxiliary coastguard;
 - a person engaged part-time in the launching or crewing of a lifeboat;
 - a member of the Territorial or Reserve Forces.
44. Special occupations attract a higher weekly earnings disregard of £20 in recognition of the value of the services they undertake. The disregard is for both JSA(IB) and/or JSA(C) and is applied to any regular earnings from the special occupation.
45. In addition to their regular earnings, people employed in special occupations may receive a bounty payment for their services. If a bounty is paid in a single annual payment, it is treated as capital. If it is paid more often than once a year, for example quarterly, it is treated as earnings. The period for which the bounty is payable is not relevant. See DMG Volume 5, Chapter 26
46. People working as Share Fisherman also have a higher disregard and special rules apply. See DMG Volume 5, chapter 27 Share fishermen.

Reserve Forces

47. Territorial Army (TA) members and other reservists may be required to:
 - attend regular drill nights;
 - attend an annual camp;
 - take part in other training activities; or
 - be called up to active duty.
48. Claimants engaged in their activities as reservists are treated as not in remunerative work regardless of the number of hours undertaken. They are also entitled to a weekly £20 earnings disregard,
49. In JSA(IB) cases, if the claimant or their partner has other employment, £20 is the maximum disregard allowable for each week work is declared, except where the claimant is attending annual camp. See DMG Volume 5, chapter 26 for further information

Drill nights

50. Reservists, who attend drill nights, receive pay for each night they attend. Drill night pay must be declared and taken into account as part-time earnings, (including any expenses incurred) subject to the £20 earnings disregard per week

Annual Training Camp

51. Territorial Army members and other reservists are required to attend a period of up to 15 days at training camp each year. They can be treated

as being available for and actively seeking employment for the duration of the training period, and will have Good Cause for failing to attend any interviews during the period. See the Labour market Conditions Guide for further information.

How to treat earnings

52. Payments received for attendance at camp are treated and attributed as earnings. All of the earnings are disregarded except for an amount equal to the claimant's JSA less 10p. 10p has to remain in payment in order to ensure that access to passported benefits, such as Housing Benefit is maintained. See JSA Payment Procedural Bulletin 2012/05 for further details.
53. Earnings from Annual Camp are taken into account for a period
 - equal to the length of the camp; or
 - for 14 days, if the camp is longer than this.
54. When the earnings are received, they are attributed from the first day of the benefit week in which they are paid.

Jobcentre Action

55. When a reservist is due to attend their annual camp, the Jobcentre ask the claimant to complete form RES1. The Jobcentre record the Labour Market decision on the form and forward it to the Benefit Centre for action.
56. On receipt of the RES1, refer to JSA Payment Procedural Bulletin 2012/05 for details of the action to take.

Claimant/partner declares work for an employer

New Claim Action

57. For claimants making a claim to JSA by telephone, the claim information (including details of any part time work) is gathered by the CS agent.
58. A claim can also be made 'online' or a clerical claim form can be requested and part time work details are captured as part of that process.
59. Averaging of hours and earnings must be considered as soon as possible when assessing a new claim from a claimant and/or partner whose part time work started prior to the start of the claim.
60. This needs to be carried out when a suitable period for averaging has been established. Ensure any payslips provided prior to their claim date are less than 16 hours for the claimant and under 24 hours for the partner and under 16 hours for joint claim claimants.
61. Until a period of averaging has been determined the claimant must complete form B7 and provide wage slips at their Jobsearch Review.
62. JSAPS will calculate any periods of attribution once the processor has input the correct dates.

Recording current part time work on JSAPS:

Step	Action
1	Access dialogue JA060: Register Event, input relevant date, press F1 and;

2	access dialogue JA091: Maintain claim details, screen JA091006 CURRENT WORK; complete relevant field(s);
3	access dialogue JA091: Maintain claim details, screen JA091107 CURRENT WORK-EARNINGS; input: the dates worked the weekly net income figure
4	JSAPS prompts for a decision to be made when dialogue JA200: Award and Decision is accessed, the processor makes the decision in D200;

Recording current part time work clerically

63. Form JA14A is used to record the details for clerical cases. The weekly average earnings should be recorded at Section 10 for JSA(C), or Section 11 for JSA(IB).

Step	Action
1	assess the claim using the part-time work details on forms B7 or A15C until a recognised cycle or assessment period is established;
2	If the employer will not provide payslips or pay information to the claimant send form A15 to the employer, when a recognised cycle or assessment period is established;
3	when the completed A15 is received, calculate and record on form A6 the average hours worked and net earnings figure;
4	determine upper and lower net earnings figures and record them on form A6;
5	assess the claim on form JSA14A using the averaged earnings figure;
6	BF the claim for 2 weeks before the review date to start the Review Action.

Notifying the claimant

64. Complete draft letter DLJA941 and email that and a summary of the upper/lower earnings limits to the Jobcentre. The Jobcentre issue the letter to the claimant at their jobsearch review informing them their earnings have been averaged. See JRFND Guidance.

Part time work declared during the life of a claim

65. Part time work can be declared via different routes, it may come though:

- the Jobcentre
- direct to the BDC
- via a 'hand off' from the contact centre telephony teams.

66. Once the information is received, assess the part time earnings on JSAPS as follows:

Step	Action
1	Access dialogue JA060: Register Event, input relevant date, press F1 and;
2	access dialogue JA091: Maintain Claim Details Current Work: screen JA091006 and input the part time work details, date paid, and the correct occupation code, if applicable;
3	enter '3' in the 'Review Type' field and the number of weeks/months of the average earnings period. Case Control P108 will appear on the JA72539 Work Available Report to prompt clerical issue DLJA942 or; enter 'Review Type 2' if averaging cannot yet be established. JSAPS will issue the A15C to the Claimant at the end of every review period. Note: Do NOT input '1' in the 'Review Type' field unless the claimant has given consent for the employer to be contacted AND payslips have not been provided
4	Press [F5] to select Current Work - Earnings screen: JA091107 and Complete relevant fields
5	JSAPS will calculate 'Average earnings' if more than 1 line, at the top of the screen, is completed and the earnings/hours are different
6	Case Control S223 will appear on the JA72539 Work Available Report 14 days after the A15C/DLJA942 has been issued, to prompt re assessment of the PTE average

67. The claimant's JSA entitlement is reduced by the amount of net earnings left after the appropriate disregard is applied.

For clerically maintained claims:

Step	Action
1	assess the claim using the part-time work details on forms B7 or A15C until a recognised cycle or assessment period is established;
2	If no payslips available send form A15 to the employer, when a recognised cycle or assessment period is established;
3	when the completed A15 is received, calculate and record on form A6 the average hours worked and net earnings figure;
4	determine upper and lower net earnings figures and record them on form A6;
5	assess the claim on form JSA14A using the averaged earnings figure;
6	BF the claim for 2 weeks before the review date to start the Review Action.

Notifying the claimant

68. Complete draft letter DLJA941 and email that and a summary of the upper/lower earnings limits to the Jobcentre. The Jobcentre issue the letter to the claimant at their jobsearch review informing them their earnings have been averaged. See JRFND Guidance.

Averaging hours

69. If a claimant has a job with fluctuating hours you must average the number of hours they work. When calculating the claimant's average hours, always round them in the claimant's favour. Record in Dialogue JA110 Notepad that this is an 'averaged earnings' case and input the upper/lower earning limits.

No recognisable cycle to the claimants hours if work

70. If there is no recognisable cycle to the claimant's hours of work:

Step	Action
1	Average the weekly hours over the five week period immediately before the claim, unless this does not give a fair average.
2	Do not use the five week average if that period does not show the claimant's normal pattern of working, for example if they were off work sick or on holiday.
3	Calculate the average over a longer or shorter period if the five week period includes an exception to the normal working pattern, for example the claimant worked overtime for one week.

71. Example 1

The partner works:

Week 1 9 hours

Week 2 8 hours

Week 3 6 hours

Week 4 7 hours

Week 5 5 hours

In this example there is no recognisable cycle, so to establish a weekly average of hours add the total number of hours worked and divide by the number of weeks, that is $9 + 8 + 6 + 7 + 5 \div 5 =$ weekly average 7 hours. The partner is deemed to be working 7 hours a week. If the hours added together were over 6 weeks, divide by 6 and so on. Regularly look at the decision to see if:

- a pattern has established
- the average is still a fair reflection of the claimant's/partner's hours
- the claimant's/partner's hours have changed.

72. If hours are averaged over five weeks, check them every five weeks by requesting the claimant's/partner's payslips

Recognisable cycle

73. If there is a set pattern to the hours the claimant works, this is classed as a recognisable cycle.

74. To establish whether there is a recognisable cycle:

Step	Action
1	Ask the claimant to provide their last five payslips, which is usually enough to identify a recognisable cycle. This can be done at either: the new claims stage or when an earnings check is appropriate/review date..
2	If the payslips do not provide an accurate picture of a claimant's normal work pattern, obtain further information from them. The claimant must have worked one complete cycle before you can establish a cycle.

Example 1

The claimant works:

Week 1 12 hours

Week 2 10 hours

Week 3 12 hours

Week 4 10 hours

In this example:

- four payslips are sufficient to identify a cycle
- the cycle is two weeks
- calculate the average hours as $12 \text{ hours} + 10 \text{ hours} \div 2 \text{ weeks} = 11 \text{ hours average a week}$
- the claimant is deemed to be working 11 hours a week.

75. Some claimants may work for more than 16 hours, or their partner work for more than 24 hours a week, during the cycle. This does not necessarily mean that they are excluded from JSA for that particular week as the fluctuating hours form part of a cycle and the average may be less than 16/24 hours.

Example 2

The claimant works:

Week 1 10 hours

Week 2 20 hours

Week 3 10 hours

Week 4 20 hours

In this example:

- four wage slips are sufficient to identify a cycle
- the cycle is two weeks
- calculate the average hours as $10 + 20 \div 2 \text{ weeks} = 15 \text{ hours a week.}$

76. In joint claim cases if a member starts remunerative work for 16 to 24 hours, they revert to being a claimant and dependant partner claim, with the working member being the dependant partner. The same averaging procedures apply.

Yearly cycle with school holidays or similar vacations

77. Where a person has a contract of employment which continues throughout the year, there is a recognisable cycle of one year. Where a person with such a contract works at a school, educational establishment or any other place of employment where there are school holidays or similar vacations, you should divide the total number of hours worked during the year by 52 weeks less any weeks of "other absence" See DMG Volume 4 chapter 20

When calculating the net average earnings worked

78. When averaging the weekly amount of a person's income, average over:

- A complete cycle if there is a recognisable cycle of work or
- Five weeks or
- Three months or
- Longer or shorter periods of time when hours fluctuate each week or periodically, when over a period of time where a pattern is established that means a more accurate weekly amount can be calculated.

79. See DMG Volume 3 chapter 15 for calculation of net earnings.

80. The net earnings of employed earners are their gross earnings, minus:

- National Insurance contributions (NICs);
- any tax paid; and
- half of any personal or occupational pension contributions.

If the net earnings of the claimant or their partner do not vary:

Step	Action
1	Access dialogue JA060: Register Event, input relevant date, press F1 and;
2	access dialogue JA091: Maintain Claim Details and on the CURRENT WORK screen JA091006, input the earnings in the 'Net Pay' field;
3	do not complete the 'Highest Amount Earned' or 'Lowest Amount Earned' fields.

Action if the net earnings vary

81. If the net earning of the claimant or partner vary, average the weekly hours over the five week period immediately before the claim, unless this does not give a fair average:

82. For system claims:

Step	Action
1	Access dialogue JA060: Register Event, input relevant date, press F1 and;
2	access dialogue JA091: Maintain Claim Details and on the CURRENT WORK screen JA091006 input the new average net earnings in the 'Net Pay' field and set the highest and lowest amount earned;
3	access dialogue JA530: Case Controls and set a case control

	for the end of the new assessment period;
4	record the upper/lower limits in dialogue JA110 Maintain notepad
5	when the case control/BF matures for the end of the assessment period, do the review action.

83. For clerical claims:

Step	Action
1	assess the claim on form JSA14A using the new average net earnings figure and determine an upper and lower earnings limit and record this on form A6;
2	BF the claim for the duration of the new assessment period;
3	when the case control/BF matures for the end of the assessment period, do the review action.

Setting highest and lowest amount earned

84. Highest and lowest amount earned are set to monitor variance in the claimant's net earnings.

Step	Action
1	Access dialogue JA060: Register Event, input relevant date, press F1 and;
2	access dialogue JA091: Maintain Claim Details and on Current Work: screen JA091006, set the highest and lowest amount earned by inputting:.
3	the highest net earnings in the assessment period in the 'Highest Amount Earned' field and:
4	the lowest net earnings in the assessment period in the 'Lowest Amount Earned' fields.
5	record the upper/lower limits in dialogue JA110 Maintain notepad

If the net earnings fall outside of the highest and lowest earnings limit

85. When the claimant declares earnings outside of the highest/lowest earnings limit and the increase is not permanent, check to see:

- if the new earnings are significant enough to make a difference; and whether
 - they can be disregarded until the current average is due for review; or
 - the averaging ends and the current earnings are input as declared.

Earnings cannot be disregarded

86. If the earnings cannot be disregarded then a new recognisable cycle must be established and the claimant needs to complete form B7 and provide pay slips at their Jobseeker Review.

87. If the increase is to be permanent re-calculate the new average ensuring that the new amounts/hours do not extinguish entitlement to JSA.

Step	Action
1	Access dialogue JA060: Register Event, input the date of the change of circumstances date, press F1;
2	access dialogue JA091: Maintain Claim Details and on the CURRENT WORK screen JA091006 input the new average net earnings based on the new information.
3	record the new upper/lower limits in dialogue JA110 Maintain notepad.

Notifying the claimant

88. Complete draft letter DLJA941 and email that and a summary of the upper/lower earnings limits to the Jobcentre. The Jobcentre issue the letter to the claimant at their jobsearch review informing them their earnings have been averaged. See JRFND Guidance.

Advising the Jobcentre when a claimant and/or partners part time work has been averaged

89. Once a claim has been averaged, email draft letter DLJA941 to the Jobcentre inbox The jobcentre note their paperwork to ensure no further B7's or payslips are completed at the jobsearch review.
90. The jobcentre issue draft letter DLJA941 to the claimant at the jobsearch review and explain that they no longer need to complete the form B7 when they attend the Jobcentre if their earnings remain within the limits.
91. Claimants must tell the Jobsearch Reviewer if their **earnings fall outside these limits.**

Claimants earnings are outside of the limits set

92. If the claimant's earnings fall outside the average limits, the Jobcentre email form B7AVE to the inbox with details of the earnings. A copy of the B7AVE is given to the claimant for their records.
93. When the B7AVE is received review the information to decide if the earnings can be disregarded until the current average is due for review or whether the averaging ends and the current earnings are input as declared.
94. Print a copy of the B7AVE for filing and retention and delete the email.

Notifying the claimant

95. Complete draft letter DLJA941 and email that and a summary of the upper/lower earnings limits to the Jobcentre. The Jobcentre issue the letter to the claimant at their jobsearch review informing them their earnings have been averaged. See JRFND Guidance.

Postal Claimants

96. Postal claimants only attend the Jobcentre every 12 weeks. A JSAPS issued B7 is sent to these claimants when they declare part time work. See JRFND Guidance for further guidance on postal claimants.

Note: It has not been possible to stop the issue of this automated B7, so it will continue to be issued from JSAPS.

97. Telephone the claimant to explain the situation regarding declaring earnings. Issue letter DLJA941 by post after speaking to the claimant. Email the Jobcentre to confirm the details and action taken.

Postal claimant notifies that their net earnings fall outside of the highest and lowest earnings limit

98. When a postal claimant declares earnings outside of the highest/lowest earnings limit and the increase is not permanent, review the information to see if their new earnings can be disregarded until the current average is due for review or whether the averaging ends and the current earnings are input as declared.

99. If the earnings cannot be disregarded then a new recognisable cycle needs to be established, the claimant must send in completed B7's and provide pay slips.

100. If the increase is permanent re-calculate the new average.

Step	Action
1	Access dialogue JA060: Register Event, input the date of the change of circumstances date, press F1;
2	assess dialogue JA091: Maintain Claim Details and on the CURRENT WORK screen JA091006 input the new average net earnings based on the new information.
3	record the new upper/lower limits in dialogue JA110 Maintain notepad.
4	ring the claimant to explain what action has been taken as well as posting DLJA943 to notify them of their new upper/lower earnings limit.
5	email the Jobcentre to record all details and action taken

Claimant Enquires

101. If a claimant makes contact to ask why their earnings have been averaged or if they disagree with the decision to do so, explain that they are not at a disadvantage by having their earnings averaged. Averaging helps claimants to manage their money efficiently and removes the uncertainty around when and how much they will be paid if their earnings fluctuate.

Review Action

102. A review of the earnings must be carried out periodically to ensure there has been no change to the earnings and that we hold the correct information. A review date is a period of a complete cycle of recognised work.

103. If the earnings keep within the limits set, no action is needed until the review date.

104. Where a claimant's earnings and hours do not change there is no need to be re-average. .

105. An eight week review is recommended to check the payslips, however this can be a longer period if required, for example the claimant works the same hours and days every week. When setting a review period ensure that excessive amounts of payslips are not requested.

106. Two weeks before the review date issue DLJA942 to the claimant requesting the payslips for the past period. These are used to check the upper and lower limits and re-calculate a new average, if applicable for the next period. Enclose a prepaid envelope for the claimants use.

Payslips not provided

107. If the claimant does not send in their payslips after 7 days, send a reminder. If no contact is made by the claimant after 14 days, refer to the Decision Maker to consider claim termination action.
108. If the claimant makes contact to say their employer is unhelpful with providing payslips or pay details then send form A15 to the employer.
109. When re-averaging, do not use any payslips used to establish a previous average.
110. Complete DLJA943 and issue to the claimant. This advises them of their new earnings limits or informs them that the limits remain the same.
111. Overpayment and/or fraud referrals must be raised and any discrepancies identified.

Self employed

112. A self-employed earner:
- works for themselves, rather than for someone else or a company;
 - is gainfully employed in Great Britain other than as an employed earner;
 - provides a service for a client;
 - as a sole trader; or
 - in partnership with another person;
 - is responsible to the full extent of their assets for the debts of the business;
 - is entitled to all the profits, or a share of the profits if in partnership;
 - satisfies one of the following;
 - pays a Class 2 National Insurance (NI) contribution. Depending on their earnings they may also pay a Class 4 contributions;
 - have been granted a Small Earnings Exception by the HMRC National Insurance Contributions Office; or
 - have form 714, 715 or SC60 from the HMRC because they are sub-contractors.

See 'obtaining verification from a self employed earner' for further details.

Recording current self employment on JSAPS

113. To record a continuing self employed case on JSAPS:

Step	Action
1	access dialogue JA091: Maintain claim details, screen JA091006 CURRENT WORK;
2	input [Y] in the Self Employed field;
3	access dialogue JA091: Maintain claim details, screen JA091107 CURRENT WORK-EARNINGS;
4	input:

	<ul style="list-style-type: none"> the weekly net income figure; or [£0.00] if there is no profit;
5	JSAPS prompts for a decision to be made when dialogue JA200: Award and Decision is accessed;
6	pass to the Benefit Delivery Expert to adjudicate on the decision;
7	access dialogue JA110: Maintain Notepad and make a note to review the case.

114. JSAPS automatically sets a limited case control date to review the claimant's earnings after 52 weeks.

115. If it is decided to do a review more frequently:

Step	Action
1	access dialogue JA530: Case Controls. Set case control and input an appropriate review date;
2	access dialogue JA110: Maintain Notepad and make a note to review the case.

Self employment ceases permanently

116. Accept that the claimant or partner's self employment has ceased permanently if:

- there is no evidence of;
 - work or contracts in the pipeline; and
- there is no evidence to the contrary.

117. To reach a decision, use the above considerations as well as the points in the business is without work section.

Confirm when self employment has ceased permanently

118. If the self employment has ceased permanently:

Step	Action
1	send form CF353 to tell HMRC National Insurance Contributions Office when to stop issuing quarterly bills for Class 2 National Insurance Contributions;
2	check if the business is bankrupt. If so: <ul style="list-style-type: none"> obtain the name of the receiver; and obtain verification of the date of bankruptcy from claimant's accountant or lawyer;
3	if the business is not bankrupt: <ul style="list-style-type: none"> obtain verification of the date that the business has ceased trading, from claimants accountant or lawyer; obtain verification of any profit made from the business; identify the value of any remaining business assets;
4	pass to the Benefit Delivery Expert for decision on Self-employment ceasing;
5	assess JSA entitlement.

Business assets

119. If the self-employment has ceased permanently and the business is not bankrupt, any remaining business assets should be identified and valued.

120. This is because business assets are treated as capital, which may affect the amount of JSA awarded.

121. Business assets include:

- standard items such as;
 - machinery;
 - vehicles;
 - fixtures;
 - and cash held in the bank, including money held following the sale of assets.

122. They may also include items such as customer lists and contacts, current and future contracts and goodwill.

See, DMG, Volume 5, Chapter 29, Capital, Business Assets

Valuation of business assets

123. To calculate the value of business assets ask to see:

- the current balance sheet;
- the annual profit and loss accounts; and
- any other up to date information about business assets.

See, Valuation of Capital Assets Handbook

Obtaining specialist valuation

124. If the value of the business assets, plus any other capital, is £2500 or more, a specialist valuation must be obtained.

See, Valuation of Capital Assets Handbook

Business assets are for sale

125. If the business assets are for sale:

Step	Action
1	disregard the capital value in full for a reasonable period, that is, 26 weeks, to enable the claimant to sell the assets. If the assets remain unsold, review the decision to disregard and, if necessary, review the decision again regularly;
2	assess JSA entitlement in the normal way.

Business assets are not for sale

126. If the business assets are not for sale, await the outcome of the specialist valuation. Investigate further whether the claimant has ceased self employment permanently.

127. On receipt of the specialist valuation, take into account the value of each asset of the business as capital, along with any personal capital.

Note: Do not disregard the capital value of business assets.

Recording previous self employment

On system maintained claims

128. To record previous self employment on JSAPS:

Step	Action
1	Access dialogue JA060: Register Event, input relevant date, press F1 and;
2	access dialogue JA091: Maintain claim details, and select screen JA091007 PREVIOUS WORK;
3	input the job end date;
4	set the self-employed flag to [Y];
5	input the business name and address;
6	leave the Issue JS85 field at the default of [N].

On clerically maintained claims

129. Record all details of previous self-employment on form A6.

Why self employment stops temporarily

130. There are a number of circumstances when a claimant or partner may stop trading temporarily, for example:

- incapacity for work;
- business is without work;
- seasonal workers;
- sub-contractors.

This list is not exhaustive.

131. The reason must be established carefully, as this affects how the business capital assets are treated.

Self employed claimant starts part time work

132. When a self employed earner declares any part time work the action is the same as an employed earner.

Share Fisherman

133. When the share fisherman attends the office, they must declare whether or not they have done:

- any work;
- some share fishing;
- some other part-time work.

Share fisherman declares work other than share fishing

134. If a share fisherman in receipt of JSA (C) has not worked as a share fisherman but has done other work, they may not be entitled to a £20 disregard.

135. If a share fisherman in receipt of JSA (IB) declares work other than share fishing, take action as for any other claimant with part time work.

See DMG Volume 5, chapter 27 Share fishermen

Claimant declares they have done work as share fisherman

136. If a claimant declares they have worked as a share fisherman:

Step	Action
1	make sure that they have completed a Declaration of work form B7. If there is any doubt about whether work can be

	accepted as work as a share fisherman, refer the case to the Decision Maker (DM);
2	for any periods in the week that they were not working as a share fisherman, the DM will consider the: additional condition; further condition;
3	if the work is acceptable as share fisherman work, take action depending on whether they are receiving: JSA (C); JSA (IB).

Share fisherman receives JSA (C)

137. If the share fisherman receives JSA (C):

- complete form DMA1 with details of the share fisherman's earnings; and
- refer all details with the share fisherman's claim to the Decision Maker (DM) to consider the share fisherman's earnings.

See DMG Volume 5, chapter 27, self employed earners and share fishermen

138. When the claim is returned:

Step	Action
1	assess dialogue JA060: Register Claim/Event and register a change in circumstances.
2	access dialogue JA095: Current Work, RECORD CURRENT WORK DETAILS screen JA095109 and input the share fisherman's earnings from share fishing for each benefit week as calculated by the DM;
3	access dialogue JA200: Award and Decision and decide on the changes you have made;
4	access dialogue JA470: Attendance and confirm share fisherman has attended.

Share fisherman receives JSA (IB)

139. If the share fisherman receives JSA (IB):

- complete form DMA1 with details of the share fisherman's earnings; and
- refer all details with the share fisherman's claim to the Decision Maker (DM) to consider the share fisherman's earnings.

140. When the claim is returned from the DM, the action taken depends on whether the share fisherman has worked on average:

- 16 hours or more a week;
- less than 16 hours a week.

Share fisherman has worked 16 hours or more a week

141. If the share fisherman has worked 16 hours or more on average a week, they are excluded from receiving JSA (IB). In these circumstances, check if the share fisherman can receive JSA(C).

Share fisherman has worked less than 16 hours a week

142. When the claim is returned from the DM:

Step	Action
1	access dialogue JA060: Register Claim/Event and register a change in circumstances.
2	access dialogue JA091: Maintain Claim Details, JA091006 Current Work and input the share fisherman's earnings from share fishing for each benefit week as calculated by the DM;
3	access dialogue JA095: Current Work, RECORD CURRENT WORK DETAILS screen JA095109 and input the share fisherman's earnings from share fishing for each benefit week as calculated by the DM;
4	access dialogue JA200: Award and Decision and decide on the changes;
5	access dialogue JA470: Attendance and confirm share fisherman has attended.

Claimant stops being a share fisherman

143. If a claimant reports that they are no longer a share fisherman:

Step	Action
1	take a statement from the claimant confirming that they are no longer a share fisherman and the date they finished;
2	contact the managing owner of the boat to confirm the claimant's statement;
3	refer the claim to the Decision Maker;
4	when the Decision Maker returns the claim, complete and send form P181 to the tax office for the claim period up to and including the claimant's last day of claim as a share fisherman.

144. When a claimant stops being a share fisherman, it is not possible to access dialogue JA091: Maintain Claim Details, MAINTAIN CLAIM ADMINISTRATION DETAILS screen JA091004 to change the claim type in the 'Claim Type' field from [SHF] to [ORD].

145. In these cases the claim must be transferred to clerical and be rebuilt from clerical.

Action when work ends

Claimant finishes part-time work while claiming JSA

146. If a claimant finishes part-time work during the life of their JSA claim, the reason why the employment has ended must be established.

147. Where it is identified at the jobsearch review that the claimant has either left employment or been dismissed, the Jobcentre consider issuing form ES85 or ES84. See the Labour Market Conditions guide for further end of employment action.

148. If the claimant contacts the BDC to inform them that they have left employment or been dismissed, action the change of circumstance and tell the Jobcentre the work has ended. They will establish the reason the employment has ended and take any further action.

149. When the final earnings details are received at the BDC, normal attribution rules apply.
150. If the final earnings are within the agreed limits of the current average, then the current average remains in place until the attribution period has ended.
151. If the final payslip is higher or lower than the current amounts held in 'Current Work screen' then the final earnings are applied to the final period of attribution.
152. Notify the Jobcentre by email that the claimants part time work action is complete.

Disputes and Reconsiderations

Outcome decisions

1. The four key steps in the disputes and reconsideration process following an outcome decision are:
 - explanation;
 - dispute;
 - reconsideration; and
 - appeal.
2. The notification that tells a claimant of an outcome decision does not include the reasons for that decision.
3. A claimant is entitled to request a written explanation of reasons, providing they request it within one calendar month from the day following the date of notification.
4. A written statement of reasons must:
 - be personalised;
 - attempt to explain why the decision was made;
 - provide full details of how the regulations were applied;
 - provide information on time limits for disputing or appealing against the decision;
 - be issued within 14 days of the claimant's request; and
 - tell the claimant that no further action will be taken unless they contact us.
5. If a claimant asks for a written statement of reasons within one calendar month, the time limit for disputing/appealing is extended by 14 days.

Explanation

6. The first step of the disputes and reconsideration process starts when a claimant queries their outcome decision and requests an explanation of that decision.
7. The explanation must specifically cover all the points the claimant raises and, whenever possible, this should be by telephone.
8. Face to face or written explanations can be provided if the claimant requests or a telephone call is not suitable.
9. Telephone discussions enable misunderstanding to be identified, discussed and clarified and can be useful if the claimant has literacy or language problems.
10. During the explanation discussion, try and identify whether there is any further evidence the claimant can provide.
11. Evidence can be oral or written, however, if oral, it is important that it is recorded in full and held with the claimant's record.
12. Evidence that was not available for the initial decision is important in informing reconsiderations, or, if the outcome decision is unaltered, any subsequent appeal that might be made.
13. All explanations must be recorded in [dialogue JA320: Explanations and Reconsiderations](#).

14. If the claimant is not satisfied with the explanation, they can:

- apply for a revision of the decision; or
- appeal against the original or reconsidered decision.

Claimant disputes an outcome decision

15. A dispute arises where a claimant is not satisfied with the outcome decision and can be:

- after they have had a basic or detailed explanation; or
- without them having an explanation.

16. If a claimant is not satisfied, they can apply for a revision of the outcome decision. This request must be received within one calendar month from the day following the date of notification and can be:

- in writing; or
- orally.

Written enquiries about an outcome decision

17. If the claimant sends a letter querying an outcome decision, determine whether the enquiry is:

- a request for a written statement of reasons:
 - if it includes words such as:
 - ‘reasons for a decision’.
- a request for an explanation:
 - if it includes words such as:
 - ‘more information’; or
 - ‘explain the decision’.
- an application for revision:
 - if it includes words such as:
 - ‘look at again’;
 - ‘reconsider’;
 - ‘revision’;
 - ‘change decision’; or
 - ‘not happy’;
- an application for appeal:
 - if it includes words such as:
 - ‘appeal’.

Request for a written statement of reasons

18. If a claimant requests a written statement of reasons for the outcome decision:

Step	Action
1	check that the request was received within one calendar month from the day following the date of notification;
2	access dialogue JA510: Notepad Enquiry to check whether or not an

	explanation has already been given;
3	<p>access dialogue JA320: Explanations and Reconsiderations and, on the DECISION PICKLIST screen JA320323:</p> <ul style="list-style-type: none"> • select the relevant outcome decision; • press [F1] to go to the: <ul style="list-style-type: none"> ◦ EXPLANATION/STATEMENT DETAILS screen JA320335 if no explanations have been recorded for this decision; or ◦ EXPLANATION PICKLIST screen JA320334 if any explanations have been recorded; • press [ENTER] to go to the EXPLANATION/STATEMENT DETAILS screen JA320335;
4	<p>if:</p> <ul style="list-style-type: none"> • no explanations have been recorded for this decision, go to step 5; • any explanations have already been recorded, go to step 6;
5	<p>access the EXPLANATION/STATEMENT DETAILS screen JA320335 and record:</p> <ul style="list-style-type: none"> • the date that the claimant requests the written statement in the: <ul style="list-style-type: none"> ◦ 'Explanation requested' field; and ◦ 'Written statement requested on' field; • the date that the written statement is sent in the 'Explanation given to jobseeker' field; • the method of request in the 'Method' field; • [Written statement requested – referred to DM] in the 'Explanation/reconsideration reason' field; <p>Note: case control S216 will appear on the Work Available Report JA72539 after 7 days and after a further 14 days on the Overdue Work Report JA72525 to prompt completion of the 'Result' field;</p>
6	record the date that the claimant requests the written statement in the 'Written statement requested on' field on the EXPLANATION/STATEMENT DETAILS screen JA320335 ;
7	prepare a written statement of reasons on draft letter DLJA508 ;
8	<p>access dialogue JA110: Maintain Notepad and input:</p> <ul style="list-style-type: none"> • [written statement issued dd/mm/yy].

Request for an explanation

19. If a claimant requests an explanation of an outcome decision:

Step	Action
1	<p>check if the claimant has already had a detailed explanation, to do this:</p> <ul style="list-style-type: none"> • access the EXPLANATION PICKLIST screen JA535165 of dialogue JA535: Explanation and Reconsiderations Enquiry to view explanations given; • select one of the explanations and press [ENTER] to go to the

	EXPLANATION/STATEMENT DETAILS screen JA535166;
2	if the claimant: <ul style="list-style-type: none"> • has not already had an explanation: <ul style="list-style-type: none"> ○ go to step 3; • has already had a detailed explanation: <ul style="list-style-type: none"> ○ refer to a Decision Maker to reconsider the decision;
3	try to contact the claimant by telephone unless they have specifically asked for a written reply;
4	prepare and issue written explanation.

Request for a revision

20.If a claimant requests revision of an outcome decision:

Step	Action
1	check if the claimant has already had a detailed explanation, to do this: <ul style="list-style-type: none"> • access the EXPLANATION PICKLIST screen JA535165 of dialogue JA535: Explanation and Reconsiderations Enquiry to view explanations given; • select one of the explanations and press [ENTER] to go to the EXPLANATION/STATEMENT DETAILS screen JA535166;
2	if the claimant: <ul style="list-style-type: none"> • has not already had an explanation: <ul style="list-style-type: none"> ○ go to step 3; • has already had a detailed explanation: <ul style="list-style-type: none"> ○ refer to a decision maker to reconsider the decision;
3	try to contact the claimant by telephone: <ul style="list-style-type: none"> • if they can be contacted: <ul style="list-style-type: none"> ○ offer to explain the outcome decision; and ○ go to step 5; • if they cannot be contacted: <ul style="list-style-type: none"> ○ go to step 4;
4	<ul style="list-style-type: none"> • access dialogue JA110: Maintain Notepad, or enter on form A6, that the claimant is not satisfied with the decision; • refer to a Decision Maker to reconsider the decision;
5	check whether the claimant is satisfied with the decision and whether they still want the decision to be looked at again; <ul style="list-style-type: none"> • if they do: <ul style="list-style-type: none"> ○ go to step 6; • if they do not: <ul style="list-style-type: none"> ○ go to step 7;
6	<ul style="list-style-type: none"> • access dialogue JA110: Maintain Notepad, or enter on form A6, that the claimant is not satisfied with the decision; • refer to a Decision Maker to reconsider the decision;
7	<ul style="list-style-type: none"> • ask the claimant to withdraw the application for revision in

	<p>writing;</p> <ul style="list-style-type: none"> • access dialogue JA530: Case Controls and set a case control for five working days; • access dialogue JA110: Maintain Notepad, or enter on form A6, that the claimant is satisfied with the decision and no further action is required.
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Application for an appeal

21. If the letter is an application for an appeal:

Step	Action
1	<p>check if the claimant has already had a detailed explanation, to do this:</p> <ul style="list-style-type: none"> • access the EXPLANATION PICKLIST screen JA535165 of dialogue JA535: Explanation and Reconsiderations Enquiry to view explanations given; • select one of the explanations and press [ENTER] to go to the EXPLANATION/STATEMENT DETAILS screen JA535166;
2	<p>if the claimant:</p> <ul style="list-style-type: none"> • has not already had an explanation: <ul style="list-style-type: none"> ○ go to step 3; • has already had a detailed explanation: <ul style="list-style-type: none"> ○ refer to a decision maker to reconsider the decision;
3	<p>try to contact the claimant by telephone:</p> <ul style="list-style-type: none"> • if they can be contacted: <ul style="list-style-type: none"> ○ offer to explain the outcome decision; and ○ go to step 5; • if they cannot be contacted: <ul style="list-style-type: none"> ○ go to step 4;
4	<ul style="list-style-type: none"> • access dialogue JA110: Maintain Notepad, or enter on form A6, that the claimant is not satisfied with the decision; • refer to a Decision Maker to reconsider the decision;
5	<p>check whether the claimant is satisfied with the decision;</p> <ul style="list-style-type: none"> • if they refuse the explanation and want the appeal to go ahead: <ul style="list-style-type: none"> ○ go to step 6; • if they accept the explanation but still wish the appeal to go ahead: <ul style="list-style-type: none"> ○ go to step 6; • if they accept the explanation and want to withdraw the appeal: <ul style="list-style-type: none"> ○ go to step 7;
6	<ul style="list-style-type: none"> • access dialogue JA110: Maintain Notepad, or enter on form A6, that the claimant is not satisfied with the decision; • refer to a Decision Maker to reconsider the decision;
7	<ul style="list-style-type: none"> • ask the claimant to withdraw the appeal in writing; • access dialogue JA530: Case Controls and set a case control

	<p>for five working days;</p> <ul style="list-style-type: none"> access dialogue JA110: Maintain Notepad, or enter on form A6, that the claimant is satisfied with the decision and no further action is required.
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Errors identified during an explanation

22. If an error is identified during an explanation:

Step	Action
1	access dialogue JA320: Explanations and Reconsiderations and record the details;
2	refer to a Decision Maker to reconsider the decision.

Oral enquiries about an outcome decision

23. If a claimant orally disputes the outcome decision, keep a record of the request and the reasons for the dispute. This information is:

- needed in case the claimant appeals;
- used by the Decision Maker (DM) when considering the decision; and
- recorded in **dialogue JA320: Explanations and Reconsiderations**.

24. When a claimant applies for a revision, record:

- which part of the outcome decision they are disputing, for example
 - the payment component; or
 - the labour market component; and
- the reason for the dispute, for example:
 - claimant has new information;
 - there has been a change in the claimant's circumstances.

Claimant applies for a revision

25. If the claimant orally applies for a revision:

Step	Action
1	record the reasons for the dispute on form DR7;
2	access the EXPLANATION/STATEMENT DETAILS screen JA320335 of dialogue JA320: Explanations and Reconsiderations and complete the 'Explanation/Reconsideration reason' field;
3	access the DECISION PICKLIST screen JA535161 of dialogue JA535: Explanation and Reconsiderations Enquiry and: <ul style="list-style-type: none"> select the outcome decision the claimant is disputing; press [F1] to go to the EXPLANATION PICKLIST screen JA535165 ; press [ENTER] to go to the EXPLANATION/STATEMENT DETAILS screen JA535166;
4	check in the EXPLANATION/STATEMENT DETAILS screen JA535166 whether the claimant has had an explanation about the decision, and:

	<ul style="list-style-type: none"> • if they have not: <ul style="list-style-type: none"> ○ offer them an explanation; • if they have or they do not want one; <ul style="list-style-type: none"> ○ go to step 5;
5	<p>check that the dispute is within the time limits, and:</p> <ul style="list-style-type: none"> • if it is: <ul style="list-style-type: none"> ○ go to step 6; • if it is not, check whether it can be extended, and: <ul style="list-style-type: none"> ○ if it can be extended: <ul style="list-style-type: none"> – go to step 6; ○ if it cannot be extended: <ul style="list-style-type: none"> – issue DL/REC1 to tell the claimant that the decision cannot be reconsidered; – access the RECONSIDERATION DETAILS screen JA320327 of dialogue JA320: Explanations and Reconsiderations and enter [R] in the 'Result' field; <p>See, the Decision Makers Guide, Volume 1, Chapter 5</p>
6	<p>check in the RECONSIDERATION DETAILS screen JA535163 whether the decision has already been reconsidered, and:</p> <ul style="list-style-type: none"> • if it has: <ul style="list-style-type: none"> ○ go to step 7; • if it has not; <ul style="list-style-type: none"> ○ go to step 8;
7	<p>if the decision has already been reconsidered and there was no changes, it can be reconsidered again, providing the claimant applies within the time limits. In this case, continue action from step 4;</p>
8	<p>access the RECONSIDERATION DETAILS screen JA320327 and enter the date that the claimant applies for a revision in the 'Start date' field;</p>
9	<p>refer to a Decision Maker (DM), preferably not the DM who made the original decision, for reconsideration;</p>
10	<p>when reconsidering an out come decision, the DM must:</p> <ul style="list-style-type: none"> • clarify the reason(s) for the dispute; • identify the information used when making the original decision; • ask the claimant for further information, if required; • look again at the evidence, fact and law to ensure that the whole decision is correct; • keep a record of all the main steps taken during the process; • record all information on form LT54 or A6;
11	<p>after reconsideration, the outcome decision will either:</p> <ul style="list-style-type: none"> • not change; or • change;
12	<p>access the RECONSIDERATION DETAILS screen JA535163 and check in the 'Aspect' field whether the outcome decision is made up of:</p>

	<ul style="list-style-type: none"> • a payment component only, and if so: <ul style="list-style-type: none"> ○ go to step 13; • labour market and payment components, and if so: <ul style="list-style-type: none"> ○ go to step 16;
13	<p>access the RECONSIDERATION DETAILS screen JA320327 and input:</p> <ul style="list-style-type: none"> • the date the reconsideration was completed in the 'End date' field; • [P] in the 'Aspect of Decision for Reconsideration' field; • [Y] or [N] in the 'Appeal received' field to indicate whether an appeal has already been received; • result of the reconsideration in the 'Result' field, for example: <ul style="list-style-type: none"> ○ [A] adverse; ○ [F] favourable; or ○ [N] no change;
14	<p>if the result is 'Adverse' or 'Favourable':</p> <ul style="list-style-type: none"> • press [F4] to fastpath to dialogue JA060: Register Claim/Event; • record a 'Change of circumstances' event [02] with an event sub type of 'Reconsideration' [19]; • complete the change of circumstances action as usual, using dialogues: <ul style="list-style-type: none"> ○ JA091: Maintain Claim Details; ○ JA200: Award and Decision; and ○ JA405: Compute Payment;
15	<p>if the result is 'No change', there is no further action to take;</p>

26. if the outcome decision is made up of labour market and payment components:

Step	Action
1	<p>access the EXPLANATION/STATEMENT DETAILS screen JA320335 of dialogue JA320: Explanations and Reconsiderations and check whether the claimant is satisfied with the labour market component;</p> <ul style="list-style-type: none"> • if they are satisfied: <ul style="list-style-type: none"> ○ follow the action in steps 13 to 15 above; • if they are not satisfied: <ul style="list-style-type: none"> ○ go to step 2;
2	<p>access the MAINTAIN DECISIONS screen JA210212 in dialogue JA210: Maintain Suspension and Decision Details and input:</p> <ul style="list-style-type: none"> • [O] in the 'ES Action' field;
3	<p>access the RECONSIDERATION DETAILS screen JA320327 and input:</p> <ul style="list-style-type: none"> • the date the reconsideration action was completed in the 'End date' field; • [B] in the 'Aspect of decision for reconsideration' field; • [Y] or [N] in the 'Appeal received' field to indicate whether an

	<ul style="list-style-type: none"> • appeal has already been received; • result of the reconsideration in the 'Result' field, for example: <ul style="list-style-type: none"> ○ [A] adverse; ○ [F] favourable; or ○ [N] no change;
4	<p>access the MAINTAIN DECISIONS screen JA210212 in dialogue JA210: Maintain Suspension and Decision Details to:</p> <ul style="list-style-type: none"> • amend the 'ES Action' field to [E]; • complete the following fields: <ul style="list-style-type: none"> ○ 'AR period in doubt'; ○ 'Decision'; ○ 'Decision date' and, if appropriate: <ul style="list-style-type: none"> – 'JS85 number'; – 'FTA time'; and – 'Employer'
5	<p>if the result is 'Adverse' or 'Favourable':</p> <ul style="list-style-type: none"> • access dialogue JA060: Register Claim/Event and record: <ul style="list-style-type: none"> ○ event type [02]; and ○ event subtype [19] • complete the change of circumstances action as usual, using dialogues: <ul style="list-style-type: none"> ○ JA091: Maintain Claim Details; ○ JA200: Award and Decision; and ○ JA405: Compute Payment;
6	<p>if the result is 'No change', there is no further action to take;</p>

Appeal received

27. When an appeal is received, it must be registered in **dialogue JA060: Register Claim/Event**.

28. Before submitting any appeal, the outcome decision must be reconsidered.

29. Following the reconsideration, if the new outcome decision is more advantageous to the claimant, the appeal must be lapsed. JSAPS lapses the appeal automatically when:

- [Y] is entered in the 'Appeal received' field and [F] in the 'Result' field in the **RECONSIDERATION DETAILS screen JA320327** of dialogue JA320: Explanations and Reconsiderations; and
- there is only one appeal event open.

30. If there is more than one appeal event open:

- access the **EVENT MAINTENANCE screen JA120129** of dialogue JA120: Event Maintenance and record [19] against the appropriate event.

31. If the claimant subsequently withdraws the appeal:

- access the **EVENT MAINTENANCE screen JA120129** of dialogue JA120: Event Maintenance and record [04] against the appropriate event.

Result of reconsideration

32. After reconsideration, the original outcome decision will either:

- not change;
- be revised and will be:
 - more advantageous to the claimant; or
 - not more advantageous;

See, Decision Makers Guide, Volume 1, Chapter 5.

Outcome decision not changed

Appeal already received

33. After reconsideration, if there is no change to the decision and an appeal has already been received, JSAPS issues a notification to tell the claimant that:

- the decision has been reconsidered;
- there is no change to the original decision; and
- the appeal will now be processed.

Appeal not received

34. After reconsideration, if there is no change to the decision and an appeal has not been received, JSAPS issues a notification to tell the claimant that:

- the decision has been reconsidered;
- there is no change to the original decision; and
- they have a further month, from the date of the no change notification, to appeal against the original decision.

Outcome decision is incorrect

35. After reconsideration, if the original decision is incorrect and has been revised, JSAPS issues a notification to tell the claimant about:

- the dispute handling and reconsideration process;
- their right to appeal; and
- the time limits for dispute/appeal.

New decision more advantageous to the claimant

Appeal already received

36. After reconsideration, if the new decision is more advantageous to the claimant and an appeal has already been received, JSAPS issues a notification telling the claimant:

- the result of the reconsideration;
- that they have one month from the date of the notification in which to appeal; and
- the appeal against the original decision will not be actioned.

Appeal not received

37. After reconsideration, if the new decision is more advantageous to the claimant and an appeal has not been received, JSAPS issues a notification telling the claimant:

- the result of the reconsideration; and
- that they have one month from the date of the notification in which to appeal.

New decision is not more advantageous to the claimant

Appeal already received

38. After reconsideration, if the new decision is not more advantageous to the claimant and an appeal has been received, JSAPS issues a notification telling the claimant:

- the result of the reconsideration; and
- that their appeal will now be actioned.

39. Although the appeal is against the original decision, it stands against the new decision because:

- the original decision has been cancelled; and
- replaced in full by the revised decision.

ESA to JSA Claim Transfers

1. The solution that ESA claims are to be maintained on JSAPS requires that any dormant ESA claims must be transferred to the JSA Service before a claim to JSA can be registered
2. This is because a National Insurance number can only exist on one area of the database (service) due to Computer Record Location (CRL) limitations within Customer Information Service (CIS).
3. There is validation that a Live ESA claim cannot be transferred to the JSA service, however a dormant claim may still have outstanding action
4. Some outstanding actions prevent registering a new claim and in these cases it would be impossible to register the JSA claim following transfer to the JSA service
5. To overcome this problem dialogue JA030 'Claim Transfer' prevents Claim Transfer from ESA to JSA when there is certain outstanding action on the ESA claim.
6. This functionality also applies for ESA, where the JSA claim has to be transferred into the ESA service
7. It is important to ensure all outstanding actions, on the JSA claim, are cleared following termination, to ensure any subsequent ESA claim is not delayed
8. A claimant who has failed their ESA Work Capability Assessment (WCA) and wishes to appeal MUST first request a Mandatory Reconsideration (MR). During the MR stage, they will have no claim to ESA so they may claim JSA.
9. If they claim JSA, the ESA claim should be closed down on JSAPS and the JSA claim should be maintained clerically until the MR outcome is known.
10. If the MR outcome overturns the original decision they will return to ESA and the claim to JSA will end.
11. If the MR outcome does not overturn the original decision they can then appeal to Her Majesty's Courts and Tribunal Service (HMCTS). During the appeal they can either choose to remain on JSA or return to ESA, this is their choice.
12. If they choose to return to ESA their JSA claim must be closed.

Changes to Processes - Claimant

13. When attempting to register JSA interest in PD350 'Register Interest' and there is a Live ESA claim '**E6969 Error: Account already held. Check ownership**' will display

STEP	ACTION
1	Access PD350 'Register Interest' to register the JSA claim
2	'E6969 Error: Account already held. Check ownership' displays

3	Contact the office maintaining the ESA claim and request they terminate the claim.
4	The day following ESA Claim termination action, and CIS shows an end date for the ESA claim, input JA030 'Transfer Claim'

14. When attempting to Transfer in a live ESA claim '**E3465 Error: Cannot transfer a live ESA claim to a JSA office**' will display

STEP	ACTION
1	Access JA030 'Transfer Claim' to transfer the ESA claim into the JSA office
2	'E3465 Error: Cannot transfer a live ESA claim to a JSA office' displays
3	Contact the office maintaining the ESA claim and request they terminate the claim.
4	The day following ESA Claim termination action, and CIS shows an end date for the ESA claim, input JA030 'Transfer Claim'

15. The following Outstanding actions will prevent the claim being transferred into the JSA office

- An open event – displayed in JA120 'Event Maintenance'
- Any of the following Case Controls – displayed in JA530 'Case Controls' see clearance action in Case Controls Process Set and Case Controls System Set

P003	P013	P015	P052	P061	P062	P081	P091
P092	P096	P105	P107	P116	P134	S003	S013
S023	S024	S041	S044	S049	S069	S081	S082
S090	S091	S092	S093	S095	S096	S104	S126
S133	S188	S245	S276	S280	S282	S307	

16. Action to enable ESA claim to be Transferred into the JSA service

STEP	ACTION
1	Access JA030 'Transfer Claim' to transfer the ESA claim into the JSA office
2	'E3478 Error: Dormant ESA case has outstanding action' displays
3	Contact the ESA processing section and request they clear the outstanding actions, which they can view in JA530 'Case Controls' or in JA120 'Event Maintenance'
4	When the Case Controls and/or Events have been cleared transfer the claim into the JSA office using JA030 'Transfer Claim'
5	Complete JSA claim registration process

17. The Guidance regarding ESA to JSA claim transfers, in JSA Bulletin 2008/10, is clarified and updated as follows

Example 1

Two people on JSA, either claimant with a partner or a Joint Claim

- One claims ESA, income related, so both are now part of an ESA(IR) case one as a claimant and one as a partner.
- The partner (on the ESA claim) wishes to carry on Claiming JSA(C) and in order to receive JSA(C) and/or NI credits
- The ESA(IR) is to be maintained on JSAPS.
- the ESA(IR) partners contribution based claim to JSA becomes clerical.

Action when JSA Claimant claims ESA(IR) and Partner does not have a JSA claim

STEP	ACTION
1	Terminate the JSA Claim. Clear all case controls and Outstanding JSA Overpayments – as current guidance
2	ESA processor will transfer both NINOs into the ESA Service
3	JSA partner makes a claim to JSA(C) so becomes a Claimant
4	This claim must be wholly clerical, do NOT register Clerical Interest in PDCS
5	Send form JSA690, by courier to Newcastle Records, Benton Park View, Newcastle Upon Tyne, NE98 1ZZ. This lets NIRS2 know that a clerical JSA claim is held in the office.
6	Assess claim for JSA(C) using eNIRS or RD26. Maintain Clerically
7	If JSA(C) not payable consider JSA NC1 and Non Claimant action
8	If JSA(C) payable inform ESA section of appropriate BDC, on form A6, of date payable from and amount payable so that ESA processing can input the JSA(C) details into JA617645 Other Benefits
9	When JSA(C) exhausts or claim Terminates, inform ESA section of appropriate BDC, on form A6, of Exhaustion Date or Termination date
10	If ESA(IR) claim ends or ESA(IR) partnership is ended use JA030 Transfer Claim to transfer the ESA ex partner claim (this is the JSA(C) clerical claim) into the JSA server and JA086 Build from Clerical to input the JSA claim to JSAPS

Action when 1 Joint Claim member claims ESA(IR) and 2nd member claims JSA(C) or the partner on the JSA claim is also claimant (claimant/partner)

STEP	ACTION
1	Fall the Joint Claim using Dialogue JA050 or

	End the partnership in JA091005 About Partner
2	Terminate the claim of the Claimant who is claiming ESA(IR), using Dialogue JA099 and clear all case controls
3	Transfer to Clerical the claim of the Claimant who is the partner on the ESA claim, using Dialogue JA035 Transfer to Clerical. Do NOT terminate this claim before TTC action is taken
4	Access PD52 and end the JSA Interest
5	Inform ESA BDC that they can now transfer the TTC residual record into the ESA Service
6	Assess claim for JSA(C), using information from JSAPS screen prints, and Maintain Clerically
7	If JSA(C) not payable consider JSA NC1 and Non Claimant action
8	If JSA(C) payable inform ESA section of appropriate BDC, on form A6, of date payable from and amount payable
9	When JSA(C) exhausts or claim Terminates, inform ESA section of appropriate BDC, on form A6, of Exhaustion Date or Termination date
10	If ESA(IR) claim ends or ESA(IR) partnership is ended use JA030 Transfer Claim to transfer claim into the JSA server, and JA086 Build from Clerical to input the JSA claim to JSAPS

Example 2

ESA Claimant with a partner claims JSA(IB), partner claims ESA(C). Joint Claim NOT applicable

STEP	ACTION
1	Check ESA claim is Dormant and has no outstanding case controls which will prevent Claim Transfer. If the ESA claim is still 'Live' then ' E3465 Error: Cannot transfer a live ESA claim to a JSA office ' will display, see para 7
2	Ensure any outstanding ESA Overpayments are cleared by the ESA processing section
3	When ESA(IR) claim is terminated transfer the Claimant details into the JSA Service using JA030 Transfer Claim. The partner details will also need to be transferred in using JA030 Transfer Claim, as the ESA(C) claim must be maintained clerically by the ESA section
4	Input JSA(IB) claim to JSAPS, as current guidance
5	Request ESA(C) award details, for the partner, from the ESA processing section, using A6. Also request that any change to the ESA claim/award to be notified clerically to JSA processing section
6	When details are received input in JA091020 Other Benefits

Example 3

ESA Claimant with a partner claims JSA(IB), partner claims ESA(C). Joint Claim applicable

STEP	ACTION
1	The ESA(C) claimant will be subject to Exemption, as are Joint Claim members who are claiming Incapacity Benefit, see Exemptions within Joint Claims
2	Do not transfer in the Joint Claim member who is claiming ESA(C). The ESA(C) claim will remain on JSAPS
3	When ESA(IR) claim is terminated transfer the Claimant (the Joint Claim member who is not subject to an Exemption) details into the JSA Service using JA030 Transfer Claim then transfer to Clerical using Dialogue JA035
4	The Joint Claim must be maintained clerically
5	Establish the amount of the ESA(C) award and include this in the assessment. Any premiums due should be paid on the JSA(IB) claim
6	BF for monthly check on JSAPS ESA award enquiry for the Joint Claim member with the Exemption.
7	Do not award NI Credits for the Joint Claim member with the Exemption

Example 4

JSA claim transferred to ESA, ESA claim Transferred to Clerical, Claimant makes repeat claim to JSA

STEP	ACTION
1	Transfer the ESA residual record into the JSA service
2	Request JA70150 Data Protection Print (Main File Print) from DRS
3	If no JSA clerical payments have been made input JSA claim to JSAPS using JA091 Maintain Claim details
4	If JSA clerical payments have been made input JSA claim to JSAPS using JA086 Build from Clerical
5	View Main File Print in DRS to obtain ESA and JSA Linking details and input using JA091022 Benefit Linking Details

Other ESA to JSA Transfer Issues

JSA claim uses ESA Contribution Condition Calculation

18. When a JSA claim is taken after an ESA claim which uses the same RITYs (or at least one of the same RITYs) as the ESA claim then the claim can be incorrectly rated.
19. Check JA097198 Input/Maintain Contribution details if Class 2 Share fisherman EF is completed than Class 2 Self Employed Contributions may have been, incorrectly, used in the JSA Contribution Condition Calculation
20. In these cases do not decide on the claim, await return of the Main Benefit Reply (MBR) from NIRS
21. The MBR will contain the correct JSA Contribution Condition Calculation and, as the information will differ from information held, Case Control S091 MBR or Revised MBR Received – check Conts will be set and appear on the JA72539 Work Available Report the day after the MBR is received
22. Access JA097198 Input/Maintain Contribution details and accept the MBR details for both RITYs

JSA Claims which link due to an ESA Claim

23. When a repeat claim is made and the claimant has had an ESA claim, in between the previous claim and the current claim, JSAPS is not taking into account the previous JSA Linking details
24. ESA links to JSA see Employment Support Allowance Linking. Therefore a claim to JSA which is linked to a previous JSA claim, by a period of ESA, will retain the JSP, RITYs, Waiting Days and Cumulative Total count of the first JSA claim.
25. When both ESA and JSA claims have been maintained on JSAPS this action should be taken by JSAPS but JSAPS does not do this automatically
26. Until JSAPS can be amended the following action must be taken when assessing a repeat claim to JSA when that JSA claim links to an ESA claim

STEP	ACTION
1	Check JA507 Linking/Claim History if no linking JSA claim found then no further action.
2	If Linking JSA claim exists access JA091022 Benefit Linking Details
3	Input 'Y' in Effective Linking field, '05' in JSA(C) Linking Type field, and
4	Input '05' in JSA(C) Linking Type field,
5	Complete FED of Linked Period and LED with the relevant dates from JA507
6	Complete Cum Tots field with 000 – the Cum Tots from the previous claim should automatically be carried over – check in

	JA504 when claim is fully decided.
7	Continue to process the claim as current guidance

ESA to JSA Transitions

ESA to JSA Transitions

1. The ESA to JSA Transitions process only applies to claimants who are moving directly from income related ESA (ESA (IR)) to income-based JSA (JSA (IB)).
2. If the claimant is not eligible for the Transition process, then a full gather must be completed.

Eligibility

3. To be eligible for the ESA to JSA Transition process, the claimant (and their partner, if appropriate), must:
 - claim JSA within one calendar month of their claim to ESA ending;
 - have previously claimed ESA(IR);
 - be 18 years of age or over;
 - not be a potential Joint Claim;
 - be a UK National; and
 - have had no change of circumstances since their ESA claim ended.

Transitions Claim Gather

4. An ESA to JSA Transition claim can be made on either:
 - form JSA1 (T); or
 - CMS.
5. The Transition process does not apply to any claims made via JSA Online.
6. For further information on processing the claim, see the Customer Management System Benefit Delivery Officer guidance.

ESA Mandatory Reconsiderations and Appeals

7. Claimants who fail their ESA Work Capability Assessment (WCA) and wish to appeal that decision must first request a Mandatory Reconsideration (MR). During the MR stage, they have no claim to ESA and can therefore claim JSA.
8. A claim to JSA can be made even if a claimant has medical evidence stating they are unfit for work.
9. If the MR outcome overturns the original decision the claimant returns to ESA and their claim to JSA ends.
10. If the MR outcome does not overturn the original decision claimants can appeal to Her Majesty's Courts and Tribunal Service (HMCTS). This is known as a first tier appeal. During the appeal, the claimant can choose to either remain on JSA or return to ESA.
11. If the first tier appeal fails, claimants may make a further appeal to the upper tier tribunal. They cannot remain on ESA pending the outcome of the upper tier tribunal decision. If they chose to reclaim JSA, a full data gather is required.

Backdating Action at the Benefit Centre

12. Normal back dating rules apply to transition claims where there is a gap between the end of the ESA claim and the start of the JSA claim.
13. Backdating information is collected during a CMS gather and a JSA5 will only need to be completed if:
 - A JSA1(T) is completed;
 - the PA identifies that additional information is required; or
 - the claimant first asks about backdating during their NJI.
14. The PA decides if the Labour Market conditions have been met and notifies the BC of the decision.
15. On receipt of notification, decide whether the time limit for claiming can be extended and record the decision on JSAPS.
16. On receipt of the signed JSA1(T)/JSA69 take the appropriate action to decide on the claim.

Storage and retrieval of ESA to JSA Transitions documentation

17. All documentation must be easily available for the duration of the JSA award. Once the claim is closed, documentation must be retained and retrievable for the designated document retention period.
18. JSAPS will automatically link the new claim data with the previous ESA claim data. Raise a new claim file to retain any JSA documents and leave the ESA claim file in put away until it is due for destruction.
19. See JSA and ESA Document Retention Guidance for further information.

JSA 1(T) Documentation

20. JSA1 (T) claim forms form part of the new JSA claim data and should not, therefore, be stored with the previous ESA claim.

Evidence Requirement and Defective Claims

Background

1. In order for a JSA claim to be valid, it must meet the Evidence Requirement (ER) set out in the Claims and Payment Regulations. This means that, unless it is decided that the claimant is exempt from providing certain evidence, they must:
 - answer all the questions asked by the Customer Service Agent (CS Agent), the on-line service or on the claim form; and
 - provide specified documentary evidence to support the information provided.

Note: The Evidence Requirement is also referred to as the 'onus of proof' rule, as its purpose is to make the claimant responsible for showing they have entitlement to the benefit.

2. Whilst there is a legal obligation for the claimant to provide any requested evidence in support of their claim, there is not a definitive list of what to ask for.
3. The deadline for meeting ER is a maximum of one month from the initial date of contact. Claims that do not meet the ER are referred for a defective claim decision.
4. Changes to the Evidence Requirements implemented from 15 November 2010 standardised the approach to requesting documentary evidence from claimants.

Introduction

5. The Customer Management System (CMS) prompts the Customer Service Agent (CS Agent) to remind the claimant to bring any documentary evidence in support of their claim to the meeting at the Jobcentre.
6. Where an online claim is made, the online service provides a summary of the evidence that the claimant needs to provide. The claimant is also contacted to arrange a New Jobseeker Interview and they are reminded to take any evidence with them to the Jobcentre.
7. If the claimant completes form JSA1 or JSA4RR there is a list of the evidence they are required to bring to the Jobcentre at the end of the form.

Telephone financial assessment

8. During the telephone financial assessment interview, the claimant is reminded of the information they need to provide to satisfy the ER as well as any extra information that may be identified during the call, eg a previously unanswered question is now answered and this requires some documentary evidence.
9. The claimant is asked to bring the evidence when they attend their face to face financial assessment interview (if required) or the NJI/WFI if a face to face interview is not required.

Face to face financial assessment

10. Following the financial assessment telephone call, some claimants need to attend a face to face financial assessment interview. During this face to face interview any evidence is collected, the claim is checked for completeness and CMS updated before claim is transferred to the Benefit Centre (BC) for processing.

11. If the claimant has not provided sufficient evidence to satisfy the ER, they are notified of the outstanding information using form JCP5.
12. CMS is noted if a potential exemption to the ER is identified.

Early Push cases

13. These are previewed in the BC and the customer contacted if they are required to provide any documents when they attend the Jobcentre.

Insufficient evidence supplied

14. If insufficient evidence is supplied, it must be determined if:
 - the claimant has provided sufficient evidence to satisfy ER
 - the evidence is still required to satisfy ER
 - sufficient information has been provided for a decision to be made that the claimant is exempt from ER.
15. In some cases, additional evidence beyond that required to meet the ER, is needed to process the claim. See Gathering Evidence for examples of when this might be needed. Different timescales apply for providing this information.

Information needed to satisfy the evidence requirement (ER)

16. The information needed to satisfy ER is:
 - a fully completed and signed customer statement or clerical claim form, or JSA/IS69 if appropriate; and
 - all documentary evidence specified on the customer statement/ claim form.
17. Accept the customer statement or claim form as complete if the answers to some unanswered questions are:
 - answered somewhere else on the form
 - in a supporting document provided by the claimant
 - easily available from departmental records, for example the amount of a social security benefit, or
 - irrelevant to the claim, for example a missing telephone number.
18. Reuse information already verified from a previous claim if it has not changed, eg occupational pension review date not reached. There is no need to ask the claimant to provide proof again.
19. Information captured and verified by the Customer Service Agent and during any financial assessment interview must be accepted.
20. The claimant will not need to provide documentary evidence in the following circumstances where an alternative verification source is used:

Item	Alternative source for verifying information
Child Benefit	Departmental IT systems and Child Benefit Online
National Savings Certificates	Details obtained during Information Gather
Permanent Health Insurance	Details obtained during Information Gather
Volunteering	Details obtained during Information Gather
Armed Forces Compensation Scheme	Details obtained during Information Gather
Special Occupational Disregard	Details obtained during Information Gather

Proof of Work Capability Assessment (WCA)/Personal Capability Assessment (PCA)	Departmental IT systems
Notional Income	Details obtained during Information Gather
Work as an actor or musician	Captured under current/previous work
Ex-prisoners	Details obtained during Information Gather
Backdating Credits for IB	Details obtained during Information Gather
Dates in Hospital	Details obtained during Information Gather
Previous Work	Details obtained during Information Gather
Worked Abroad since last claim	Details obtained during Information Gather
Other Benefits	Departmental IT systems ie CIS. Note: Benefits not paid by DWP eg War Widows Pension, Widowers Pension and War Disablement Pension, require the customer to provide documentary evidence.
Company Director	Details obtained during Information Gather
Student Income/Loans	Details obtained during Information Gather
Dates in Education/Training	Details obtained during Information Gather
Personal Injury Payment	Details obtained during Information Gather

21. Return any documentary evidence that is not required to the claimant. Do not copy and retain.
22. Update CMS/ JSAPS if the evidence provides additional information or clarification relevant to the claim.
23. Do not retain copies of any information for which documentary evidence is no longer required.

Documentary evidence needed

24. Where evidence cannot be verified via an alternative source the documentary evidence needed to meet ER is:
 - two monthly or five weekly payslips if the claimant and/or partner are in current work
 - confirmation of bank/ building society accounts, savings and property. Savings of £5,500 and above must be confirmed by an up to date bank statement or passbook and where the claimant has shares they must provide the certificates or proof of the shares
 - details of occupational pensions. Proof of pension is required, for example the latest statement from the company that pays it or the claimant's latest bank statement and a recent form P60
 - verification of other benefits that cannot be verified using the Departments IT system, such as War Widow's Pension, Widower's Pension and War Disablement Pension
 - verification of other money received by the claimant and/or partner:
 - any training allowance
 - Statutory Sick Pay
 - Statutory Maternity Pay

- Statutory Adoption Pay
- Statutory Paternity Pay
- fostering fees or allowances
- money from a charity or benevolent fund
- payments made in lieu of concessionary coal
- War Pension
- money from a trust fund
- payments made from a creditor insurance policy.

Documentary evidence always required

25. Certain groups of claimants are required to provide documentation. These are:

- people granted asylum – they must send proof of immigration status and any support from the Home Office, an example of proof could be a letter from the Home Office confirming this. For further information, please see Persons from Abroad.
- Sponsored immigrants – must send proof of immigration status confirming date they entered the country and the date the sponsorship undertaking was signed. See Persons from Abroad for further information.

Evidence that is not part of the ER

26. The fact that ER is satisfied does not necessarily mean that the case is ready for processing. See Gathering Evidence for further information.

Exemption from ER

27. Check if the claimant is exempt from ER. Claimants are exempt from ER if they satisfy one or more of the following exemption categories:

Category	Reason
A	The claimant is unable to complete the claim form or obtain evidence because of a physical, learning, mental or communication difficulty and it is not reasonable for anyone else to help.
B	The information and evidence required do not exist.
C	The claimant cannot obtain the information without serious risk of physical or mental harm and there is no other reasonable way to obtain it.
D	A third party holds the information and it is not possible for the claimant to obtain it.
E	It is obvious that there is clearly no entitlement to Jobseeker's Allowance from the information already supplied.
F	Reasons are a combination of the above (composite).

Action required when the claimant is exempt from ER

28. If the claimant is exempt from ER:

Step	Action
1	Record the details of the exemption on form A6 and in dialogue JA110: Maintain Notepad.
2	If the claim form needs further completion or evidence and the claimant is exempt from ER because:

	<ul style="list-style-type: none"> • category A applies, arrange an interview • category B applies and further evidence: <ul style="list-style-type: none"> • is needed, obtain the evidence needed, or • is not needed, make a decision • category C or D applies, obtain the evidence needed. Evidence may be gathered for the claimant if this does not pose the same risk to the claimant as if they obtained the evidence themselves. Otherwise decide the claim on the balance of probabilities. The claimant's statement is normally accepted, or • category E applies, make a decision.
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Getting the evidence needed

29. Two sets of information are required:

- evidence to satisfy ER
- evidence to help make a decision .

30. Evidence to satisfy ER must be received within one month of the IDOC. Other evidence must be received within seven days of it being requested, or such longer time as is considered reasonable. This means that there may be different dates for the return of information.

Example

The claimant makes a claim on 2 May. The claimant declares he is in current work but has not provided payslips which are required to satisfy the ER. To consider their claim from the IDOC, payslips must be received by 2 June at the latest. With the claim, the claimant provides verification of capital of £6,000. £10,000 was withdrawn from the account on 28 April. Further information about this capital withdrawal is requested on 9 May. The claimant must provide this information by Thursday 16 May.

31. In most cases, evidence to satisfy ER is collected during the financial assessment interview.

32. If further evidence is needed consider telephoning the claimant to obtain the evidence needed or requesting the evidence needed by post.

33. To request the evidence by post:

Step	Action
1	Complete form JSA164 to tell the claimant: <ul style="list-style-type: none"> • about the mistakes in their claim • the date when the form/and or evidence must be returned to satisfy the ER. This is a maximum of one calendar month from the IDOC • their claim is not valid until all the information or evidence required for ER is received • they must complete the sections missed off their claim form which are marked with a red cross • what evidence is needed for ER • about any other additional evidence or information not subject to ER must be returned within seven days of its request.
2	Send the claimant: <ul style="list-style-type: none"> • the completed form JSA164 • the incomplete claim form, if appropriate

	<ul style="list-style-type: none"> • a business reply envelope.
3	<p>If the case is:</p> <ul style="list-style-type: none"> • on JSAPS make a note in dialogue JA110: Maintain Notepad to show why the claim is potentially defective • clerical: <ul style="list-style-type: none"> • BF for 1 calendar month from IDOC. <p>See Action when the claimant is not exempt from ER and ER is not satisfied</p>

Completed claim form and/or further information returned

34. If the claimant returns the completed form and/or further information:

Step	Action
1	Record the return of the claim form and/or request for information or evidence in dialogue JA110: Maintain Notepad or form A6.
2	Record details of evidence or information provided on form A6.
3	Photocopy the original evidence and endorse the photocopies as a true copy, return the original evidence to the claimant.
4	Check that all the evidence needed has been received and that the ER is satisfied.

Action when ER is satisfied

35. When ER is satisfied:

Step	Action
1	Record details of evidence provided on a form A6 or take a photocopy and note the copy 'certified true copy' sign and date it, and retain with the current claim.
2	Note the following information on form A6: <ul style="list-style-type: none"> • ER satisfied • your initials • the date.
3	Return the original documents to the claimant.
4	Decide the date the claim became valid and consider extending the time for claiming.
5	Obtain any further information necessary to decide the claim.
6	Update JSAPS

Action when the claimant is not exempt from ER and ER is not satisfied

36. The claim is treated as defective if, one month after the IDOC:

- form JSA1 or customer statement has not been properly completed in accordance with instructions, or
- the claimant fails to provide supporting evidence or information asked for on the form JSA1/customer statement to satisfy the ER, and
- there is no evidence to show that the claimant should be exempt from ER.

37. Pass the claim to the Decision Maker (DM) to make a decision. See Defective claims for information on the action to take.

Defective Claims

38. If a claim is still defective one month after the initial date of contact (IDOC), the Decision Maker (DM) disallows the claim and the claimant is notified of the decision together with details on how to appeal.

Action one month after IDOC

39. If the claimant does not provide the relevant information or a correctly completed claim form/ customer statement within one month of the IDOC:

Step	Action
1	Check if the claim form or customer statement/input doc/and required supporting evidence has been received in the office but not linked with the papers.
2	If the relevant information: <ul style="list-style-type: none"> • has been received and enough details obtained to satisfy ER, take normal action to process the claim • has not been received, an off-line decision should be made.
3	The DM considers if there is any evidence to suggest that the claimant is exempt from completing the JSA1, customer statement or providing the evidence in question – see Exemption from the ER for more information.

40. The DM makes a decision in every case where an attempt to make a claim fails because it is deemed defective. The decision is recorded on form A6 and signed and dated by the DM. This decision disposes of the claim and provides information about appealing.

41. On receipt of the decision:

Step	Action
1	note on form A6 or in JA110: Maintain Notepad; 'Claim form/evidence not returned. Claim defective';
2	complete form JSA1C, advising the jobcentre of the decision so they can update the Labour Market System record;
3	for system maintained claims: <ul style="list-style-type: none"> • access dialogue JA060: Register Claim/Event; • access dialogue JA099: Record Claim Termination Details and terminate the claim using the termination reason code [14] defective claims. JSAPS issues a notification to the claimant telling them that the claim has been terminated and explaining their right of appeal against a decision;
4	for clerically maintained claims; <ul style="list-style-type: none"> • record the claim as being cleared on clerical statistics form MR202 JSA Claims; • send draft letter DLJA100 to the claimant, telling them that their claim has been terminated and explaining their right of appeal against the decision.

Claim is defective and the claim form is returned

42. If the claimant, after receiving notification of the defective claim, states they want to continue with their claim and provides the requested information refer the case to a decision maker for a decision on entitlement.

Gathering Evidence

Obtaining information from a claimant

1. Information must be obtained by the most efficient and effective means to minimise any delays to the claimant. If the claimant has provided the information previously and it remains unchanged there is no need to ask for it again.
2. Any information that is requested and recorded on JSAPS or clerically must comply with data protection principles, as it is available to the claimant under the Data Protection Act.
3. If a JSA claim is received that:
 - has not been actioned, and the New Jobseekers Interview has not taken place, contact the jobcentre;
 - has not been signed by the claimant, return to obtain signature.

Checking Customer Information Service (CIS)

- When a new claim to JSA is received, as well as the routine check of CIS for any other benefits in payment you **must** check to see if the claimant has a current fraud Loss of Benefit (LOB) penalty imposed.

When the claim form is received

4. When the claim is received, examine it to ensure it has been properly completed.
5. Check:
 - if the claimant is exempt from the evidence requirement they are not required to fully complete the claim form;
 - all the relevant questions have been answered;
 - there is acceptable evidence to determine the claim. If the information remains unchanged or has been provided before the claimant does not have to provide it again; and
 - it is signed;
 - if this relates to a claim that was previously treated as defective claim.

Claimant has not signed the claim form

6. If the claimant has not signed the claim form:

Step	Action
1	mark the claim form with a red 'X' either side of the claimant's signature box;
2	complete form JSA164, ticking the appropriate box, asking them to sign the form;
3	send the form JSA164 and unsigned claim form to the claimant;
4	record the reasons for the return of the claim form on form A6;
5	BF the claim for 7 days to await its return.

Claimant returns the claim form

7. When the claimant returns the claim form, check it again for:
 - legibility;
 - completion; and
 - a valid signature.
8. If the claim form has been completed correctly, process the new/repeat claim.
9. If the claim form is signed but there are questions that have not been answered, request the information from the claimant.

Claimant does not return the claim form

10. If the claimant does not return the claim form:

Step	Action
1	send a reminder letter, to the claimant; and
2	for system maintained claims: <ul style="list-style-type: none">• access dialogue JA530: Case Controls and set a case control for a further 7 days; for clerically maintained claims: <ul style="list-style-type: none">• BF the claim for a further 7 days.

11. If the claimant does not return the claim form after the reminder has been sent, treat the claim as defective.

Special Customer Records

12. To ensure that the confidentiality of information held on special claimants is maintained user access must be strictly controlled on the basis of business requirement.

13. The capability of a user to access an account annotated as a Special Customer Record must be restricted to a set period of time and on an event-by-event basis. The period of time allowed should be sufficient for the effective conduct of business, and, in any case, no longer than 4 hours. If this period of time is inadequate, further management authorisation is necessary.

14. Before being allowed access to any Special Customer Record, users must demonstrate to their line manager that there is a valid business reason for accessing the information. When authorisation has been granted, the user must only access, or use, that information for approved official purposes.

15. A user who has an official need to access information on a specific Special Customer Record is not entitled or authorised to access information on other Special Customer Records, regardless of whether or not they have the ability to do so. Users should be aware that access to Special Customer Records is monitored.

16. Further information on security matters can be found on the Departmental Security Team's intranet site.

Carers Allowance Special Customer Records

17. Where a claimant in receipt of Carer's Allowance (CA) has a special customer record marker, information about the CA claim is communicated via secure e-mail.

18. A designated CA Special Customer Records Officer telephones the relevant Benefit Centre (BC) to ask for details of the allocated Special Customer Records officer, or appropriate named contact for receipt of the secure information.

19. Sensitive CA information is sent with 'Restricted' in the subject line of the email.

Note: The secure information must be actioned in the same way as information previously supplied on DO cards (DS751, DS752 and DS772) which are now obsolete.

Verifying identity

20. It is important to verify a claimant's and their partner's identity every time they claim benefit or report a change of circumstances.

21. It is the responsibility of staff to carry out the required confirmation of identity checks to satisfy section 1 of the Social Security Administration Act 1992.

22. The officer who accepts the claim must be satisfied that the claimant is who they say they are. This applies to both the claimant and their partner.

23. To satisfy section 1 of the Social Security Administration Act 1992, both the claimant and their partner must provide enough information and evidence to:

- confirm their and their partners National Insurance number (NINo);
- enable a NINo to be traced;
- enable a NINo to be applied for

24. If any of them fail, the JSA claim cannot be processed, this applies to new and repeat claims and also to changes of circumstances when the identity of a new partner cannot be confirmed.

25. Further details can be found in the Confirming Identity guidance.

Verifying and tracing NINo's

26. If the claimant and/or partner does not provide a National Insurance number (NINo) or it cannot be traced, action has to be taken by completing form DCI and referring to the appropriate team. Further details can be found in the Confirming Identity guidance and the Secure NINO Allocation Process guidance.

Requesting verification of age

27. To request verification of age in cases where there is doubt about the claimant's statement:

Step	Action
1	for system maintained claims: <ul style="list-style-type: none">• access the PERSONAL DETAILS screen JA091003 in dialogue JA091: Maintain Claim Details;• input [RV] in the 'Date of Birth' field;

2	the system: <ul style="list-style-type: none"> • issues a notification to the claimant; and • sets a case control for three weeks to await a reply;
3	for clerically maintained claims: <ul style="list-style-type: none"> • send form A164, request further information, to the claimant; and • BF the claim for 7 days for a reply;
4	if the claimant has not provided the requested details: <ul style="list-style-type: none"> • send a reminder letter; and for system maintained claims: <ul style="list-style-type: none"> • access dialogue JA530: Case Controls and set a case control for two weeks to await reply; for clerically maintained claims: <ul style="list-style-type: none"> • BF the claim for two weeks to await a reply;
6	if the requested details have still not been provided after the expiry of the BF/Case Control, decide whether to disallow payment of JSA.

See, Decision Makers Guide, Volume 1, Chapter 2, claims and applications and Volume 4, Chapter 20, JSA and IS conditions of entitlement

Jobseeker decided for the claim

28. The jobseeker is the claimant who has satisfied the entitlement conditions and has submitted the claim form. However, further considerations are required if the claim is from a:

- couple or a member of a joint claim;
- polygamous relationship;
- polygamous marriage.

Claims from couples and members of a joint claim

29. A couple can decide which partner makes the claim. The partner who claims must satisfy the normal qualifying conditions for JSA.

30. If the couple cannot reach an agreement, the New Claims Adviser should register the claim in dialogue JA060: Register Claim/Event, and pass the claim to the processing section for further action.

31. When the JSA claim form is received, check to confirm that the partner agrees to the claim. If the partner agrees to gather the information required for the new/repeat claim.

Deciding jobseeker for couple or joint claim

32. If the partner does not agree on who should be the jobseeker:

Step	Action
1	send DLJA110 to the claimant;
2	record the issue of the letter.

33. Proceed with the claim as it stands if after the issue of DLJA110

- the partner agrees to the claim; or

- there is no reply.

34. If the couple cannot agree, the Decision Maker must decide which partner should make the claim.

Choosing who claims

35. The partner who makes the claim must satisfy the normal qualifying conditions for JSA.

36. If there is a financial advantage, other than that arising from a sanction, choose the partner who would get most JSA (IB).

37. If there is no financial advantage, consider who:

- has the stronger connection with the labour market ; or
- is already receiving other benefits, for example JSA, Employment Support Allowance (ESA).

Sending the decision

38. Record the reason for the decision. There is no right of appeal.

39. If the claim is processed as it stands:

Step	Action
1	send DLJA111 addressed jointly to the claimant and partner;
2	record the issue of the letter;
3	keep a copy of the letter.

Person chosen to be the claimant has not yet claimed

40. If the person chosen to be the claimant has not yet claimed:

Step	Action
1	make a New Jobseeker Interview appointment;
2	send DLJA111 addressed jointly to the claimant and partner;
3	if the partner does not need to claim JSA, issue the appropriate benefit claim form;
4	record the issue of the letter and the claim form, if appropriate;
5	keep a copy of the letter.

Polygamous relationships

41. A polygamous relationship is when someone lives in a husband and wife relationship with more than one person, but is not married to any of them.

42. When a claimant has a polygamous relationship, none of the members of that relationship can be treated as living together as husband and wife/civil partners.

43. The members of a polygamous relationship must claim as single people and satisfy the normal conditions of entitlement for JSA.

See, Decision Makers Guide, Volume 4, Chapter 22 Membership of the Family

Polygamous Marriages

44. A polygamous marriage is a marriage in which:

- one of the parties is married to more than one person; and
- the ceremony took place under the law of a country which allows polygamy.

45. If a claimant declares more than one spouse, obtain evidence of the marriage.

46. The requirement to be a joint claim also applies to polygamous marriages.

See, Decision Maker Guide, Volume 4, Chapter 22, Membership of the Family

Backdating a claim and or credits

47. If a claimant asks about making a backdated claim, explain that:

- JSA cannot be paid for a period more than 3 months before the Treat as Made date;
- generally JSA cannot be paid for any period abroad, but there are circumstances when this is possible;
- excluding credits only claims, JSA can only be paid if the claimant can show good reason for the delay;
- for the period concerned the claimant must show that they were:
 - available for work;
 - capable of work;
 - actively seeking work.

48. Do not refuse the claimant the right to make a backdated claim even if the application of the above conditions suggest the claim will not succeed.

49. There is no statutory time limit for a belated application for credits.

50. A person does not have to be a current claimant to make a belated application for credits.

Backdating for share fishermen

51. If a share fisherman requests to have their JSA claim backdated when making their initial claim, advise them of how their Benefit Week Ending (BWE) day is allocated. The forms required are the same for a normal backdated request.

Forms required for a backdating request

52. When considering a backdated claim:

- consider if it is requested by the claimant at the start of a Benefit Year;
- consider if the claimant had previously failed to attend.

53. If an award of JSA has already been made and the period of backdating is immediately before the date of claim, the backdated claim application must be made on form JSA5.

54. If no award is in payment, or the application is for a period which does not immediately precede a current claim, the backdated claim application must be made on forms JSA1 or JSA4 (Rapid Reclaim) and JSA5.

55. If one or both members of a joint claim wish to backdate their JSA claim, each must complete a separate JSA5, backdated claim form.

56. If a non-claimant makes a belated application for credits, they are not required to complete form JSA5 to request backdating credits.

57. When the applicant makes a belated application for credits they must complete:

- the sections of the JSA claim form relating to JSA (C) only; or
- JSA NC1 ‘Application for National Insurance Credits for Jobseekers Not Claiming Jobseeker’s Allowance’, which is issued at the New Jobseekers Interview.

Treat As Made dates

58. The Treat As Made (TAM) date of the claim, is the date:

- of the first contact, if the claim is completed correctly and is received:
 - on or before the New Jobseekers Interview (NJI) and the interview is attended by the claimant;
 - within one calendar month of the original contact date, where the claimant is not required to attend;
- the form is completed correctly and is received after the:
 - original NJI and the claimant attends the rearranged interview;
 - specified time limit for application.

59. The TAM date of a joint claim may differ from the date of a single or claimant/partner claim.

Backdating claim is requested at the start of the Benefit Year

60. If a claimant asks to make a backdated claim that includes any contribution based JSA from a date in the previous Benefit Year special action is required.

61. Take the following action:

Step	Action
1	advise the claimant to consider the effect on their entitlement to JSA (C) if: <ul style="list-style-type: none"> • they wish to make a backdated claim; • the start of the period would take the claim back into the previous Benefit Year;
2	explain: <ul style="list-style-type: none"> • the definition of a Benefit Year; • that the award of a backdated claim dating from a previous Benefit Year depends on contributions paid and credited for different Relevant Income Tax Years (RITYs); • which RITYs each claim is based on in order to find out if they have enough contributions in the RITYs to qualify for JSA (C); • the possible effects of linking claims, for example ESA and periods of approved training;

	<ul style="list-style-type: none"> anything about their claim that may affect their decision, for example disallowances and sanctions;
3	access dialogue JA110: Maintain Notepad and record the action taken.

Backdating request after being disallowed due to Failure to Attend

62. Claimants who fail to attend an advisory interview or Jobsearch review and who do not make contact within 5 working days will have their claims closed from the day after their last attendance.

63. If the claimant subsequently reclaims JSA and provides evidence that they continued to be available for and actively seeking work up to the date they failed to attend, then the date on which their claim was closed can be revised and payment of benefit for that period considered.

64. These cases will be identified in the Jobcentre and a Labour Market decision will be made. For further information, see the Reclaim Gather chapter.

When a claim transfer is needed

65. A transfer of claim details to another office may be necessary when a user at an office tries to either register a new claim to JSA or a change of circumstances in dialogue JA060: Register Claim/Event and the claim record is held at another office.

66. This may occur when:

- the claimant changes address and they wish to attend a different office;
- the claimant finds it convenient to attend a different office due to changes in part-time work location or external factors such as a cheaper/faster bus route;
- the claimant's previous claim to JSA is held at an office different to that at which they are now claiming.

67. On JSAPS a number of offices are grouped together and are known as 'on the same service', within that service each office has several jobcentres linked to that district office. The office and its linked offices are known as the JSA Unit.

A JSA unit

68. When JSAPS requires a BDC and jobcentre office code number to be input in a dialogue, JSAPS performs a validation check. If the office combination is not valid, the offices are not part of the same JSA unit, and an error message displays.

Note: Where the benefit processing office remains the same but the Jobcentre office changes, ensure the new ESJ office number is input.

69. JSAPS checks to see if the claim is already on the current service. If not, it finds the current location of the claim by checking CIS and transfers it in from there. If the primary office has changed, JSAPS notifies NIRS, CIS and so on of the change of office through electronic transactions, paper notifications and schedules produced for the offices involved where necessary.

Change of Jobcentre only

70. Where a claimant asks to attend a different Jobcentre to the one linked to their home address, the claim should be processed and maintained on JSAPS by the Benefit Centre linked to the new Jobcentre.

71. Claims must not be maintained clerically purely because a claimant is signing at a Jobcentre which is not linked to the Benefit centre which would normally deal with their home address.

72. For further information, see the CMS BDO guidance.

Transferring a JSA claim

73. Before transferring in a JSA claim consider if the claim is:

- from Northern Ireland;
- from Isle of Man;
- a Joint claim.

74. Transfer the claim:

- through JSAPS; and/or
- clerically.

Requesting a transfer through JSAPS

75. When a claimant makes a claim to JSA and has a live or dormant claim held at another office, the JSA claim must be transferred.

76. If the previous JSAPS maintained claim is not held at the current office, request a claim transfer:

Step	Action
1	access dialogue JA030: Transfer Claim, CLAIM TRANSFER screen JA030030 and input: <ul style="list-style-type: none">• the claimant's National Insurance number (NINO);• the check brick, that is the first three letters of their surname;;;• the office code number;
2	press [Enter] and JSAPS checks if there is a previous claim on the same JSAPS service;
3	if no claim is found on the current service, JSAPS accesses DCI to try and locate the office where the current claim is held. Either: <ul style="list-style-type: none">• the NINO prompt screen re-displays with an appropriate error message if:<ul style="list-style-type: none">○ DCI has no record at all of the NINO;○ DCI only has a record of a clerical claim;○ an unexpected error is encountered;• DCI finds the office where the claim is held, JSAPS makes an inter service access to that office. More validation is performed and an error is reported if future validation failure occurs;
4	if sufficient details are retrieved from DCI, the CONFIRM CLAIM

	TRANSFER screen JA030031 displays giving details of the: <ul style="list-style-type: none"> • claimant's name; • claimant's address; • current Local Office; • current jobcentre;
5	if the details presented in CONFIRM CLAIM TRANSFER screen JA030031: <ul style="list-style-type: none"> • do not match the details supplied by the claimant, press the [CAN] key to cancel out of the dialogue. Confirm the details supplied by the claimant; • do match the details supplied by the claimant proceed to confirm the transfer.

Action to confirm the transfer

77. If the details presented in dialogue JA030: Transfer Claim, screen JA030031: Confirm Claim Transfer, match the details by the claimant, to confirm the transfer of the claim details:

Step	Action
1	input: <ul style="list-style-type: none"> • the importing office and jobcentre combination office code numbers. Always complete the office field. If the Personal Identification Device or Smart Card is for a jobcentre, complete the jobcentre field; • the date from which the reason for claim transfer applies, if a change of Local Office is involved. This enables deductions to be terminated from the correct date and relevant notification to be issued;
2	press [End] or [F1]. JSAPS checks to confirm that the office/jobcentre office combination conforms to the JSA Unit.

78. When the transfer details are successfully confirmed, JSAPS transfers the claim and records to the new importing office.

79. If the importing office has not initiated the transfer process, JSAPS sets a case control which is output on a Work Available Report JA72539 (WAR) to advise that office of its new responsibilities.

80. When a transfer takes place, all the claim details are copied across to the importing office.

81. The claim on the exporting office's service is noted as having been transferred to another office. Once this has been done, no other office may attempt to transfer the claim in from the exporting office. If the claim transfer process fails, the importing office should re-attempt the transfer or contact the previous owning office to obtain the appropriate details.

82. JSAPS notifies the exporting office when the claim transfer is complete and generates the transfer of clerical records report JA70302 that is output at the office.

If the transfer request is unsuccessful

83. If a transfer request is unsuccessful, an entry appears on the unsuccessful transfer report JA70303 at the exporting office. The exporting office investigate the reasons for the failure and take the appropriate action necessary, depending on the state of the failed transfer.

84. When the action has been cleared, the importing office re-try the transfer request. If the action cannot be cleared, an incident must be raised with the Advice line.

If the claim transfer is successful

85. When the JSA case details are successfully transferred into the current office using dialogue JA030: Transfer Claim:

Step	Action
1	access the relevant SEF/CIS amendment dialogues: <ul style="list-style-type: none">• PD355;• PD360;• PD365; and• PD053;
2	input or amend the claimant's personal details;
3	amend the nominated post office details in dialogue CP650 Amend PO/Urgent Card Request.

86. There is no action to take on SEF/CIS in the following circumstances:

- transfers from Great Britain (GB) to Northern Ireland;
- transfers from GB to the Isle of Man and the Channel Islands; or
- claimant moves abroad.

Transferring clerical records

87. If the claimant states, or if there is any evidence on the claim form, or change of circumstance form suggesting that a clerical claim is held at another office, request the transfer of all clerical records.

88. To request a transfer of the JSA wallet:

Step	Action
1	complete Part 1 of form A51, Request for wallet;
2	send the completed form A51 to the office where the JSA wallet is held;
3	record the issue of form A51 on form A6/JSA14C;
4	BF the case for receipt of records;
5	if form A51 is sent to the wrong office: <ul style="list-style-type: none">• complete part 2 of form A51;• send it to the correct office;• send form A52, notice of redirection of form A51;
6	when form A52 is received:

	<ul style="list-style-type: none"> record the receipt of form A52; issue a reminder of form A51 to the correct office;
7	<p>if form A51 is received marked No Trace and JSA has been paid, consider:</p> <ul style="list-style-type: none"> interviewing the claimant to clarify their previous statements; a visit to the claimant; referring the case for fraud action (see Fraud Referral Form (FRF));
8	<p>if form A51 is not returned:</p> <ul style="list-style-type: none"> issue a reminder A51; and record the issue of the reminder A51 on form A6/JSA 14C.

JSA wallet received

89. When the requested JSA wallet is received:

Step	Action
1	complete the tear-off section of the form A51;
2	send the A51 tear-off to the office who transferred the records;
3	pass the JSA wallet and/or specialist sub files to the relevant sections;
4	record the action taken on form BF2, according to local arrangements;
5	if appropriate, use the relevant indicators to show special interest, for example Social Fund (SF) stickers;
6	<p>when the relevant sections receive the transferred JSA wallet, ensure that:</p> <ul style="list-style-type: none"> all specialist action is complete, that is no payments are still in issue; information on the new records agrees with information on the transferred claim. If the information is different, check with the previous office; all specialist sub files including SF wallets have been forwarded by the old office.

Claimant moves from Northern Ireland to Great Britain

90. If a claimant moves to Great Britain (GB) from Northern Ireland, (NI) make sure:

- the claimant notifies the Northern Ireland social security office) of:
 - their move;
 - the date they left NI; and
 - their new address and post office/bank details;
- the claim is not transferred to GB until any outstanding days are paid;
- a change of circumstances is actioned on JSAPS promptly after NI action is complete.

91. When the first contact is made to book a New Jobseekers Interview (NJI), tell the claimant to return their ES40, JS40 in NI, to their previous office. If the claimant returns it promptly, termination action should be complete before the claim form reaches the Benefit Processing Officer.

92. Do not transfer in a NI JSA claim that is still live. Check that the NI action is complete before actioning the change on JSAPS.

93. If the claimant is due benefit for days since arriving in GB, maintain the claim clerically until the NI action is complete. In these circumstances the claim needs to be processed using dialogue JA086: Build from Clerical.

94. If a claimant contacts an office in GB within 14 days of the last attendance at a NI office then payment for any days in GB within that period are treated as straightforward.

Jobseeker Agreements

95. Legislation allows the Jobseeker's Agreement (JSAg) to remain in force between the date the claimant last signed at an office in GB and attends in NI or vice versa.

Transferring a case from Isle of Man

96. If a previous claim is held in the Isle of Man, ask for the clerical documents using form A51 if:

- the claimant has been claiming benefit from the Isle of Man Board of Social Security;
- a check of the claimant's circumstances is required.

Transferring a Joint Claim

97. When a transfer is necessary for only one member of a joint claim the importing office establishes:

- when the joint claim ended;
- where final payment for the joint claim is to be sent;

98. Send details of change of address and post office to the exporting office if the nominated payee has moved.

99. The payment must be made to the person who is the nominated payee at the time the joint claim ends.

100. The following rules govern claimants claiming JSA (IB) whose partner has a claim to JSA (C) in their own right and do not meet joint claim criteria:

- they must claim at offices within the same JSA unit to make them partners on JSAPS. If a claimant has a partner with a claim in their own right and they attend an office in a different JSA unit;
 - transfer one of the claims so that both claims are on the same service;
 - or
 - maintain one claim clerically and one on JSAPS. If the claims are maintained within different JSA units, any changes must be notified clerically to the other JSA unit on form JSA1C; and

- they may not be transferred via dialogue JA030: Transfer Claim, until the partnership is ended on JSAPS using dialogue JA091: Maintain Claim Details.

Partner decides to transfer to another office

101. If one partner decides to transfer to another office, one of the claims must be maintained clerically.

102. Either:

- transfer one of the claims so they are on the one service;
- maintain the claimant's JSA (IB) claim clerically and continue to maintain the partner's JSA (C) claim on JSAPS; or
- transfer the partner's claim to clerical and maintain the claimant's JSA (IB) claim on JSAPS.

103. If the partner's claim is dormant, the claim should still be transferred to clerical.

How payment is made

104. The claimant is required to choose their preferred method of payment.

105. If they do not supply details of how they would like their benefit paid on their claim form then:

- send form A164, Request For Further Information, to the claimant asking for clarification; and

106. BF the claim to await a reply.

Circumstances in which the claimant lives

107. The circumstances in which the claimant lives determine if further information is required in order to process the new claim. Such as:

- owner/part owner of their own property;
- living with friends/relatives;
- crown tenancy;
- rented accommodation;
- person without accommodation;
- person of no fixed abode;
- care home.

108. The claimant could also be liable for:

- service charges;
- ground rent.

Obtain details of mortgage or home loan

Requesting verification of mortgages or home loans

109. To verify mortgage or home loans:

Step	Action
1	issue form MI12, Request For Mortgages Details, to the claimant;
2	for system maintained claims: <ul style="list-style-type: none"> access dialogue JA530: Case Controls and set a case control for 7 days for the reply; for clerically maintained claims: <ul style="list-style-type: none"> BF the claim for 7 days for the reply.

Claimant does not provide the details requested

110. If the claimant does not provide the verification details:

Step	Action
1	issue reminder letter to the claimant;
2	for system maintained claims: <ul style="list-style-type: none"> access dialogue JA530: Case Controls and set a case control for a further 7 days; for clerically maintained claims: <ul style="list-style-type: none"> BF the claim for a further 7 days.

Claimant does not provide the details after a reminder has been sent

111. If the requested details have still not been provided, decide whether to disallow payment of JSA.

See, Decision Makers Guide, Volume 1, Chapter 2, claims and applications and Volume 4, Chapter 20, JSA and IS conditions of entitlement

Crown tenants

112. To verify details of a Crown tenancy:

Step	Action
1	issue form JSA164 to the claimant;
2	for system maintained claims: <ul style="list-style-type: none"> access dialogue JA530: Case Controls and set a case control for 7 days for the reply; for clerically maintained claims: <ul style="list-style-type: none"> set a BF for 7 days for the reply; for details of the information to request: <ul style="list-style-type: none"> See, Decision Makers Guide, Volume 4, Chapter 23, normal amount payable;
3	if the claimant does not provide the details requested: <ul style="list-style-type: none"> issue reminder letter;
4	for system maintained claims: <ul style="list-style-type: none"> access dialogue JA530: Case Controls and set a case control for a further 7 days;

	for clerically maintained claims: set a BF for a further 7 days.
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113. If the requested details have still not been provided, decide whether to disallow payment of JSA.

See, Decision Makers Guide, Volume 1, Chapter 2, claims and applications and Volume 4, Chapter 20, JSA and IS conditions of entitlement

Service charges

114. Service charges are sums charged for facilities or services, for example lighting in hallway, lift maintenance or building insurance.

Requesting verification of service charges

115. If the claimant says they pay a service charge:

Step	Action
1	issue form A164 to the claimant asking for further information on what they pay for a service charge;
2	for system maintained claims: <ul style="list-style-type: none"> access dialogue JA530: Case Controls and set a case control for 7 days; for clerically maintained claims: <ul style="list-style-type: none"> BF the claim for 7 days.

Claimant does not provide details

116. If the claimant does not provide details of the service charges:

Step	Action
1	send reminder letter to the claimant;
2	BF the claim for a further 7 days.

Claimant does not provide the requested details after a reminder has been sent

117. If the requested details have still not been provided, decide whether to disallow payment of JSA.

See, Decision Makers Guide, Volume 1, Chapter 2, claims and applications and Volume 4, Chapter 20, JSA and IS conditions of entitlement

Person Without Accommodation

118. A Person Without Accommodation is a claimant who does not have any of the accommodation described in the definition of accommodation and is a homeless person.

119. The Homeless Claimant's Checklist must be completed for all homeless claimants. The information provided on the checklist is used to decide whether a compliance or fraud referral is necessary.

Accommodation

120. The word accommodation is not defined in the current regulations but for Jobseekers Allowance purposes, accommodation is described as:

- an effective shelter from the elements which is capable of being heated; and in which occupants can:
 - sit;
 - lie;
 - cook;
 - eat; and
 - which is reasonably suited for continuous occupation.

121. The site of the accommodation may alter from day to day, but it is still accommodation if the structure is habitable.

122. Materials that give only a small amount of protection from the elements, do not fall within the description of accommodation such as:

- cardboard boxes;
- sleeping bags;
- bus shelters;
- park benches.

123. A motorcar, which is designed as a means of transport rather than for use as a dwelling house or living premises, does not fall within the description of accommodation.

Person with No Fixed Address

124. A claimant who has no permanent residential address but may have an address where they can be contacted is regarded as a person with No Fixed Address (NFA), for example the address may change from day to day.

125. The Homeless Claimant's Checklist must be completed for all claimants who do not have a permanent residential address. The information provided on the checklist is used to decide whether a compliance or fraud referral is necessary.

Homeless Claimant Checklist

126. Complete the following for homeless claimants.

Claims from persons: with No Fixed Address/ Without Accommodation		
For office use only:		
Name		
NINO		
ID seen		
Part 1		
1a	Does the claimant have an address that they normally regard as home?	Yes Answer the questions below No Go to Part 2
1b	What is the address of the	

	place the claimant normally regards as home?		
1c	Why is the claimant no longer at the address given at 1b above?		
1d	What was the claimant's last address?		
1e	Why did the claimant leave their last address?		
1f	Does the claimant have an address for post?		
Part 2			
2a	Where exactly did the claimant spend the last two nights? Give the full address or exact location		
2b	Name all of the people who are staying or who live at this address		
2c	Name the tenant or owner of this address		
2d	Is the address:	A hostel	Yes No
		Bed and breakfast accommodation	Yes No
2e	Where does the claimant intend to spend tonight?		
2f	Where are all the claimant's belongings?		
Part 3			
3a	Does the claimant have accommodation that: <ul style="list-style-type: none"> • provides shelter • can be heated • has cooking facilities • has eating facilities • has sleeping facilities 	Yes	No
3b	What kind of accommodation is it		
Part 4			
4a	What steps in the jobseeker taking to obtain an address?		
4b	Is the jobseeker registered at a		

	housing office or any other organisation? If so, which one	
--	--	--

Ground rent

127. Ground rent is payable on leasehold properties and is a rental payment for the ground that the building is standing on.

128. Ground rent can be paid as a JSA(IB) housing cost if the property has a long tenancy.

129. A long tenancy is when the claimant's lease is:

- granted for over twenty-one years; or
- fixed by law for a term with a covenant or obligation for renewal.

Verification of ground rent

130. If the claimant is liable to pay ground rent:

Step	Action
1	ask to see a copy of the tenancy agreement to confirm if the lease is short or long;
2	record the details: <ul style="list-style-type: none"> • on form A6; • on notepad in dialogue JA110: Notepad.

Claimant/partner has come from abroad

131. From 1 May 2004 anyone who makes a claim for an income-related benefit is required to show that they have a Right to Reside as well as being habitually resident in the Common Travel Area (CTA).

132. The Right to Reside test element of the new Habitual Residence Test (HRT), applies to everyone who makes a claim for:

- Income Support;
- income-based Jobseeker's Allowance;
- Pension Credit; and
- Housing Benefit.

133. This requirement is in addition to showing that they are also habitually resident in the CTA.

134. A claimant must show they have the right to reside before they can be considered Habitual Resident.

Victims of Forced Marriage

135. Victims of "forced marriage" are individuals who have been removed from the UK where they are normally resident, (or in some circumstances, who have left the UK voluntarily e.g. for a holiday), and have been detained abroad against their will. This means that they have been prevented from residing habitually in the UK through no fault of their own.

136. Under these circumstances individuals do not lose their habitual residence in the UK and are therefore viewed as being habitually resident from the outset of their claim.

137. The Forced Marriage Unit (FMU) is a joint Foreign and Commonwealth Office and Home Office unit which works with other government departments, statutory agencies and voluntary organisations to develop effective policy for tackling forced marriage. They run a public helpline that provides confidential advice and support to victims, and to practitioners handling cases of forced marriage. They can be contacted on 020 7008 0151 or by email.

138. Individuals who have been helped by the FMU, and who make a claim to income based Jobseeker's Allowance, are issued with a letter by the FMU, confirming no loss of habitual residence throughout any period of enforced absence from the UK. An example of the FMU assistance letter is included at Appendix 1.

139. The letter is to assist the individual in making a claim to benefit and accommodation without further need for distress.

140. Any individual bearing this letter has not lost their habitual residence in the UK throughout any forced absence.

141. Bearers of the FMU letter are generally UK citizens or have leave to remain in the UK. If the individual concerned is an EEA national or a Person Subject to Immigration Control, please contact the PFA Team for assistance and advice.

Persons subject to immigration control

142. A Person Subject to Immigration Control is a person who is not a European Economic Area national, and who:

- requires leave to enter or remain in the UK but does not have it;
- has leave subject to the condition 'no recourse to public funds';
- is a sponsored immigrant; or
- has had limited leave extended only because they have appealed a decision to vary or refuse to vary that leave.

See, Decision Makers Guide, Volume 4 Chapter 24, Persons subject to immigration control

Persons subject to Immigration Control entitled to normal JSA(IB)

143. A Person subject to Immigration Control is excluded from JSA(IB) unless they fall within one of the following categories when they can be considered for JSA(IB) under the normal rules:

- sponsored immigrants who have been in the UK for 5 years;
- a national of a country which has ratified either the European Convention on Social and Medical Assistance (ECSMA) or the Council of Europe Social Charter (CESC) and is lawfully present in the UK.

See Refugee Guidance

See **Decision Makers Guide, Volume 4 Chapter 24, Persons subject to immigration control**

Common Travel Area

144. The following countries are referred to as the Common Travel Area (CTA):

- the UK;
- the Channel Islands;
- the Isle of Man; and
- the Republic of Ireland.

The right to reside

145. Anyone who claims JSA needs to show they have a right to reside in the UK or other part of the CTA.

146. The right to reside is considered before habitual residence. If the claimant does not have a Right to Reside test then the second part of the Habitual Residence Test (HRT) is not applied and the claim is closed.

147. The claimant must complete the right to reside stencil HRT2(R) and provide the correct documents to show that they have the right to reside.

148. The Right to Reside Test and the HRT do not apply to:

- the claimant's partner;
- dependant children;
- young persons who are part of the claimant's family.

149. Further information regarding the Right to reside and the habitual residence test can be found in the Habitual Residence Test guidance.

Evidence required for right to reside

150. Ensure that the claimant has provided the correct documents to show that they have the right to reside.

Nationals/Citizens	Documents required
UK nationals including those from the Channel Islands and the Isle of Man	<ul style="list-style-type: none"> • None required if they have answered 'Yes' to the question 'Are you a UK national with a right of abode in the UK?'
Irish nationals (or passport holders) returning to the UK or coming to the UK for the first time from the Irish Republic	<ul style="list-style-type: none"> • A current passport; or • A certificate granting citizenship of the Irish Republic.
Accession Eight Nationals	<ul style="list-style-type: none"> • See HRT Guidance for details
Accession 2 Nationals	Accept one the following documents: <ul style="list-style-type: none"> • passport; • identify card from their home country. They also need to provide (if held): Worker Authorisation card.
All other European Economic	Accept one of the following documents:

Area Nationals	<ul style="list-style-type: none"> • passport; • identify card from their home country; • residence permit. <p>They also need to provide:</p> <ul style="list-style-type: none"> • evidence to support their economic status.
Non EEA Nationals including European Convention on Social and Medical Assistance Nationals	<p>Accept one of the following documents:</p> <ul style="list-style-type: none"> • passport containing immigration stamp granting leave or UK visa or UK residence permit; • home office status document containing UK residence permit.

151. For Further information please see the Habitual Residence Test guidance

European Economic Area Nationals

152. Nationals from the following countries are referred to as European Economic Area (EEA) 18 nationals:

- Austria;
- Belgium;
- Denmark;
- Finland;
- France;
- Germany;
- Greece;
- Iceland;
- Italy;
- Liechtenstein;
- Luxembourg;
- Netherlands;
- Norway;
- Portugal;
- Spain;
- Sweden.

153. Switzerland is not a member of the EEA but has signed an agreement which allows its' citizens the same freedom of movement rights as EEA nationals.

Accession Eight Nationals

154. People from the following countries are known as Accession Eight (A8) nationals:

- Czech Republic;
- Estonia;
- Hungary;
- Latvia;

- Lithuania;
- Poland;
- Slovakia; and
- Slovenia.

155. See the EU Rights of Residence - Habitual Residence Test guidance for further information regarding accession eight nationals.

Accession Two Nationals

156. People from the following countries are known as Accession Two (A2) nationals:

- Bulgaria;
- Romania;

Habitual Residence

157. The Habitual Residence Test is only applied to people who have a right to reside and who have arrived or returned to live in the UK within 2 years of claiming these benefits.

158. People who demonstrate a right to reside but who have been in the UK for more than 2 years are not subject to the second part of the test.

159. Further information regarding the Right to reside and the habitual residence test can be found in the Habitual Residence Test guidance.

Exemptions to the second part of the Habitual Residence test

160. The following are exempt for the Habitual Residence test (HRT):

- UK Nationals who have been on holiday for a short period of time;
- European Economic Area (EEA) Nationals with worker status;
- Accession Eight (A8) Nationals
- refugees with indefinite leave to remain;
- people with exceptional leave to remain, humanitarian protection and discretionary leave;
- people from Montserrat;
- people who have been deported back to the United Kingdom;
- people from abroad temporarily without funds;
- people who are part of the Indefinite Leave to Remain Families Project; and
- the Gateway Protection Programme (for refugees).

Biometric Residence Permits

161. From 29th February 2012 anyone applying for and granted refugee status, humanitarian protection, discretionary leave or refugees under the Gateway Protection Programme will be issued with a Biometric Residence Permit (BRP).

162. Applicants who applied before the 29th February 2012 will continue to receive the immigration document. Those previously granted leave will still be in possession of the relevant documentation, which can be used if they need to submit a new claim.

European Convention on Social and Medical Assistance Nationals

163. Nationals from the following countries are referred to as European Convention on Social and Medical Assistance (ECSMA) Nationals:

- Croatia; and
- Turkey.

164. ECSMA nationals, who have been given limited leave to remain not temporary admission, have the right to reside.

165. They need to provide a passport showing their entry clearance or visa showing their leave to remain. They are subject to the second step of the HRT. For further information see the EU Rights of Residence - Habitual Residence Test guidance.

Victims of domestic violence – DDV Concession cases

166. From 1 April 2012, individuals who:

- came to the UK or were granted leave to stay in the UK as the spouse or partner of
 - a British citizen or
 - someone settled in the UK **and**
 - whose relationship has broken down due to domestic violence
- can apply to the Home Office for limited leave to remain (LLR) pending consideration of an application for Indefinite Leave to Remain (ILR).

167. The Home Office consider whether:

- their applicant entered the UK or was given leave to remain in the UK as a spouse, civil partner, unmarried or same sex partner of a British Citizen or someone present and settled in the UK; **and**
- the relationship has broken down due to domestic violence; **and**
- they do not have the means to access accommodation or to support themselves and need financial help; **and**
- they will apply to stay permanently in the UK under the Destitution Domestic Violence immigration rule (settlement DV)

168. If the Home Office accepts that someone satisfies **all 4** of the conditions above they issue them with letters notifying the start and end date for 3 months limited leave to remain in the UK. During this 3 month period the claimant must apply to stay permanently under the DDV immigration rule.

169. Once they have received the LLR letters the claimant is eligible to apply for the relevant income related benefit according to their circumstances, i.e. Income Support, Employment and Support Allowance IR or Jobseeker's Allowance IB.

170. Where applicable they also have the right to work in the UK during the period of the limited leave to remain.

171. They are **not** required to satisfy either stage of the HRT.

Claims received

172. Any claim for benefit must satisfy the normal conditions of entitlement, including production of or an application for a NINO. If the claimant does not

have a NINO follow guidance in the Secure NINO Allocation Process (SNAP) guide.

173. To verify their immigration status the claimant must produce a letter from the Home Office. The Home Office will issue two letters to the claimant.

- The letter to the claimant is issued to confirm that they are eligible under the DDV Concession and has been granted limited leave to remain for a period of 3 months, giving the start and end dates of the limited period of leave
- The letter to DWP (which is given to the claimant) is designed to confirm:
 - the type, terms and start and end dates of limited leave that the claimant has been granted
 - that the leave they have been granted permits access to public funds and confirms that they are entitled to apply for financial help
 - the claimant is treated as habitually resident for the period of the limited leave to remain.

174. At whichever stage of the process evidence is being gathered, a copy of either of the Home Office notifications must be taken and retained as 'Supporting' evidence and kept with the claim papers for the Decision Maker's use in accordance with the DWP Benefits Document and Data Retention Guide.

175. The claim should be assessed in the normal manner using JSAPS. A full award must be made once a NINO has been issued.

176. In notepad record that LLR has been granted under DDV, the LLR period and the home office ref number.

Limited leave to remain expires

177. If the Home Office notifies you that the claimant has not applied for ILR by the end date (notified in their original letter stating the period of limited leave to remain in the UK), terminate the award from the day after the last day of the 3 month period.

178. If the Home Office have not made a decision about an application for indefinite leave to remain in the UK by the end date (notified in the original Home Office letter to the claimant), benefit must continue to be paid until a decision is made and notified by the Home Office.

After processing the claim

179. In all cases, when benefit is awarded:

Step	Action
1	Issue draft letter DL109a – Award Notification - Destitute Domestic Violence Case. This tells the claimant that they must notify DWP urgently if their circumstances change, e.g. if their immigration status changes before the benefit award period has expired.
2	Set a case control 2 weeks before the period of LLR expires to send form DDV1 to the Home Office
	When the case control set at step 2 matures, send form DDV1 to

	<p>the Home Office by e-mail (Note: this address is only to be used for DDV enquiries, it must not be used to enquire about PSIC and EEA claimants) using the Destitute Domestic Violence Case Enquiry – for them to confirm if or when they receive an application for ILR. Marking it as restricted</p> <p>(Note: depending upon how your office is organised, you may want to use a dedicated team email address for replies if you have one. Ensure a reply email address is recorded on the DDV1 and any subsequent communications).</p> <p>Suspend benefit from the day after the expiry of the LLR period.</p>
3	<p>Set a case control for the day after the expiry of the LLR period to check for the return of DDV1 from the Home Office.</p> <p>Note: The Home Office will return DDV1 either:</p> <ul style="list-style-type: none"> • Immediately if they already have an application for ILR • upon receipt of an application for ILR or • the last day of the LLR period if an application is not made
5	<p>When the Case control set at step 3 matures and if the DDV1 has not been returned email the Home Office to ask for an update. If they confirm that no application has been made within the 3 month LLR period:</p> <ul style="list-style-type: none"> • terminate the benefit award from the day after the 3 months LLR notified in the letter • issue form BO3B to the claimant filling in the part to say why benefit has ceased e.g. “you have reached the end of your limited leave to remain in the UK”. • In the event of further enquiries from the claimant, refer them to the Home Office
7	<p>If a DDV1 has been received or the Home Office reply to the follow up email states an application has been received but they have not yet made a decision on ILR:</p> <ul style="list-style-type: none"> • Send form DDV2 to the Home Office asking them to inform us when a decision is made • benefit remains in payment until the Home Office make their decision on ILR. • The benefit suspension (as at step 5) must be lifted and if

	<p>any benefit is owing it must be paid</p> <ul style="list-style-type: none"> record in dialogue JA110 Notepad the date an application was received and decision not yet made. <p>Set 4 weekly case controls to check for return of DDV2. If we have not had DDV2 returned, then email the Home Office for an update. (note the Home Office will not return DDV2 until a decision on the application for ILR is made)</p> <p>For the action to take when the DDV2 is returned and a decision has been made, go to decision made after 3 month LLR period</p>
8	<p>If a DDV1 has been received or the Home Office reply to the follow up email states an application has been received and they have made a decision go to decision made within the 3 month period of LLR</p>

When a decision is made on ILR

Decision made within the three month period of LLR

180. If a decision is made within the three months to **allow** ILR, payment of benefit will continue. Take the following action:

STEP	ACTION
1	Lift the benefit suspension and continue to pay benefit
2	Delete the case controls referring to a Home Office decision
3	Record the details of the decision in dialogue JA110 Notepad;
4	Print a copy of the Home Office reply advising ILR has been allowed and delete the email;
5	Mark it as 'Supporting' evidence and refer it for filing. See the DWP Benefits Document and Data Retention Guide;
6	Issue draft letter DL109b to the claimant

181. If a decision is made within the three months **not to allow** ILR:

STEP	ACTION
1	Terminate the claim from the day after the final date of LLR quoted in the original letter from the Home Office; and
2	Delete the case controls referring to checking for a Home Office decision;
3	Print a copy of the Home Office decision and delete the email;
4	Record the decision details in dialogue JA110 Notepad;
5	Mark the decision as 'Supporting' evidence and refer it for filing. See the DWP Benefits Document and Data Retention Guide;
6	Issue Form BO3B filling in the part to say why benefit has ceased e.g. "you have reached the end of your limited leave to remain in the UK".

Decision made after the 3 month LLR period

182. If the decision is made to **allow** ILR, benefit continues in payment. Take the following actions

STEP	ACTION
1	Delete the case controls referring to a Home Office decision
2	Record the details of the decision in Notepad;
3	Print a copy of the Home Office reply advising ILR has been allowed and delete the email;
4	Mark it as 'Supporting' evidence and refer it for filing. See the DWP Benefits Document and Data Retention Guide
5	Issue draft letter DL109b to the claimant

183. If the decision is made **not to allow** ILR, the Home Office still have to treat them as having LLR for a short period to allow the claimant to appeal. This period is 10 working days from when the claimant received the decision. For example:

- The Home Office post the decision letter on Friday 7th September 2012, it is deemed to have been received by the claimant on Tuesday 11th (2 working days). 10 working days from the 11th is Tuesday 25th, so benefit will not be payable from 26th.

184. On receipt of DDV2 and the decision is **not to allow** ILR, the Home Office will have completed the date of the end of the appeal period:

STEP	ACTION
1	Delete the case controls referring to a Home Office decision
2	Terminate the award from the day after the end of the appeal period.
3	Issue Form BO3B filling in the part to say why benefit has ceased e.g. "you have not been granted indefinite leave to remain in the UK"

Former Gurkhas

185. Gurkhas are nationals from Nepal who are recruited to serve in the British Army in the Brigade of Gurkhas. They remain nationals from Nepal throughout their military service but in all other respects, they are full members of HM Forces. Except in exceptional circumstances, Gurkhas are almost always discharged from the British Army in Nepal.

186. To recognise their contribution to the UK, the Government announced on 30 September 2004 that all Gurkhas who were discharged from HM Forces on or after 1 July 1997 and had completed at least four years service would be able to apply for settlement in the UK.

187. Following a further announcement on 21 May 2009, this entitlement to settle in the UK was extended to all former Gurkhas with at least four years service.

Access to Income-based Jobseeker's Allowance

188. Former Gurkhas who were granted Indefinite Leave to Enter or Remain (ILE or ILR) and were discharged on or after 1 July 1997, are able to access Income-based Jobseeker's Allowance (JSA(IB)) provided they satisfy the requirements of the Habitual Residence Test (HRT) and meet the normal conditions of benefit entitlement.

189. Former Gurkhas who are granted ILE or ILR and were discharged before 1 July 1997 are granted this leave exceptionally outside the immigration rules. They are therefore passported through the HRT and are able to access JSA(IB) without the requirement of having to satisfy the full test.

190. Spouses or civil partners who have been married or in a civil partnership for at least two years and dependents of former Gurkhas, are granted ILE or ILR in line with the former Gurkha. Different rules apply depending when the application for leave was made. If their application was made at the same time as the former Gurkha, then this leave is granted outside the immigration rules. They are exempt from the HRT. However, if they apply to join the former Gurkha when he is already settled in the UK, this leave is granted inside the immigration rules. In this case, they are able to access JSA(IB) whilst they remain the partner of the former Gurkha. If they separate or divorce from the former Gurkha and claim JSA(IB) in their own right, then they are subject to the HRT.

191. The legal widow or widower of a former Gurkha affected by the new rules as outlined in paragraph 199, is granted the same settlement rights as the former Gurkha (ILE or ILR outside the rules). Therefore, they have immediate access to JSA(IB) without the requirement of satisfying the full HRT. Where there is more than one wife, only the nominated widow or widower is granted this type leave.

192. Dependent children of deceased Gurkhas including orphans and those that settle with the Gurkha's widow are granted ILE or ILR outside of the rules and are passported through the HRT thereby giving them immediate access to JSA(IB).

Verification

193. Former Gurkhas who have been granted Indefinite Leave to Enter or Remain in the UK need to provide the following documents to confirm their immigration status and eligibility to access benefits:

- their passport endorsed with their leave to enter or remain in the UK
- their official discharge book (also known as their 'Lal' or 'Red Book')
- UK residence permit
- UK visa

Visa Endorsements

194. From 31 October 2009, former Gurkhas who were discharged before 1 July 1997 and who are granted Indefinite Leave to Enter or Remain, have the following wording on their endorsements: **SETTLEMENT-AF-OTR** (Settlement – Armed Forces – Outside the Rules), which confirms that their leave has been granted outside the immigration rules. This group are not subject to the HRT. This is also the only category of Gurkha leave that features the 'OTR' wording.

195. Former Gurkhas who were discharged before 1 July 1997 and were granted ILE or ILR before 31 October 2009 are granted leave outside the immigration rules. However, in some cases, their passports and visas may not be endorsed to show this. To check which type of leave was granted, you must email form DCI100 to the Evidence and Enquiry Unit at UKBA. Where UKBA are unable to confirm whether the leave was granted outside the rules, you must contact the Managed Migration Team.

196. Spouses and civil partners (CP) of former Gurkhas who are granted Indefinite Leave to Enter or Remain have the following wording on their visa: **SETTLEMENT-SPOUSE/CP**. The visa contains the name of the former Gurkha they came here to join or accompany. However, it does not indicate whether this leave was granted inside or outside the immigration rules. Contact UKBA to verify the type of leave that has been granted.

197. Widows and widowers of former Gurkhas who are granted Indefinite Leave to Enter or Remain outside the immigration rules have their visa endorsed with: **SETTLEMENT-AF-WIDOW(ER)** if it was granted after September 2009. If their leave was granted prior to this date, the visa reads: **SETTLEMENT TO JOIN/ACC***. As with spousal visas, this visa bears the name of the former Gurkha they were granted leave in respect of. In most cases, this visa does not show whether the leave was granted inside or outside the rules. To confirm the type of leave granted, contact email form DCI100 to the UKBA.

198. Dependent children (both under and over the age of 18) are granted Indefinite Leave to Enter or Remain in line with the former Gurkha. However, there is not any text on their visa to reflect that they are a family member of a former Gurkha, nor does it show whether leave was granted inside or outside the immigration rules.

199. Where Indefinite Leave to Enter or Remain is granted outside the rules to a spouse, civil partner or a dependent, and they make a claim for benefit in their own right, then they must provide the former Gurkha's documents.

Gurkha Pension Scheme

200. Some former Gurkhas may have an Army pension, sometimes referred to as GPS (Gurkha Pension Scheme). This pension income is fully taken into account in any claim for an income-related benefit

Gurkha Chronic Condition List (GCCL)

201. The British Army and Ministry of Defence agreed in October 2005 that a number of the Gurkhas on the GCCL should be discharged in the UK rather than Nepal. This applies to Gurkhas who were themselves, or a member of their dependent family present with them in the UK, either too ill or suffering a medical condition that prevented their return to Nepal.

202. Special arrangements have been put in place by the Home Office to process their leave to remain applications immediately following discharge from HM Forces.

203. Twenty members of The Gurkhas on the GCCL have been discharged in the UK in two groups of 10. Their last dates of service were 14 December 2006 and 11 January 2007 respectively.

Claimant has left full-time employment within the last 6 months

204. Use the end date provided by the claimant. If a doubt arises and verification is required from the employer, telephone the employer and record details on form A6.

Claimant has left part-time employment within the last 6 months

205. If the claimant and/or partner have left **part-time** employment within the last 6 months, details must be obtained from the relevant employer, for example, details of final payments they:

- received; and/or
- are due to receive.

Verification of final details from employers

206. Ask the claimant to provide verification of final employment details, for example, by written letter from their relevant employer.

207. If the claimant is unable to provide verification of final employment details:

- establish and telephone their previous employer to obtain the details;
- record the details on form A6; and
- sign and date this entry.

208. If the employer refuses or is unable to provide the details requested by telephone or fax:

- send draft letter DLJA 750 to the claimant's relevant employer for completion: and
 - for system maintained claims: access dialogue JA530: Case Controls and set a case control to await its return; or
 - for clerically maintained claims: BF the claim to await its return.

Draft Letter DLJA 750 not received

209. If DLJA 750 is not received from the claimant's relevant employer:

Step	Action
1	send a duplicate form DLJA 750 to the last employer if appropriate;
2	for system maintained claims: <ul style="list-style-type: none"> • access dialogue JA530: Case Controls and set a case control for one week to await its return; for clerically maintained claims: <ul style="list-style-type: none"> • BF the claim for one week to await its return;
3	for system maintained claims: <ul style="list-style-type: none"> • if the form is still unreturned; See, Decision Makers Guide, Volume 1, Chapter 2, claims and applications and Volume 4, Chapter 20, JSA and IS conditions

	<p>of entitlement for clerically maintained claims:</p> <ul style="list-style-type: none"> • if the form is still unreturned after one week: <ul style="list-style-type: none"> ○ consider the claim; ○ record the decision on form JSA14C; ○ assess the claim.
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Full time or part-time employment has ceased

210. If the claimant has finished full or part time work and is now claiming JSA, the jobcentre:

- issue form ES85 directly to the claimant's last employer; and
- complete a clerical ES85AS to control the return of form ES85.

211. The ES85 field in the PREVIOUS WORK screen JA091007 displays [C] to show that an ES85 has been issued clerically. A JSAPS generated ES85AS is issued.

Return To Work Credit and In Work Credit Payments

212. Return to Work Credit (RTWC) is a financial incentive that is offered to all eligible claimants moving back to work from incapacity benefits. It is a non taxable weekly payment of £40 paid for a maximum of 52 weeks to claimants who work 16 hours or more a week and earn £15,000 gross or less a year.

213. In Work Credit (IWC) is a financial incentive that is offered to all eligible lone parents moving into work. It is a non taxable weekly payment of £40 (£60 in London) paid for a maximum of 52 weeks to claimants who work 16 paid hours or more a week.

214. Payments are made via the Resource Management (RM) system with no link to legacy

215. RTWC/IWC payments must be stopped if a repeat claim is made. When they reclaim claimants are asked if they or their partner are currently receiving or have received RTWC/IWC.

Closure of IWC and RTWC

216. No new awards of RTWC will be made to claimants on or after 1st October 2013. Claimants who are in receipt of RTWC prior to 1st October 2013 will continue to be paid until they are no longer eligible, be that because they have received their full 52 weeks payments, or because they no longer meet the eligibility criteria.

217. Lone parents starting work on or after 1 October 2013 **will not** be entitled to IWC or any balance of time payments from an earlier award.

Action

218. Check Legacy notepad to see if the claimant or partner is currently receiving or has received RTWC/IWC

219. Telephone the relevant **RTWC/IWC team** to tell them that the claimant or their partner's employment has finished and entitlement to RTWC must be ended.

220. Note LMS conversations of action taken.

221. The RTWC/IWC team take all further action.

Part-time work

222. If a claimant says that they and/or their partner are working part-time, check that they are not in remunerative work. JSA is not available to those claimants in remunerative work.

223. Remunerative work is classed as working:

- 16 hours or more per week on average for the claimant; or
- 24 hours or more per week on average for the claimant's partner, for JSA (IB) purposes.

224. Part-time work may affect the amount of JSA the claimant, and/or their partner receives.

225. To assess the effect of part-time work on the claimant's and/or partner's claim, the claimant should have completed either:

- the part-time work details on form JSA1 at the new claims stage; or
- form B7/A15C if the part-time work starts during the life of the claim. See Current Work guidance.

226. When a claimant is receiving JSA (C) only, any earnings received by their partner from part-time work, do not affect the claimants JSA (C)

Verification of current part-time work

227. If the claimant is engaged in part-time, see the Current Work guidance.

Volunteering

What is a volunteer

228. See the Labour Market Conditions Guide or DMG Chapter 20, paragraphs 20467 to 20469 for further information on what is considered volunteering.

229. Money to refund any expenses as a direct result of volunteering are disregarded, for example fares, meals or the cost of any specialist clothing or equipment.

Jobseeker declares they are volunteering

230. If a customer declares that they are volunteering or undertaking charitable work issue them with form **VOLWORK1** and tell them to take it to their jobcentre when they attend.

231. The jobcentre check the completed form, decide whether the volunteering prevents the jobseeker from meeting the labour market conditions and return the form to the Benefit Centre.

232. On receiving the completed form volwork1 check the official use box to see whether the jobcentre have identified any labour market issues. Do not issue any locally produced forms, the volwork1 should contain enough relevant information.

Labour Market Issues identified

233. If the jobcentre have identified a doubt, wait for their decision before taking further action

234. If the jobcentre decide the jobseeker is no longer meeting the labour market conditions, close the claim.

235. If the jobcentre decide the jobseeker is meeting the labour market conditions or no labour market issues are identified, you must decide how to treat the volunteering.

Volunteer Expenses

236. Accept the jobseeker's statement concerning the amount of expenses they receive or expect to receive unless it is not credible, e.g. the jobseeker receives an excessive amount as expenses or receives money for expenses but does not have any outgoings.

237. The volunteer should not lose money through volunteering but, at the same time should not make a profit, e.g. generous expenses for meals or travel must not be used as a form of payment/reward for volunteering.

238. When a volunteer declares that they have, or will, receive money to reimburse expenses, take the following action:

Step	Action
1	ensure the expenses only relate to the volunteering
2	accept receipts, if offered. The customer does not have to provide receipts.
3	break down the total into meals, travel, future travel, childcare, etc as applicable
4	ask the customer for details of any amount which is over and above that in step 3
5	refer any doubts or cases that are not straightforward to a decision maker for a decision on how to treat the expenses.

239. If the jobseeker:

- receives payments or rewards in addition to the refund of their actual expenses; OR

• can choose whether or not they can receive payment for their volunteering, refer the case to a **decision maker** for a decision on whether the person is in paid work. See Decision Maker's Guide, Volume 5, Chapter 26, Employed Earners

Volunteering for a charity or non-profit organisation

240. Usually when people provide a service or give up their time they get paid. However, charities and non-profit organisations are the exceptions to this as they rely on unpaid volunteers in order to raise money for various good causes. The activities involve can vary from serving in a charity shop to hospital visiting to clearing land or waterways. When a jobseeker is volunteering for a charity or

non-profit organisation it is usually reasonable for him to give his time and service for no payment.

241. If the volunteering is for a charity or non-profit organisation then as long as there are no labour market or expenses issues identified, record details of the volunteering in dialogue JA110 Notepad and file form volwork1JP.

242. There is no definitive list of non-profit organisations but these are usually local organisations such as residents committees, allotment groups, neighbourhood watch groups etc. Local Authority organisations, hospitals and schools do not come under this heading.

243. You can check whether a charity is registered in England or Wales on the Charity Commission website <http://www.charity-commission.gov.uk> and in Scotland on the Office of the Scottish Charity Regulator website <http://www.oscr.org.uk>

Volunteering for a profit-making company

244. When a jobseeker volunteers for a profit-making organisation, eg a business, etc, do not just assume notional income because the company can afford to pay him. You need to be sure it is reasonable for him to give his time for no payment.

245. This depends on what the claimant is getting in return for their time, for example they may gain experience, learn new skills, undergo training or be given a reference that can be shown to prospective employers etc.

246. You must also consider the length of time he will be providing a service for no payment. A general rule is that the shorter the period of time involved the more reasonable it is. See DMG Chapter 26, paragraphs 26183 to 26199 for further guidance.

When you have doubts on how to treat the volunteering

247. If you are in any doubt refer the case to a decision maker.

Recording the decision

248. If it is established the jobseeker is a volunteer no further information is necessary. Record details of the volunteering in dialogue JA110 Notepad and file form volwork1JP.

249. If the decision maker has said that a short period of volunteering is reasonable, you must complete and issue draft letter D/LJA001 to let the jobseeker know.

250. Input details of the decision in dialogue JA110 Notepad. For example, "Volunteering with Costco from 1.10.11 to 28.10.11 agreed. D/LJA 001 sent 5.10.11"

251. If the volunteering cannot be treated as such, record the details of the decision in dialogue JA110 Notepad and reassess the claim.

Service Users

252. A Service User is someone who is consulted by, or on behalf of, a public body regarding their experience of using the public service/s provided. Some

examples of public bodies are: NHS Trusts, Primary Care Trusts, Social Services Departments, Local Authorities, patient forums, Education Trusts, Housing Associations).

253. Service Users may also be consulted by other organisations that provide a public service and have a statutory requirement to consult with their claimants for example, housing organisations.

254. Involvement can include participation in focus groups, conferences and inspections. Service users can be involved in the training of social workers. The pattern of involvement can vary between 'one off', intermittent or regular events.

Service Users – participation and payment

255. Service Users may:

- participate voluntarily and receive no payment,
- receive expenses only for involvement on a voluntary basis,
- be offered payments for their participation and in recognition of their involvement,
- be offered both payment and expenses in return for their participation, or
- be given cash or vouchers in recognition of their involvement.

Forms

256. Claimants or partners participating as Service Users who do not receive payment (or just receive expenses or attendance costs) should complete form VOLWORK1JP. **Forms A15C and B7 must not be issued.**

257. Claimants or partners participating as Service Users who receive payment (over and above their expenses) for their participation/ involvement should complete forms B7 and A15C.

How Service User payments affect JSA

258. Expenses paid to a Service User are **disregarded**. For example:

- expenses for, or resulting from Service User involvement;
- attendance costs, e.g. travel or childcare costs or the costs of a replacement carer;
- the cost of a carer, support worker or personal assistant if the service user is a disabled person and needs support to prepare for, travel to and from the event and to participate in the event.

Payment for participation or recognition of involvement

259. Any payment other than expenses (including vouchers received as payment), should be **taken into account as earnings**.

260. See the Assessing Previous Work and Current Work chapters of the JSA Procedural Guidance for instructions on how to take earnings into account.

261. Note: If a claimant receives JSA(C), any payments received by their partner for participation/ involvement do not affect the claimant's payment.

Vouchers received as a one off gift

262. Vouchers received as a one off gift and not intended to replace payment for participation/ involvement, are treated as income in kind and **disregarded**. A statement can be taken from the claimant on form A5/ES589.No further verification is required.

Notional Income for Service Users

263. Notional Income rules **do not apply** to Service Users. Do not refer cases for a decision on notional income.

Recording Service User activity – no payment for participation/ involvement

264. When it has been established that the claimant is a volunteer, Jobcentre staff carry out any necessary labour market conditionality checks (see LMCG for more information), and then send a copy of the VOLWORK1JP to the Benefit Centre.

Updating JSAPS

265. For system maintained claims:

Step	Action
1	in dialogue JA110: Maintain Notepad and on form A6 record the Service User details, including any disregarded expenses;
2	file the form VOLWORK1JP. No further action

Clerical Records

266. For clerical records:

Step	Action
1	Record details of the Service User participation, including any disregarded expenses on form A6. Take no further action.

Recording Service User Activity – Payment for participation or involvement received

267. When a claimant declares that they or their partner are receiving payment for participation/ involvement (over and above their expenses), ask them to complete forms A15C and a B7.

268. If the activity starts after the initial claim stage, ensure action has been taken in the Jobcentre to check that the claimant satisfies Labour Market Conditionality.

269. Jobcentre staff register a change of circumstances in dialogue JA060: Register Claim/Event and pass any forms to the Benefit Centre. .

Updating JSAPS

270. For system maintained claims:

Step	Action
1	access the dialogue JA091: Maintain Claim Details, screen JA091006: Current Work and input Service User Activity details;
2	in dialogue JA110: Maintain Notepad and on form A6, record details of: <ul style="list-style-type: none"> • the amount of payment for participation/ involvement, • any disregarded expenses; and • the hours and frequency of participation/ involvement

Clerical Records

271. For clerical records:

Step	Action
1	issue form A15C to the claimant; and BF the case to await the reply;
2	on form A6 record details of: <ul style="list-style-type: none"> • the amount of payment for involvement, • any disregarded expenses; and • the hours and frequency of participation/ involvement
3	take further action if the claimant does not reply to A15C.

Assessing payment for Service User Activity

272. For information about inputting and assessing part-time earnings see the Current Work guidance.

Temporary Stopped claims

273. Further information for TS claims is available in the Temporary Stopped Claims Guidance.

Trade Disputes

274. Claimants are not entitled to JSA for any week in which they:

- are not employed because of a stoppage of work caused by a Trade Dispute (TD) at their place of work; or
- withdraw their labour to help further a TD.

275. A joint-claim couple are not entitled to a joint claim JSA for any week in which:

- both members of that couple are not employed because of a stoppage of work caused by a TD at their place, or places, of work; or

- each member withdraws their labour to help further a TD.
276. However where only one member of a joint-claim couple is affected they may still be entitled to joint claim JSA.

Exceptions

277. The TD provisions do not apply if claimants can show that during the stoppage of work they:

- start work somewhere else; or
- have been made redundant; or
- have returned to work for their employer but have then left for reasons other than the TD; or
- are not directly interested in the dispute.

See, Decision Makers Guide, Volume 6, Chapter 32, Trade Disputes

Verifying Trade Dispute cases

278. If a new/repeat claim to JSA or a change of circumstances on an existing JSA claim involves a Trade Dispute (TD), the claimant must complete form B71D.

279. When a JSA claim is received with form B71D attached, refer the case to the designated regional team to decide entitlement to JSA.

280. If a TD case is identified and form B71D is not attached:

- complete and send form B71D to the claimant; and
- refer the case to a JSA nominated officer once form B71D has been returned.

See, Decision Makers Guide, Volume 6, Chapter 32, Trade Disputes

Self employed earners

281. A self employed earner:

- works for themselves, rather than someone else or a company;
- is gainfully employed in Great Britain other than as an employed earner; and
- provides a service for a client as a sole trader or in partnership with another person.

282. They are also responsible to the full extent of their assets for the debts of the business and are entitled to all profits or a share of the profits if in partnership.

Obtaining verification from a self employed earner

283. The claimant should have completed:

- the details on form JSA1;
- form B16 if the claimant/partner:
 - continues to be self employed;
 - has temporarily ceased self employment;
 - is no longer self employed; or
 - is a company director.

284. If form B16 is not issued with form JSA1 and it is later realised the claimant or partner is or was self employed, the office may, depending on local arrangements:

- issue form B16; or
- pass the claim for interview/visit/new claim activity.

285. When form B16 is received, if there is not enough information to establish the value of any remaining assets:

- obtain information by post; or
- interview the claimant.

286. If the claimant needs to be interviewed about self employment, make arrangements using:

- the telephone; or
- form A165.

287. Ask the claimant to have documents available at the interview showing details of:

- gross income and expenses from the business; and
- business assets and debts.

Using form A165

288. If form A165 is used, list examples of the documents needed; for example:

- business assets and debts or latest accounts;
- sales and purchase ledgers;
- shares held in the company;
- petty cash books.

289. If none of the above are available, ask the claimant for:

- business bank statements;
- details of any debts and debtors;
- details of any loans and overdrafts;
- details of any income and receipts for expenses.

Creditor insurance payments

290. Insurance is available that covers people against being unable to meet a debt repayment/policy premium while they are not working.

291. For a monthly insurance premium, the insurer covers the repayment and often the monthly insurance premium for a specified period if the policy holder is not working due to:

- sickness; or
- unemployment.

292. Payments received on such policies are called creditor insurance payments.

293. Creditor insurance payments are disregarded provided the payment received does not exceed the amount, calculated on a weekly basis, used for:

- the repayment of the debt; and
- any associated insurance premium.

Claimant/partner receiving creditor insurance payment(s)

294. If the claimant/partner states that they are getting creditor insurance payment(s), obtain full details of the payment(s) by sending the claimant a copy of the creditor insurance payments letter.

Occupational/personal pensions

295. Take the following action when a claimant declares that they and/or their partner, receive:

- an occupational pension:
 - these are payments made to a person or their widow/widower by a previous employer(s) following the end of employment:
 - they are normally paid monthly from the employer's pension fund scheme;
- a personal pension:
 - these are usually based on contributions made directly by the claimant;
- periodic redundancy payments:
 - these are payments made to employees who leave employment through voluntary/compulsory severance schemes:
 - treat these payments as occupational pensions for JSA purposes.

296. Some employers pay an annual compensation payment (ACP) to employees leaving employment under severance schemes. Treat these payments as occupational pension payments.

297. Pensions affect JSA from the first day of the benefit week in which the payment is made.

298. Notification that the claimant and/or their dependant partner is receiving a pension can be obtained by:

- an entry on the JSA claim form JSA1 of JSA4(RR);
- a later declaration by the claimant;
- notification from a third party, for example the Local Authority.

299. If the claimant's partner receives the pension and the claimant receives or makes a claim to JSA (C) only, there is no effect on the claim.

300. If the partner receives the pension and the claimant receives or makes a claim to JSA (IB), this affects the amount of JSA (IB) payable.

Obtaining verification of the pension details

301. If the claimant declares that they and/or their dependant partner receive a pension, make sure that the claimant supplies all the relevant information relating to the source, amount and the method and frequency of the payment.

302. This can be verified by:

- a letter of entitlement from the employer or insurance company who pays the pension;
- wage slips or P60s;
- bank statements;
- sending form JSA81 to the claimant to obtain details of a personal pension.

303. However the process is different if the claimant states they are in receipt of/or have claimed one of the following:

- Redundant Miners Payment Scheme;
- Iron and Steel Re-Adaption Benefits Scheme;
- Rover Group Employee;
- Employers Annual Compensation Payment.

Personal and occupational pension not confirmed

304. If the claimant has not supplied details of their occupational pension on a new claim:

Step	Action
1	for system maintained claims: JSAPS issues notification JA61000 for any further reviews in response to a user set review date on the dialogue JA091: Maintain Claim Details, screen JA091008: Occupational/Personal Pension details
2	for clerically maintained claims: <ul style="list-style-type: none"> • send form A164, Request for further information, to the claimant asking for verification; and • BF the claim for 7 days for reply.

Insufficient information received about the pension

305. If insufficient information has been received about the pension, find out if it is because the claimant:

- can not provide the information; or
- has not provided the information.

306. If there is insufficient information about the pension, try to obtain the information from the claimant:

- in writing;
- by telephone.

307. Use form BF222 if to contact the third party who pays the pension if necessary.

308. Send form A42 to the claimant, to obtain their approval to contact them. Do not contact the third party who pays the pension if the claimant is in receipt of a:

- Public Service Pension paid by the Paymaster General's Office, ask the claimant for the:
 - detachable information page from the back of their pension order book; or
 - advice note which shows the annual pension rate if the claimant is not paid weekly;
- Post Office Pensions paid by the PO Pension section. If there is any doubt about the amount of pension, ask the claimant for the advice note issued with each payment.

Claimant cannot provide verification of their pension

309. If the claimant cannot provide verification of their occupational/personal pension, send form BF222 to the persons responsible for paying the occupational/ personal pension.

Claimant does not provide details of their occupational/personal pensions

310. If the claimant fails to provide the requested details:

Step	Action
1	for system maintained claims: <ul style="list-style-type: none">• issue a clerical reminder letter to the claimant; and• set out a case control to await a reply; for clerically maintained claims: <ul style="list-style-type: none">• send a reminder letter to the claimant; and• BF the claim to await a reply;
2	if the requested details have still not been provided, decided whether to disallow payment of JSA.

See, Decision Makers Guide, Volume 1, Chapter 2, claims and applications and Volume 4, Chapter 20, JSA and IS conditions of entitlement

Redundant Miners Payment Scheme

311. If Redundant Miners Payment Scheme has been claimed but not yet awarded:

Step	Action
1	issue form RMS2 to: <ul style="list-style-type: none">• British Coal;
2	for system maintained claims: <ul style="list-style-type: none">• access dialogue JA530: Case Controls and set a four week case control to await a reply; for clerically maintained claims: <ul style="list-style-type: none">• BF the claim for four weeks to await a reply;
3	if a reply is not received after four weeks, issue another form RMS2 to British Coal, annotated in red 'duplicate form';
4	for system maintained claims: <ul style="list-style-type: none">• access dialogue JA530: Case Controls and set a further four week case control to await a reply; for clerically maintained claims: <ul style="list-style-type: none">• BF the claim for a further four weeks to await a reply.

Iron and Steel Re-Adaption Benefits Scheme

312. When the claimant claims JSA, and states that they are part of the Iron and Steel Re-Adaption Benefits Scheme (ISERBS) they should bring form SR3 or form SR7 to show that they are eligible for redundant steelworker benefits.

313. File these forms in the JSA Wallet as they may be used later if the Department of Trade and Industry needs to be informed of any changes, such as:

- periods of unemployment;
- the rate of JSA;
- the date JSA payment begins and ends;
- any reasons why JSA is not payable;
- periods of approved training;
- any other information affecting payment or assisting the department of trade and industry in answering queries.

314. If ISERBS benefits have been claimed but not paid, or payment has not been verified:

Step	Action
1	send draft letter DLJS151 to the Department for Business, Enterprise and Regulatory Reform
2	for system maintained claims: access dialogue JA530: Case Controls and set a case control to await a reply; or
3	for clerically maintained claims: <ul style="list-style-type: none"> • BF the claim to for 7 days for reply.

Rover Group employee

315. If the claimant states on the claim form that they are a former employee, aged over 55 but do not receive a Rover Group pension:

Step	Action
1	send form JSA81 to the claimant, requesting details of the possible pension;
2	for system maintained claims: <ul style="list-style-type: none"> • access dialogue JA530: Case Controls and set a case control to await a reply; or for clerically maintained claims: <ul style="list-style-type: none"> • BF the claim to await a reply;
3	if a reply is not received from the claimant within four weeks, issue another form JSA81 to them, annotated in red 'Duplicate form';
4	for system maintained claims: <ul style="list-style-type: none"> • access dialogue JA530: Case Controls and set a 4 week case control to await a reply; or for clerically maintained claims: <ul style="list-style-type: none"> • BF the claim for 7 days for reply.

Employers who may make annual compensation payments

316. Ask claimants who have worked for one of the following employers to complete form JSA81 and return it as soon as possible to:

- Royal Mail;
- Property Service Agency;
- Ministry of Defence (civilian employees only);
- any other public service employer/civil service department known to have operated Voluntary Early Retirement (VER) or CSS.

Confirmation of expected week of confinement

317. If the claimant or partner is pregnant they may only want to satisfy the labour market conditions up to and including the 11 weeks before the expected week of confinement (EWC).

318. They can, if they want and can satisfy the labour market conditions, remain on JSA up until the day before the baby is born. When to stop claiming JSA is the claimant and/or partner's decision. They must not be advised to claim Income Support from 11 weeks before the EWC.

Verification of expected date of confinement

319. Ask the claimant to produce a MATB1. The healthcare professional issues this 20 weeks before the EWC.

Verifying a period of detention in custody

320. When working out the period for which a person is detained in custody count the day on which the detention starts, do not count the day of release from detention as a day on which the person is detained in custody.

321. A member of the prison staff completes a B79, the details contained on the B79 form are basic personal details, and an official prison stamp on the form. The amount of any discharge grant paid to the claimant if any, the date of discharge and a signature of a member of the prison staff.

322. All details can be verified by either phoning or faxing the prison to confirm that the information held on the B79 is accurate.

Discharge grant as verification of a prisoner's release

323. Prison authorities can give prisoners a discharge grant, that is, a sum of money paid on leaving prison to assist with living costs, before the prisoner claims benefit.

324. If the claimant has been on remand they should have discharge papers with the name of the prison and their release date, if not ask them for the name of the prison.

Verification of jury service

325. If a claimant has been on jury service ask the claimant to provide a certificate of loss of earnings/National Insurance benefits.

Claimant declares a social security benefit

326. If the claimant declares a social security benefit, verify it by:
- accessing the Common Update and Enquiry Dialogue (CUED) or other benefit systems;
 - telephoning the relevant awarding office;
 - normal prevention of duplication of payment/combined payment procedures. Do this by requesting confirmation from the appropriate awarding office and either:
 - set a case control for two weeks, to await a reply; or
 - BF the claim for two weeks, to await a reply.
327. Use the most cost effective means available to obtain verification, for example if there is doubt about a claimant's statement regarding a social security benefit, check by using CUED when available, or contact the awarding office rather than writing to the claimant.
328. If verification is requested from a member of a joint claim, either member can supply the information required.
329. JSAPS displays details of any social security benefits, which were in payment at the end of any previous claim. However check he:
- dialogue JA091: Maintain Claim Details, screen JA091020: Other Benefits
 - CUED to determine if the amount of benefit has changed since the last claim.

If an adjusted amount of social security benefit is in payment

330. If an adjusted amount of benefit is in payment due to an overpayment or deductions, check the reason for the adjustment and obtain the full, unadjusted rate of benefit from the awarding office.

Contacting appropriate office to verify benefits

331. This list is for the most commonly used benefits but please note this is not exhaustive.

Social Security Benefit	Relevant office to verify benefit
Bereavement Allowance Bereavement Payment Incapacity Benefit Incapacity Benefit for Youth Income Support Jobseekers Allowance Employment Support Allowance (ESA) Maternity Allowance Severe Disablement Allowance Widowed Parents Allowance Widows Benefit	If verification cannot be obtained via Common Update Enquiry Dialogue (CUED) contact the office concerned. The contact details for the appropriate office are available via the intranet.
Pension Credit	If verification cannot be obtained via CUED

State Pension	contact the appropriate Pension centre. Address details are held on the Pension service website via the intranet.
Industrial Injuries Disablement Benefit Industrial Injuries Death Benefit Reduced Earnings Allowance	These are processed at centralised industrial injuries units throughout the country. Verification is required as this is fully taken into account for a claim to JSA (IB).
Attendance Allowance (AA) Disability Living Allowance (DLA) Motability	If the award cannot be confirmed via CUED contact DLA/AA
Statutory Adoption Pay Statutory Maternity Pay Statutory Sick Pay Statutory Paternity Pay	To verify the payment of these, follow the current guidance on verifying part-time earnings.
Carers Allowance	This is administered centrally, to obtain verification send a minute to the Carers Allowance Unit,
Child Benefit Guardians Allowance	Verification required from HMRC.
War Disablement Pension War Widows Pension	If the claimant claims: <ul style="list-style-type: none"> • JSA (C), War Disablement Allowance is disregarded; • JSA (IB), verification is required as War Disablement Allowance is partially disregarded. Verification can be obtained by writing to the Service Personnel and Veterans Agency,
Employment Rehabilitation Allowance	This is administered by the jobcentre. For verification contact the appropriate jobcentre office. Office address details can be obtained via the intranet.
Vaccine Damage Payments	For the purposes of JSA (IB) this can be disregarded during the lifetime of the vaccinated person if it is held in a trust fund. Although payments which are made from the trust to or for the vaccinated person may be taken into account, for verification contact the Vaccine Damage Payments Unit,

Claimant ends training

332. The action to take for a claimant who ends a period of training depends upon whether the Training Allowance they received was based on JSA(IB) or JSA(C).

333. For further information, see the Allowance Payments guidance

Education and/or courses of study

334. Education and courses of study fall within the following categories:

- Relevant Education
- Full-time Advanced Education
- Part-time courses

For further information and definitions see, Decision Makers Guide, Chapter 30, Students, young claimants and their partners - paras 30023 onwards.

335. To determine the effect a course of study has on a claim to JSA, it is important to establish the type of education or course of study a person is undertaking. For further information, please see the effect of education and/ or courses of study on claims to JSA guidance.

Confirmation of the claimant's education course

336. To confirm the education ask the claimant to provide the required information from one of the following:

- eligibility or financial notification issued by the Local Education Authority;
- completed Learning Agreement from the establishment.

337. This information can be obtained from the claimant over the telephone or during face to face contact. If the claimant cannot provide complete and accurate information ask them to provide either of these forms.

338. Alternatively, ask the claimant to complete form ST1.

The effect of education and/ or courses of study on claims to JSA

Relevant Education

339. Relevant Education is a course at 'A level' standard or below. A person is treated as being in relevant education and a qualifying young person (QYP) for Child Benefit (ChB) purposes, if they are:

- in full time non-advanced education or approved training (up to the appropriate ChB terminal date; and
- aged between 16 -18 years inclusive; or
- aged 19, and the education or course started before their 19th birthday.

A person is **not** in Relevant Education if they attend for less than 12 hours per week.

340. Claimants who reach the age of 20 whilst still in relevant education, or before the terminal date is reached, are not treated as receiving relevant education. They may be considered to be a student.

Ending Relevant Education

341. Claimants aged over 18 and under 20 who have left Relevant Education (F/T non-advanced education), are deemed to be in Relevant Education and not entitled to claim JSA until after they reach their next ChB terminal date.

342. For claimants aged 16 and 17, see JSA for 16/17 year olds guidance.

Child Benefit Terminal dates

343. There are four ChB terminal dates:

- The last day in February;
- 31 May;
- 31 August; and
- 30 November.

Child Benefit Terminal dates in Scotland

344. In the case of a person in **Scotland** who

- (a) undertakes the Higher Certificate or Advanced Higher Certificate immediately before ceasing relevant education, and
- (b) ceases relevant education on a date earlier than they would have done had they taken the comparable examination in England and Wales,

the terminal date is calculated by reference to the date that applies had they taken the examination in England or Wales.

Claiming JSA after the ChB terminal date

345. ChB is paid up to the Sunday following the next terminal date. A claim to JSA for an 18-19 year old relevant education leaver is therefore not appropriate until the Monday after the terminal date.

346. There is no requirement to consider the Child Benefit Extension period for 18 and 19 year old claimants, as a ChB extension is only payable up to the day before a persons eighteenth birthday.

Note: Parents who are existing claimants **cannot** relinquish entitlement to ChB for a qualifying young person who still lives with them, in order to help that young person qualify for JSA in their own right. ChB must continue until the fixed terminal date after the young person left relevant education.

Full-time Advanced Education

347. A student in full-time advanced education **cannot usually** claim JSA for the duration of their course, including vacations. For exceptions to this rule see Full-time Students entitled to Jobseeker's Allowance.

Note: Sandwich Courses also fall under the definition of 'full-time advanced education'.

348. Please see the LMCG for further information about Labour Market Conditionality and full-time study.

Full-time students entitled to Jobseeker's Allowance

349. Full-time students may be entitled to JSA if they are:

- on their **summer vacation** and are available for work (or treated as available for work) and are either:
 - single and responsible for a child; or
 - part of a couple where both are full-time students and either one or both is responsible for a child; or
- on an **employment related course**, where participation has been approved by DWP before the course started, for a maximum of two weeks and for one course in any twelve month period; or
- attending a **programme provided by the Venture Trust** (in Scotland) under an agreement made by the Secretary of State for the Home Department, for a maximum of four weeks and for one programme in any twelve month period; or
- waiting to go back to a course, having **taken approved time out** because of an illness or caring responsibility that has now come to an end.

350. Students receive income from various sources which must be taken into account. See Types of student income, for information on student income and disregards.

Term end dates

351. To establish the date a claimant can make a claim to JSA after leaving their course of Full-time Advanced Education, see University term end date guidance.

Part-time courses of study

352. Certain claimants who are studying but are not in relevant education or attending a full time course are classed as part-time students. (For definition of a full-time course of study see DMG 30037 onwards). To qualify for JSA, part-time students must meet labour market conditionality whilst undertaking their course.

353. See LMCG for further information about Labour Market Conditionality and part-time study.

Non-dependants in household

354. Non- dependants are people aged 18 or over who normally reside with the claimant. If there is not enough information to decide if there is a non-dependant in the household, take the following action:

Step	Action
1	for system maintained claims: <ul style="list-style-type: none">• send draft letter DLJA104 to the claimant with non-dependant in household; and• access dialogue JA530: Case Controls and set a case control to await the reply;

	for clerically maintained claims: <ul style="list-style-type: none"> • send draft letter DLJA104 to the claimant with non-dependant in household; and • BF the claim to for 7 days for reply;
2	if claimant does not provide details of non dependant: for system maintained claims: <ul style="list-style-type: none"> • send reminder letter to the claimant; and • access dialogue JA530: Case Controls and set a case control to await a reply; for clerically maintained claims: <ul style="list-style-type: none"> • send reminder letter to the claimant; and • BF the claim to await a reply;
3	if the requested details have still not been provided, decide whether to disallow payments of JSA.

See, Decision Makers Guide, Volume 1, Chapter 2, claims and applications and Volume 4, Chapter 20, JSA and IS conditions of entitlement

If the non-dependant is in full time education

355. If the non-dependant is in full time education and is not a close relative, contact the claimant and ask:

- if the student pays a commercial charge for accommodation; and
- if cooked or prepared meals are included in the charge.

356. If the non-dependant satisfies the above conditions, treat:

- them as a boarder; and
- their board payments as income.

See, Decision Maker’s Guide, Volume 5, Chapter 25, general rules on income

Students

357. If the student states they received one of the following:

- loan;
- grant;
- bursary.

358. Ask them to provide the required information from for a copy of the award notification from the relevant authority. This information can be obtained from the claimant over the telephone or during face to face contact. If the claimant cannot provide complete and accurate information ask them to provide a copy of the agreement.

If they have not got a copy instruct them to contact the local education authority or whoever authorised the payment and ask for a copy of the agreement.

Circumstances prior to claiming

359. It should be apparent from the information provided on the claim form what the claimant and/or partner was doing prior to claiming that is previously working, or in receipt of another income.

360. If it is not clear from the details provided on the claim form consider if a Customer Compliance referral is appropriate, if not;
- send form JSA164 asking the claimant to give details and provide verification to show how they have supported themselves financially prior to making the claim; and
 - set case control/clerical BF for receipt.

Claimant is temporarily unavailable due to sickness

361. A claimant who is temporarily sick has the option to:
- remain on JSA for a period of up to two weeks twice in any jobseeking period (JSP) or if a JSP exceeds 12 months each successive 12 months (the first 12 months begins on the first day of the JSP); or
 - claim Incapacity Benefit/Income Support immediately (Linking claims only), or
 - claim ESA .
362. If the period of sickness links with a previous claim to Statutory Sick Pay, they cannot remain on JSA unless they are a member of a joint claim and are granted an exemption.
363. Confirmation of sickness can be obtained from the claimant on:
- medical certificates issued by the healthcare professional or hospital:
 - Med3/Fit note;
 - Med10; or
 - using form JSA28 for periods of sickness up to 14 days.
364. If the claimant or partner is registered blind they could be entitled to additional premiums on their JSA (IB) claim.
365. To verify that the claimant or partner is registered blind request a verified copy of the blind registration certificate.

Notification of admission to hospital

366. Notification that the claimant/partner has been admitted to hospital can be obtained from:
- the information on the claimants claim form; or
 - on medical certificate form MED10 or form BR409.
367. Most hospitals complete form BR409 when patients are admitted. It gives details:
- of the patient:
 - when admitted;
 - some benefit details;
 - of the patient's permission for the hospital to notify the Department for Work And Pensions of their admission.

Reserve forces

368. The reserve forces are:
- Royal Fleet Reserve;
 - Royal Naval Reserve;

- Royal Marines Reserve;
- Army Reserve;
- Territorial Army;
- Royal Air Force Reserve;
- Royal Auxiliary Air Force;
- The Royal Irish Regiment.

369. Territorial Army members and other reservists may be required to:

- attend regular drill nights;
- attend an annual training camp;
- take part in other training activities; or
- be called up to active duty.

370. Any training other than the annual camp is voluntary. This includes attendance at annual cadet camps organised by the Air Training Corps, Army Cadet Force and Sea Cadet Corps.

371. Territorial Army members who are called up to active duty are not treated as being in remunerative work while they are serving.

372. For details of the treatment of payments, see Current Work.

Creditor insurance payments letter

Jobseeker's Allowance

	Our telephone number is

	Our textphone number is

	Your reference number is

CREDITOR INSURANCE PAYMENTS

Dear

On your Jobseeker's Allowance claim form you told us that you or your partner have an insurance policy which is making payments on your loan/ hire purchase/ credit card repayments.

We need some more information about this so that we can work out how much Jobseeker's Allowance you will get.

What to do now

Please fill in the enclosed sheet and send it back to us in the prepaid envelope provided. Please send us any letters that you have received from your insurance

company, which gives details of the payments.

If you want to know more

If you want more information about anything in this letter, please get in touch with us. Our phone number and address are at the top of this letter.

Yours sincerely

for Manager

Jobseeker's Allowance

CREDITOR INSURANCE PAYMENTS (REPLY)

Name: _____

National insurance number:

Your reply

Do you have more than one credit arrangement? **No** **Yes**

If you receive more than one insurance payment, please answer the following questions for each arrangement you have. If there is not enough space on this form please continue on a separate sheet.

Which insurance company is each policy with? _____

What is the reference number for each policy you have? _____

What is their address? _____

Jobseeker's Allowance

CREDITOR INSURANCE PAYMENTS (REPLY) continued

When did you get your first payment/...../.....
from them?

If you have not had a payment yet,
please tell us:

When you expect to get the first
payment?

How much was the first payment? £.....

What period did the first payment
cover? From...../...../.....
to...../...../.....

How much are the payments now? £.....

When will the payments stop?/...../.....

Is the payment made direct to your credit company? **No** **Yes**

How much of the payment is used for repaying the loan? £.....

Please send us proof of your loan repayments. For example, a payment book, bank/ building society statement or credit agreement. Please send the original documents, not photocopies. We will send these back to you.

What is the remainder (if any) _____
of the money used for? _____

Jobseeker's Allowance

CREDITOR INSURANCE PAYMENTS (REPLY) continued

Are you still paying a premium to protect your loan? **No** **Yes**

How much do you pay? £..... Weekly/4 Weekly/Monthly/other*
*delete as appropriate

If other, please state how often? _____

**Please send us proof of the amount of premium you are paying.
For example, a payment book, bank/ building society statement or credit agreement.
Please send the original documents, not photocopies.
We will send these back to you.**

Does the insurance payment include an amount for the premium? **No** **Yes**

- Please make sure that you:
- have answered all the questions that apply to you;
 - fill in the signature box and the date box;
 - send this reply back to us, along with any letters received from your insurance company giving a breakdown of the payment, in the envelope provided.

Signature:

Date:

Appendix 1

FMU assistance letter

RE: Habitual Residence

Name, NINO: DOB: Address (if applicable as may be refuge)

I am writing from the Forced Marriage Unit (FMU), a joint Foreign and Commonwealth Office and Home Office initiative providing confidential advice and support to victims and practitioners in cases of forced marriage. This is done

in conjunction with government departments, statutory agencies and voluntary organisations.

The person named above, has recently received assistance from the FMU in returning to the UK after a forced absence abroad for the period xxxx to xxxx.

Under current Social Security regulations, people returning to the UK from abroad may make an immediate claim for income-related benefits. In addition to satisfying the normal conditions of entitlement, anyone who claims these benefits must demonstrate that they have a right to reside and are habitually resident in the UK.

The individual named here will have been taken from the UK, where they are normally habitually resident, and detained outside the country against their will. As such they will have been forcefully prevented from fulfilling their desire to reside in the UK. This means that they have not lost their habitual residence in the UK throughout any forced absence from the country.

DWP guidance allows that under such circumstances individuals **do not lose their habitual residence in the UK and are therefore viewed as being habitually resident from the outset of their claim.**

Please treat this letter as acceptance that the period spent outside the UK, stated above, was a forced absence and should not count against xxxxx when considering their entitlement to housing or other support.

For further information about this case please contact me on the above telephone number. General advice regarding forced marriages can be found at: www.fco.gov.uk/forcedmarriage

The FMU may be contacted on the above telephone number in cases where identity is in doubt. If this is the case please quote the FMU reference stated on this letter.

Please DO NOT contact the FMU as a means of routine ID checking.

Yours sincerely,

(staff name)

Forced Marriage Unit

Useful Contacts

- Valuation of Capital
- Jobcentre Plus Special Valuations
- Forced Marriage Unit

What housing costs are and how they are claimed

Background

1. Housing costs for a JSA claimant are those costs which they are liable to meet in respect of the dwelling which they or any other member of their family are treated as occupying.
2. Applicable housing costs are mainly interest payments on mortgages or home improvement loans (HIL) but can include various rental charges.
3. Eligible housing costs are the parts of a claimant's applicable housing costs which are allowable. They do not include any payments for Housing Benefit (HB) which is payable by Local Authorities.
4. Interest payments are calculated using a standard interest rate (SIR) **not** the lenders rate
5. Housing costs are initially claimed when a claimant completes a claim to JSA but they can be claimed at any time during a JSA claim. There are various ways to verify housing costs.

Applicable housing costs

6. Applicable housing costs are the costs for where a claimant lives which we can consider help towards. These include:
 - interest payments on mortgages
 - interest payments on home improvement loans (HIL)
 - interest payments on re-mortgages
 - rents or ground rents on long tenancies
 - service charges
 - in England and Wales rent charges, within the meaning of Section 1 of the Rent Charges Act 1977
 - payments under a co-ownership scheme
 - payments for Crown tenants
 - payments for tents and their sites.

Housing costs which are eligible

7. Eligible housing costs are that part of a claimant's housing costs which are allowable. See the Upper limits for the maximum amount allowable for a mortgage or home improvement loan (HIL) or a combination of the two.

Mortgage interest payments

8. JSA mortgage interest payments are payable if the mortgage was taken out to:
 - purchase the home or part of the home where the claimant is living
 - re-mortgage. See Qualifying Periods Re-mortgaging for further details.
9. The meaning of the word loan is any:
 - borrowing
 - mortgage
 - hire purchase agreement.

Standard Interest Rate

10. A standard interest rate (SIR) is used to calculate allowable mortgage interest on all new and repeat claims.
11. The SIR is set at a level equal to the Bank of England's published monthly average mortgage rate.
12. The SIR will only change if the Bank of England's published average mortgage rate goes up or down by at least 0.5%. The current SIR is 3.63%
13. The SIR may be higher or lower than a lender's actual interest rate, if a claimant enquires about this tell them that:
 - The law says we have to use the SIR to calculate their mortgage interest
 - If the SIR is higher than the lender's actual rate, Regulations require the lender to credit any excess amount to their mortgage account
 - first towards the discharge of any arrears of mortgage interest in respect of the loan and,
 - second, towards the discharge of any liability to repay the principal sum, or any other sum payable by the borrower to the lender in respect of their loan.
 - If they are not happy with this or they are concerned that the SIR is lower than the lender's actual rate, tell them they must discuss it with their lender. You must not offer advice or get involved in any dispute.

Home improvement loans

14. Interest payments on a HIL can be paid if used to:
 - carry out allowable repairs or improvements on the home
 - pay any service charge imposed to meet the cost of repairs or improvements
 - pay off another loan to the extent it would have qualified.
15. The repairs or home improvements must be carried out within six months of the date of receipt of the HIL or such further period as a Decision Maker (DM) decides may be reasonable in the particular circumstances of the case.
16. For interest to be payable on a HIL:
 - the purpose for which it was taken out and used must be the same. A loan taken out for some other purpose which is used instead for the improvement of the home will not qualify.
 - the loan must be in respect of the dwelling currently occupied. Interest is no longer payable if the claimant changes address to another property. See DMG Chapter 23 (23585): Loans for repairs and improvements.

Allowable repairs and improvements

17. Allowable HIL are those used for any of the following repairs and improvements done to maintain the fitness of the home for human habitation.
 - the provision or repair of:
 - a fixed bath, shower, wash basin, sink or lavatory and necessary associated plumbing, including the provision of hot water not connected to a central heating system

- ventilation and natural lighting
 - drainage facilities
 - damp proof measures
 - facilities for preparing and cooking food, but not food storage
 - insulation of the dwelling
 - electric lighting and sockets
 - storage facilities for fuel and refuse
 - separate sleeping accommodation for persons of different sexes aged 10 or over but under 20 who lives with the claimant and for whom the claimant or partner are responsible.
 - the repair of:
 - unsafe structural defects
 - existing heating systems
 - the adaptation of the home for the special needs of a disabled person.
18. Form MI10 must be used to for each home improvement loan to gather the information to allow the DM to make a decision on allowable housing costs. Complete the “reference number” and “name of benefit boxes on the front of the MI10 before sending to the claimant.
19. See DMG Chapter23 (23591) Meaning of repairs and improvements.

Ground rent on long tenancies

20. Ground rent is payable on leasehold properties and is a rental payment for the ground that the building is standing on. It is an eligible housing cost if the property has a long term tenancy. That is when the lease is:
- granted for 21 years or more; or
 - fixed by law for a term with a covenant or obligation for renewal.

Service charges

21. Service charges are eligible housing costs if they are:
- not met by Housing Benefit
 - a condition under which the claimant occupies the home; and
 - connected with the adequacy of the accommodation.
22. Service charges are sums charged for facilities or services, usually on leasehold properties. For example:
- hallway lighting; or
 - lift maintenance; or
 - building insurance.
23. Before deciding if service charges can be paid, ask the claimant to provide a breakdown of the:
- services provided
 - individual charge made for each service; and
 - the period the service charge covers, for example yearly, six monthly.
24. Pass all the information to a DM who decides how much of the service charges is allowable.
- See DMG Chapter 23 (23613) Service charges for more information.
25. Use draft letter DL120 to obtain details of ground rent and service charges.

Rent charges

26. In England or Wales rent charges within the meaning of Section 1 of the Rent Charges Act 1977 are any periodic sum charged on or issuing out of land except:
- rent reserved by a lease or tenancy; or
 - any sum payable by way of interest.
27. These charges are eligible in full as JSA housing costs.

Co-ownership schemes

28. Co-ownership is a specific type of tenure where a person rents a property from a Housing Association under a lease which provides them with a financial return based directly or indirectly on the value of the property when ceasing to be a member of the scheme.
29. Payments under a co-ownership scheme are eligible housing costs

Crown tenants

30. Rents charged for Crown tenants are eligible housing costs. A Crown tenant is a person who lives in a property which belongs to:
- the Crown, that is the head of state; or
 - a Government Department.
31. Before deciding how much housing costs to pay a Crown tenant, ask them:
- how much rent is charged; and
 - the amount included in the rent for water. In England and Wales an element is deducted for water charges.
32. For all Crown tenants, when housing costs become payable, issue DLJA178. This is to ensure that Crown tenants are made fully aware that an element for rent is included in their benefit assessment.

Payments for tents and site rents

33. If the claimant lives in a tent as their home, housing costs are eligible for the:
- tent they live in; and
 - site their tent is pitched on.
34. Any charges made for fuel or water should be deducted.

Housing costs which are not eligible

35. Certain housing costs are not eligible and nothing is paid towards them:
- capital repayments.
 - any insurance premiums, even though they are linked to a mortgage or loan which is allowable.
 - interest payments on any loan which you have decided is not applicable.
 - loans taken out in a relevant period.
 - anything for which Housing Benefit (HB) is payable by Local Authorities.

Capital repayments

36. Capital repayments are not eligible housing costs. There are times, however, when it appears that JSA meets capital costs, for example when the Lenders Interest Rate (LIR) is 6% and the Standard Interest Rate (SIR) is 7%. The lender may use the additional 1% interest to reduce the capital balance.

Relevant period

37. Interest on a loan taken out in a relevant period to purchase a dwelling will not be eligible during that relevant period.

38. A relevant period is one where a claimant was already entitled to IS, JSA (IB) or Employment and Support Allowance (Income-related) (ESA(IR)) before the loan is taken out, or is living as a member of a family one of whom is entitled to IS, JSA (IB), or ESA(IR). Any break between two periods of entitlement to IS, JSA (IB) or ESA(IR) which does not exceed 26 weeks links the two periods to count as one relevant period.

39. There are draft letters available to advise a claimant if it is decided they have taken a loan out in a relevant period:

- DLJA167 is used for loans increased in a relevant period
- DLJA166 is used for new loans.

Exceptions to the relevant period

40. Loans taken out during the relevant period will not be eligible for JSA unless they are used to:

- repay an allowable loan used to acquire an interest in the home. Any re-mortgage such as this will be allowable up to the amount of the earlier loan on which housing costs are being paid
- buy a new home if JSA is meeting the interest on a mortgage for the previous home and that mortgage has been wholly or partly repaid with the money from the sale of that home. Any part of the new loan, which is equal to the amount of the earlier loan is allowable
- acquire an interest in a dwelling which the claimant occupies as the home and in the week before the purchase was entitled to HB. Housing costs will be allowable up to the level of HB which was in payment
- acquire alternative accommodation more suited to the needs of a disabled person than the previous accommodation. Any increase in housing costs in these circumstances are allowed
- acquire alternative accommodation because the move was solely to provide separate sleeping accommodation for children who are of different sexes and aged 10 or over. Any increase in housing costs in these circumstances are allowed.

See DMG chapter 23 (23475) Loans that may be allowed for loans taken out in the relevant period.

Housing Benefit and Reduction in Council Tax

41. Housing Benefit and a reduction in their Council Tax (CTr) are available to help claimants meet costs of rented accommodation and council tax payments. Housing Benefit is paid by way of a rebate or an allowance.

Local Council Tax Reduction Schemes will take the form of a reduction in the claimants Council Tax Bill.

42. Eligible housing costs do not include any costs for which HB or CTr can be paid.

How claims are made

43. Claims for housing costs can be made initially by completing:
- a claim for JSA; or
 - form MI12; or
 - a letter.
44. The only information required to register that a claimant has a mortgage or home improvement loan (HIL) is the date the loan was taken out.
45. When initially processing the claim **do not** input any information in the Home Loan Information screen in JA091. This stops JSAPS issuing the MI12. The case must be referred to the mortgage team/expert to calculate the qualifying date for the payment of housing costs and to set a case control to issue a clerical MI12 at the appropriate time.
46. A claim for housing costs may be made at any time during an JSA claim, for example if a claimant:
- buys a property after renting; or
 - takes out an allowable home improvement loan; or
 - moves house.

Obtaining and verifying housing cost details

47. Housing cost details must be verified after receiving a claim by having form MI12 completed at the appropriate time. That is:
- immediately if the claimant or their partner has reached or is over the age they can claim Pension Credit (to calculate relevant date, based on the State Pension age for women see: State Pension Age Calculator); or
 - immediately if the claimant buys a property and they were previously renting; or
 - immediately if the claimant re-mortgages and housing costs were already included in their assessment; or
 - no later than 6 weeks after the date of claim, that is 7 weeks before the qualifying date for the payment of housing costs for a mortgage or HIL.
48. After the new claim has been processed the records must be referred to the mortgage team / mortgage expert who is responsible for:
- calculating the qualifying date and recording it in Dialogue JA110: Maintain Notepad, and
 - setting a case control in Dialogue JA530: Case Controls for no later than 6 weeks after the date of claim, to get full details of the mortgage or home loan from the claimant and mortgage lender.
49. When the case control matures the mortgage team / mortgage expert must gather details of the housing costs. This can be done by:
- using the information the claimant has already provided on the CMS input document, if it is available; or

- if telephoning the claimant for more information , issuing the appropriate draft letter/s for more complex aspects (e.g. 2nd mortgages and home loans) if required; or
 - Use the Housing Costs Telephone Enquiry Prompt to telephone the claimant and discuss with them the information needed to assess their housing costs and identify any more complex aspects that may need further follow up, for example 2nd mortgages, and home improvement loans.
50. When telephoning the claimant explain:
- that form MI12 will be issued
 - DL127 will be issued if written enquiries have to be made about more complex aspects of the housing costs identified during the telephone conversation that form MI10 will be issued to enquire about their home improvement loans
 - what information the MI12 is used to collect
 - the importance of fully completing their part of the MI12 and sending it promptly to the mortgage lender.
51. After the information gather:
- issue a clerical MI12 for each mortgage or loan the claimant has
 - issue MI10 for each home improvement loan the claimant has
 - set a case control for 28 days for return of the MI12, MI10 and DL127 if used or update the Housing Costs Tracker tool if used
52. If it has not been possible to contact the claimant by telephone within two days of the case control maturing, and it is necessary to still speak to them, issue a clerical MI12 and pre-paid envelope asking them to:
- telephone the Benefit Centre to discuss their housing costs claim, and
 - complete the MI12 and forward it urgently with the pre-paid envelope to their mortgage lender.

Form MI12

53. Form MI12 is used to verify mortgage and loan details. When completed it ensures:
- full and accurate information is held on which to base the calculation of housing costs due: and
 - managed payments to mortgage lenders are paid into the correct mortgage or bank account.
54. Immediately after the telephone call at week six, send a clerical form MI12 to the claimant to complete. The claimant completes parts 1-6 of form MI12 and then sends it to their lender who completes the remaining parts and returns form MI12 to the Benefit Centre.
55. If there is a break in the claim of less than four weeks between form MI12 being issued and returned there is no need to issue a further form MI12 when the second claim is received. The information on the original form MI12 can be used.
56. If the claimant has more than one lender, issue a clerical form MI12 for each lender to ensure the claimant can complete the relevant parts and forward to each of their lenders.

Note: It is good practice to include a pre paid reply envelope for each MI12.

57. Complete the 'name of benefit' and the 'office dealing with your claim' boxes on the front of the MI12 before sending to the claimant.
58. A case control is set 28 days after the issue of the MI12 for its return.

MI12 returned

59. If the MI12 has been returned, complete the Home Loan Information screen in JA091: Maintain Claim Details.

MI12 not returned

60. If the MI12 has not been returned, the claimant must be told that housing costs cannot be considered until they and their lenders have completed and returned the MI12. Take the following action:

Step	Action
1	Send DLJA700 to the customer
2	Record the action in JA110: Maintain Notepad
4	Set a case control for 2 weeks for a reply

61. If mortgage or home loan action is not completed:
- an underpayment of benefit will happen, and
 - it may be recorded as a payment error.

Other types of verification

62. If the completed form MI12 does not provide all of the information needed to calculate housing costs make further enquiries, by telephone, letter or e-mail, to the:
- claimant
 - lender
 - insurer, for cases with a Mortgage Payment Protection Insurance (MPPI)
 - landlord, for ground rent or service charges.
63. If details of a mortgage or loan are not given on form MI12 but on a loan agreement form or letter from a bank for example, decide whether the evidence is acceptable or if further enquiries must be made.
64. For details of home improvement loans form MI10 must be completed.
65. When you have collected as much information as possible, decide if you can make an award for housing costs, and if so for how much.

Qualifying periods

66. Most JSA claimants need to serve a qualifying period (QP) before their housing costs can be paid.
67. On 5 January 2009 new housing cost rules were introduced. A standard 13 week QP applies to new claims made on or after 5 January 2009 that do not link to an award made under the old housing costs rules.
68. Under the old rules or for claims that link to an award made under the old rules in place before 5 January 2009 the QP depends upon when the loan was taken out.
69. For loans taken out before 2 October 1995, there are two QP's:
- After 8 weeks, 50% of housing costs are paid.

- After 26 weeks, 100% of housing costs are paid.
70. For loans taken out on or after 2 October 1995, there is a QP of 39 weeks before housing costs are paid. Carers, lone parents whose partners have died or abandoned them and certain other claimant groups are exempt from the 39 week QP and are treated as if their loans were taken out before 2 October 1995.
71. Under some circumstances the QP can be deemed to have started before the date of the JSA claim, for example, where the claimant would have qualified for JSA if their capital or income had not exceeded the relevant limits.

What is a qualifying period? (QP)

72. A QP is the period of time a claimant must be receiving JSA, another qualifying benefit such as Income Support or a combination of the two before housing costs can be paid. For further information see When does the qualifying period start?
73. QP's for housing costs apply to:
- mortgage interest for loans to purchase the home
 - loan interest for certain home improvements
 - certain service charges
 - ground rent
 - rent charges.
74. The length of the QP depends on when the claim is made, whether the claim links to a previous award and when the claimant agreed to pay the housing costs: normally, the date on which the mortgage or home loan was taken out.
75. Housing costs are due to be included in the JSA assessment from the day following the QP. This is the qualifying date. However, under normal JSA rules, they are payable from the first day of the benefit week in which they become due.

See DMG chapter 23 (23650) Housing costs starting dates for entitlement.

No qualifying period

76. Housing costs are included in the JSA assessment and paid immediately from the date of entitlement to JSA for:
- claimants or their partners who have reached or are over the age that they can claim Pension Credit (to calculate relevant date, based on the State Pension age for women see: State Pension Age Calculator); or
 - claimants with a co-ownership scheme; or
 - Crown tenants; or
 - charges for tents or their sites; or
 - claimants who have previously served their QP, had housing costs included in their JSA assessment and comply with one of the linking rules.

Qualifying period under the new rules

77. Under the new rules from 5 January 2009 the (QP) is a standard 13 weeks. The 13 week QP applies to:

- new claims made from 5 January 2009 that do not link to a previous award made under the old rules
- those in receipt of benefit and in their QP (including those getting 50% of their housing costs) on 4 January 2009.
- Ex stat payments were made for those claims identified before the legislation came in ie between 5/1/09 – 4/1/10

78. The first 3 days don't count towards the QP as there is no entitlement for waiting days.

79. If a claimant claims JSA(C) only at the outset by their request, then they will have to make a separate claim to JSA(IB) if they want help with their housing costs. They can do this using form JSA3 (change of circumstances) they do-not have to complete a New Claim and must not be directed to the Contact Centre. In this instance the time spent on JSA(C) will count towards the 13 week QP.

80. **JSA help with mortgage payments is limited to 2 years**, see Anniversary Dates.

81. When the claimant satisfies the new MIQP criteria for JSA, JSAPS will calculate:

Step	Action
1	The 13 week 100% Qualify date; then
2	Access dialogue JA091: Maintain claim details, screen JA091017 Home Loan Information
3	Input the date calculated in the 100% Qualifying Date field
4	Process claim as current guidance

82. When the claimant satisfies the new Qualifying upper limit criteria for JSA

Step	Action
1	Access dialogue JA091: Maintain claim details screen JA091017 Home Loan Information
2	Input the amount up to £200,000 – that qualifies for managed payments to mortgage lenders – in the 'O/S Loan without MIRAS' field
3	Input any amount between £100,000 and £200,000 – that qualifies for managed payments to mortgage lenders – in the 'Exempt Loan amount' field
4	Process claim as current guidance

83. Claims made on or after 5 January 2009 that link for housing cost purposes to an award made under the old rules are assessed under the old rules, with a QP of 8, 26 or 39 weeks.

Example

Repeat claim made on 25 January 09. It links to an award that ended 1 December 08 where housing costs were not in payment and the qualifying date was 23 May 2009. The claimant will retain the qualifying date of 23 May 2009 from the previous award and not qualify under the new rules, therefore the 2 year restriction will not apply but the upper limit will be £100,000.

Qualifying periods under the old rules

Qualifying periods of 8 and 26 weeks

84. A mortgage or loan taken out before 2 October 1995 is defined as an existing loan. In this case there are two QP's before housing costs are paid:

- 8 weeks
- 26 weeks

85. From week 9, include housing costs of 50% of the allowable interest in the JSA assessment. From week 27 include 100% of the allowable interest in the JSA assessment.

New loans treated as existing loans

86. Certain new loans can be treated as existing loans, for example when:

- lenders merge
- one lender takes over another
- lenders buy portfolios of loan accounts from other lenders.

87. Lenders in these circumstances will usually ask existing borrowers to sign a new agreement. If this happened on or after 2 October 1995, housing costs will remain as existing housing costs because there is no new borrowing.

Re-mortgaging

88. Re-mortgaging loans are considered to be existing loans if they have arisen on or after 2 October 1995 and:

- are with any lender
- for any property
- the amount borrowed is the same amount or less than the pre-October 1995 mortgage
- one of the parties to the agreement was named on the pre-October 1995 agreement.

89. Prior to 28 November 2004 when the re-mortgaging rules changed a re-mortgaging loan had to be with the same lender, for the same property and between the same parties.

90. It is up to the claimant to prove they are entitled to have their re-mortgage treated as an existing loan by answering the questions:

- What date did you take out your original mortgage?
- If it was taken out before 2 October 1995:
 - Was the original mortgage for a previous address or your current address?
 - How much was the original mortgage?
 - Whose names were on the original agreement taken out before 2 October 1995?
 - Did you take out your original mortgage with your existing lender?
 - If not, who was your mortgage lender?

Qualifying period of 39 weeks

91. A new loan is one taken out on or after 2 October 1995. In this case there is a QP of 39 weeks before housing costs are paid.

92. From week 40, include 100% of the allowable interest in the assessment.

Exceptions to the 39 week qualifying period

93. Claimants exempt from the 39 week QP are those who at the date of claim are:

- carers who are not required to be available for work
- prisoners detained in custody pending trial
- claimants who have been refused payment under an insurance policy, because of a pre-existing medical condition which is exempt from payment under the terms of the insurance policy or as a direct result of infection by HIV and the insurance policy had been taken out against being unable to meet the mortgage payments
- lone parents who have made a claim due to the death of a partner or abandonment by their partner.

94. For claimants exempt from the 39 week QP treat their mortgage or loan as an existing loan. Include housing costs in the JSA assessment at 50% from week 9, and 100% from week 27.

95. See DMG Chapter 23 (23657) New housing costs treated as existing housing costs for further guidance on these exceptions, including guidance on what counts as abandonment.

Claimant no longer falls into one of the exemption categories

96. The qualifying dates for a loan do not change even if the claimant is no longer in one of the exemption categories, except cases when a lone parent claims JSA because of abandonment or the death of a partner.

97. If a lone parent becomes part of a couple again in the first 39 weeks of the JSA claim, and their agreement was entered into on or after 2 October 1995, they must serve the remainder of the first 39 weeks of their JSA claim with no housing costs.

When does the qualifying period start?

98. The QP normally starts from the effective date of the JSA claim.

99. In some cases, the QP can be deemed to have started earlier than the JSA claim date. This applies where, before claiming JSA, the claimant:

- was receiving JSA (C)
- was receiving Income Support
- was receiving Employment and Support Allowance Income-related (ESA(IR))
- was not entitled to JSA (IB), IS, or ESA(IR) because they had capital exceeding £16,000 or had income exceeding their applicable amount, but at the same time had made a claim for and was entitled to:
 - ESA (Contribution-based) (ESA(C))
 - Statutory Sick Pay (SSP)
 - Incapacity Benefit (IB)
 - National Insurance (NI) credits on the grounds of being available for or incapable of work.

100. Claimants in receipt of JSA (C) and not in receipt of an income related benefit are treated as receiving income based JSA during any waiting period once housing costs become payable. This also applies to claimants that have excess income over requirements (EIOR) but qualify for JSA once housing costs are included in their award.

101. If the claimant indicates that these benefits or credits were claimed before claiming JSA, make further enquiries to establish if the claimant:
- has continued to satisfy the conditions for claiming JSA(IB)
 - has not been engaged in remunerative work
 - has not had a partner engaged in remunerative work.
102. If the claimant satisfies all these conditions, calculate the qualifying period from the start date of the entitlement to IS, ESA(C), SSP, IB or NI credits. If the qualifying benefits have a 3 day waiting period, start counting the QP from day 4. Also consider the linking rules in this guide.
See DMG chapter 23 (23734) Capital exceeds £16,000.

Lone parents and carers

103. Lone parents and carers who have made a claim to JSA and had it refused because they had capital exceeding £16,000 or income exceeding their applicable amount should be treated as entitled to JSA throughout any continuous period of not more than 39 weeks during which on a day to day basis they are not:
- engaged in or treated as engaged in remunerative work
 - the partner of a person engaged in or treated as engaged in remunerative work
 - absent from Great Britain (GB), except on a temporary basis.

Claimant not entitled to JSA until full housing costs are payable

104. When a claimant has made a claim to JSA and had it refused only because they have excess income over requirements (EIOR):
- calculate if adding their housing costs to their applicable amount will entitle them to JSA
 - if so issue DLJA172 to advise the claimant to claim JSA again shortly before the date their housing costs are due. This may be at week 9, 27 or 40 depending on their QP and the amount of housing costs required to bring their assessment up to JSA levels.

System calculated qualifying period

105. When you input the start date of a mortgage or loan on the Home Loan Information screen, JSAPS calculates which qualifying period is appropriate and populates the 50% qualifying date and the 100% qualifying date.
106. JSAPS calculated qualifying dates are not always correct. Calculate the qualifying dates yourself and overwrite the displayed dates if necessary. JSAPS cannot calculate the correct qualifying dates if:
- the new 13 week qualifying period applies
 - a claimant is exempt from the 39 week QP
 - the qualifying period starts earlier than the JSA claim date
 - the linking rules apply.
 - the claimant only has service charges or ground rent.

107. Once calculated, a qualifying date does not change as long as the claimant remains in receipt of IS, JSA(IB) or ESA(IR), or their claims to these benefits link.
108. There are draft letters available if the claimant requests details of when they are due to have housing costs included in their assessment:
- for increases to loans
 - for new loans

Anniversary date

109. JSAPS automatically pays housing costs from the first day of the benefit week in which they are due. This is the Anniversary Date and is the date used to review housing costs every year, however under the new rules from 5 January 2009 the 2 year limit will apply.

Mortgage and home loan upper limits

Summary

110. The upper limit on mortgages or loans is £200,000 for new claims to benefit. There are exceptions to this limit depending on when the claimant first claimed JSA and whether the excess amount was used to adapt a home for the needs of a disabled person.
111. Mortgages taken out when the claimant is already in receipt of JSA or in the period between two claims to IS, JSA (IB) or Employment and Support Allowance (ESA(IR)) separated by less than 26 weeks are not usually allowable housing costs unless they were in receipt of Housing Benefit immediately before they took out the mortgage. The amount of housing costs will be restricted to the amount of Housing Benefit they were receiving.

Upper limits

112. All mortgages or loans, unless exempt, are restricted to an upper limit. The upper limit is the maximum amount of capital borrowing allowable for calculating housing costs in JSA.

113. Under the new rules from 5 January 09 the upper limit is £200,000.

This upper limit applies to :

- new claims made from 5 January 09 that do not link to a previous award assessed under the old rules (with the exception of claims that are excess income over requirements (EIOR))
- those in receipt of benefit and in their qualifying period (including those getting 50% of their housing costs) in the benefit week that includes 4 January 09.

114. Under the old rules, prior to 5 January 09, the upper limit is £100,000. Claimants awarded their housing costs under the old rules retain the £100,000 upper limit and do not benefit from the new £200,000 upper limit.

115. Claims made on or after 5 January 09 that link for housing costs purposes to an award made under the old rules continue to be assessed under the old rules and have a £100,000 upper limit.

Example

Repeat claim made on 25 January 09. It links to an award that ended 1 December 09 and housing costs were in payment. The claimant retains the £100,000 upper limit applicable to the previous award.

116. Claims made on or after 5 January 09 that are EIOR are assessed under the old rules and have a £100,000 upper limit.

117. The upper limit applies:

- to the sum of all the claimant's allowable mortgages or loans, excluding exempt loans
- separately to each home when claimants are treated as occupying two homes.

Exceptions to this limit are covered in the Decision Makers Guide See DMG Chapter 23 (23519) Maximum amount of loans.

Previous upper limits

118. Upper limits were only introduced in August 1993 since then the limits have been:

- £150,000 between 2 August 1993 and 10 April 1994
- £125,000 between 11 April 1994 and 09 April 1995.

119. Claims made before each of these dates (2 August 1993 and 11 April 1994) were not affected by the new limits when they were introduced. They are only affected if a claimant takes on new loan commitments after these dates. If a claimant has remained continuously entitled to IS or Jobseekers Allowance (Income Based) (JSA (IB)), the upper limit amount they were receiving when they made their claim is protected.

120. Any breaks in entitlement, even for one day, mean that the claimant will lose their entitlement to an upper limit of either £125,000 or £150,000. Following the break in claim the upper limit that applies will be £100,000 if the repeat claim links to an earlier one, or £200,000 in other cases.

More than one mortgage or loan that exceeds the upper limit

121. If a claimant has more than one mortgage or loan and they exceed £100,000 in total JSAPS automatically apportions the upper limit across all the loans. You will have to calculate these amounts for clerically maintained cases, or cases that exceed the £200,000 upper limit until JSAPS is updated

Example

A claimant's eligible housing costs are:

- £93,620 for the purchase of the property
- £6,800 for damp proof measures
- £2,100 for the replacement of a cooker that formed part of a fitted kitchen
- Total is £102,520

The total eligible loans of £102,520 exceeds the maximum amount of £100,000. You should apportion as follows:

- $£100,000 \div £102,520 \times £93,620 = £91,318.764$
- $£100,000 \div £102,520 \times £6,800 = £6,632.8519$
- $£100,000 \div £102,520 \times £2,100 = £2,048.3807$

122. The normal rule for rounding is that any fraction of a penny should be rounded up to the next whole penny. Apportionment is treated as an

exception however for practical purposes. The total of the separate eligible loans must not exceed the actual total allowable of £100,000. You may have to adjust the rounding at the end of the calculation to ensure this. In this example:

	£91,318.77
	£6,632.85
	£2,048.38
Total is	£100,000.00

Exempt loans

123. Loans exempt from the upper limit restriction of £100,000 or £200,00 are those:

- whose upper limit is protected because a previous upper limit applied when they first claimed IS or JSA(IB) and they have remained continuously in receipt of IS or JSA (IB).
- taken out to adapt the home for a disabled person who, when the loan was taken out, met the qualifying conditions for at least one of the Disability, Disabled Child or Higher Pensioner premiums. See DMG Chapter 23 Maximum amount of loans.

Over riding the system set upper limit

124. JSAPS no longer restricts the amount of home loan capital it uses to calculate housing costs to £100,000 on allowable mortgage or loan interest. However any cases with MI payments starting on or after 5/01/09 but before Release 27 go live Assessments processing will continue to calculate the eligible mortgage interest on a maximum £100,000.

Method 1

125. Use this procedure where:

- the upper limit of £200,000 applies
- a previous upper limit applies because:
 - it is a new claim where there is no break in entitlement and the higher limit applied previously
 - an award of housing costs is backdated to before the £100,000 upper limit was introduced.

126. There are two codes that are shown in the Type field of the Where You Live screen to identify the mortgage or loan upper limit:

- **14** the System Calculated Limit (SCL). This is set automatically by JSAPS as £100,000 from 10 April 1995
- **15** the User Calculated Limit (UCL).

127. To enable JSAPS to calculate housing costs on a figure exceeding £100,000.

Step	Action
1	Access the Where You Live screen JA091016: in dialogue JA091: Maintain claim details.
2	Input 15 in the Type field to override the SCL.
3	Press Enter to register a UCL.
4	Access the Home Loan screen.

5	Input the full eligible amount of the loan in the O/S Loan Without MIRAS field.
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Method 2

128. Use this procedure where an amount borrowed to adapt the home for the special needs of a disabled person takes the total loans outstanding to more than £100,000 or £200,000

Step	Action
1	Access the Home Loan screen JA091017: in dialogue JA091: Maintain claim details.
2	Input the full eligible amount of the loan in the O/S Loan Without MIRAS field.
3	Input the amount over £100,000 in the Exempt Loan Amount field.
4	JSAPS will not now apply the £100,000 restriction.

Example

A claimant has a loan with a balance outstanding of £105,000. £100,000 used for house purchase and £5,000 used to adapt the home for a disabled member of the household. His housing costs are assessed under the old rules:

- Input 105,000 in the O/S Loan Without MIRAS field in dialogue JA091: Maintain claim details screen JA091017 Home loan information
- Input £5,000 in the Exempt Loan Amount field on the Home Loan Information screen.

JSAPS ignores the amount of the exempt loan when considering a restriction. The amount of capital JSAPS uses in the calculation of eligible interest is £105,000.

Claimant moves from JSA (IB) 23734 to IS

129. Any claimant who is receiving housing costs as part of their JSA entitlement under the old rules continues to be paid under the old rules if:

- they claim IS and
- the JSA (IB) and IS awards link for housing costs purposes.

130. They are not subject to the two year limit and the £100,000 upper limit applies.

131. Any claimant who is receiving housing costs as part of their JSA entitlement under the new rules continues to be paid under the new rules if they move onto IS, but the two year limit is not applied.

132. Where a claim to JSA(IB) is made within 12 weeks of the IS award ending the two year limit does not apply.

Claimant moves from JSA to Pension Credit

133. The increase in the upper limit to £200,000 only applies to new working age claimants and not to those in receipt of Pension Credit (PC).

134. However, claimants who move from JSA to PC who were eligible for the upper limit of £200,000, and where the gap between awards is 12 weeks or less, retain entitlement to the upper limit of £200,000.

135. Normal PC rules apply where the gap between awards is more than 12 weeks.

Linking Periods

12 week linking period

136. If a claimant makes a repeat claim to JSA (IB) after claiming IS, Jobseekers Allowance (Income Based) (JSA (IB)), or ESA (IR) and the break in entitlement is 12 weeks or less, the claims are considered to link and are treated as being continuous. JSAPS automatically links the housing costs of the two claims, and brings forward the previous qualifying date.

26 week linking period

137. The 26 week linking period is appropriate for:

- Child Support Agency (CSA) cases
- cases where mortgage payment protection insurance payments (MPPI) have exhausted.

Child Support Agency cases

138. In CSA cases, all of the following conditions must be satisfied for the claims to link:

- the previous claim ceased because of a CSA maintenance award, and the break in claim was 26 weeks or less
- a claimant regains entitlement to IS, Jobseekers Allowance (Income Based) (JSA (IB)), or ESA(IR) because of the reduction in a CSA maintenance award
- the claimant qualified for 100% housing costs before the previous claim ceased
- the reduction has taken place either because the previous award was an interim award or because CSA regulations have been amended.

139. JSAPS cannot automatically bring the qualifying date from the previous claim to the new claim. Overwrite the qualifying date input by JSAPS with the qualifying date as calculated on the previous linking claim. This means that housing costs are included in the JSA assessment immediately.

140. The anniversary date for annual review is carried forward from the previous claim. If the anniversary date occurs during the linking period issue a clerical form MI12R to review the balance outstanding on the mortgage or loan.

Mortgage Payment Protection Insurance payments exhausted

141. If Mortgage Protection Payment payments (MPPI) are exhausted, all the following conditions must be satisfied for the claims to be considered as linking:

- the break in entitlement was 26 weeks or less
- the claimant had a previous claim for IS, JSA (IB) or ESA(IR), which included housing costs
- a claimant or their partner received payments on an insurance policy taken out to insure against loss of employment or sickness

- the payments from that insurance policy are exhausted.

142. JSAPS cannot automatically bring the qualifying date from the previous claim to the new claim. Overwrite the qualifying date input by JSAPS with the qualifying date as calculated on the previous linking claim. This means that housing costs are included in the JSA assessment immediately.

143. Housing cost help applies from the qualifying date in **all** cases whether the claimant is in receipt of MPP payments or not. When MPPI exhausts, only the balance of the 104 weeks SMI help is payable. However note para 359. Periods where mortgage interest is in payment count towards the 104 week period. If no mortgage interest is in payment - then that period is not included within the 104 week spell.

144. The anniversary date for annual review is also carried forward from the previous claim. If the anniversary date occurs during the linking period issue a clerical form MI12R to review the balance outstanding on the mortgage or loan.

52 week linking

145. A linking period of 52 weeks applies as part of the Back to Work initiatives. Treat two claims as linking when all the following apply:

- a claimant has served their qualifying period either for 50% or 100% housing costs. This includes cases when the claimant has qualified for mortgage interest on the previous claim.
- housing costs would have been payable (in full or part) but for a non dependant deduction. DMG Chapter 23 non dependant deduction.
- the previous claim was terminated due to:
 - either the claimant or partner starting remunerative work or increasing their hours in such work
 - either the claimant or partner participating in a New Deal option, an Employment Zone scheme, or a prescribed government scheme
- a renewal claim is made within 52 weeks of the termination of the previous claim.

146. If the claimant had not qualified for housing costs at the time they started work they retain the 12 week qualifying period

147. JSAPS identifies if the previous claim was terminated with any of the following exclusion reasons.

Type	Reason
03	Claimant in remunerative work of 16 hrs or over.
04	Partner in remunerative work of 24 hrs or over.
10	Claimant on training course.
27	Claimant employed on average 16 hrs or more per week.
28	Partner employed on average 24 hrs or more per week.

148. JSAPS identifies an automatic increase to the linking period for housing costs on renewal JSA claims from 12 to 52 weeks when all other conditions of entitlement for increased linking are satisfied.

149. Check the qualifying dates are carried over from the previous claim or overtype if necessary. This ensures that housing costs are included in the JSA assessment immediately.

150. The anniversary date for annual review should also be carried forward from the previous claim. If the anniversary date occurs during the linking period issue a clerical form MI12R to review the balance outstanding on the mortgage or loan.

104 week linking

151. A linking period of 104 weeks applies for Welfare to Work beneficiaries who become incapable of work again within 104 weeks. Treat two claims as linking and re award housing costs if:

- a claimant has served their qualifying period either for 50% or 100% housing costs, this includes cases when the claimant has qualified for mortgage interest but it is not in payment for any reason, for example non dependant deductions, and
- within one month of the previous claim termination either the claimant or partner started remunerative work, approved training, or a Welfare to Work initiative, and
- a renewal claim is made within 104 weeks.

152. JSAPS identifies if the previous claim was terminated with any of the following exclusion reasons.

Type	Reason
03	Claimant in remunerative work of 16 hrs or over.
04	Partner in remunerative work of 24 hrs or over.
10	Claimant on training course.
27	Claimant employed on average 16 hrs or more per week.
28	Partner employed on average 24 hrs or more per week.

153. If exclusion reason 18 was used to close the previous claim, the reason must be recorded in dialogue JA110: Maintain Notepad.

154. JSAPS does not identify claimants who are Welfare to Work beneficiaries. Record these cases with an exclusion reason of **10** (training), or with an exclusion reason of **18** (Other). The warning message - **W9069 Warning: Ensure Correct Linking Period Is Applied From Previous Claim** displays on the Home Loan screen JA091017 in Dialogue JA091: Maintain claim details if:

- exclusion reason **18** was input on the previous claim
- there is more than 12 weeks and no more than 104 weeks between the end of the previous claim and the start of the new one
- at the time the previous claim was terminated the claimant was eligible to 50% or 100% mortgage or home loan interest.

155. Check the reason the previous claim was terminated and overwrite the qualifying date if necessary. This ensures that housing costs are included in the JSA assessment immediately. The anniversary date for annual review must also be carried forward from the previous claim. Issue a clerical form MI12R to review the balance outstanding on the mortgage or loan.

156. See DMG Chapter 23 52 and 104 week linking periods for further information.

Indefinite linking period

157. An indefinite linking period is appropriate for:

- Employment Trial Period cases
- cases where an JSA claim has been turned down because of income from MPPI.

Employment Trial Period cases

158. If a claim to IS, Jobseekers Allowance (Income Based) (JSA (IB)) or a combination of the two is broken due to an Employment Trial Period (ETP), treat the claim as linking if the claimant or their partner is participating in arrangements for training made under Section 2 of the Employment and Training Act 1973, or attending a course at an employment rehabilitation centre.

159. This may occur for example when a claimant was claiming JSA (IB) and participating in an ETP and then makes a linking claim to IS or where a claimant claiming IS has a partner who is signing on at the Jobcentre.

160. To confirm the claimant or partner has completed an ETP contact the Jobcentre.

161. JSAPS does not automatically bring the qualifying date from the previous claim to the new claim. Overwrite the qualifying date input by JSAPS with the qualifying date as calculated on the previous linking claim. The Anniversary Date for annual review must also be carried forward from the previous claim.

Claims that are turned down because of income from (MPPI)

162. Treat two claims as linking if both the following conditions apply:

- the first JSA, IS or ESA(IR) claim is turned down due to excess income over requirements (EIOR) because a claimant has income from an insurance policy taken out to insure them against sickness or unemployment
- the claimant continues to fulfil the criteria for claiming JSA, IS or ESA(IR) throughout the period they have an EIOR figure.

163. When the claimant reclaims JSA, IS or ESA(IR), the period they had EIOR counts towards their qualifying period. Calculate the qualifying date and overwrite the system calculated date.

Questions to be considered

Background

164. There are many questions to be considered before a claim to help with mortgage or home improvement loans (HIL) can be accepted and the amounts calculated.

165. Housing costs generally can only be awarded to whoever is responsible for paying them if they live in the home concerned. There are circumstances however where a lot of information needs to be gathered in order to make a decision.

166. Mortgages taken out when the claimant is already in receipt of JSA or in the period between two claims to IS, JSA (IB) or Employment and Support Allowance (ESA(IR)) separated by less than 26 weeks are not usually allowable housing costs unless they were in receipt of Housing Benefit immediately before they took out the mortgage. The amount of

housing costs is restricted to the amount of Housing Benefit they were receiving.

167. If a claimant has non-dependants living with them a deduction may be appropriate from their allowable housing costs. Where a property is used for domestic and business purposes (composite hereditaments) housing costs can only be awarded for the domestic part of the property and this calculation must be done clerically.
168. JSAPS normally apportions the upper limit, and non-dependants deductions, over more than one allowable loan but in cases paid off line these calculations must be done clerically. Also loans not in sterling must be clerically converted to their sterling equivalent.

Responsibility

169. It must be decided if the claimant is responsible for paying the housing costs claimed. A claimant who is liable for the housing cost, that is who has taken out the mortgage or loan, is responsible for the cost, unless someone else has accepted responsibility for it.

Shared responsibility

170. If responsibility is shared, for example a mother and daughter share a mortgage equally; the claimant is responsible only for their share. In this example it would be one half.

Joint responsibility

171. If a claimant has a joint mortgage with a partner, they are both jointly liable for the full costs.
172. If the partnership has broken down and only one member of the partnership is claiming JSA, check if the other member of the partnership has accepted responsibility for some or all of the housing costs.
173. If they have, the JSA claimant is responsible for making payments for the balance of the housing costs. If they have not the JSAPS claimant is responsible for the full costs. See DMG Chapter 23 Responsibility for housing costs for more information.

Trade disputes

174. If a member of the family is affected by a trade dispute, treat the housing costs as the responsibility of a member of the household who is not affected by the trade dispute. A single claimant does not get paid during a trade dispute.

Occupying a dwelling as a home

175. It must be decided if the claimant is occupying the dwelling as their home. Treat claimants as living in the home where they or members of their family normally live.

What is a home?

176. A home is defined as:
- the dwelling normally occupied by the claimant as their home, and any garage, garden, or out buildings

- any buildings or land not occupied as the home which it is not practicable or reasonable to sell separately
- in Scotland, any croft land on which the dwelling is situated.

Claimant treated as living in the home before moving in

177. Where a claimant has moved into a dwelling, and was liable to make payments in respect of that dwelling before moving in, treat them as living in the dwelling as their home for any period not exceeding four weeks, provided:

- they had claimed JSA before they actually moved in and a decision was:
 - not made on the claim
 - made on the claim but no housing costs were included
 - made refusing the claim, but they made another claim within four weeks of moving in, and
- the delay in moving was reasonable because:
 - the home was being adapted to meet the needs of a disabled claimant or disabled member of the family, see DMG Chapter 23 Disabled person for definition of a disabled person.
 - they were waiting for a decision on a connected Social Fund (SF) claim and either a member of the family is aged five or under, or the claimant's applicable amount includes one of the disability or pensioner premiums, or
 - when they became liable to pay the housing costs, they were a patient or in residential accommodation, or
 - where the claimant was waiting for a decision on a local welfare provision claim.

Complex circumstances

178. There are circumstances where it is not immediately clear where a claimant is staying or what costs they are responsible for. As much information as possible must be gathered so the DM can decide what housing costs are reasonable and allowable. See DMG Chapter 23 Steps to follow when deciding housing costs for further information.

Full time students

179. Confirm if a single claimant or lone parent who has different homes in term time and vacations is:

- a student
- on a training course
- liable for the housing costs in either, but not both, of the homes they live in when attending or not attending the course of study or training.

180. They may be treated as occupying the home they are liable to pay housing costs for.

Temporary home

181. If a claimant has moved to a temporary home confirm that:

- the move was made so that essential repairs can be made to their home

- they are liable to pay housing costs for one but not both homes.
182. Consider:
- what is reasonable in each individual case
 - how long temporary is
 - how often to review these circumstances.
183. They may be treated as living in the home they have to pay housing costs for.

Temporary absences

184. A claimant can be treated as living in their home for temporary absences not exceeding 13 weeks or 52 weeks in certain circumstances as long as they intend to return to live in their home and their home has not been let or sub-let. See DMG Chapter 23 Temporary absences from home for more information.

Up to 13 weeks

185. Treat a claimant as living in their home for a temporary absence of up to 13 weeks if:
- the period of absence is unlikely to exceed 13 weeks
 - they enter residential accommodation to assess whether it is suitable for their needs
 - they intend to return home if the residential accommodation is unsuitable.

Up to 52 weeks

186. Treat a claimant as living in their home for a temporary absence of up to 52 weeks if:
- are in hospital, or a member of the family is undergoing medical treatment
 - are on a training course
 - are caring for a child while the child's parent or guardian is in hospital
 - have left the home because of fear of violence from a former member of the family

Over 52 weeks

187. If the absence is likely to exceed 52 weeks, treat the absence as permanent from the first day of absence and do not award housing costs.

Liable for two homes

188. If a claimant is liable for two homes and satisfies one of the following conditions they may be treated as living in both homes and allowed housing costs for both homes if a DM decides it is reasonable to do so. Confirm they:
- have left their former home and remain absent because of fear of violence in that home or from a former family member
 - are members of a couple or polygamous marriage and have a partner who is a student or on a training course and it is unavoidable that the couple have to live separately.

New Home

189. If a claimant has moved into a new permanent home and it is unavoidable to meet both housing costs these costs can be met for up to a maximum of four weeks.

Excessive housing costs

190. The amount payable for the housing costs can be restricted if:
- the claimant's home is in an expensive area
 - the claimant's home, excluding any part which is let, is unnecessarily large for the claimant's family or non dependants
 - the claimant could find less expensive suitable accommodation in the same area.
191. If the claimant:
- could not afford the housing costs when they took out the mortgage or HIL, restrictions can take effect immediately
 - could afford the housing costs when they took out the mortgage or HIL, restrictions can take effect six months after the decision to restrict is made
 - continues to use their best endeavours to obtain cheaper accommodation, restrictions can take effect after a further six months.
192. Send DLJA162 to the claimant if a restriction needs considering immediately. Each case is different and must be investigated carefully.

Actioning a restriction for excessive housing costs

193. Before inputting a restriction for excessive housing costs, you must.

Step	Action
1	Decide if a restriction is appropriate.
2	Calculate the amount payable for the housing costs.
3	Record the decision and calculation in Dialogue JA110: Maintain notepad, on form A6 in the mortgage sub-file.
4	Send DLJA163 to the claimant.
5	Input the revised amount of housing costs that has been calculated as payable in the Weekly Interest Paid field in the Home Loan screen: JA091017.

194. The award can be revised or superseded at any time if the claimant's circumstances change. Process this as a change of circumstances in dialogue JA091 screen JA091001: Maintain claim details.

Future restrictions

195. If housing costs are not to be restricted immediately, a restriction must not be imposed until 26 weeks after the date of the decision to restrict. In these cases, send DLJA163 to the claimant.
196. The award can be revised or superseded at any time if the claimant's circumstances change. Process this in the normal way as a change of circumstances in dialogue JA091 screen JA091001: Maintain claim details..

Purchase of a formerly rented home

197. Pay housing costs if, during a relevant period, a claimant or family member acquires an interest in a dwelling which:
- they occupy or continue to occupy as their home
 - and in the week before the purchase, they were entitled to Housing Benefit (HB).
198. A relevant period is one where a claimant was already entitled to IS or Jobseekers Allowance (Income Based) (JSA (IB)) before the loan was taken out or is living as a member of a family one of whom is entitled to IS or JSA (IB). Any break between two periods of entitlement to IS, JSA (IB) or ESA(IR) which does not exceed 26 weeks links the two periods to count as one relevant period.
199. The housing costs met cannot initially exceed the amount of HB that the claimant was entitled to immediately before the purchase. The costs will only increase in line with increases in the Standard Interest Rate (SIR) or other allowable housing costs such as service charges.
200. If it is decided to restrict the housing costs payable take the following action

Step	Action
1	Confirm with the Local Authority (LA) the amount of rent previously eligible for HB.
2	Calculate the restriction to the housing costs.
3	Record the calculation on form A6 in the mortgage sub file and in Dialogue JA110 screen JA110110: Maintain notepad.
4	Send DLJA163 to the claimant advising of the restriction.
5	Input the amount of restricted housing costs in the Weekly Interest Paid field on the Home Loan Information screen in Dialogue JA091 screen JA091001: Maintain claim details.
6	Review this amount at every SIR change.
7	If housing costs increase due to an increase in the SIR or rate of service charges, increase the restricted amount by the same figure.
8	If housing costs decrease due to a decrease in the SIR take no action until they reduce to less than the restricted amount. At this point the restriction will end.
9	Remove the restricted amount from the Weekly Interest Paid field on the Home Loan Information screen JA091017 in dialogue JA091: Maintain claim details..
10	JSAPS will now calculate housing costs normally.

Example

201. Mr Smith has been in receipt of JSA since July 2000. He lives in a council house and £47 per week HB is paid towards his rent. He buys a nearby property using a mortgage. The interest payable on the mortgage using the SIR is £55 a week. Mr Smith's housing costs are restricted to £47 a week.
202. After the date of the purchase there is an increase in the SIR. Mr Smith's housing costs are assessed using the SIR which results in a £3

increase to £58. The amount allowed for the restricted housing costs is increased by £3 to £50 a week.

203. The SIR decreases, Mr Smith's housing costs are assessed using the SIR and fall from £58 to £54. The restricted amount payable for housing costs remains at £50 a week.

204. The SIR decreases further, Mr Smith's housing costs are assessed using the SIR and fall from £54 to £50 a week. Now that the actual housing costs are less than or equal to the restricted amount, the restriction ends. Any subsequent increases or decreases in the amount of housing costs are assessed in the normal way.

Shared housing costs

205. If the housing costs are shared:

- contact the claimant to find out the proportion of housing costs they are responsible for
- consider the proportion that the claimant is liable and responsible for
- award that proportion of the housing costs.

How to input shared housing costs on JSAPS

206. If the claimant shares housing costs with other people, for example with a mother or brother or friend, JSAPS automatically calculates the claimant's portion of the loan once the proportion the claimant is responsible for has been determined.

207. To input the details on JSAPS.

Step	Action
1	Calculate the fraction the claimant is liable for, for example one half, or one third of the payments.
2	For mortgages or home improvement loans access the Home Loan Information screen JA091017 in dialogue JA091: Maintain claim details and input the fraction as a numerical figure, for example 01/02 or 01/03 in the Shared housing Loan Fraction field.
3	For other housing costs such as service charges, access the Where You Live screen in dialogue JA091: Maintain claim details screen JA091016 and input the fraction as a numerical figure, for example 01/02 or 01/03 in the Shared Housing Loan Fraction field.

208. The claimant may not always share housing costs equally, and it may not be possible to input a fraction on JSAPS. In these circumstances, complete the Weekly Interest Paid field of the Where You Live screen in dialogue JA091: Maintain claim details screen JA091016 to ensure they pay the correct amount.

Co-ownership schemes

209. If the claimant is in a co-ownership scheme.

Step	Action
1	Access the Where You Live screen JA091016 in dialogue JA091: Maintain claim details.
2	Input 9 in the Housing Costs field.
3	Input the amount of housing costs the claimant pays in the Amt Paid field.
4	Input the period the payment covers in the Period field.

Deductions for non-dependants

210. Other people who live in the claimant's home or with whom the claimant lives are known as non dependants.
211. If the claimant has non-dependants living with them, a deduction from the allowable housing costs may be appropriate. Consider a deduction for each:
- non-dependant
 - group of non-dependants.
212. There are some people who are not treated as non dependants, even though they normally live in the claimant's home or the claimant lives with them. Please see the Decision Makers Guide Volume 4, Chapter 23 people who are non dependants
213. A claimant must include details of people who live with them on any claim or notify a change of circumstances if someone comes to live in or leaves their house. Details are needed of the non-dependant's:
- name
 - date of birth
 - source and amount of income, for non-dependants in remunerative work, disregard any income from Attendance Allowance (AA) or Disability Living Allowance (DLA) when calculating a non-dependant's gross weekly income
 - relationship to the JSA claimant or other non-dependants. JSAPS automatically applies one non-dependant deduction to a couple.
214. Input non-dependant details on the People Who Live With You screen JA091012 in dialogue JA091: Maintain claim details. Refer to the JSAPS input codes deskaid to apply the correct status code that applies to the non-dependant's source and amount of income.
215. JSAPS automatically applies the non-dependant deduction appropriate to the status code. If the claimant has more than one loan or has other elements included in the housing costs, for example service charges, JSAPS automatically apportions the non-dependant deduction and rounds to two decimal places.

Clerical non-dependant deductions

216. JSAPS automatically calculates and apportions non-dependant deductions for multiple owners or multiple loans. For clerically maintained cases one non-dependant has to be manually calculated.

Multiple owners

217. If a claimant is a joint owner, and the other owners are not treated as their partner, the non-dependant deduction is shared proportionately between the joint owners.

Multiple loans

218. If a claimant has more than one loan or other housing cost. Use the following formula to apportion non-dependant deductions for each element of the housing costs.

Total of the non-dependant deductions	×	The individual element of housing costs	÷	The total amount of housing costs	=	Amount of non-dependant deductions
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Round each answer to the nearest penny for practical purposes and record the calculation on form A6 in the mortgage sub-file.

Example

Housing costs

The claimant's weekly housing costs are made up of three elements:

Mortgage	Loan 1	£32.00
Home loan	Loan 2	£25.00
Service charges		£3.00
Total housing costs		£60.00

Non dependants

There are two non-dependant deductions appropriate:	2008 rates used
One at 18 or over with a gross income of £116.00	£17.00
One at 18 or over, not working and claiming IB	£7.40
Total of the non-dependant deductions	£24.40

Apportionment Calculation

Non-dependant deduction for loan 1						
£24.40	×	£32.00	÷	£60.00	=	£13.01
Non-dependant deduction for loan 2						
£24.40	×	£25.00	÷	£60.00	=	£10.17
Non-dependant deduction for service charges						
£24.40	×	£3.00	÷	£60.00	=	£1.22
				Total	=	£24.40

Rounding

219. The normal rounding rules for housing costs are that any fraction of a penny is rounded up. Apportionment is treated as an exception for practical purposes. The total of the separate parts of the non-dependant deductions must not exceed the appropriate deduction. Rounding to the nearest penny at the end of the calculation may be needed to ensure this.

Deductions not appropriate

220. Non-dependant deductions are not appropriate if the non-dependant:

- receives Pension Credit
- normally occupies a home elsewhere

- receives a Youth Training (YT) allowance
 - is a full time student during a period of study or, is not in remunerative work during a recognised summer vacation appropriate to their course
 - is aged under 25 years and receives IS, Jobseekers Allowance (Income Based) (JSA (IB))
 - is aged under 25 years and is not in receipt of main phase ESA(IR)
 - is not currently in the home because they are a prisoner
 - has been a hospital in-patient for more than 52 weeks. If the non-dependant leaves hospital but is readmitted within 28 days, their total number of days in hospital are added together.
 - is a person for whom the claimant has a deduction made in the calculation of any rent rebates or allowances;
 - is a person who jointly occupies the claimants home and is a co-owner or jointly liable with the claimant or partner to pay a landlord, regardless of when the co-ownership or joint liability started.
 - Is under 25 and in receipt of an award of ESA(IR) which does not include a component.
221. Non-dependant deductions are not appropriate if the claimant or their partner is:
- blind
 - in receipt of Attendance Allowance (AA) or Disability Living Allowance (DLA) care component.
222. If mortgage interest is being paid direct, JSAPS automatically apportions non-dependant deductions when:
- there is more than one loan
 - there are other elements included in the housing costs, for example service charges.
223. If further information about the non dependant is needed write to the claimant and set a case control for one calendar month for a reply.

Composite hereditaments

224. Premises which are used for both domestic and business purposes are called composite hereditaments, for example a flat above a shop. JSA housing costs can be awarded only for the domestic part of the property and these must be calculated clerically before putting the details on JSAPS.
225. Apportionment means calculating what share of the total housing costs relates to each part of the property. Do this by reference to:
- the rateable values of the different parts of the property (for hereditaments created before 1 April 1990)
 - the market values of the different parts of the property (for hereditaments created on or after 1 April 1990).
226. Housing costs are only awarded for the part of the property used by the claimant for their own domestic use.
227. When form MI12 is received check the purpose of the housing costs. If the claimant occupies a composite hereditament, confirm with the Local Authority (LA) that the property is on the non-domestic rating list as a composite hereditament and the date it was created. The calculation of the

portion of housing costs that can be allowed is dependent on when the composite hereditament was created.

Composite hereditaments before 1 April 1990

228. If the composite hereditament was created before 1 April 1990 or, 1 April 1989 in Scotland, calculate the allowable fraction of the housing costs using the formula:

$$A \div (A+B) = P$$

where:

- **A** is the rateable value of the domestic property (in Scotland, the net annual value)
- **B** is the rateable value of the business part of the property (in Scotland, the net annual value)
- **P** is the fraction of the housing costs which will be allowable.

Example

Claimant owns an off-licence with a flat above that he bought with a mortgage of £170,000. He claims JSA after the business stops trading.

The LA confirms that the property is on the non-domestic rating list as a composite hereditament. The property has been listed as a composite hereditament since 11 July 1987.

The rateable value of the domestic part of the property is £300(A), while the rateable value of the business premises is £600(B).

Calculation

$$A \div (A + B) = \frac{£300}{£300 + £600} = 0.3333333$$

$$0.3333333 \times \text{outstanding mortgage (£170,000)} = £56666.67.$$

Housing costs are allowable for £56666.67 of the outstanding mortgage.

Calculations are rounded in the claimant's favour and this rounding should be the last step in the calculation.

Composite hereditaments on or after 1 April 1990

229. If the composite hereditament was created on or after 1 April 1990 or 1 April 1989 in Scotland, obtain the market value of all the sections of the property using form A64 then calculate the allowable fraction of housing costs using the formula:

$$A \div (A+B) = P$$

where:

- **A** is the current market value of the claimant's interest in the domestic part of the property
- **B** is the current market value of the claimant's interest in the business part of the property
- **P** is the fraction of the housing costs which will be allowable.

Example

230. A claimant owns a flat with a shop attached that he bought with a mortgage of £150,000 and claims JSA after the business stops trading.

231. The LA confirms that the property is on the non-domestic rating list as a composite hereditament. The property has been listed as a composite hereditament since 01 August 2001.
232. The current market value of the domestic part of the property (A) is £100,000. The current market value of the business premises (B) is £85,000.

Calculation

$A (\pounds 100,000) \div A + B (\pounds 185,000) = 0.5405405$.

$0.5405405 \times \text{outstanding mortgage } (\pounds 150,000) = \pounds 81,081.08$.

233. Housing costs are allowable for £81,081.08 of the outstanding mortgage. Calculations are rounded in the claimant's favour and this rounding should be the last step in the calculation.
234. For clerically maintained claims use the figure calculated as the amount of loan in the formula to calculate allowable housing costs.

Loans in currencies other than sterling

235. The outstanding balance of mortgages or loans in currencies other than sterling, for example Euros, must be converted by the lender to sterling. If they have not been converted:
- consult a bank or newspaper with exchange rate information
 - convert the outstanding balance to sterling.
236. If the lender requires repayment in Euros, the amount of each repayment is calculated to the sterling equivalent. These cases are maintained clerically.

Mortgage Payment Protection Insurance

Summary

237. Mortgage Payment Protection Insurance (MPPI) is insurance taken out to insure a person against being unable to meet their mortgage or home loan payments because of sickness or unemployment.
238. MPPI payments are taken into account in the JSA assessment if they are paid to cover loan interest which is being met in the assessment.
239. Disregards can apply to elements of MPPI payments made to cover housing costs not met in the assessment, such as capital repayment, insurance premiums and interest payments in excess of the eligible amount. However, different rules apply, depending on whether the MPPI payments are made direct to the lender or to the claimant.
240. MPPI is usually paid for 12 or 24 months, but it may be paid for a longer or shorter period. Housing cost help applies from the qualifying date in **all** cases whether the claimant is in receipt of MPP payments or not. When MPPI stops, the balance of the 104 weeks SMI help is payable. However note para 359. Periods where mortgage interest is in payment count towards the 104 week period. If no mortgage interest is in payment - then that period is not included within the 104 week spell.

Gathering information about Mortgage Payment Protection Insurance

241. MPPI is taken out to cover specific loans therefore a claimant may have more than one MPPI

242. If a MPPI is declared on the claim take the following action.

Step	Action
1	Issue draft letter DLJA122 and form A42 to the claimant immediately.
2	Set a four week case control for its return in Dialogue JA110: Maintain notepad.

243. To enable correct calculation of any income that may have to be taken into account from MPPI the claimant must complete DLJA122 If this form is returned with unanswered questions decide if there is sufficient information for your calculations or if the claimant or insurer need to be contacted for more information.

244. If the claimant does not respond to DLJA122 consider payment suspension as MPPI may already be in payment.

MPPI paid to claimant

245. If payments from Mortgage Payment Protection Insurance (MPPI) are paid to the claimant, the income from the MPPI is subject to certain disregards. The balance is taken into account when calculating the JSA entitlement.

246. There is usually a waiting period before insurers pay out on a MPPI. Take MPPI income into account from the date it is actually paid.

Disregards on MPPI income

247. For eligible loans, calculate the MPPI income and any disregards on that income on a weekly basis. Disregards are:

- the amount of any interest on the loan which is in excess of the amount met in the assessment
- the amount of any repayment of capital
- any amount due as a premium to maintain an endowment policy which has been taken out to repay the loan
- payments on Personal Equity Plans (PEP), Individual Savings Accounts (ISA) or other equity repayment methods pledged to repay the loan
- any amount due as a premium on the MPPI policy
- building insurance, but not any contents insurance.

248. Income is rounded down in the claimant's favour and costs or disregards are rounded up in the claimant's favour.

249. The disregards applied to MPPI payments should be re-assessed when:

- the different qualifying dates are reached at week 9, 14, 27 or 40
- the standard interest rate (SIR) changes
- the capital outstanding is revised
- the capital repayment element on the loan changes

- the premium for MPPI, PEP, ISA, endowments or buildings insurance changes
 - the amount paid out by the MPPI changes.
250. Changes to these figures change the amount of the disregards.
251. Special rules apply if the interest payable on the loan alters. The disregard has to be revised but the change is not effective until the next **appropriate date**. See DMG Chapter 28 Supersessions and payments for housing costs for guidance on when to reassess.

Recording the calculation

252. Record the calculation on form A6 in the mortgage sub-file and in Dialogue JA110: Maintain notepad.
253. Issue DLJA124 to the claimant advising them of the decision.

Example 1 – under new rules, claims made on or after 5 January 2009

A claimant has an eligible loan of £75,000. The Lender's Interest Rate (LIR) is 6% and Standard Interest Rate (SIR) is 7.03%. It is a repayment mortgage and the claimant is contracted to pay £4800 yearly, of which £300 is towards the capital repayment. Income from the MPPI is £6000 yearly paid directly to the claimant and the MPPI premium is £480.

Always convert to weekly figures.

Mortgage Details	Weekly Amount	
MPPI	£115.38	
Interest to lender	£86.54	
Capital repayment	£5.77	
MPPI premium	£9.24	
100% Interest SIR	£101.40	

	Weeks 0 -3	Week 14 onwards
Weekly MPPI	£115.38	£115.38
Less capital	£5.77	£5.77
Less premium	£9.24	£9.24
Weekly unmet interest	£86.54	£0.00
Total to take into account	£13.83	£100.37

Example 2 – under old rules, loans taken out before 2 October 1995

A claimant has an eligible loan of £75,000. The Lender's Interest Rate (LIR) is 6% and Standard Interest Rate (SIR) is 7.03%. It is a repayment mortgage and the claimant is contracted to pay £4800 yearly, of which £300 is towards the capital repayment. Income from the MPPI is £6000 yearly paid directly to the claimant and the MPPI premium is £480.

Always convert to weekly figures.

Mortgage Details	Weekly Amount
MPPI	£115.38
Interest to lender	£86.54
Capital repayment	£5.77
MPPI premium	£9.24
50% Interest SIR	£50.70
100% Interest SIR	£101.40

	First 8 weeks	Weeks 9 to 26	Weeks 27 onwards
Weekly MPPI	£115.38	£115.38	£115.38
Less capital	£5.77	£5.77	£5.77
Less premium	£9.24	£9.24	£9.24
Weekly unmet interest	£86.54	£35.84	£0.00
Total to take into account	£13.83	£64.53	£100.37

Example 3 – under old rules, loans taken out on or after 2 October 1995

A claimant has an eligible loan of £75,000. The Lender's Interest Rate (LIR) is 6% and Standard Interest Rate (SIR) is 7.03%. It is a repayment mortgage and the claimant is contracted to pay £4800 yearly, of which £300 is towards the capital repayment. Income from the MPPI is £6000 yearly paid directly to the claimant and the MPPI premium is £480.

Always convert to weekly figures.

Mortgage Details	Weekly Amount
MPPI	£115.38
Interest to lender	£86.54

Capital repayment	£5.77	
MPPI premium	£9.24	
100% Interest SIR	£101.40	

	Weeks 0 to 39	Week 40 onwards
Weekly MPPI	£115.38	£115.38
Less capital	£5.77	£5.77
Less premium	£9.24	£9.24
Weekly unmet interest	£86.54	£0.00
Total to take into account	£13.83	£100.37

Recording MPPI on JSAPS

254. To record the MPPI income on JSAPS take the following action.

Step	Action
1	Ensure mortgage or HIL details are recorded.
2	Access Dialogue JA091: Maintain claim details screen JA091001 and input the date MPPI is received by the claimant.
3	Access Other Income screen.
4	Input income type as 50 .
5	Input the gross amount of income in the Total Received field.
6	Input the income to be taken into account in the Acc Amt field.
7	Press Enter to record.
8	Repeat steps 2-6 for weeks 9, 27 and 40 with their corresponding Account Amounts.
9	JSAPS pays the appropriate housing costs and applies any income to the applicable amounts.

MPPI paid to lender

Paid voluntarily to lender

255. If MPPI is paid voluntarily to a lender, the income is treated as paid to the claimant from the date they could be expected to receive it if they asked for it. Before this date, the income from the MPPI is treated as if it were paid compulsorily to the lender.

Paid compulsorily to lender

256. If MPPI is paid compulsorily to the lender as a condition of the policy, the payments are treated as income, but only up to the level of the housing

costs included in the applicable amount. Any excess should be ignored. Any shortfall in housing costs should be paid.

Pre 2 October 1995 example

A claimant has an MPPI paid compulsorily to the lender at £115.38 per week.

	First 8 weeks	Weeks 9 to 26	Week 27 onwards
Weekly housing costs calculated using SIR	£0.00	£50.70	£101.40
Weekly MPPI	£115.38	£115.38	£115.38
Income to be taken into account from MPPI	£0.00	£0.00	£0.00
Housing costs to be paid on JSAPS	£0.00	£0.00	£0.00

Post 2 October 1995 example MPPI exceeds mortgage

A claimant has an MPPI paid compulsorily to the lender at £115.38 per week.

	First 39 weeks	Week 40 onwards
Weekly housing costs calculated using SIR	£0.00	£101.40
Weekly MPPI	£115.38	£115.38
Income to be taken into account from MPPI	£0.00	£0.00
Housing costs to be paid on JSAPS	£0.00	£0.00

Post 2 October 1995 example MPPI less than mortgage

A claimant has an MPPI paid compulsorily to the lender at £100 per week.

	First 39 weeks	Week 40 onwards
Weekly housing costs calculated using SIR	£0.00	£101.40
Weekly MPPI	£100.00	£100.00
Income to be taken into account from MPPI	£0.00	£0.00
Housing costs to be paid on JSAPS	£0.00	£1.40

Recording MPPI compulsorily paid direct to the lender

257. If no housing costs are due to be paid, take the following action.

Step	Action
1	Ensure mortgage or HIL details are recorded.
2	Access dialogue JA060: Register claim/event screen JA060062 and record the date MPPI is received by the lender.
3	Access the Exceptional Condition screen.
4	Input exceptional condition 19 to exclude housing costs.

5	Access Other Income screen.
6	Input income type as 50 .
7	Input the gross amount of income from the MPPI in the Total Received field.
8	Input £0.00 in the Account Amount field. No income from MPPI should be taken into account.
9	Press Enter to record.
10	Press F5 to record £0.00 as a clerical component for housing costs when adjudicating through JSAPS.
11	JSAPS does not pay any housing costs nor take any income into account.

258. If housing costs are due, take the following action.

Step	Action
1	Ensure mortgage or HIL details are recorded.
2	Access dialogue JA060: Register claim/event screen JA060062: and record the date MPPI is received by the lender.
3	Access Other Income screen.
4	Input income type as 50 .
5	Input the gross amount of income from the MPPI in the Total Received field.
6	Input £0.00 in the Account Amount field. No income from MPPI should be taken into account.
7	Access the Home Loan Information screen.
8	Input the amount of housing costs due to the claimant in the Weekly Interest Paid field. £1.40 in the example above.
9	Press Enter to record.

MPPI paid to lender and claimant

259. There are insurance policies which pay out to the lender to cover mortgage payments and also pay an income to the claimant.

260. The payments made compulsorily to the lender should be treated as at Paid compulsorily to lender.

261. Any payments made to the claimant should be considered for disregards. See MPPI for ineligible loans and other payments towards housing costs and then entered in the Other Income screen as type **49**.

MPPI for ineligible loans and other payments towards housing costs

262. Disregard Mortgage Payment Protection Insurance (MPPI) payments or other payments, which are intended for and used as a contribution towards the following costs:

- payment of interest or capital due on an ineligible loan which is secured on the home
- any charges not met in the JSA assessment that are:
 - ground rent
 - service charges
 - payments under a co-ownership scheme
- any costs in respect of:

- the repayment of capital
- Personal Equity Plan and pension mortgages
- premiums on the endowment policy
- any amount due as a premium on:
 - the MPPI
 - building insurance
- the rent for the dwelling occupied as the home, but only to the extent that it is not met by Housing Benefit.

Ineligible loans not secured on the property

263. No disregards apply to income from MPPI or elsewhere that is used to meet ineligible loans not secured on the property that is occupied as the home.

MPPI claim refused by insurer

264. If payment on a Mortgage Payment Protection Insurance (MPPI) is refused by the insurer because of a pre-existing medical condition or a Human Immunodeficiency Virus (HIV) or Acquired Immune Deficiency Syndrome (AIDS) related illness, ask the claimant to:

- ask their insurer for a certificate confirming their refusal to pay the MPPI because of a pre-existing medical condition or HIV
- send the certificate to the office.

265. On receipt of the certificate take the following action.

Step	Action
1	Accept the certificate as evidence.
2	Treat the mortgage under the old or new rules whichever is appropriate.
3	Do not take any notional MPPI income into account.

Paying housing costs

Housing costs always paid to the claimant

266. Any housing costs which are not associated with a mortgage or loan are paid to the claimant. These include:

- rents or ground rent on long tenancies
- service charges
- co-ownership costs
- crown tenant costs
- rent charges in England or Wales
- payments for tents and sites.

267. These housing costs are included in the JSA assessment and paid automatically by JSAPS when the correct code for housing costs and the period they are charged over is recorded.

Code	Housing costs
07	Ground rent on long tenancies.
08	Service charges.
09	Co-ownership costs.

10	Crown tenant costs.
11	Others: rent charges in England or Wales and payments for tents and sites.

268. Period they are charged over.

Code	Period
1	Daily.
2	Weekly.
3	Fortnightly.
4	Four weekly.
5	Calendar monthly.
6	Quarterly.
7	Annually.
9	Half yearly.

No qualifying period

269. There is no qualifying period for claimants or their partner who have

- reached or are over the age they can claim Pension Credit, or
- housing costs associated with:
 - co-ownership schemes
 - crown tenants
 - tents and their sites.

Note: To calculate relevant Pension Credit date, based on the State Pension age for women see: State Pension Age Calculator.

270. These costs are payable from the outset of a new claim or from the change of circumstances date by recording the following.

Step	Action
1	Access dialogue JA091: Maintain claim details screen JA091017 Home loan information input the date of claim or change in circumstances .
2	Access the Where You Live screen JA091016.
3	Input the appropriate housing costs code in the Type field.
4	Input the amount of housing costs in the Amount field.
5	Input the code for the frequency the housing costs are charged in the Period field.
6	Press F3 to de-code.
7	Press Enter to record.
8	JSAPS calculates the housing costs due as a weekly figure and includes them in the JSA assessment.

Qualifying period appropriate

271. A qualifying period is appropriate for:

- ground rent on long tenancies
- service charges
- rent charges in England and Wales.

272. JSAPS cannot identify the correct qualifying dates in these cases. Calculate the dates clerically following the normal rules for new and existing

housing costs. After waiting periods of 8, 13 or 39 weeks the amount of housing costs can change.

See Qualifying Periods for more information.

273. These costs are input from the date they are claimed to allow correct statistical recording. They are payable from their qualifying date.

274. Take the following action to record on JSAPS.

Step	Action
1	Access dialogue JA091: Maintain claim details screen JA091017 Home loan information input the date of claim or change of circumstances.
2	Access the Where You Live screen JA091016.
3	Input the appropriate housing costs code in the Type field.
4	Input a weekly amount of £0.00 during the qualifying period.
5	Either: <ul style="list-style-type: none"> • set a case control in dialogue JA530 screen JA530530: Case Controls for the 50% and 100% qualifying dates to access dialogue JA091 screen JA091001: Change of Circumstances and complete steps 6 to 12, or • access dialogue JA091 screen JA091001: Change of Circumstances now and complete steps 6 to 12.
6	Access the Where You Live screen at the 50% qualifying date.
7	Input the amount of housing costs in the Amount field.
8	Input the code for the frequency the housing costs are charged in the Period field.
9	Press F3 to de-code.
10	Press Enter to record.
11	Repeat steps 6 -10 for the 100% qualifying date.
12	JSAPS calculates the housing costs due as a weekly figure and includes them in the JSA assessment.

Housing costs paid to the lender

275. Housing costs which relate to mortgages or loans are normally paid directly to a qualifying lender through the managed payments to mortgage lenders scheme.

276. JSAPS calculates the amount of a claimant's housing costs for up to eight separate mortgages or home improvement loans. However it can only pay four by managed payments to mortgage lenders. If a claimant has more than four mortgages or loans in total the claim is removed from the system and housing costs are paid to the lender by the local Payment System (LPS) in the normal 4 weekly cycle. See LPS Generic User Manual Chapter 11 Creating a Managed payment to mortgage lender for details.

277. All Qualifying Lenders are listed in the Qualifying Lenders Register (QLR) together with their address, bank details and lender code. These details are required to ensure payments of managed payments to mortgage lenders are made correctly.

278. Payments of managed payments to mortgage lenders are made four weekly to a qualifying lender when the mortgage or loan is secured on the property.

279. Managed payments to mortgage lenders is not payable to any lender who is not listed in the QLR. However housing costs may still be paid to them as a third party deduction in Dialogue JA300: Deductions from Benefit at the discretion of the DM.

Recording mortgages or loans on JSAPS

280. When a new claim is made and the claimant states they have a mortgage or loan, partially complete the Home Loan Information screen JA091017 in dialogue JA091 Maintain claim details. These details enable JSAPS to:

- issue form MI12 immediately if the claimant or their partner have reached or are over the age that they can claim Pension Credit (to calculate relevant date, based on the State Pension age for women see: State Pension Age Calculator
- set a case control to issue form MI12 four weeks before housing costs become payable
- set a case control 28 days after the issue of the MI12 for it's return.

281. Complete the following details in the Home Loan Information screen in dialogue JA091 screen JA091017: New and Repeat Claims.

Step	Action
1	Input 1 in the Loan Number field.
2	Input the exact date the mortgage was taken out in the Date of Loan field.
3	Input at least one letter on all three lines of the Lender Address field.
4	Input the local office postcode in the Postcode field.
5	Input 1 in the Loan Type field.
6	Input 1 in the Loan Reference Number field.
7	Input 1 in the MIRAS Code field.
8	Input 0.00 in the Lenders Interest Rate field.
9	Input 1 in the Standard Interest Rate field.
10	Input N in the MI12 action complete field.
11	Input 0.00 in the O/S Loan Without Miras field.
12	Press Enter .
13	JSAPS automatically calculates the appropriate qualifying dates and populate the Qualifying Date fields using the new rules. Overtyping this information if the new 13 week qualifying period does not apply.

On receipt of form MI12

282. Form MI12, when returned completed by the lender, contains all the information needed to calculate the allowable housing costs and pay them to the qualifying lender. JSAPS does this automatically when information is input in the Home Loan Information screen JA091017 in dialogue JA091: Maintain claim details

283. On receipt of form MI12 complete the Home Loan Information JA091017 in JSAPS dialogue JA091: Maintain claim details.

Step	Action
1	Input a loan number in the range 1 - 4 if the claimant has more than one loan.
2	Check the date entered in the Date of Loan field is correct and change if necessary.
3	Overtyping the full lender's name and address in the Lender Address fields.
4	Overtyping the correct Postcode.
5	Input the appropriate Loan Type code.
6	Input the Loan Reference Number.
7	Input 1 in the Standard Interest Rate field.
8	Overtyping Y in the MI12 Action Complete field to indicate that the existing details held are sufficient for a decision to be made.
9	Overtyping the allowable amount of the balance outstanding in the O/S Loan Without MIRAS field.
10	Input the Exempt Loan Amount if appropriate.
11	Complete the Weekly Interest Paid field if appropriate.
12	Input the Shared Housing Loan Fraction if appropriate.
13	Press Enter .
14	Check the Qualifying Dates JSAPS has calculated and overtype with the correct dates if necessary.
15	If the £200,000 upper limit applies override the system set limit in the where you live screen.
16	Press Enter to navigate through JSAPS to dialogue JA301 screen JA301312: Mortgage Direct Details, the paying dialogue.

284. Loan type codes.

Code	Loan Type
1	Mortgage not paid direct.
2	Loan not paid direct.
3	Mortgage paid direct.
4	Home loan paid direct.

Dialogue JA301

285. When loan type 3 or 4 is used to complete the Home Loan screen JSAPS automatically displays on the Mortgage Direct Picklist screen. To view loan details, input **Y** against the loan to be accessed and press **Enter** to access dialogue JA301 screen JA301312:: Mortgage Direct Details.

286. JSAPS automatically populates this dialogue with details of the loan number, lender, loan reference number and entitlement details. If there is not sufficient JSA entitlement to pay the full housing costs JSAPS ensures JSA of 10p is left in payment and pays the balance as managed payments to mortgage lenders.

287. When managed payments to mortgage lenders details are input in dialogue JA301312: Mortgage Direct Details, JSAPS automatically issues all payments for managed payments to mortgage lenders. No user action is

required to issue payments. There is no minimum payment amount for a managed payments to mortgage lenders payment.

288. The lender detail fields must be completed to enable JSAPS to pay to the correct lender and account.

Step	Action
1	Input Lender Code from MI12.
2	Press F3 to decode.
3	Check details with QLR.
4	If details do not download complete using information from MI12.
5	Press F2 to access dialogue JA405: Compute payment screen JA405407: Compute Payment for payment.
6	Access dialogue JA092: Review claims screen JA092122: Review Claim to check Anniversary date and adjust if necessary.
7	JSAPS automatically sets a Limited Case Control (LCC) for the annual review of each mortgage or home loan.

Loans with the same qualifying date

289. If a claimant has two or more loans with the same qualifying date, and the MI12 Action Complete field is set to **N**, JSAPS will issue only one MI12. If the automated MI12 is returned and does not provide details of all the loans, you will have to issue a clerical form MI12 to obtain details of the second and subsequent loans.

290. JSAPS sets a case control for each loan. You should only change the MI12 Action Complete field to **Y** once details have been received for that particular loan. JSAPS will continue to produce WAR entries for other loans until all loans have had the MI12 Action Complete field set to **Y**.

Loan with different qualifying dates

291. If a claimant has two or more loans with different qualifying dates, and the MI12 Action Complete field is set to **N**, JSAPS issues a form MI12 for the first qualifying loan. Once the automated MI12 is returned and the MI12 Action Complete field is set to **Y**, JSAPS sets a further case control to issue a MI12 for the next loan qualifying date. This process continues until all loans have the MI12 Action Complete field set to **Y**.

Payment cycles

292. Payments of managed payments to mortgage lenders are made every four weeks automatically by JSAPS following a payment cycle linked to the last two digits of the claimant's National Insurance number (NINO).

293. If a claimant is due more or less than four weeks housing costs when the cycle date is reached, JSAPS pays the number of weeks managed payments to mortgage lenders due, for example:

- less than four weeks at the start of a claim
- more than four weeks because JSA has been inhibited or there has been a delay in processing a new claim.

294. Managed payments to mortgage lenders payments can only be made for full benefit weeks. They are always made on a Monday and do not follow the claimant's payday.

Cycles

Last two digits of NINO	Payment cycle
13-36	A
37-61	B
62-86	C
87-12	D

Part week payments

295. Managed payments to mortgage lenders payments cannot be made for a period less than a complete benefit week.

296. Housing costs due for a part week are paid automatically by JSAPS to the claimant as part of their JSA assessment. Part week awards for mortgage or loan interest can occur:

- at the beginning of a claim
- at the end of the claim
- when there is a change in the claimant's JSA payday.

297. JSAPS automatically pays managed payments to mortgage lenders from the payday of the first full benefit week.

Inhibited payments

298. When JSA is due but payments are suspended, for whatever reason, JSAPS attempts to make a managed payments to mortgage lenders payment on every Monday following the original payment date. When JSA payments are no longer suspended, JSAPS pays the managed payments to mortgage lenders due to date on the first Monday reached. JSAPS then returns to the correct payment cycle.

JSAPS fails to issue payments

299. If the managed payments to mortgage lenders payment is not issued and dialogue JA530: Case Controls screen JA530530: Case Controls indicates no apparent reason:

- check the Mortgage Interest Rejection Report RIS50902
- take action according to the message output, for example:
 - check the details recorded against the QLR
 - check the Bank Wizard for validation
 - make further enquiries of the lender to find out the problem.

Returned payments

300. Managed payments to mortgage lenders payments can be rejected by lenders because the:

- sort code is incorrect
- account number is incorrect
- claimant's reference number is incorrect
- incorrect lender code has been recorded on JSAPS
- claimant's account has been redeemed.

301. If the lender cannot allocate a payment of managed payments to mortgage lenders to a claimant, they can contact the office from which the

managed payments to mortgage lenders payment came for clarification, or return the managed payments to mortgage lenders payment through the BACS system to the Jobcentre Plus dedicated bank.

302. Bank Liaison Section (BLS) notify the Benefit Centre on form BACS 1 if a managed payments to mortgage lenders payment is returned. A payment of managed payments to mortgage lenders cannot be shown as returned on JSAPS.

303. Record all details of the returned payment in Dialogue JA110: Notepad and on form A6 in the mortgage sub-file:

- date of issue
- amount
- period covered
- date returned
- reason for return.

Replacing a payment

304. Check the details recorded on JSAPS match those in the mortgage sub-file before contacting the lender and the claimant for further information on why the payment has been returned and decide if it can be replaced.

305. If any of the mortgage/loan details or the payment details on JSAPS are incorrect, change the details on JSAPS to ensure future payments can be allocated correctly by the lender.

306. JSAPS cannot replace a managed payments to mortgage lenders payment which has been returned by a lender, it must be done clerically.

Step	Action
1	Complete form FF100 with the amount to be replaced and make payable to the lender.
2	Input details in LPS (Local payment System) for payment to be made by handwritten clerical cheque.
3	Include DLJA707 to be issued to the lender with the replacement cheque.
4	Pass for authorisation.
5	Send to Finance for payment.
6	File all related documents together in the mortgage sub-file.
7	Do not return tear-off slip to BLS.

Refusing replacement

307. If a managed payments to mortgage lenders payment is not replaced, for example if the mortgage has been redeemed, take the following action.

Step	Action
1	Remove details of mortgage from JSAPS.
2	Complete the tear-off slip on form BACS 1.
3	Return it to the BLS.
4	The transaction charges will be refunded to the lender.

Non receipt of payments

308. If a lender reports they have not received a managed payments to mortgage lenders payment.

Step	Action
1	Check that the lender's and claimant's banking details were correct at the time of issue.
2	If correct ask the lender to check their records at the point of receipt and confirm the details of the non-receipt in writing.
3	Send the written confirmation and a screen print of dialogue JA301: Maintain mortgage direct screen JA301312: Maintain Mortgage details direct for further investigation to Bank Liaison Section, Pension Services Division TA013, and Tyneview Park.
4	If the lender's or claimant's details were not correct change JSAPS.
5	Replace the payment clerically as detailed above to ensure the claimant is not penalised.

Transaction charges

309. Qualifying lenders pay a transaction charge to Jobcentre Plus to cover the costs of administering the managed payments to mortgage lenders scheme through JSAPS and LPS. They are invoiced for the total number of managed payments to mortgage lenders payments made to them over each four week period, not for detailed individual transactions.

310. The charges are:

- made for each four weekly transaction
- subject to annual update in consultation with the Council of Mortgage Lenders (CML)
- exempt of Value Added Tax (VAT).

311. Accounts team in Norcross calculate charges for JSA cases from reports printed out by JSAPS and LPS.

312. Transaction charges can be adjusted, if payments are returned and not re-issued for example, by completing the tear-off slip on form BACS1.

313. Forms TC1 and TC2 are used to advise the accounts team of any clerical payments of managed payments to mortgage lenders arrears which exceed 4 weeks housing costs. These payments are recorded on LPS and made by a handwritten clerical cheque payable to the lender.

314. Form TC1 is a record of these clerical payments and is retained in the local office for audit trail purposes. Form TC2 collates the information from TC1 for billing purposes.

315. A different TC1 must be completed for each lender with an entry for each payment. At the end of the 4 week billing period:

- add the number of entries in column 3 and record as Total A
- add the amount of payments in column 5 and record as Total B
- transfer these details to form TC2 with an entry for each form TC1
- send completed forms TC2 to the AR Team in Norcross.

Housing costs paid to a lender who is not a Qualifying Lender

316. Housing costs cannot be paid by the managed payments to mortgage lenders scheme if the lender is not a qualifying lender or has opted out of the managed payments to mortgage lenders scheme under Schedule 9A of the Claims and Payments Regulations.

317. Third Party Deductions using dialogue JA300: Maintain general deductions screen JA300302: Deductions from Benefit may be appropriate when the lender is not a qualifying lender. A DM must consider if a Third Party Deduction is appropriate.

318. In these cases mortgage or loan interest has priority over all other deductions.

Step	Action
1	Record deduction details in dialogue JA300: Maintain general deductions screen JA300302: Deductions from Benefit.
2	Follow existing procedures for Third Party Deductions.

319. A transaction charge is **not** be made for the Third Party Deduction.

Priority order of Third Party Deductions for mortgage or loan interest

320. If there is insufficient entitlement to make deductions for all mortgages or loans included in the assessment, pay the maximum amount possible to the lender for the first mortgage or loan that is charged on the property then pay any further loans in order of their charge on the property.

Clerical cases

321. JSAPS claims must be assessed and maintained clerically if they are system faults or the claimant has more than four loans and housing costs are to be paid to the qualifying lender. JSAPS can calculate housing costs for up to eight separate mortgages or loans but can only pay these to the claimant as part of their JSA assessment.

322. Record all the information regarding the housing costs on an A6 and retain it in the mortgage sub-file together with the calculation of the qualifying dates, anniversary date and housing costs due.

Clerically calculating housing costs

323. In order to clerically calculate allowable housing costs, the allowable balance outstanding on the mortgage or loan and the Standard Interest Rate (SIR) must be established

324. The formula is:

Allowable weekly interest = Amount of allowable loan outstanding x SIR ÷ 52

Example

Allowable outstanding loan = £85000.00
SIR = 7.33%
Apply formula £85000 X 7.33% ÷ 52
Allowable weekly interest = £119.82

All parts of a penny are rounded up to the next full penny.

325. Use LPS to pay housing costs on clerical cases by managed payments to mortgage lenders.

Step	Action
1	Confirm lender is a qualifying lender.
2	Complete an A14 payment panel showing housing costs being deducted from JSA assessment.
3	Calculate payment cycle using last two digits of NINO.
4	Issue managed payments to mortgage lenders payment in cycle every four weeks through LPS.
5	If the first payment of housing costs is for a period less than four weeks this must be made by cheque or DP and paid directly to the claimant.
6	Issue all necessary notifications.
7	Forms TC1 and TC2 are not appropriate for managed payments to mortgage lenders payments made through LPS.

Housing costs which may be paid to the claimant

326. In exceptional circumstances a claimant can request to have their housing costs paid to them. This decision is made at the discretion of the DM (BDE).

327. If housing costs are to be paid to the claimant this can be done through JSAPS. This ensures JSAPS automatically:

- applies any changes to the standard interest rate (SIR)
- sets limited case checks (LCC) for annual review.

328. Write to the claimant when the LCC matures.

329. Ensure there is sufficient information to decide on the allowable balance outstanding on any mortgage or home improvement loan (HIL) before paying housing costs to the claimant. There are different ways of gathering this information, for example:

- form MI12
- a loan agreement form
- a letter from the bank.

330. To pay housing costs to the claimant complete the Home Loan Information screen JA091017: in dialogue JA091: Maintain claim details as follows.

Step	Action
1	Input a loan number in the range 1 - 4 if the claimant has more than one loan.
2	Check the date entered in the Date of Loan field is correct and change if necessary.
3	Overtyping the full lenders name and address in the Lender Address fields.
4	Overtyping the correct Postcode.
5	Input the appropriate Loan type code: 1 Mortgage interest not paid direct to lender 2 Interest on home loan not paid direct to lender.

6	Input the Loan Reference Number.
7	Input 1 in the Standard Interest Rate field.
8	Overtyping Y in the MI12 Action Complete field to indicate that the existing details held are sufficient for a decision to be made.
9	Overtyping the allowable amount of the balance outstanding in the O/S Loan Without MIRAS field.
10	Input the Exempt Loan Amount if appropriate.
11	Complete the Weekly Interest Paid field if appropriate.
12	Input the Shared Housing Loan Fraction if appropriate.
13	Press Enter .
14	Check the Qualifying Dates JSAPS has calculated and overtype with the correct dates if necessary.
15	Press Enter to navigate through JSAPS.
16	Do not access Dialogue JA301: Maintain mortgage direct screen JA301310: Maintain mortgage Direct Details.
17	JSAPS calculates the housing costs due as a weekly figure and includes them in the JSA assessment.
18	View the amount of housing costs as you Enter through Dialogue JA200: Award and decision screen JA200200: Award and Decision.
19	Access dialogue JA405: Compute payment screen JA405407: Payment details, compute payment and press Enter to issue JSA plus housing costs to the claimant.

Add backs

331. Claimants in receipt of loan interest on 2 October 1995 had their housing costs re-assessed using the new rules. To ensure that a claimant was not worse off when their case was re-assessed, an Add Back, or transitional protection, was awarded.

332. This was calculated by comparing the amount of interest applicable on a loan in the benefit week that contained 1 October 1995, the first benefit week, with the amount of interest applicable on the same loan in the following benefit week, the second benefit week.

333. If the amount of allowable interest in the first benefit week was more than the allowable interest in the second benefit week, the difference was added to the allowable housing costs as an Add Back.

334. Add Backs are loan specific so a reduction in one loan does not affect the Add Back for any other loan. An Add Back can only be reduced if there is:

- an increase in the SIR
- an allowable increase in the balance outstanding.

335. JSAPS automatically applies any increase in the SIR and amends any Add Back calculated, however if the Add Back has been calculated clerically and the Standard Interest Rate (SIR) increases a scan is run and cases with a clerical Add Back will output on system set case control so the erosion of the Add Back is considered.

336. Action to take in these cases.

Step	Action
1	Access Dialogue JA523: Award details enquiry.

2	Note the amount awarded for the weekly interest on the loan in the benefit week before the week when the change occurs.
3	Clerically re-assess the claim to take account of the increase in the SIR.
4	Compare the new weekly interest amount with the amount noted in the previous week.
5	Deduct the difference between the new and the old amount of interest.
6	This is the new Add Back.
7	Input the new Add Back in the clerical Add Back field.
8	When an Add Back reduces to nil it cannot be reapplied.

337. When a claimant who received an Add Back on a previous claim reclaims IS or Jobseeker's Allowance (Income Based) and the break between claims is:

- 12 weeks or less, they continue to receive an Add Back on the new claim
- more than 12 weeks, an Add Back is not payable on the new claim.

Enquiries

338. The claimant may enquire about buying a house for the first time or taking additional loans on an existing property. Do not give specific advice or make any decisions until the claimant is responsible for the debt.

339. The claimant may also ask about Managed payments to mortgage lenders payments being made on their current JSA claim.

340. Lenders may enquire about specific claimants but answers must be restricted to the minimum necessary for the proper administration of the managed payments to mortgage lenders scheme.

341. When dealing with enquiries, bear in mind the rules covering disclosure and confidentiality of information.

Claimant enquiries

342. Claimants may ask about the amount of housing costs payable if they:

- buy a property
- take out a loan for home improvements
- purchase their rented home
- increase their share in their home.

343. If a claimant asks about the amount of housing costs payable, take the following action:.

Step	Action
1	Record details of the enquiry, including the amount, purpose and reason for the new loan: <ul style="list-style-type: none"> • on form A6 in mortgage sub-file • in Dialogue JA110: Maintain notepad.
2	Send DLJA170 to the claimant.
3	Send information sheet IS8 to the claimant.
4	Do not in any circumstances give a verbal or written guarantee that any housing costs will be met..

Enquiry dialogues

344. Claimants may also ask about their current housing costs. Access the various enquiry dialogues to answer any questions. .

345. Dialogue JA091: Maintain claim details screen JA091017: Home Loan Information which holds details of:

- the mortgage or loan
- the lender
- whether a loan or part of a loan is exempt from the upper limit of £100,000 or £200,000
- weekly interest paid if applicable in cases with a MPPI
- the shared housing fraction
- the qualifying dates.

346. Dialogue JA091: Maintain claim details holds details of:

- housing costs type 07 -11, for example service charges
- the claimant's share of these housing costs
- the weekly housing costs included in the JSA assessment
- non-dependant deductions.

347. Dialogue JA301: Maintain mortgage direct screen JA301311: Mortgage direct picklist shows:

- the current managed payments to mortgage lenders deduction details
- a history of payments made to the lender
- a breakdown of each payment
- where individual payments were sent
- details of the sort code and account number of where payments of managed payments to mortgage lenders were sent.

348. This information is viewable until the JSA claim is archived. The M managed payments to mortgage lenders Current Deduction Details screen cannot be accessed after the final payment is made to the lender.

349. Claimants may report a change to their lender's interest rate. As housing costs are calculated using the Standard Interest Rate (SIR) this information is not needed. Issue DLJA173 – Change to lender's interest rate not implemented

Enquiries about the treatment of 'excess' Support for Mortgage Interest

350. In some cases, the standard interest rate is higher than the interest rate that applies to a claimants mortgage account and some claimants are asking lenders for the excess money to be paid back to them.

351. If the claimant asks about how excess support for mortgage interest (SMI) payments are treated, explain that

- the law says that the SIR must be used to calculate their mortgage costs and make the payments directly to their lender,
- new regulations require the lender to credit any excess amount to their mortgage account, for example to reduce the capital outstanding

352. If the claimant does not agree about this, advise them it is a matter between them and their lender.

Note: Do not offer further advice or get involved in any dispute.

353. If an enquiry is received from a lender, refer them to the Council of Mortgage Lenders. Do not give advice on what should be done with the excess.

Lender enquiries

354. In general, housing costs queries from lenders are about:

- the claimant's current mortgage or loan interest calculation
- treatment of excess SMI payments.
- the claimant's current managed payments to mortgage lenders calculation
- managed payments to mortgage lenders payments.

355. These may be answered only if they do not contravene the protection of personal information rules.

356. For enquiries from lenders about possible future entitlement or other issues about JSA housing costs.

Step	Action
1	Record details of the enquiry, including the amount, purpose and reason for the loan: <ul style="list-style-type: none"> • on form A6 in mortgage sub-file • in Dialogue JA110: Notepad.
2	Send DLJA171 to the lender.
3	Do not in any circumstances give a verbal or written guarantee that any housing costs will be met.

Disclosure of information to the lender

357. . If a lender requests information about a claimant:

- do not disclose anything unless it is absolutely necessary for the purpose of maintaining the managed payments to mortgage lenders payments
- refuse any request from the lender unless it is needed to enable the lender to administer the deduction.

Confidentiality of information

358. All staff have a duty to ensure that claimants details remain confidential. Disclosure of personal details in relation to housing costs, is allowed only to the extent that it is necessary for the operation of the managed payments to mortgage lenders scheme.

359. Information held is confidential and covered by the:

- Official Secrets Act
- Data Protection Act.

See Data Disclosure, Matching and Sharing: Overview

Anniversary dates, case checks and changes

Anniversary date

360. The anniversary date is the anniversary of the:

- Treat As Made (TAM) date, if housing costs are allowed from the start of the claim
- first day of the benefit week in which housing costs first become allowable in the assessment.

361. An anniversary date only applies to mortgages and home improvement loans (HIL) and is the effective date for any reductions to these costs during the past year.

A two year time limit for SMI for claimants in receipt of JSA (IB)

362. From 5 January 2009, SMI within a single or linked award of JSA (IB) is only payable for two years (104 weeks) in most cases. This only applies for new claims from this date and those that don't link back prior to the 5th January 2009. Only when the claimant is liable to pay their housing costs does this count towards the 2 year limit. Any period where their housing cost is met from another source, and no mortgage interest is in payment in the assessment such as a Mortgage Payment Protection Insurance, is not counted.

363. JSAPS automatically issues a notification eight weeks before SMI entitlement ends. This prompts the claimant to contact their lender.

364. Ministers asked that claimants were made aware earlier to enable them to have more time to make arrangements with their lender when SMI entitlement ends.

365. On the 7 February 2011 Group Performance Manager (GPM) received a report for their site containing details of JSA claimants whose mortgage interest ends on or before 31 March 2012. These entries must be cleared on or before 31 March 2012.

Action from 2 April 2012

366. In week commencing 2 April 2012, another scan will be received. This contains details of all claimants whose mortgage help is due to end on or before 30 September 2013.

367. The action to take to clear the entries on this report are in appendix 1

Action if claimant makes contact after receiving a notification about the end of SMI help

368. If the claimant asks what they need to do when SMI entitlement ends, advise them:

- to contact their lender **urgently** to discuss future repayments;
- to look at the information on GOV.UK^{web} about what to do if they are having difficulties meeting mortgage repayments. For further information visit GOV.UK^{web}. Mortgage arrears or payment difficulties;
- to contact the Jobcentre to arrange an appointment with an Advisor for a Better Off Calculation.
- **Note:** Specific financial advice about repayments and mortgages must not be given.

369. Make a note in Dialogue JA110: Maintain Notepad of the advice given.

Reduction in the capital balance

370. Only action a reduction in the capital balance outstanding figure on:

- the anniversary of the date when housing costs were first met in the assessment
- subsequent anniversaries of the date when housing costs were first met in the assessment.

Increase in the capital balance

371. If form MI12R is received stating that there has been an apparent increase in the capital balance figure, contact the lender and ask for clarification of the reason the figure on the form MI12R is different to that on the previously received form MI12.

372. Explain to the lender that the information on the form MI12R contradicts the information previously received on form MI12.

373. Ask if the figure has been revised and if so the reason for the revision.

374. If the lender is reluctant to supply the information ask the claimant to provide any evidence they may have. Consider contacting the claimant when you contact the lender to save time. If this investigation does not produce any supporting evidence do not allow the higher figure. Use the figure from the original MI12.

375. The higher figure is only allowable if evidence is received confirming there has been further borrowing for an eligible purpose or the previously reported figure was incorrect.

376. Keep a record in dialogue JA110: Maintain notepad screen JA110110 and on form A6 of the action taken and the decision made, where a form MI12R shows a greater capital balance than that shown on the original form MI12.

Example 1

MI12 states the capital balance outstanding on the mortgage is £75,000. MI12R received following Limited Case Check (LCC) shows the capital balance outstanding as being £75,500 but no reason is given for the increase of £500.

In these circumstances write to the lender and the claimant asking why the capital balance outstanding has increased by £500. The lender replies and states that £500 is due to the lender's accounting system. The increase must not be allowed and the capital balance outstanding should remain as £75,000.

Example 2

MI12 shows the amount originally borrowed to purchase the house was £90,000 and that the capital balance outstanding when the claimant became entitled to housing costs was £89,000.

MI12R received following the LCC shows the amount originally borrowed to purchase the house to be £92,000 and the capital balance outstanding to be £89,500.

In these circumstances write to the lender asking why there is a discrepancy between the details they first sent us on the MI12 and those on the MI12R. The lender responds and states that the information on the MI12 was incorrect and the amount to purchase the home was £92,000. The capital balance when the claim was made was £89,500 and this amount is still the capital balance outstanding figure. The DM now has evidence to revise the original decision.

Example 3

MI12 states the capital balance outstanding on the mortgage is £85,000. MI12R received following the LCC shows the capital balance outstanding as being £95,000 but no reason is given for the increase of £10,000.

In these circumstances write to the lender and the claimant asking why the capital balance outstanding has increased by £10,000. The lender replies and states that the £10,000 was for a HIL. The DM investigates and establishes that the HIL was for an eligible purpose.

The benefit decision is superseded and arrears paid, depending on circumstances, from the start date of the HIL. Depending on when the HIL was taken out, it could have a different anniversary date from the loan to purchase the house.

Standard lender letter

377. It is not satisfactory if the lender refuses to provide information about an increase in capital and sends their standard letter stating that the information supplied has already been agreed. Explain that as members of the Managed payments to mortgage lenders scheme they are obliged to provide the Secretary of State with the information to determine the correct housing costs and by providing contradictory information they are preventing the determination of the correct amount of benefit.

Anniversary date when people move between IS and JSA (IB)

378. When a claimant transfers between the IS and Jobseekers Allowance (Income Based) (JSA (IB)) within a linking period a new anniversary date must not be calculated. There is no requirement to issue a new form MI12R for linking claims.

379. Calculate an anniversary date for each loan at the start of a claim to either IS or JSA(IB). Once the anniversary date is established it continues to apply even if the claimant transfers between benefits providing the claims link.

380. If the claimant remains on benefit, or has claims which link over the break in entitlement, set LCC date four weeks before the anniversary of the date when housing costs were first met in either the IS or JSA (IB) assessment, whichever date is the earlier.

Limited case check

381. The Review Housing screen JA092121: Review claim in dialogue JA092 Review claims lists all the housing cost reviews appropriate to the claimant's claim. The screen displays:

- the type of Limited Case Check (LCC)
- the date the review is due to be carried out.

382. LCCs cover all the housing costs aspects of a claimant's JSA claim. JSAPS automatically issues form MI12R or a housing cost letter to the lender four weeks before the anniversary date. Form MI12R does not specify the balance is required for the anniversary date, therefore further enquiries may be necessary depending on the information supplied by the Lender.

383. Ensure the correct balance provided by the lender is used to reduce the likelihood of any incorrect payments. .

384. Bearing in mind that Lenders have different IT systems, they will try to provide the most up-to-date information depending on which year end/month end date is being used. The lender always provides the latest balance available to them, this may not necessarily be the amount of loan outstanding on the actual anniversary date (unless it is a clerically issued MI12R, where the anniversary date must be annotated on the form prior to issue). DM's need to be aware of the lenders different accounting systems and use their discretion to decide if the balance outstanding on the date used by the lender is close enough to the anniversary date to be acceptable. Additional information must only be requested where absolutely necessary.

385. LCCs are for specific parts of a claim, so if there is more than one housing cost element to check, JSAPS automatically sends out the following notifications for each element:

- form MI12R direct to each lender, for every mortgage or loan type 3 or 4 on the Home Loan Information screen
- form MI12R with a housing cost letter direct to the claimant, for every mortgage or home loan type 1 or 2 on the Home Loan Information screen
- a housing cost letter to the claimant if there is an entry type 7 to 11 on the Where You Live screen indicating:
 - ground rent
 - service charges
 - co-ownership costs
 - Crown tenant costs
 - other, for example rent charges within the meaning of the 1977 Rent Charges Act.
- a housing cost letter to the claimant if there are any non dependants in the household and the assessment also includes housing costs
- a housing cost letter to the claimant if there is an entry type 50 on the Other Income screen indicating the claimant has a Mortgage Payment Protection Insurance (MPPI).

386. There are draft letters available if any of the above information has to be gathered clerically:

- - DLJA155 - Letter to claimant to check type 7-11 housing costs
- - DLJA156 - Letter to claimant with non-dependants to check type 7-11 housing costs
- - DLJA157 - Letter to claimant with an MPPI to check type 7-11 housing costs
- - DLJA158 - Letter to claimant with an MPPI and non-dependants to check type 7-11 housing costs

387. JSAPS can issue up to nine review notifications for housing costs LCCs:

- up to eight forms MI12R, and
- one housing letter.

388. JSAPS automatically changes the LCC date to ensure the check cannot be reset until all elements are cleared.

389. The total number of notifications issued on a particular review is shown in brackets next to the Type field on the Review Claim screen.

390. The original number of notifications issued continues to display until all elements of the review are complete, if six notifications were originally issued and action is complete on four, the number of notifications shown on the screen is still six.

Case Check outstanding after 28 days

391. If a case check is still outstanding after 28 days, JSAPS issues the relevant reminder for each outstanding part of the check. This is a:

- separate reminder to each lender in managed payments to mortgage lenders cases
- single reminder to the claimant in non managed payments to mortgage lenders cases or when they have other housing costs:
 - service charges
 - rent
 - ground rent
 - MPPI.

392. There are clerical draft letters available if required:

- - DLJA159 - LCC form MI12 not returned
- - DLJA160 - Letter to claimant if they have not returned information requested for annual case check and MI12R
- - DLJA161 - Housing Costs – MI12R reminder to lender – clerical claims only.

393. If the claimant or lender does not respond, consider payment suspension as current housing costs may be incorrect.

394. Although reminders for the return of form MI12 are sent to the lender, due to a fault in JSAPS, these reminders are also issued to the claimant. This usually results in an increase in phone queries from claimants who have received a reminder for the return of a form they did not receive. Continue to contact the lender for the information.

Dialogue JA092: Review Claim

395. Dialogue JA092: Review claim screen JA092121: Review Claim gives review details which can be

- viewed
- cleared after actioning
- changed.

Changing the date of the limited case check

396. Change the date in Dialogue JA092: Review Claim, Review Housing screen if the LCC for housing costs other than mortgages or HILs needs completing on a different date from the anniversary date.

397. This is most likely to apply to service charges which are normally revised on a specific date once a year.

Date from which to apply any changes

398. Normal change of circumstance rules apply to all housing costs other than mortgages and HILs. Review the JSA assessment from the date the change occurred, not from the date the LCC took place. The claimant is required to notify any changes in the normal way.

Example

A claimant asks about help with additional service charges to upgrade a communal TV signal distribution system to digital outside the normal annual review of service charges. This is considered as a change of circumstances in the normal way and the amount paid in respect of eligible service charges changed accordingly.

Mortgage redeemed

399. The claimant or lender may advise that the mortgage has been redeemed. This can happen:

- at the end of the mortgage term when an endowment policy or Personal Equity Plan (PEP) matures
- if a claimant has re-mortgaged.

400. If the mortgage has come to the end of its term:

- remove all details of the mortgage or loan from JSAPS from the date the claimant was no longer liable to pay any costs
- pay any housing costs still due to the claimant by changing the mortgage or loan type to 1 or 2, this can occur because housing costs are paid on a four weekly cycle
- check if the claimant has capital left after the mortgage or loan is redeemed and take the appropriate action to record this amount in the money screen as capital.

401. If the claimant has re-mortgaged:

- remove all details of the mortgage or loan from JSAPS from the date the claimant was no longer liable to pay any costs
- send form MI12 to the claimant to complete their part and forward to their new lender for details of the amount borrowed
- on receipt of completed form MI12 enter details on JSAPS from the date the mortgage or loan was taken out. See this guide Paying housing costs Housing costs paid to the lender
- restrict the amount outstanding on the mortgage to the amount allowable previously unless the extra borrowing is used to adapt the home for a disabled person
- the qualifying date and anniversary date remain the same.

402. The first indication that a claimant's mortgage or loan has been redeemed may be when a payment of managed payments to mortgage lenders is returned through the BACS system. Take the same action as above.

Change of address

403. When a claimant changes address and the change is actioned in JSAPS the housing costs do not automatically change or stop.

404. Remove any housing costs recorded in the Where You Live screen and find out if there are any new housing costs to be considered.

405. When a change of address is actioned in Dialogue JA091: Maintain claim details JSAPS automatically displays dialogue JA301: Maintain mortgage direct screen JA301312, if mortgage details are already recorded. Consider if these housing costs still apply. See 'Questions to be considered

circumstances where a claimant can be paid housing costs for a property they do not live in.

406. If the recorded housing costs do not apply you must remove the details in the Home Loan screen JA091017 of Dialogue JA091: Maintain Claim Details and make the following enquiries to the claimant.

- Has their previous property been sold?
- If so request a copy of the statement of account they received from their solicitor showing any monies paid to them as a result of the sale.
- Are they renting out their previous property?
- If so request details of the rental income.
- Do they rent their current property?
- If so ensure they have claimed Housing Benefit.
- Have they bought their current property?
- Do they have a mortgage? If so issue form MI12.

407. Take the normal action applicable for capital and income depending on the information you receive from the claimant.

408. On receipt of a completed form MI12 decide what housing costs are allowable.

Cases with Mortgage Payment Protection Insurance

409. The disregards applied to Mortgage Payment Protection Insurance payments is re-assessed when:

- the different qualifying dates are reached at week 9, 27 or 40
- the SIR changes
- the capital outstanding is revised
- the capital repayment element on the loan changes
- the premium for MPPI, Personal Equity Plan (PEP), endowments or buildings insurance changes
- the amount paid out by the MPPI changes.

410. Changes to these figures change the amount of the disregards.

411. Special rules apply if the disregards are based on the interest payable on a loan. If the interest payable alters, the disregard has to be revised but the change will not be effective until the next appropriate date. See DMG Chapter 28 Supersessions and payments for housing costs for guidance on when to reassess.

Over or Underpayment of Managed payments to mortgage lenders

Overpayments

412. Managed payments to mortgage lenders overpayments (OP) can be caused by:

- interest rate reductions
- a reduction in the capital balance
- entitlement ceasing and notification being received too late
- incorrect or incomplete information
- computer error
- a change of circumstances which reduces mortgage interest entitlement

- a Jobcentre Plus (JCP) delay in implementing a change
 - an incorrect decision not due to misrepresentation or failure to disclose by the claimant or lender.
413. Some of the above OPs are recoverable under legal provisions or case law but others are not recoverable.

Recovery categories

414. There are three distinct grounds for recovering managed payments to mortgage lenders overpayments:
- The Social Security (Claims & Payments) Regulations 1987 schedule 9A paragraph 11, for overpayments due to a change in balance, interest rates or within 4 weeks of entitlement ending
 - The Social Security Administration Act 1992 section 71, when the overpayment is caused by misrepresentation or a failure to disclose by the , lender, or any other person
 - Common Law, where Jobcentre Plus pays more money than was authorised by the processor
415. The grounds used are determined by the circumstances surrounding the overpayment and normally the above categories do not overlap.

Schedule 9A

416. The main provisions for recovering an overpayment of managed payments to mortgage lenders can be found in the Social Security (Claims & Payments) Regulations 1987, Schedule 9A paragraph 11.
417. These regulations state that the Secretary of State is entitled to recover sums wrongly paid to qualifying lenders if:
- the standard interest rate (SIR) reduces or the amount outstanding on the loan reduces and as a result the applicable amount reduces but there was no corresponding reduction in the managed payments to mortgage lenders payment sent
 - the claimant ceases to be entitled to benefit.
418. The regulations do not limit how far back in time you can go to recover managed payments to mortgage lenders overpayments which have arisen because the interest rate or the capital balance on the loan has changed. However the rules are different when the managed payments to mortgage lenders overpayment arises because benefit has ceased.

Overpayments when benefit ceases

419. If an overpayment of managed payments to mortgage lenders has occurred because the claimant has ceased to be entitled to benefit and managed payments to mortgage lenders payments have continued. Jobcentre Plus may on behalf of the Secretary of State, recover the wrong amount paid, using Schedule 9A. If this applies, you can make a request to the lender within 4 weeks following the last date on which the relevant beneficiary was entitled to benefit, asking the lender to refund the benefit overpaid.
420. The meaning of last day of entitlement has been the source of much confusion in the past. DWP solicitors have advised that the last day of entitlement is to be interpreted as being the date on which the benefit

processor makes the decision to review and withdraw entitlement. The reason for this is:

- benefit is awarded by the benefit processor
- the claimant remains entitled (although at an incorrect rate) until a benefit processor decides benefit should cease.

421. This means that the Secretary of State cannot, under the Claims and Payments Regulations, Schedule 9A, ask the lender to refund any managed payments to mortgage lenders wrongly paid prior to the date of the benefit processor decision. Any overpayment of managed payments to mortgage lenders covering a period before the date of benefit processor revision decision may still be recoverable. However, this is not possible under Schedule 9A and the overpayment must be referred to Debt Management.

Example

Mr Smith notifies the Jobcentre Plus on the 04 March 2008 that his partner started full time work on 28 January 2008.

He is paid in arrears on a Tuesday and is in receipt of mortgage interest at £50 per week which is paid directly to his lender.

The benefit processor is passed the information on 13 March and on that date makes a decision that Mr Smith is no longer entitled to benefit. This therefore is the date the 4 week possible recovery period commences. However his mortgage payments have been paid directly to the lender up until 11 March 2008.

An overpayment of mortgage interest totalling £314.29 has occurred for the period 28 January to 11 March 2008 (6 weeks and 2 days). However this period does not fall to be treated under the Claims & Payments Regulations, Schedule 9A, paragraph 11, as the decision to stop benefit was not made until 11 March 2004.

The overpayment is referred to Debt Management who may request a refund under the Social Security Administration Act 1992, section 71. See Overpayment referral forms and guidance for normal overpayment procedures.

Method of recovery

422. Managed payments to mortgage lenders overpayments considered under Schedule 9A are recovered by Jobcentre Plus or exceptionally Debt Management on behalf of the Secretary of State. When the overpayment is for more than £25 or managed payments to mortgage lenders payments have ceased, recovery is sought by issuing form MI125 to the lender.

423. In all other circumstances, or if the lender does not reply, the recovery is initiated using managed payments to mortgage lenders adjustments in Dialogue JA301: Maintain Mortgage Direct Details.

Adjustments

424. The Maintain Mortgage Direct Details screen in Dialogue JA301: Mortgage Direct Details contains four fields enabling the payments calculated by JSAPS to be changed. Use these fields to input the adjustment when there has been an:

- overpayment of mortgage interest of £65 or less, which is recoverable from the lender; or
 - underpayment of mortgage interest.
425. Refer to dialogue JA301: Maintain mortgage details, screen JA301312: Maintain Mortgage Direct Details, for further information on details to input when amending mortgage interest amount.

Adjustment notifications

426. JSAPS issues a notification of all adjustments to the claimant or appointee and lender at the same time the adjusted managed payments to mortgage lenders is paid or due to the lender.
427. When an overpayment recovery spans a period of more than one managed payments to mortgage lenders payment, JSAPS issues a notification to the claimant or appointee and lender for each managed payments to mortgage lenders payment adjusted.

Lender refuses to refund

428. If a lender refuses to refund an overpayment requested under the Claims and Payments Regulations 1987, Schedule 9A, paragraph 11 refer to Debt Management who will write to the lender concerned and ask them to provide in detail their reasons for refusing to refund.
429. If on receipt of a reply, Debt Management believe the evidence provided by the lender does not allow them to refuse to repay the overpayment they will write again to the lender explaining why. Debt Management take all necessary action to recover the overpayment.

Section 71

430. Overpayments of managed payments to mortgage lenders that cannot be dealt with under Schedule 9A can be considered under the Social Security Administration Act 1992, section 71. This is considered by Debt Management if managed payments to mortgage lenders has been overpaid because of a misrepresentation or failure to disclose by a claimant or the lender.

Method of recovery

431. Debt Management will determine the amount recoverable and implement their normal recovery procedures.

Common law recovery

432. Recovery under common law is only appropriate when there has been an overprovision of benefit. If payment in excess of a claimant's entitlement is made for any payment period, an overprovision will have occurred. This can be because of:
- clerical error
 - computer error
 - oversight.
433. Payments made in excess of a benefit processor's decision are made without Parliamentary authority. According to Government accounting such payments are illegal. If the excess payment can be traced, it may be

recovered from the person (this includes a business) who has received the excess payment. This type of overpayment may occur in one of the following ways:

- an error occurs in the writing of the instrument of payment
- an error occurs when entering payment details for computer generated payment
- a duplicate IOP is issued
- mortgage interest is paid to the lender and the claimant.

Example 1

A claimant is correctly awarded benefit in respect of mortgage interest of £50 a week by the benefit processor but a managed payments to mortgage lenders payment is issued for one week's mortgage interest at the rate of £100. Recover £50 from the lender.

Example 2

Both the claimant and the lender receive mortgage interest. The mortgage interest is properly payable direct to the lender under the Claims & Payment Regulations Schedule 9A. Recover the duplicate payment from the claimant.

Method of recovery

434. Do not issue form MI125 when common law recovery is appropriate, as this form only covers requests for refunds that are recoverable under the Claims and Payments Regulations, Schedule 9A. Any mortgage interest OP that cannot be recovered from the lender should be referred to Debt Management. See Overpayment referral forms and guidance for normal overpayment procedures.

Non-recoverable overpayments

435. Non-recoverable overpayments usually arise when there has been an official error other than an overprovision of benefit. For example, such overpayments can arise if:

- Jobcentre Plus fail to implement a notified change and the circumstances do not fit the type of overpayment that can be recovered under Schedule 9A or section 71
- the benefit processor in full possession of the correct facts makes an incorrect decision.

436. Refer all non-recoverable overpayments to Debt Management. See Overpayment referral forms and guidance for normal overpayment procedures.

Underpayments

437. A change of circumstances may result in an increase in mortgage or loan interest due to the claimant. The increase may be automatically downloaded into Dialogue JA301: Maintain Mortgage Direct Details from the correct date but if it is not an adjustment is needed:.

Step	Action
1	Access Dialogue JA301: Maintain mortgage direct screen JA301312: Maintain Mortgage Direct Details.
2	Check the date the weekly deductions have been increased from.

3	Calculate any underpayment.
4	Complete the Adjustment Details fields using U for underpayment.
5	JSAPS sends notifications to the claimant and the lender.

Adjustment amount exceeds £9,999.99

438. If an underpayment exceeds £9,999.99, set case controls to ensure you refund the full amount is refunded. Input the figure when the amount outstanding is below £9,999.99.

Mortgage Interest Run On

Background

439. Mortgage Interest Run On (MIRO) is paid to claimants who have been receiving IS, Jobseekers Allowance (Income Based) (JSA (IB)) or Employment and Support Allowance Income-related (ESA (IR)) for 26 weeks and satisfy certain conditions, See MIRO section in Work Related Payments of the JSA Procedural Guidance.

440. As the claimant is in remunerative work, payments of MIRO are accounted for as IS payments. Payments of MIRO **do not** count as a linked IS claim and **do not** exempt the claimant from the 104 week limit for housing costs.

441. Please see the Work Related Payments guidance for details on how to make a MIRO payment.

Help towards Mortgage Repayments

442. The help Jobcentre Plus provides to its claimants by way of Support for Mortgage Interest is part of a wider cross government programme of measures to help people with mortgages. The Mortgage Rescue Scheme was introduced to help claimants who are in difficulty with their mortgage payments but, who are not entitled to help towards their mortgage interest payments. These are the:

443. The National Homelessness Advice Service (NHAS) has produced a mortgage assistance information leaflet^{web}, copies of which be ordered from the RM Zanzibar catalogue in the usual way by Jobcentres and Benefit Centres (BC's) in England, or BC's linked to Jobcentres in England.

444. Because schemes may differ in Scotland and Wales claimants there must be advised to check the GOV.UK^{web} website or contact their local council^{web} for advice.

All staff to note

- All claimants who are in difficulty with mortgage payments must be given a copy of IS8 information sheet encouraged to talk to their mortgage lender advised to get free, independent debt advice about whether either of the additional Government schemes could help them, and given a copy of the NHAS information leaflet^{web} (if their home is in England).

Mortgage Rescue Scheme (England only)

445. The Mortgage Rescue Scheme^{web} is a Government scheme run by local councils. Claimants who are facing repossession and are at risk of becoming homeless may be able to get help through this scheme if:
- they have dependent children
 - anyone in the household is pregnant
 - they, or someone they live with is elderly, disabled, or has a long-term illness.
446. Eligible claimants may get help to stay in their home through either a shared-equity loan or by becoming a tenant in the property.
447. Advise the claimants to look at the GOV.UK^{web} website for further information.
448. To get advice about the Mortgage Rescue Scheme or to make an application, claimants must contact their local council^{web}.
449. Claimants in Scotland and Wales must be referred to their local council for information about similar schemes there.

Appendix 1- JSA claimants approaching the two year limit for Support for Mortgage Interest help.

450. A further scan was run on 27 September 2013 to ensure that JSA claimants were made aware earlier that financial help towards their mortgage interest payments was to cease in the near future. **Note: All entries from this scan must be cleared on or by 31 March 2015.**

Action from 1 October 2013

451. In week commencing 30 September 2013, another scan will be received. This contains details of all claimants whose mortgage help is due to end on or before 31 March 2015.
452. The action to take to clear the entries on this report is set out below.

Background

453. From 5 January 2009, SMI within a single or linked award of JSA (IB) is limited to two years (104 weeks) where the award of SMI was made under the new rules introduced from that date. Note paragraph 359 regarding MPPI payments. Periods where mortgage interest is in payment count towards the 104 week period. If no mortgage interest is in payment - then that period is not included within the 104 week spell.
454. Claimants are currently sent a system produced letter eight weeks before their entitlement to support for mortgage interest is going to be withdrawn.
455. The scans have been commissioned to identify potential cases where mortgage interest was due to end. This is because Ministers reviewed the decision to notify claimants eight weeks before SMI ends and were concerned that claimants who were approaching or who had reached the end of their SMI help were unsupported and unaware of what action they can take, or the help that is available to them.
456. Offering as much help and advice as early as possible may reduce the number of claimants getting into mortgage difficulties or having their home repossessed.

457. Draft letter DLJA944 and DLJA944W (Welsh language version) has been introduced to make it even clearer to claimants that their SMI is coming to an end and explains what help and advice is available to them. This must be issued thirteen weeks before help ends.

Benefit Centre (BC) Action - Action to take on receipt of the scan

458. In week commencing 30 September 2013, another scan will be received. This contains details of all claimants whose mortgage help is due to end on or before 31 March 2015.

459. For security purposes each scan is protected. The GPM (or deputy) must ring the National Performance Team (NPT) for the password.

460. The GPM must forward the individual scan to the nominated Single Point of Contact (SPOC) in the BC.

461. On receipt of the scan, SPOC must save the scan in a secure shared folder. Access to the folder is limited to only those people responsible for clearance action.

462. NPT produced a desk aide sent with the previous scan, along with an excel calculator that has been devised to support teams and gather all the information the SPOC needs to clear the scan.

463. The scan contains details of claimants who have not reached week 91 of their two year SMI help.

464. A decision has been made that no action is needed if claimants have already received at least 91 weeks SMI help. These claimants are excluded from the scan.

Action if scan not received

465. To ensure that the scan is received a read receipt is attached to the email containing the scan. NPT will follow up any unopened emails.

466. GPMs must agree locally how to confirm receipt of the scan. Any SPOC who is unsure of when the scan is due must contact their GPM.

Printing the scan

467. Printing of the scan is not recommended. If the scan is printed it must be stored in a secure place and locked away each evening. It must be disposed of in the confidential waste once all the appropriate action has been completed.

Managing the work

468. It is recommended that this action is undertaken by a Payband A when possible. However it is for managers to decide where this work is sited. The following actions are required as a minimum.

Actioning the scan

469. Check the scan on a weekly/fortnightly/monthly basis to identify those claimants whose 13 week date is approaching.

470. Check JSAPS to see if the claim is still live and SMI is still in payment. If it is:

- review the date SMI ends and check it hasn't changed; and
- prepare and issue the DLJA944 / DLJA944W (Welsh language version)

471. If the date has changed, eg customer has worked, calculate a new date 13 weeks before SMI ends.
472. Set a case control for 15 weeks before SMI is due to end. This is to remind you to issue draft letter DLJA944 / DLJA944W (Welsh language version) as the scan entry will be incorrect. Note the action taken in Dialogue JA110: Maintain notepad and on any clerical documents.

New and repeat claim action

473. A case control must be set on all new and repeat claims when housing costs are paid to ensure that draft letter DLJA944 / DLJA944W (Welsh language version) is issued 13 weeks before SMI ends.

Action when the case control matures

JSAPS maintained cases

474. The case control matures at week 89. This is to ensure there is enough time to:
- review the date SMI ends and check it hasn't changed; and
 - prepare and issue the DLJA944 / DLJA944W (Welsh language version); and
 - record the action taken in Dialogue JA110: Maintain notepad and on any clerical documents.
475. If the week 91 date has changed, input a new case control. If week 91 has been reached issue draft letter DLJA944 / DLJA944W (Welsh language version) and record in Dialogue JA110: Maintain notepad and note any clerical documents.

Clerical Claims

476. For clerically maintained claims all information about the claimants housing costs is recorded on form A6 and retained in the mortgage sub-file.
- clearly note the date 13 weeks before SMI is due to end on the claim papers
 - issue draft letter DLJA944 / DLJA944W (Welsh language version) at that time, if the customer is still claiming.
477. If the customer stops claiming before draft letter DLJA944 / DLJA944W (Welsh language version) is issued and reclaims within the linking period, calculate a new date for the letter to be issued at week 91 of the SMI period and record on form A6.

Jobcentre Action

478. Draft letter DLJA944 / DLJA944W (Welsh language version) explains the support the Jobcentre can provide to help the customer find work. It informs them of the services offered by their Personal Advisor and advises them how to get a Better Off Calculation (BOC).
479. The BOC provides an estimate of how much better off the customer could be if they returned to work and whether they might be eligible to receive any other in work support such as working tax credits.

Contact from the customer

480. The customer may make contact for advice either; by telephone or in person at their Jobsearch Review.
481. If the customer asks about the letter and what to do next, advise them to contact their lender **urgently** to discuss future repayments. **Financial advice must not be given**. Draft letter DLJA944 / DLJA944W (Welsh language version) signposts the customer to the organisations that can offer help and support.
482. Advise the customer that if they have internet access, they can choose to do their own 'Better Off Calculation' at a time that suits them on the Gov.UK website. The address is: www.gov.uk/benefitsadviser^{web}.
483. Further guidance on the help and support offered to claimants by the Jobcentre is in the Get Britain working guidance.

Managing the MI return

484. A monthly return will be required, on the fourth working day following the end of every calendar month. Full details are included within the desk aide that was sent with the previous scan.

Initial Assessment Action

Main benefit reply received

1. When JSAPS receives the Main Benefit reply (MBR), if it is:
 - **the same** as the information retrieved by Customer Information System (CIS), JSAPS calculates the payment;
 - **different to** the information retrieved by CIS, case control S091 is created and a manual decision is needed.
2. When case control S091 appears on a WAR, take action as detailed in Jobseekers Allowance System Guidance.

Claimant ends training

3. The action to take for a claimant who ends a period of training depends upon whether the Training Allowance they received was based on JSA(IB) or JSA(C). Further information regarding the actions to take can be found in the Gathering Evidence chapter of this guide.

Registering a claim

4. A claim to JSA is registered by the jobcentre in dialogue JA060: Register Claim/Event and on the Labour Market System initially, then passed to the processing section to complete the registration process.

Claim not registered

5. If there has been no interest registered in CIS or the claim has not been registered in dialogue JA060: Register Claim/Event, for example there is an outstanding action on a previous claim, complete the outstanding action:

Step	Action
1	access; <ul style="list-style-type: none">• dialogue PD350: Register interest;• CP650: Amend Post office: and• dialogue JA060: Register Claim/Event to register the new claim;
2	JSAPS will check CIS for any relevant and recent information on ISCS;
3	press F1 to fastpath to dialogue JA091: Maintain Claim Details;
4	input the date of claim and press F24. If Departmental Central Index (CIS) has not found recent evidence on ISCS take normal action to input the claim details;
5	if CIS has found recent evidence on ISCS, warning message W6872 Warning: more recent IS claim details exist, will display. Press F24 again to transfer the information from ISCS to JSAPS.

Registering clerical claims

6. If the claim needs to be registered clerically, completion of the following forms are mandatory:
 - JSA 14A: assessment panel;
 - JSA14P: payment panel;

- JSA14C: control sheet/form;
- JSA690: benefit enquiry form.

Completion of control form JSA14C

7. Use this card as a storage and control sheet for a JSA clerical record.
8. At the start of the card enter the:
 - claimant's personal details;
 - claim status;
 - date of claim;
 - review dates.
9. The remainder of the card is to record the:
 - issue of forms;
 - relevant Brought Forward (BF) dates;
 - dates of issue of the relevant Prevention of Duplication of Payments forms, in the case of 'Other Benefits'.

Specific action for joint claims

10. Before taking any specific joint claim action, check that joint claims is applicable to the couple.
11. For joint claims, initial cross screen validation and fastpath to dialogue JA050: Maintain Joint Claim can be preformed.
12. The 'Contributory received', 'Income Based received' and 'effective dates' will be displayed for each member of the joint claim. If there is no prior JSAPS record for a member, the 'Conts' and 'IB' dates will be set to the joint claim start date input in JA050: Maintain Joint Claim.
13. If the member was previously claiming JSA(C) only, the 'IB received' and 'effective dates' will be set to the joint claim start date.
14. The 'Conts' and 'IB' dates will be protected for both members of a joint claim.
15. The 'joint claim received' and 'effective dates' will be populated using the joint claim start date input in JA050: Maintain Joint Claim. This will only display when event types [15] and [16] are displayed in the Register Joint Claim screen JA060171 of dialogue JA060: Register Claim/Event.
16. If an exclusion reason is input on a joint claim, JSAPS will issue a warning to end the joint claim.
17. For joint claims, a hardship reason may exist for each member but will only be awarded to one member. Two passes through dialogue JA091: Maintain Claim Details will be required in these circumstances, one for each member.
Note: The decision input will be for the member whose National Insurance number (NINO) was used to access dialogue JA091: Maintain Claim Details.
18. The decision can be amended in the 'Hardship Decision' field if you have not assessed the claim in dialogue JA200: Award and Decision. However, if the decision code is [99], successful, then JSAPS will take you to the EXCEPTIONAL CONDITIONS screen JA091019 to amend the dates.
19. The following screens are mandatory for joint claims and must be selected from the picklist if the members' details are not already held on JSAPS:
 - MAINTAIN CLAIM ADMINISTRATION DETAILS JA091004;

- OTHER INCOME JA091015, if an other income interest overlaps the joint claim start date;
- WHERE YOU LIVE JA091016
- OTHER benefits JA091020 if an other benefit interest overlaps the joint claim start date;
- BENEFIT LINKING DETAILS JA091022; and
- TAX DETAILS JA091097, if the member is a claimant.

Note: not mandatory if the claimant is a share fisherman.

20. The following screens are mandatory if evidence exists from a prior single claim for either member of the joint claim:

- CURRENT WORK JA091006;
- OCCUPATIONAL/PERSONAL PENSION JA091008;
- PEOPLE WHO LIVE WITH YOU JA091012;
- MONEY JA091013;
- NATIONAL SAVINGS CERTIFICATES JA091014;
- OTHER INCOME JA091015;
- HOME LOAN DETAILS JA091017;
- EXCEPTIONAL CONDITIONS JA091019; and
- OTHER BENEFITS JA091020.

21. The following screens cannot be accessed for joint claims:

- ABOUT PARTNER JA091005; and
- CMB OPENING POSITION JA091026.

22. The DEPENDANTS YOU WANT TO CLAIM FOR screen JA091011 will only be available when retrospective changes of circumstances have been registered on a joint claim for a single claim period.

23. For joint claims, the member number and NINO will display only for both members in the joint claim. The JSA(C) and JSA(IB) dates will be displayed from the database and protected.

Action on new or repeat claims

24. When processing a new or repeat claim:

Step	Action
1	input the claim effective dates for the JSA(C) and JSA(IB) claim, if appropriate;
2	press [F24]. The CLAIM DETAILS PICKLIST screen JA091002 is re-displayed. The screen selection fields appropriate to the claim are available for selection.

25. depending on the type of claim, certain screens must be visited. Any screen visited displays [Y] against the relevant selection field.

26. If the claim is for JSA(C) only, access is limited to certain screens, they are:

- PERSONAL DETAILS JA091003;
- CURRENT WORK JA091006;
- PREVIOUS WORK JA091007;
- OCCUPATIONAL/PERSONAL PENSION JA091008;
- OTHER BENEFITS JA091020;

- SPECIAL CREDITS JA091010;
 - TEMPORARY PERIODS OF UNAVAILABILITY JA091021;
 - EXCEPTIONAL CONDITIONS JA091019;
 - BENEFIT LINKING DETAILS JA091022;
 - TAX JA091097;
 - MAINTAIN CLAIM ADMINISTRATION DETAILS JA091004AND
 - INTERIM PAYMENT REFUSAL JA091032.
27. The tax screens cannot be accessed if the claim is for a training allowance or JSA(IB) and no prior JSA claim exists.
28. If a repeat claim is recorded and the previous claim holds evidence which may be relevant to the current claim, a [Y] displays outside the selection brackets for the relevant screens.
29. Select any or all of these screens to accept or end the evidence displayed by inputting [Y] in the relevant brackets. If these screens are not visited, the evidence ends with effect from the end date of the previous claim.

Action for a change of circumstances

30. A change of circumstances can be recorded for a future or current date, or a previous date providing the date is not earlier than the recorded claim effective date.
31. A claim that was JSA(C) only can be changed to JSA(IB) by recording the:
- change effective and received dates; and
 - Income Based effective and received dates.
32. Processing is similar to that required for a new claim with the exception that the [END] key is not available.
33. To select the appropriate screens:

Step	Action
1	input [Y] against any screen to be accessed;
2	press [ENTER] and the first requested screen displays.

34. When all screens are completed with the available evidence, you will return to this screen before deciding on the claim. Every completed screen displays [F] next to the appropriate field.
- To action this screen, input [Y] or [N] in the ‘Evidence complete?’ fields to indicate if the evidence is complete.

Backdating a claim

35. Backdating information is collected during the CMS gather. A JSA5 will only need to be completed if:
- the PA identifies that additional information is required; or
 - the claimant first asks about backdating during their NJI.

Time limits for claiming

36. A claim for JSA can be backdated for up to one month or up to three months depending on the circumstances for the delay. See Decision Maker’s Guide, **Chapter 2** - Extending the time for claiming IS and JSA, for details of the circumstances where backdating is appropriate.

Backdating request after being disallowed due to Failure to Attend

37. Claimants who fail to attend an advisory interview or Jobsearch review and who do not make contact within 5 working days will have their claims closed from the day after their last attendance.
38. If the claimant subsequently reclaims JSA and provides evidence that they continued to be available for and actively seeking work up to the date they failed to attend, then the date on which their claim was closed can be revised and payment of benefit for that period considered.
39. These cases will be identified in the Jobcentre and a Labour Market decision will be made. For further information, see the Reclaim Gather chapter.

Backdating National Insurance Credits

40. An application for credits of National Insurance contributions (NICs) must always be considered when an application for backdating is made. National Insurance Credits can be allowed even if the JSA backdating application is refused.
- Note:** There is no time limit for making a backdated claim to credits. Claimants making belated claims for past periods, may find it harder to show that they were available/ actively seeking for the backdated period.
41. If there is no entitlement to JSA, treat the backdated claim as a belated credits application.
42. If, after having already completed a backdated claim, the claimant decides not to pursue a backdated claim, then proceed to withdraw the backdated claim.
43. The process is the same for all backdated requests, however when a request is received from one of the following there is initial action to take before proceeding to check if backdating is appropriate, for:
- a joint claim;
 - share fishermen;
 - non claimants.
44. For further information on backdating NI credits see the Labour Market Conditions Guide.

Backdating request from joint claims

45. Different action is required for certain backdated requests from joint claims. Action is required if:
- both members apply for backdating for the same period;
 - both members apply for backdating for different periods; or
 - only one member wishes to backdate their claim.
46. In all cases:
- check joint claim eligibility criteria; and
 - possible exemptions; for the whole of the backdated period.

Backdating request from share fisherman

47. A Good Cause Decision Maker's decision on whether the share fisherman has shown good cause for not claiming earlier, should be made before the share fisherman is allocated their attendance/Benefit Week Ending (BWE) day, and the claim set up on JSAPS.

48. Take this action while the share fisherman is in the office so that the correct attendance/Benefit Week Ending day can be given by the New Claim Advisor at the outset of the claim.
49. If this is not possible, the BWE day allocated should be seven days from the date of initial contact with the jobcentre, pending a decision on the backdated claim.
50. Subsequent action will depend on whether the Decision Maker has accepted that the share fisherman has shown good cause for not claiming earlier.

Backdating request for credits from non claimant

51. If a non-claimant makes a belated application for credits, they must complete:
 - a non-claimant stencil obtained from the jobcentre; and
 - form JSA NC1 to apply for National Insurance credits for claimants not claiming Jobseeker's Allowance".
52. They do not complete claim form JSA1 or JSA4 (Rapid Reclaim). Process the claim taking action as normal for a belated application for credits.
53. See also belated application for credits received.
54. When the decision to award credits has been made it is the responsibility of the benefit processing section to ensure that credits are awarded, using eNIRS or CA5481 as appropriate, if backdating has been allowed.

Special circumstances regarding the date of the backdated request

55. The action to be taken when a claimant makes a backdated claim depends on when the backdating application was made.
56. Take the following action if the backdating claim is made:
 - between the end of an Incapacity Benefit/ESA claim and the date of contact with jobcentre to claim JSA;
 - during a weekend or bank holiday/privilege day;
 - after being disallowed for failing to attend a New Jobseekers Interview;
 - after they have transferred from another office.
 - An existing claim is held on JSAPS

Labour Market decision

57. When the backdating application is made, the Personal Advisor considers whether a Labour Market (LM) doubt exists and notes the backdating claim form (JSA5) as straightforward or doubtful.

Labour Market conditions are straightforward

58. If the LM conditions are straightforward, the Personal Advisor records in dialogue JA070: Backdated Claim Details, the dates of the backdating request and that the LM conditions are satisfied.
59. The claim form and JSA5 are then passed to the Benefit Processing Officer (BPO) to consider backdating under the Claims and Payments Regulations.

Labour Market conditions are doubtful

60. If the Labour Market conditions are doubtful, the Personal Advisor will only record the dates of the backdating request in dialogue JA070: Backdated Claim Details. JSAPS will automatically set a suspension for the backdating period.

61. The Personal Advisor will send a copy of the JSA5 and claim form to the labour market Sector Decision Maker (SDM) to consider.
62. The original JSA5 is noted with the SDM location and fax number and is sent to the BPO with the claim form.
63. Ensure that the JSA1 and JSA5 are clearly noted when the backdating request is from an ex-Incapacity Benefit/ESA claimant.
64. If the SDM decides that the LM conditions are not satisfied, a formal decision cannot be made until the BPO has decided on the date of claim.
65. If the SDM decides that the Labour Market (LM) conditions are satisfied they will return the papers to the Personal Advisor to record the decision in dialogue JA070: Backdated Claim Details and give a copy of the decision to the BPO.

The Benefit Processing Officer's decision

66. When the Benefit Processing Officer (BPO) receives the backdating form JSA5, before they make their decision they should consider if:

- the time for claiming can be extended;
- the labour market decision has not been made;
- the labour market decision has been made.

67. If there is a delay in making a decision on the claim, either because of the backdating application, or another reason, the JSA section should consider making interim payments.

No labour market decision made

68. The BPO can record the decision in dialogue JA070: Backdated Claim Details whether or not the Labour Market (LM) decision has been made.

69. When the backdated claim is for an ex-Incapacity Benefit claimant:

Step	Action
1	<p>the jobcentre:</p> <ul style="list-style-type: none"> • decides if the claimant is, or can be treated as available, for the day the claim is made; and • passes the backdating form JSA5 with form JSA1 to the benefit processing team clearly marked ex-Incapacity Benefit/ESA and period in doubt from xx to xx;
2	<p>the benefit processing team make a decision on the backdating request taking into account whether:</p> <ul style="list-style-type: none"> • the claimant contacted the jobcentre; • it was reasonable to do so; or • the claimant had other good reasons for a delay in making contact.

70. The BPO must fax a copy of their decision to the Sector Decision Maker (SDM) immediately.

71. When the SDM decision is returned to the Personal Advisor they update the labour market system and record the decision in dialogue JA070: Backdated Claim Details.

72. JSAPS sets case control S172 to prompt the BPO to record their decision on the whole claim.
73. The BPO can record a claim in dialogue JA091: Maintain Claim Details before the LM decision is made but JSAPS will prevent the user changing the Evidence Complete field until both decisions are recorded.

Labour Market decision made

74. If the Labour Market decision has been made the BPO records their decision in dialogue JA070: Backdated Claim Details. The JSA claim can now be processed.
75. The Jobcentre must be notified of the decision, so that LMS can be updated.

Backdating decision for an ex-Incapacity Benefit/ESA claimant

76. The action to take when processing a backdated claim from an ex-Incapacity Benefit/ESA claimant is different when:
- the ESA to JSA Transitions process applies;
 - backdating is allowed;
 - backdating is not appropriate.
77. If the ESA to JSA Transitions process applies, backdating information will be collected as part of the CMS gather.

Backdating is allowed for an ex-Incapacity Benefit/ESA claimant

78. If the benefit processing Decision Maker (DM) allows the period of backdating for an ex-Incapacity Benefit/ESA claimant, the Personal Advisor must update dialogue JA070: Backdated Claim Details immediately and should confirm with the Benefit Processing Officer (BPO) that their action is complete.
79. A claimant is due a credit for any complete week within an allowed period.
80. If there is a part week at the beginning of the period, JSA staff are responsible for awarding mixed credits if appropriate.

Backdating is not appropriate for an ex-Incapacity Benefit/ESA claimant

81. When the Personal Advisor submits a JSA5 for an ex-Incapacity Benefit or ex-ESA claimant who is not/cannot be treated as available from the date of claim they may not be able to update dialogue JA070: Backdated Claim Details immediately as the Sector Decision Maker's (SDM) decision is awaited.
82. If the benefit processing DM does not allow the period of backdating they must still make a decision on reasonableness.
83. This decision must be sent urgently to the SDM considering the availability or actively seeking employment doubt, making it clear that this decision relates to an Ex-Incapacity Benefit/ESA claimant.
84. If a backdated period is disallowed by the benefit processing DM, but is subsequently allowed by the SDM because the claimant is able to prove their availability and actively seeking employment, the DM must consider the award of credits.
85. If the SDM cannot allow the period because the claimant cannot prove availability and actively seeking employment, a credit is not due because the claimant cannot be deemed available and actively seeking employment.

Withdrawal of a backdated claim

86. A claimant who has made a backdated claim may withdraw it at any time before a decision has been made. The request should be made in writing.
87. The decision may be made by a Personal Adviser, DMA Sector Office or a benefit processing Decision Maker.
88. To withdraw a backdated claim:

Step	Action
1	access the BACKDATED CLAIM DETAILS screen JA070071 in dialogue JA070: Backdate Claim Details;
2	input [Y] in the Backdated Claim Withdrawn? Field. There is no need to input any from and to dates;
3	press [END] to save the information.

Belated application for credits

89. An application for credits must always be considered when an application for backdating is made. However, the claimant may ask for backdating of credits of National Insurance contributions only. These decisions are made by the Benefit Processing Officer (BPO).
90. National Insurance contributions can be allowed even if a JSA backdating application is refused.
91. This is because the rules for awarding the National Insurance contributions differ from those for awarding JSA.
92. There is no statutory time limit for a belated application for credits.
93. A person does not have to be a current claimant to make a belated application for credits.
94. The award of belated credits does not form jobseeking periods (JSPs). If a JSP has already been established, the first effective day (FED) of the JSP is not affected by the award of belated credits.
95. There is no JSAPS support for processing belated application for credits, so the action to take is clerical.
96. Notify the National Insurance and PAYE System (NPS) of the NI credits awarded using eNIRS or CA5481 as appropriate

Belated application for credits received

97. When the jobcentre sends a belated application for credits, ensure that:
- throughout the period the jobcentre is satisfied the claimant satisfied the labour market conditions; and
 - the claimant satisfied all other entitlement conditions.
98. Action for belated application for credits depends on whether the:
- claimant satisfies the Labour Market conditions;
 - claimant does not satisfy the Labour Market conditions.

Labour Market conditions satisfied

99. If the Personal Advisor decides the claimant satisfied the labour market (LM) conditions during the period for which they are applying for credits, the

decision is noted on form JSA5. The JSA1 or JSA NC1 and form JSA5 are passed to Benefit Processing Officer to award credits.

100. The Benefit Decision Maker can accept a late application for credits, if the claimant:
- would have been entitled to credits if they had applied at the relevant time;
 - can show that they were available for and actively seeking work throughout the period; and
 - satisfied certain other conditions if the period they are applying for is before 6th April 1975.
101. The Benefit Processing Officer must the National Insurance and PAYE system of the awarded NI credits using eNIRS, CF201 or CA5481 as appropriate

Labour Market conditions not satisfied

102. If the Back To Work Team has doubts about whether the claimant satisfies the Labour Market conditions during the period they are applying for credits, they must request further information from the claimant.
103. If the claimant supplies evidence which is still unsatisfactory, the Personal Advisor:
- completes the reverse of Form JSA5;
 - asks the Sector Decision Maker (SDM) office for an opinion on the labour market entitlement; and
 - passes the completed JSA5, SDM office opinion JSA1/JSA4 (Rapid Reclaim), or JSA NC1 to the benefit processing section for assessment of an award of credits.

Backdating a joint claim

104. A backdated claim for a joint claim couple can only be input if the dates for which the couple request backdating are the same.
105. Input the following individual decisions for each member of the joint claim couple, even if the dates of the decisions are not the same:
- labour market;
 - benefit entitlement good cause;
 - national insurance credits.
106. Once labour market and good cause decisions have been recorded for both members of a joint claim, a notional start date for the joint claim will be set.
107. The system start date will always be the Treat As Made (TAM) date of the claim.
108. In the case of a backdated claim only, the notional date will be automatically calculated by JSAPS.
109. When considering a backdated claim for a joint claim, check that joint claim criteria applied throughout the backdated period.
110. Always make individual entries to dialogue JA070: Backdated Claim Details to record the labour market, Benefit Processing Officer's and credit decisions, for each claimant.

111. It is only possible to record a backdated claim period for a joint claim as part of the new claim process if neither claimant has a current claim, that is, the claim is recorded by JSAPS as an event type 14 in the REGISTER JOINT CLAIM screen JA060171 of dialogue JA060: Register Claim/Event.
112. Current validation on JSAPS will prevent the registration of a clerical backdated event if there is not a previous claim on JSAPS. Action when the backdated dates are the same
113. Where both members of a joint claim request that their claim is backdated for the same period:

Step	Action
1	register the claim as a joint claim in dialogue JA050: Maintain Joint Claim;
2	register the claim in dialogue JA060: Register Claim/Event and input [Y] in backdated claim;
3	record the backdated claim dates in dialogue JA070: Backdated Claim Details;
4	record individual labour market decisions for the backdated period if possible.

114. When a claim is received with a request for backdating for the same period from a joint claim couple take the following action:

Step	Action
1	obtain a decision for each claimant on "Reasonableness" from the benefit decision maker for the backdated period and the award of credits for the period;
2	record the benefit and credit decisions individually in the BACKDATED CLAIM DETAILS screen JA070071 of dialogue JA070: Backdated Claim Details;
3	complete the assessment of the claim as normal.

Action if one member requests backdating

115. In the following circumstances, do not input any evidence on the single claim for any period after the date from which the couple wish to make a joint claim.
116. This is to allow the correct start date of the joint claim to be recorded.
117. If only one member of the joint claim couple wishes to backdate their claim take the following action:

Step	Action
1	check the available details to decide whether the period in question is for one claimant or if a claimant and partner claim is appropriate;
2	complete the assessment of the single or claimant/partner claim. This will include obtaining decisions on the backdated period. If necessary record the income and capital of the claimant who is not backdating their claim on the single claim;
3	register the joint claim from the earliest date from which both

	claimants wish to claim.
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118. Notify the Back to Work Team immediately as they will need to record evidence in dialogue JA470: Attendance for any period after the joint claim start date.

Action when both members request backdating but the dates are different

119. Where a claim is received from a potential joint claim couple but the dates for which they wish to backdate their claims are not the same, take the following action:

Step	Action
1	check the available details to determine the earliest date from which joint claim criteria may apply;
2	if a joint claim is appropriate for any of the backdated period register the joint claim from the Treat As Made date. Record a backdated claim for the period that is common. Record the individual decisions for reasonableness and credits;
3	access dialogue JA091: Maintain Claim Details and input all details relevant to each claimant. On the BENEFIT LINKING DETAILS screen JA091022 input the dates of the earlier allowed backdated period for the correct claimant as type 05 complete the award mixed credit? field as appropriate.

120. In any situation where claimants have requested backdating from the same date but the decisions on any aspect of the labour market or good cause decisions mean that the individuals have their claims disallowed for the different periods, then the notification issued by JSAPS will be inaccurate.

121. Any payments and award of credits will be accurate as will be any information held on JSAPS.

122. Where the decisions about a request for backdating result in the dates from which the labour market and reasonableness decisions differ, DLJA103 must be sent for each claimant giving the dates from which the claim for that claimant has been allowed.

Action when a request for backdating is made and one claimant has a current claim

123. If a request to backdate a claim is received from one member of a joint claim and the other member of the couple has an existing live claim take the following action:

Step	Action
1	register the joint claim as normal;
2	check the labour market and reasonableness decisions on the requested period of backdating;
3	record a change of circumstances event type 18 in the REGISTER CLAIM/EVENT screen JA060062 in dialogue JA060: Register Claim/Event;

4	access dialogue JA091: Maintain Claim Details and on the BENEFIT LINKING DETAILS screen JA091022 input the dates of the allowed backdated period for the correct claimant as type 05. Complete the award mixed credit? field as appropriate. Complete the change of circumstances event as normal.
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Action when one claimant requests backdating, after a backdating decision has already been made for the other member.

124. If one member of a joint claim couple has requested a period of backdating and the other member did not submit a backdated claim at the outset of the claim, but later wishes to do so, take the following action.

Step	Action
1	record a change of circumstances, event type 02, sub event type 18 in the REGISTER CLAIM/EVENT screen JA060062 in dialogue JA060. Register Claim/Event;
2	access dialogue JA091:Maintain Claim Details and on the BENEFIT LINKING DETAILS screen JA091022 input the dates of the allowed backdated period for the correct member as type 05. complete the award mixed credit field as appropriate. Complete the change of circumstances event as normal.
3	pay any arrears of benefit due for the period before the joint claim via dialogue JA490 Clerical Computation of Payment . This will be using screen JA490491 CLERICAL COMPUTATION OF PAYMENT. Input payment type 1 and component 22, issue payment.
4	adjust Taxable Benefit and Total Benefit fields in JA100 Taxation dialogue.

125. Notify the National Insurance and PAYE System of the awarded credits using, eNIRS, CF201 or CA5481 as appropriate.

126. Issue DLJA103 to claimant explaining the decision for the backdated period

Backdating claim after failing to attend a New Jobseeker Interview

127. If the claimant reclaims after failing to attend their New Jobseeker Interview (NJI) or New Jobseeker Interview Rapid Reclaim (NJI (RR)), jobcentre staff are responsible for deciding whether the Treat as Made (TAM) date needs to be changed.

128. The Labour Market decision is based on whether the claimant had a good cause for not attending the original NJI or NJI (RR).

129. If the jobcentre accepts good cause, the original TAM date will stand.

130. If the jobcentre do not accept good cause and the claimant still wants to claim from their original date of contact, they must make a claim for backdating.

131. A Benefit Processing Decision Maker then decides good cause in the same way as claimants who want their claims backdating prior to first contact.

Backdating when claimant transferred from another office

132. If a claimant transfers from one jobcentre to another, they should attend the new jobcentre on, or before, the day they were due to attend the old office.
133. If they attend on the correct date their claim to JSA is taken as normal.
134. If the claimant attends the new office after the day on which they were due to attend the old office and there are no doubts about the claimant's availability for work, the jobcentre refer the backdated claim to the processing section to consider if the claimant had good cause for attending late.

An existing claim is held on JSAPS

135. When the Labour Market decision is made further action depends on whether backdating has been allowed
136. If backdating is **not** allowed by both:
- Labour Market Conditions not being satisfied, and
 - the time for claiming cannot be extended
- For any period whether it is
- the whole period applied for
 - any part of the period applied for
- the claimant must be notified that backdating for that period has been disallowed
137. Record the decision clerically and issue on DLJA103 telling the claimant the period of the application that has been disallowed
138. Note that Belated Application for Credits must always be considered
139. If backdating is allowed for:
- the whole period applied for, or
 - any part of the period applied for by both
 - Labour market conditions being satisfied, and
 - the time for claiming has been extended then JSA can be paid for that period
140. The allowed period of backdating must be recorded on JSAPS to allow taxable allowance, linking and cumulative totals to be calculated correctly
141. To record the claim

Step	Action
1	clerically calculate any payment due
2	issue any payment due to the claimant. Dialogue JA490 Clerical Computation of payment can be used to issue payment
3	register a backdated claim event in dialogue JA060 Register Claim/Event – event Type 10, event sub type blank
4	input the start and end dates of the allowed backdating period in dialogue JA070 Backdated claim detail
5	register a change of circumstances event in dialogue JA060 Register claim/Event - event type 02, and sub event for changes to linking – sub event type 16
6	input the allowed backdating period as a linking clerical claim in JA091022 Benefit Linking Details screen. Record the following

	<p>information</p> <p>Effective Linking Y</p> <p>JSA(C) Linking Type 05</p> <p>JSP/PIW Date Input the JSP start date – note this may link back to a previous claim</p> <p>LED Last effective day of allowed backdating period</p> <p>Award Mixed Credit Y</p> <p>Cum Tots input the number of days backdating is allowed for</p> <p>Waiting Days Served input the number of waiting days served</p> <p>JSA(IB)/IS Linking type 06 only complete this field if JSA(IB) is paid for the backdating period</p> <p>Claim Paid to Date date JSA(IB) paid for backdated period</p> <p>Is HED appropriate Y or N as appropriate</p>
7	recalculate and input any CMB opening position from the new claim start date
8	Return to JA091002 Claim Details Picklist, input Y in Evidence Complete fields. Press F1.
9	adjust Taxable Benefit and Total Benefit fields in dialogue JA100 Taxation Details by adding the amount of taxable benefit paid for the backdated period. If the tax year record is closed access to this field will be denied. In these cases take clerical action to adjust Total and taxable benefit see Taxation Guide.
10	record the amount and details of the payment in dialogue JA110 Maintain Notepad. This step is NOT necessary if JA490 Clerical Computation of Payment is used to issue the payment. Payment details will display in JA502 Payment Enquiry screen.
11	Complete CF201(JSA) or CA5481 or input any credits due to eNIRS as appropriate
12	Issue draft letter DLJA/103 to the claimant to inform them of the decision

JSA Claims where the previous claim was closed as Failed to Attend/failed to provide a signed declaration

Background

142. A Commissioners Decision in 2004 clarified the position for claimants who fail to attend the fortnightly jobsearch review/provide a signed declaration (FTPaSD) and whose claim is closed because they do not make contact within 5 working days.
143. Many of these claimants will make a new claim following such a claim closure and will be eligible to make a Rapid Reclaim.
144. Many claimants in these circumstances request a Crisis Loan which may not be necessary because the Commissioner concluded that the decision to close the claim could be reconsidered.
145. For details of the Jobcentre Action see the Labour Market Conditions Guide.

Male Claimant or male partner approaching Pension Credit age (PCa) date – Consider entitlement to Pension Credit

146. Everyone who has reached Pension Credit age (PCa) date, or are within four months of it can apply for Pension Credit.

PCa is the same for both men and women. Between 2010 and 2020 the minimum age from which a person can claim Pension Credit will increase in stages for **both** men and women in line with changes to women's State Pension age. To calculate relevant date, based on the State Pension age for women see: State Pension Age Calculator.

147. Male claimants/ partners approaching PCa are offered a better off calculation to help them decide whether to claim Pension Credit or remain on JSA.

148. For further information about the identification of these claimants see the JSA New Jobseeker Interviews guidance.

149. For instructions on the termination action required when Pension Credit is claimed, and for the action required for clerical cases, see the Changes to income, benefits and capital section of this guide.

Gender Change

150. Any enquiries from claimants who have undergone a Gender change and may now qualify for Pension Credit must be referred to Pension Credit. If Pension Credit is awarded, PC will liaise with JSA to offset any JSA paid against the PC due. See the Gender Recognition guidance for further information.

Automatic Credits and Automatic Jobseeking Periods

151. For this category of claimant, also see instructions on the Conditions of entitlement for Automatic Jobseeking Periods and the issue of form CR8 for auto credits.

Conditions of entitlement for Automatic Jobseeking Periods / Automatic Credits

152. An Automatic Jobseeking Period (Auto JSP) is a Jobseeking Period (JSP), which includes a period of claim to JSA, during or after the tax year containing date that the male claimant reaches Pension Credit age. An Auto JSP can continue automatically without the claimant having to attend the office.

153. The claimant must not be receiving JSA(C) due to:

- entitlement to JSA(C) having ended;
- the contribution conditions not being satisfying;
- pension payments extinguishing the claimant's entitlement.

154. An Auto JSP continues until the claimant:

- reaches State Pension age (SPa); or
- works for more than 12 consecutive weeks.

155. Form CR8 must be issued to the claimant.

Note: See Automatic Credits for further information.

See also Male Claimant or male partner approaching Pension Credit age (PCa).

Check for an Automatic Jobseeking Period

156. When a JSA claim is received from a male claimant who is Pension Credit age (PCa) or over, check whether they were previously in an Automatic Jobseeking Period (Auto JSP) and still satisfy the entitlement conditions for an Automatic Jobseeking Period.

Note: PCa is the same for both men and women. Between 2010 and 2020 the minimum age from which a person can claim Pension Credit will increase in stages for **both** men and women in line with changes to women's State Pension age. To calculate relevant date, based on the State Pension age for women see: State Pension Age Calculator.

157. To find out whether the claimant was previously in an Auto JSP, check:

- form CR8 supplied by the claimant to see when they went into an Auto JSP;
- by looking at the claimant's JSA file; or
- form RD26 from eNIRS2 showing:
 - 'automatic jobseeking period';
 - a 'from' date; and
 - an office code number indicating which JSA Section started the claimant in their Auto JSP.

158. If the claimant was not previously in an Auto JSP start preparations for an Automatic Jobseeking Period.

Start preparations for an Automatic Jobseeking Period

159. Start action to consider an Automatic Jobseeking Period (Auto JSP) well before the claimant reaches Pension Credit age (PCa).

160. If a claimant makes a new claim in the year before they reach PCa, check whether they qualify for JSA (C) and take the following action if:

- the claimant qualifies for JSA (C);
- the claimant does not qualify for JSA(Cont).

Claimant receives JSA (C)

161. If the claimant receives JSA (C):

Step	Action
1	check when their JSA (C) will exhaust;
2	if the claimant's JSA (C) will exhaust before they reach Pension Credit age (PCa), take the same action as for a claimant who does not receive JSA (C);
3	if the claimant's JSA (C) will not exhaust before they reach PCa, action is as below; <ul style="list-style-type: none">• for system maintained claims:<ul style="list-style-type: none">• access dialogue JA530: Case Controls and set a user case control for 2 weeks before the claimant's JSA (C) is due to exhaust to tell the claimant about Automatic Jobseeking Periods and issue CR8. <p>(Note: The date that the current JSP began should be recorded in the box at the bottom of the CR8 prior to</p>

	issue);
4	for clerically maintained claims: <ul style="list-style-type: none"> • BF for 2 weeks before the claimant's JSA(C) exhausts to tell the claimant about Auto JSP and issue CR8. (Note: The date that the current JSP began should be recorded in the box at the bottom of the CR8 prior to issue).

Claimant does not receive JSA (C)

162. If the male claimant will not receive JSA (C):

- for JSAPS maintained claims;
 - access dialogue JA530: Case Controls and set a case control for 2 weeks before the claimant reaches Pension Credit age (PCa) to tell the claimant about Auto JSPs and issue CR8;
- for clerically maintained claims;
 - BF for 2 weeks before the claimant reaches PCa to tell the claimant about Auto JSPs and issue CR8.

(Note: The date that the current JSP began should be recorded in the box at the bottom of the CR8 prior to issue).

Claimant worked for more than 12 consecutive weeks in an Automatic Jobseeking Period

163. Take the following action:

Step	Action
1	check if their Automatic Jobseeking Periods (Auto JSP) have been broken by a period of work of more than 12 consecutive weeks. If the claimant was entitled to Statutory Sick Pay at any time during the period of work, treat them as days worked;
2	ask the claimant if they have done any other work, not shown on their claim form, since their previous claim;
3	record details of any work the claimant has done on form JSA589;
4	if it is clear from the evidence the claimant provides that their work was for 12 weeks or less: <ul style="list-style-type: none"> • tell them that they do not need to make a new claim as their Auto JSP continues; • ask the claimant whether they want to; <ul style="list-style-type: none"> • continue attending and satisfying the labour market conditions; or • claim Pension Credit instead;
5	if any period of work lasted more than 12 consecutive weeks, the Auto JSP is broken by the first period of work lasting more than 12 weeks. Action when: <ul style="list-style-type: none"> • the Automatic JSP is broken; • there is doubt if Automatic JSP is broken.

164. If the claimant works for more than 12 consecutive weeks, the Automatic Jobseeking Period (Auto JSP) stops, however low the number of hours worked.
165. If the claimant worked more than 12 weeks, the Auto JSP is broken from the beginning of the period of work.
166. In these circumstances, a new Auto JSP can only start if:
- the claimant makes a claim for, and receives, JSA again; and
 - JSA (C) is not payable.

Doubt about if Automatic Jobseeking Period is broken

167. If there is doubt about if the claimant's Auto JSP is broken:

Step	Action
1	take full new claim action: for system maintained claims: <ul style="list-style-type: none"> • input the claim on JSAPS; for clerically maintained claims: <ul style="list-style-type: none"> • assess the claimant's JSA;
2	for system maintained claims: <ul style="list-style-type: none"> • JSAPS will establish the new first effective day; for clerically maintained claims: <ul style="list-style-type: none"> • calculate new first effective day;
3	do not send form BF1001 to NIRS2 until form RD26 is received and it is certain that the claimant's Automatic JSP is broken.

Automatic Jobseeking Period is broken

168. Form CR8 tells the claimant to claim JSA if they work for more than 12 consecutive weeks and then become unemployed again.
169. This is because:
- a period of more than 12 weeks employment breaks the claimant's Auto JSP from the beginning of the period of employment; and
 - the claimant may become entitled to JSA (C) with a new Jobseeking Period.
170. If the claimant's Auto JSP is broken:

Step	Action
1	take full new claim action: for system maintained claims: <ul style="list-style-type: none"> • and input the claim on JSAPS; for clerically maintained claims: <ul style="list-style-type: none"> • assess the claimant's JSA;
2	for system maintained claims: <ul style="list-style-type: none"> • JSAPS will establish the new first effective day; for clerically maintained claims: <ul style="list-style-type: none"> • calculate new first effective day;
3	complete form BF1001 to show at box 8 the termination date of the claimant's previous Automatic JSP, the day before the date

	the claimant started the period of more than 12 weeks work;
4	send form BF1001 to NIRS2.

Linking

171. JSA is termed a linking benefit, because Jobseeking Periods (JSPs) can link together and can be linked by other benefits where there is a gap of twelve weeks or less.

Note: The gap must be no more than 84 consecutive days. When calculating the gap, the last day of the old claim/ JSP and the first day of the new JSP are not included.

172. The term linking is used to describe the:

- joining of JSPs; and
- process by which JSPs link to other benefits.

173. Members of a joint claim have individual JSPs and individual linking.

Linking previous JSA claims

174. When registering a claim for JSA, consider whether the claimant has made a previous claim to JSA that links.

Factors involved in linking

175. The main points to consider in a linking claim for JSA are:

- jobseeking periods (JSPs);
- linked periods;
- waiting days;
- linking periods; and
- relevant income tax years (RITYs).

Jobseeking Periods

176. When a claimant makes a claim to JSA, the period of the effective claim is known as the Jobseeking Period (JSP).

177. A JSP is defined as any period of one or more days, known as effective days, when the claimant satisfies or is treated as satisfying the entitlement conditions for JSA. The entitlement conditions are that the claimant:

- actively seeks employment;
- is available for work;
- capable of work;
- enters into a Jobseeker's Agreement which remains in force;
- is under State Pension age (SPa);
- is not in:
 - remunerative work, that is, 16 hours per week or more;
 - relevant education;
- is in Great Britain.

178. The 'start' of the JSP' is not necessarily the start date of the current claim, as there may be a linking period which affects this date.

Effect of sanctions and disallowances on Jobseeking Periods

179. A period that has a sanction in force, will:

- form part of a JSP;

- count towards the maximum entitlement of 182 days of JSA (C).
180. A period of disallowance can form part of a JSP if hardship has been awarded.

Linked Periods

181. A linked period is a period where a claimant formerly claimed and met the conditions for certain benefits. (This information is available via eNIRS2 or on form RD45 from NIRS2).
182. Linked periods are any period when the claimant is:
- entitled to Carers Allowance (CA); or
 - incapable of work or is treated as incapable of work; or
 - has LCW or is treated as having LCW; or
 - applicable to the welfare to work 52 week linking rule for partners; or
 - entitled to Maternity Allowance; or
 - doing training and a training allowance is payable;
 - in employment or waged option in a New Deal Pathfinder Area;
 - required for Jury Service;
 - not paid JSA but still counts as a linked period.
183. A period of CA can only act as a linked period for JSA to enable the claimant to satisfy the contribution conditions for JSA (C) and for no other purpose.
184. To obtain confirmation of the dates that the claimant was getting CA, send the request form D751ADP or JSA751 to: Carers Allowance Unit.

Carers Allowance acting as a linked period

185. If a claimant had been awarded Carers Allowance (CA), decide entitlement to JSA (C) as follows:
- by using the Relevant Income Tax Years (RITYs) appropriate to:
 - the start of the relevant Jobseeking Periods;
 - the beginning of any earlier linked period; or
 - if the claimant does not qualify as above, take into account the two RITYs relevant to the start of the award of CA; and
 - issue form JSA751 to the Carers Allowance unit to request details of periods spent on CA.
186. If the last effective date of the CA claim is within 12 weeks of the JSA claim start date, then the claims link and the RITYs used will be the same.
187. When JSAPS identifies any previous periods spent on CA, JSAPS sets a case control that appears on a Work Available Report JA72539 prompting a check of previous CA linking details.

Periods of Incapacity for Work

188. Periods of Incapacity for Work (PIWs) can act as a link between Jobseeking periods (JSPs).
189. If a claimant has a previous claim to Employment Support Allowance (ESA) Incapacity Benefit (IB) or Severe Disablement Allowance (SDA) which links back to another JSP, the two JSPs are treated as one JSP. This is

because the ESA/IB/SDA claim acts as a linked period for the two claims to JSA.

Limited Capability for Work

190. Limited Capability for Work (LCW) means that the claimant's capability for work is limited by their physical or mental condition, and work is limited by their health condition.

191. Periods of LCW can act as a link between Jobseeking periods (JSPs).

ESA claimant Appealing against failing PCA

192. A claimant who appeals against failing the PCA can choose to remain on ESA, paid at a reduced rate rather than claim JSA. If the claimant subsequently loses their appeal, the time spent on ESA during the appeal period is treated as a linked period for JSA purposes.

Employment or waged option in a New Deal Pathfinder area

193. Claimants on New Deal or in an employment zone may also form linked periods if they meet the normal 12 week linking rule.

See, Decision Maker's Guide, Volume 4, Chapter 21 JSA labour market questions

Claimant starts an employment or waged option in a New Deal Pathfinder Area

194. If a claimant starts an Employment or waged option in a New Deal Pathfinder area, that is, before 6 April 1998 there are two linking scenarios that may arise.

195. These are when the participant started an employment or waged option on New Deal prior to 6 April 1998, leaves after 6 April 1998 and returns to JSA:

- within 12 weeks of the option ending; or
- not within 12 weeks of the option ending.

196. In either scenario, as the participant joined the option prior to JSAPS release 3.5, this will not automatically identify them because the New Deal termination codes were not available, but as they have left after 6 April 1998 the special linking functionality will be available.

197. When the participant returns to JSA, the New Deal officer annotates the period of the option in the official use box on claim form JSA1 and sends it to the Benefit Processing Section along with a copy of the leave notification form.

198. If the leave notification form is not immediately available, they will forward it as soon as possible.

199. On receipt of claim form JSA1, and if available, the leave notification form, assess the claim as normal and input the period of the option as a linking period on the BENEFIT LINKING DETAILS JA091022 in dialogue JA091: Maintain Claim Details, using code 10.

200. If the participant returns to JSA within 12 weeks of the option ending, that is, the claim links, and has mortgage interest qualifying dates recorded on their previous JSA claim; input the existing qualifying dates on the HOME LOAN DETAILS JA091017 screen;

201. in dialogue JA091: Maintain Claim Details using code 10.

Linking for partners to whom the Welfare to Work rules apply

202. As an incentive, from 5 October 1998 the period of linking was extended to 52 weeks for people who leave the following benefits to start work or to undertake Work Based Training for Adults (WBTA):

- Incapacity Benefit (IB);
- Severe Disability Allowance (SDA); or
- “credits only” due to incapacity.

203. If the claimant’s partner takes advantage of this incentive to return to work, the:

- IB claimant is given form BF220B at the end of their claim which states that they are entitled to retain 52 week linking; and
- claimant may lose entitlement to JSA (IB) and:
 - claim credits only; or
 - stop claiming JSA.

204. If the claimant subsequently makes a further claim or requests a review because the partner is no longer working, check form JSA1 or JSA3 carefully to verify whether extended linking applies. This is because the claimant may become immediately entitled to:

- housing costs; and/or
- the Disability or Higher Pensioner Premium.

205. If a JSA claim is received and qualifies for the extended linking rules:

Step	Action
1	access dialogue JA091: Maintain Claim Details, BENEFIT LINKING DETAILS JA091022 and input details of the partner’s previous claim;
2	<ul style="list-style-type: none">• access HOME LOAN DETAILS screen JA091017; and overwrite the 50% AND 100% qualifying date fields with the appropriate dates. Repeat for further loans if necessary;
3	access OTHER benefits screen JA091020, and input details of other benefits as appropriate to ensure JSAPS correctly pays any premiums due.

Maternity Allowance acting as a linked period

206. Maternity Allowance (MA) can act as a link between Jobseeking Periods (JSPs).

207. The period the claimant was awarded MA for can link to a new JSP if a claim to JSA is made within 12 weeks after the MA ceases.

Approved Training acting as a linked period

208. A period of Approved Training can act as a linked period if there is a gap of no more than 12 weeks between the end of the Approved Training and the Jobseeking Period.

RD45s from NIRS2

209. NIRS2 only sends form RD45 when the previous claim was Unemployment Benefit (UB).

210. If form RD45 is received:
- check that form RD45 relates to a previous UB claim;
 - forward form RD45 to the office that last held the claim.
211. When jobcentres get the form, they will send any linking details or claim papers they still hold relating to payment of benefit.
212. If form RD45 is received for a claim and the previous claim was for JSA, raise an incident via the Dialogue Expert.

Jury Service

213. If a claimant has been on jury service, two Jobseeking Periods (JSP) can be treated as one JSP providing the jury service:
- immediately followed the last claim; and
 - immediately preceded the new claim to benefit.
214. To verify a period of jury service, ask the claimant to provide a certificate of loss of earnings/National Insurance benefits.

JSA not payable but still counts as a linked period

215. Days when JSA (C) has been claimed but not paid, can count towards linking if the only reason(s) for non payment is that the claimant:
- does not satisfy the contribution conditions;
 - is currently getting a hardship payment;
 - exhausted their entitlement to JSA (C);
 - did not get JSA (C) because it had been extinguished by an occupational or personal pension(s);
 - has not served their waiting days.

Waiting days

216. The first three effective days at the start of a Jobseeking Period (JSP) or Period of Incapacity for Work are waiting days. A claimant is not entitled to get JSA whilst serving the three waiting days. One of the purposes of linking is to avoid the need for claimants to serve three waiting days when there are short breaks between claims to JSA.
217. The following conditions apply to waiting days:
- if a JSA claim links to a previous JSA claim, waiting days are not served again;
 - if a JSP is less than three days, the number of effective days of the JSP will be treated as waiting days and the balance may be served in the next linking JSA claim.
218. Entitlement to Housing Benefit/Council Tax Benefit is retained during the waiting days when entitlement to JSA (IB) is awarded immediately after the three waiting days.

Exceptions to serving waiting days

219. Claimants do not have to serve waiting days if:
- their entitlement to JSA begins within 12 weeks of the end of their entitlement to:
 - Income Support (IS); or
 - Incapacity Benefit/Severe Disablement Allowance; or

- Employment Support Allowance (ESA);or
- Carer's Allowance; or
- JSA as a joint claim couple;
- they are 16 or 17 years old and are only entitled to JSA because of severe hardship;
- they are a non-claimant;
- the nominated member of a joint claim couple is currently getting a training allowance; or
- they claim JSA; and
 - the claimant or their partner has an existing award of IS or JSA; and
 - the Decision Maker (DM) ends that award on the day immediately before the new claim takes effect;
- they make a joint-claim for JSA, and they or their partner has had an entitlement to another benefit in the last 12 weeks: JSA, IS, ESA, IB or CA.

Linking periods

220. Two or more Jobseeking Periods (JSP) can be treated as one JSP when they are separated by a period comprising of:

- 12 weeks or less;
- a Linked Period;
- any period of no more than 12 weeks falling between:
 - two linked periods; or
 - a JSP and a linked period;
- a period where the claimant is on jury service.

This is known as the linking rule.

221. The linking rule mainly affects JSA (C), but applies to JSA (IB) for the application of waiting days and housing costs.

222. JSPs and linked periods help identify:

- which Relevant Income Tax Years (RITYs) apply to the JSA claim as linking rules may mean a JSA (C) claim is based on contributions that were paid some years before;
- whether any waiting days need to be served on a new or repeat claim.

Linking action for JSA (C) claims

223. When all the linking information is received:

Step	Action
1	access dialogue JA091: Maintain Claim Details and on the CLAIM DETAILS PICKLIST screen JA091002 select the appropriate screens by inputting [Y] in the appropriate fields: <ul style="list-style-type: none"> • BENEFIT LINKING DETAILS JA091022, having identified and verified linking details, such as; <ul style="list-style-type: none"> • jury service; • Maternity Allowance, NIRS2 notifies the paying office to forward the details; • periods of Incapacity for Work (PIW), NIRS2 notifies the

	<p>paying office to forward the details;</p> <ul style="list-style-type: none"> • Carers Allowance; • Unemployment Benefit; • JSA (C) clerically maintained claims; • JA091010: SPECIAL CREDITS, if the claimant has attended approved training that JSAPS does not know of;
2	<p>for system maintained claims:</p> <ul style="list-style-type: none"> • on the BENEFIT LINKING DETAILS JA091022 screen, complete the appropriate fields inputting the relevant codes from the current JSA Desk aid; • JSP/PIW Date, input the start dates of the above periods; • last effective date, input the end dates of the above periods; <p>for clerically maintained claims:</p> <ul style="list-style-type: none"> • if the claimant claimed elsewhere send form A51, Request for claim transfer, to the claimant's previous office, in order to obtain the claimant's previous claim details;
3	input any periods of approved training unknown by JSAPS on the SPECIAL CREDITS screen JA091010.

Linking action for JSA (IB) claims

224. When all the linking information is received:

Step	Action
1	if the claimant claimed they or their partner received Income Support (IS), or JSAPS indicates they received IS, use the Income Support Computer System enquiry dialogues to obtain the period and details of the claim;
2	if there is any entitlement to mortgage interest assistance, either through the claimant or their partner, clerically calculate the entitlement;
3	<p>for system maintained claims:</p> <ul style="list-style-type: none"> • access dialogue JA091: Maintain Claim Details and on the BENEFIT LINKING DETAILS JA091022, complete the appropriate fields inputting the relevant codes from the current JSA Desk aid; <p>for clerically maintained claims:</p> <ul style="list-style-type: none"> • if the claimant claimed elsewhere send form A51, Request for claim transfer, to the claimant's previous office, in order to obtain the claimant's previous claim details;
4	input any periods of approved training, unknown by JSAPS on the SPECIAL CREDITS screen JA091010;
5	access dialogue JA301: Maintain Mortgage Direct, to input any mortgage interest entitlement due to the claimant or their partner.

Employment Support Allowance Linking

225. ESA claims link to JSA claims if there is a gap of no more than 12 weeks the Last Effective Day (LED) of the ESA claim of the First Effective Day (FED) of the JSA claim.

226. If the ESA claim was processed on JSAPS then JSAPS will hold the linking information.

227. A warning message, **W3479 Warning: Input Linking Details for ESA**, will display in dialogue JA060062 'Register Claim/Event', prompting the processor to input benefit linking details.

ESA Claim links to JSA Claim.

228. If the ESA (C) claim links to the JSA claim, ESA details will automatically display in dialogue JA091 BENEFIT LINKING DETAILS JA091022 screen.

229. Take the following action;

Step	Action
1	The effective linking JSA (C) field is 'Y' and protected
2	JSA (C) 'Linking Type' is ESA and protected.
3	'Period FED' and 'Period LED' is unprotected, ESA linking dates should be entered.
4	The Job Seeking Period (JSP) date is the Limited Capability for work (LCW) date of the ESA claim and waiting days served is 3
5	Input [Y] in the award mixed credit field if the LED of the ESA claim is the day before the FED of the JSA claim. Input [N] if there is a gap.

230. Where the Claimant or Partner also had a claim to ESA(IR), take the following action;

Step	Action
1	Input [Y] in the 'Effective Linking' field
2	Input code 14 for the Claimant and/or 54 for the partner in the JSA (IB) field.
3	Type 14/54 will decode as ESA

Note: If the JSA claim does not link to the ESA claim then no ESA claim details will display.

231. Where a prior claim for ESA (C) exists but the ESA claim was not processed on JSAPS a warning message will display, **W3479 Warning; Input Linking details for ESA**.

232. Contact the ESA office responsible for paying the ESA claim, as shown in Claimant information system (CIS) and once details are obtained for the ESA claim take the following action;

Step	Action
1	Access JA091022 'Benefit Linking Details'
2	Input [Y] in 'Effective Linking JSA (C) field
3	Input 13 in JSA (C) Linking Type field. Type 13 will decode to ESA (C)
4	Input the FED of the ESA claim in 'period FED' field
5	' E7202 Error: Date will not be prior to ESA 'A' day ' displays if a date

	earlier than 27/10/08 is input.
6	Input the LED of the ESA claim in the 'Period LED' field
7	Input the number of waiting days served on the ESA claim
8	Input 'Award Mixed Credit' [Y] if the LED of the ESA claim is the day before the FED of the JSA claim. If there is a gap input [N]

233. Where a prior claim for ESA (IR) exists for the Claimant and/or Partner, and the ESA claim was not processed on JSAPS, contact the relevant ESA office responsible for paying the claim and obtain details of the ESA claim.

234. The following action should be taken:

Step	Action
1	Input [Y] in the 'Effective Linking' field
2	Input code 14 for the Claimant and/or 54 for the partner in the JSA (IB) field.
3	Type 14/54 will decode as ESA

Additional linking on JSA (IB) claims

235. The action to take to determine if linking exists will be the same regardless of whether the claim is for JSA (C) or JSA (IB).

236. Dates of linking for JSA (IB) determine if there is additional entitlement to:

- Mortgage interest;
- Carer premium;
- Transitional addition.

237. For joint claims, the most advantageous linking is used to determine entitlement for JSA (IB).

Mortgage interest

238. Assistance with mortgage interest is available to claimants who are:

- homeowners; and
- claiming JSA (IB).

239. If the JSA (IB) claims link, the claimant does not lose any entitlement to mortgage interest assistance accrued during an effective claim.

Carer premium

240. If a claimant qualified for a carer premium under IS, they retain the premium on JSA (IB) claims for up to eight weeks after the cared for person:

- entered a home; or
- was being cared for by someone else; or
- has died.

241. The claimant is treated as receiving Carers Allowance (CA) for eight weeks after payment ceases.

242. They will retain entitlement to the carer premium for this period.

Linking for transitionally protected claims

243. Claimants who have transitional protection due to changes in the benefit system have an amount for transitional addition added to their benefit.

244. They retain the addition when a JSA claim links to a previous transitionally protected claim or an earlier linked period to Income Support.

245. The linking period in these cases is eight weeks.

First Effective Date and Last Effective Date

246. The First Effective Date (FED) can be the first date of the current claim or the first effective date of any linking claim that forms the Jobseeking Period (JSP).
247. When a Decision Maker has decided to treat a claim as made in advance the claim is treated as made on the date from which entitlement will first arise. (See DMG Ch 2 – para 02425 et seq.)
248. The Last Effective Date (LED) can be the last date of the current claim or the last effective date of any linking period or claim that forms the Jobseeking Period.

Establish First Effective Date

249. To find out the First Effective Date (FED), use the date of claim to JSA considering any linking periods, which may form part of the Jobseeking Period (JSP).
250. The FED, or the first day of the linked period, will decide which Benefit Year (BY) will be used.
251. The Benefit Year (BY) will help decide which Relevant Income Tax Years (RITYs) are used for assessment.
252. Once the FED has been established, enter the date on form JSA14C for all clerical claims.

Shift workers

253. Claimants who start or end their employment with a nightshift can claim for the day they start or finish work if they satisfy the conditions of entitlement for that day (i.e. they are available for and actively seeking work).

Relevant Benefit Year

254. A 'benefit year' starts on the first Sunday in January each year and ends on the Saturday immediately before the first Sunday of the following year. The 'relevant benefit year' is the benefit year which includes the beginning of the jobseeking period or any linked period.

Relevant Income Tax Years

255. The first day of the Jobseeking Period (JSP) or where appropriate linked JSP usually determines which Income Tax years are used to assess a claim to JSA (C).
256. The Income Tax years used in the assessment are called Relevant Income Tax Years (RITYs).
257. If there is a previous linked benefit, the RITYs used are those relevant to the benefit year that includes start of the Jobseeking period or any linked period.
258. The RITYs used are usually the last two complete Income Tax years, before the start of the benefit year in which the start of a JSP falls. However, if a linked period falls within 12 weeks of a JSP, the start date of the earlier linked period determines the RITYs used.
259. The RITYs are checked to determine if the claimant has paid, or been credited with, enough National Insurance contributions (NICs) to satisfy the contribution conditions.

Duration of JSA(C) and qualifying for further JSA(C) entitlement

260. A claimant can only be paid a maximum of 182 days entitlement to JSA(C) on any one set of Relevant Income Tax Years (RITYS).

261. There is **no provision** for a claimant to receive JSA(C) on the 'same two' RITYS again after exhausting the 182 days entitlement.

262. A claimant can qualify for JSA(C) using the latter of the previously used RITYS with a 'different' RITY, where contribution conditions are satisfied. This can only apply where the claimant is in a later JSP than the one in which they exhausted.

263. A claimant may qualify for JSA(C) again if contribution conditions are met. The RITYS must include a tax year, which is later than the 2nd RITY which was used to decide previous entitlement to JSA(C). For example:

- Previous entitlement based on RITYs for 2009
 - 2006/07 and 2007/08, cum tot 182.
- New entitlement based on RITYs for 2010
 - 2007/08 and 2008/09, JSA(C) payable again.

How to work out Relevant Income Tax Years

264. To work out how much JSA (C) a claimant is entitled to, use the last two complete tax years before the Benefit Year (BY) in which the First Effective Date (FED) falls

265. To find the RITYs, follow these three steps:

Step	Action
1	identify the FED;
2	identify the BY in which the FED falls;
3	identify the last two complete tax years before the start of the BY.

266. The two Relevant Income Tax Years will be checked to see if the claimant has paid, or been credited, with enough National Insurance contributions to be entitled to JSA (C). These RITYs will apply throughout the Jobseeking Period (JSP) and will only change if a new JSP starts in a new BY.

Jobseeker's Allowance claims made towards the end of or at the beginning of a benefit year.

267. If a claimant wishes to claim Jobseekers Allowance (JSA) towards the end of or at the beginning of the 'benefit year', it is important to tell them about the Relevant Income Tax years used to determine whether the contribution conditions for JSA(C) are satisfied.

268. It is especially important that claimants are made aware of this if they do not satisfy the Second Contribution Condition in the current 'benefit year', as they may do so if they wait until the following 'benefit year'.

269. This is equally important if they have no entitlement to Income Based JSA.

270. Whether a claim is treated as made in advance or the claimant decides to delay making their claim until a new benefit year the claimant can make a separate claim to NI credits as a non-claimant for the intervening period.

271. Claimants should be given this information even if they do not ask about it.

272. This will enable the claimant to make an informed decision about whether to claim from a date in the current benefit year or wait until the start of the new benefit year.

273. The claimant will need to consider:

- whether the claim starts a new Jobseeking Period; or
- if considering 'backdating', they wish to claim JSA from a date in the previous 'benefit year'.

Action to take

274. The following information should be explained to the claimant:

- that the 'benefit year' starts on the first Sunday in January. For 2012 the first Sunday is 1 January 2012;
- that a claim made for a date in the previous benefit year will depend on contributions paid and credited in different RITYs than a claim made from a date in the current benefit year:
 - if a claim were accepted on or before 31 December 2011, the RITYs would be 2008/2009 and 2009/2010
 - if a claim were accepted on or after 01 January 2012, the RITY's would be 2009/2010 and 2010/2011
- about other factors which may have an effect on JSA(C), such as Jobseeking Periods, the 12-week linking rule, the change to the FCC and periods of disallowance and sanction.

275. If the claimant is not sure if they have enough contributions to receive JSA, check with e-NIRS but explain that the information held on screen may be incomplete and that the decision will be theirs and that you cannot be responsible for telling them when to claim from.

276. If a claimant wishes to back date a claim which would take the date of claim back to an earlier benefit year, advise them to consider what affect this may have but do not try and influence their decision.

277. If the claimant decides not to claim until the new benefit year they could still claim their NI contribution credits as a non-claimant until the benefit year changes.

278. Further information please see guidance on Non-claimants

Example

279. A claimant attends the Jobcentre on 18 November 2011 but his contribution record show he will only qualify for JSA(C) from 1 January 2012. The claimant can become a non-claimant from 18 November 2011 to 31 December 2011 providing they are available for and actively seeking employment.

Weekend and bank holidays

280. When a claimant contacts a jobcentre to enquire about making a claim to JSA, jobcentre staff determine the treat as made (TAM) date taking into account factors such as:

- whether an out of hours service (OOHS) payment was requested over the weekend;
- did the claimant contact a social security office late on Friday?

281. Jobcentre staff must be made aware of any such contact.

282. If a claimant asks that their claim is taken from a date earlier than the TAM date, they must complete form JSA5 to explain:

- why they did not make contact earlier, and
- when they were first told that they may be able to claim benefit.

283. For a request to be successful, the conditions in claims and payment regulations 19(6) and 19(7) must be satisfied.

Weekends

284. Although Regulation 19(7)(a) allows for backdating when 'the appropriate office where the claimant would have been expected to make a claim was closed and alternative arrangements were not available', this does not mean that claims should be automatically backdated to cover normal weekends.

Nor does Regulation 19(7)(a) mean that it can only be used in times of crisis, for example fire, flood, bomb threats etc.

285. Each claim must be considered on its own merits.

286. The officer acting on behalf of the Secretary of State must consider whether it would have been reasonable for the claimant to notify the Secretary of State of their intention to claim earlier.

287. In particular, they should consider:

- the date the claim would have been received if the office had been open;
- at what point the claimant identified that they needed to claim benefit.

288. The principle of establishing a date of claim on the balance of probabilities still applies.

Bank holidays and civil service privilege days

289. Requests for backdating for a period when the office was closed that includes a bank holiday or privilege day, should normally be treated sympathetically, provided the request was made immediately after the period of closure.

Requests for the weekend immediately before the holiday

290. If the claimant requests backdating for the weekend immediately before a bank holiday/privilege day, allow backdating for the whole period provided they make contact at the earliest opportunity.

Requests for the bank holiday/privilege day only

291. If the claimant contacts the office on a day following a bank holiday or privilege day asking for backdating for the bank holiday/privilege day only and stating that they attempted to make contact on the previous day but the office was shut, consider the request favourably.

Jobseeker's Allowance Forms

Introduction

1. The forms index has been split into 3 parts:
 - Jobseeker's Allowance Forms A - D
 - Jobseeker's Allowance Forms E
 - Jobseeker's Allowance Forms F – Z
2. Each form can be viewed by clicking on the form code in the table.
3. A P✓ in the first column means the form can be printed from the intranet.
4. Due to contractual commitments and usage volumes most forms cannot be printed locally and they must be ordered through the 'Zanzibar' system on RM. Click here to view how to order from Zanzibar.
5. The forms can also be found on the Jobseekers Allowance Guidance site [Jobseekers Allowance Forms](#)
6. We continuously review our forms and have a formal bi-annual review in April and October. We are also progressing work to enable us to convert our forms to online printing / interactive versions where value for money.

October 2013 Forms Review

7. We have reviewed the forms below for October 2013. A bulletin was issued detailing which forms had been revised and the instructions on ordering the new forms. The revised forms appear on this guidance from 28.October 2013.

April 2014 Forms Review

8. We are now starting to accept and consider new suggestions to improve our products. I would welcome your feedback on the Jobseekers Allowance forms. Please email comments / suggestions to: JSA Guidance Team

Jobseeker's Allowance Forms A - D

Printable	Form Code	Description
	AL1BAJP	Young Persons Bridging Allowance Tracking Record
	AP2JP	Customer starting JCP Provision - Allowance Payments Declaration
	AP3JP	Customer on JCP Provision - Change of Circumstances Declaration
	AT101JP	Notification to Benefit Centre Income Support – Claimant due to start WBL-SB or TFW

	AT107JP	Notification to Benefit Centre - Claimant due to start WBL-SB/TFW after INCAPACITY/ESA/SDA/IB(Y)
	AT112JP	Claimant on JCP Provision - Information on Allowance Payments over the holiday period
	AT4JP	Confirmation of claimants benefit details prior to starting WBL-SB/TFW provision
	B7	Statement of Earnings / Declaration of work and pay
INTERACTIVE	B7AVE - INTERACTIVE	Statement of Earnings / Declaration of work and pay - Interactive
	B7L	How to fill in form B7 – Information notes
	BA1JP	Application for Young Persons Bridging Allowance (YP BA)
	BA2JP	Notification to Local Authority Youth Services
	BA3JP	Notification to Young Person re Bridging Allowance (BA) and Attendance Arrangements
	BA4JP	Young persons Declaration and Application - attendance record for Bridging Allowance (BA)
P✓	BA5JP	Notification of days of Young Persons Bridging Allowance (YP BA) paid
P✓	BA6JP	Notification to the claimant that they have reached the maximum number of days payable of Young Persons Bridging Allowance (YP BA)
	BA7JP	Notification to claimant of number of days paid of Young Persons Bridging Allowance (YP BA) and how many remaining days left in 52 weeks
P✓	CMS1JSA	Claimant record sheet
	CR1	National Insurance (NI) Credits during jobseeking period - record notification
	CR2	National Insurance (NI) Credits during jobseeking period - record notification
	CR3	Contribution Credits during jobseeking period
	CR5	Postal application for Contribution Credits by non-claimant
	CR6	Award / non award of National Insurance (NI) Credits notification
	CR7	Form sent to Contributions Agency to obtain married women's certificate of reduced liability
	CR8	Letter informing claimant that National Insurance (NI) Credits will be awarded automatically without needing to attend Jobcentre

Jobseeker's Allowance Forms E

Printable	Form Code	Description
	ES6JP	Helping you into work or training - Under 18

	ES7JP	Jobseeker's Agreement - Under 18
	ES9JP	Registration and Referral form - Under 18
	ES11JP	Confirmation of Registration - Under 18
	ES22JP	Change Of Circumstances - Under 18
	ES48JCP	Letter Informing claimant about a doubt on claim to Jobseeker's Allowance (JSA) - Joint Claim Version
	ES48RJCP	Letter Informing claimant of a reconsideration on claim to Jobseeker's Allowance - Joint Claim Partner Version
	ES48SJCP	Letter informing claimant (Student) of a doubt on claim to Jobseeker's Allowance - Joint Claim Partner Version
	ES66JP	Invoice Sheet for DMA Referrals
	ES84JP	Issued to claimant - Leaving Voluntarily (LV) Cases only
	ES85AJP	Initial enquiry to former employer Regarding Termination Details - Bulk Discharge
	ES85ASJP	ES85JP Action Sheet
	ES85JP	Initial enquiry to former employer re termination details
	ES85MJP	Initial enquiry to former employer re termination details - Mariners Version
	ES85SFJP	Initial enquiry to former employer re termination details – Share fishermen
	ES85YJP	Initial enquiry to former employer re termination details - Under 18
	ES86MSFJP	Copy of employers comments - Claimants right to comment reply - Mariners & Share fishermen
	ES86SHJP	Reasons for failing to complete training - Under 18
	ES86TJP	Failed to attend/gave up training scheme/employment programme - For claimant reply
	ES86YJP	Copy of providers comments - Claimant's right to comment reply - Under 18
	ES91JP	Decision Certificate - Under 18
	ES92JP	Decision Certificate - Under 18
	ES95JP	Letter attached to ES85JP when returned to employer for further information
	ES133JP	Trade dispute: Report on individual/test case details for employer
	ES195EJP	Refusal of employment report form - description of employment failed to apply for

	ES195NJP	Details of employment offered - neglect to avail of employment
	ES195NTAJP	Refusal of employment/training form - Claimant's comments
	ES195REJP	Refusal of employment/training form - Claimant's comments
	ES195SHJP	Refusal / Failure to pursue training – Under 18
	ES195TJP	Refusal / Neglect to avail of training form
	ES461YJP	Training Programme - Reason for leaving - Under 18
	ES541JP	Request to former employer for permission to release information marked 'confidential'
	ES552A	Overpayments control form
	ES567JP	Sector referral form - details of claimants adjudication action
	ES567SJP	Details of part time study
	ES673JP	Treat as Available / Excused attendance
	ES674cJP	Absence form home
	ES674JP	Going on holiday within Great Britain
	ES676JP	Notification of a young person going away from home – Under 18
	ES677JP	Export of Jobseeker's Allowance (JSA) to European Union (EU) Member State Form - English language only version
	ESL48JP	Referral for a decision - Information sheet
	ESSH1JP	Severe Hardship Claims - Statistics for under 18's
	ESSH4JP	Severe Hardship Claims - Request for backdating claim - decision - Under 18
	ESSH6JP	Severe Hardship - Request for Certificate of Authority - Under 18
	ESSH7JP	Severe Hardship Claims - Certificate of Authority - Under 18
	ESYP2JP	Severe Hardship Claims - Interview Form - Under 18
	ESYP3JP	Severe Hardship Claims - Repeat Interview Proforma - Under 18

Jobseeker's Allowance Forms F – Z

Printable	Form Code	Description
	INF1(JSA)	Disagreeing with a decision - Information sheet

	INF2(JSA)	Other help you may be entitled to - Information sheet
	INF3(IS/JSA)	Other help you may be entitled to - Information sheet
	INF4(JSA)	Changes you must tell us about - Information sheet
	JSA1	Jobseekers Allowance Claim Form – Main
	JSA1C	Form sent from Jobcentre to Benefit Processors advising changes in claim status
	JSA1S	Jobseekers Allowance Claim Form - Single People
INTERACTIVE	JSA1(T)	ESA - JSA Transition - action to close ESA claim down
	JSA2	Jobseekers Allowance Assessment Form - Form to check claimant's circumstances to ensure correct award of JSA
	JSA3	Jobseekers Allowance Re-assessment Application Form – claimant requests a review of claim
	JSA4(JCD)	Jobseeker's Declaration
	JSA4RR	Jobseekers Allowance Renewal Claim Form – renewal within 26 weeks
	JSA5	JSA back dated claim form and help notes
	JSA6	Application form to be excused from joint claim
	JSA13	Hardship Application Form – Under 18's
	JSA14A/J	Clerical Assessment Sheet and Info sheet (JSA14J)
	JSA14BLA/J	Clerical Assessment Sheet (Board & Lodging) and Information sheet (JSA14BLJ)
	JSA14C	Record to control action taken on a new claim prior to assessment
	JSA14(DAC)	Change to subsistence payments
	JSA28	Declaration - short period of sickness
	JSA29A	Letter to claimant advising that their declared period of sickness will be treated as short term
	JSA29B	Letter to claimant advising that their declared period of sickness exceeds limit and that they should claim ESA
	JSA30	Letter to advise of reduced rate of Jobseeker's Allowance due to hospitalisation of a dependent
	JSA31	Employment whilst abroad questionnaire to establish National Insurance (NI) Contributions record
	JSA32	Letter to advise whether National Insurance (NI) contributions

		paid whilst working abroad will count towards UK contribution record
	JSA77	Form requesting National Insurance (NI) contributions information from previous employer
P✓	JSA81	Occupational / Personal pension enquiry to claimant
	JSA100(BAMS)	BAMS hardship referral form - clarification / effects of medical condition
	JSA113	Check against probate following death of a claimant
	JSA124	Explanation on how Jobseeker's Allowance (JSA) has been calculated
	JSA124BL	Explanation of how Jobseeker's Allowance (JSA) has been calculated for Board and Lodge claims
	JSA164	Request for more information re new Jobseeker's Allowance (JSA) claim
	JSA219	Enquiry about previous employment within last two tax years
	JSA260	Letter accompanying the first payment of Jobseekers Allowance (JSA) including full decision
	JSA270	Letter to claimant advising that entitlement to Jobseeker's Allowance contribution-based (JSA(C)) has exhausted
	JSA275	Notification of how a change in circumstances has affected claimant's claim
	JSA280	Disallowance letter
	JSA285	Letter informing claimant that Jobseeker's Allowance (JSA) is no longer payable
	JSA300	Her Majesty's Courts and Tribunals Service (HMCTS) action sheet
	JSA303	Letter to accompany the JSA/IS302 & JSA/IS302PA
	JSA460	Change of circumstances report form
	JSA477	Authority for nominated person to receive payment of Jobseeker's Allowance (JSA)
	JSA478	Enquiry form about choosing who will receive payments of Jobseeker's Allowance (JSA) in Joint Claims
	JSA751	Invalid Care Allowance (ICA) enquiry form
	JSAAT2A	Explanation of how the claimant's Jobseeker's Allowance (JSA) was worked out
	JSAIS302	Letter about recoupment of Her Majesty's Courts and Tribunals Service (HMCTS) Award
	JSAIS302PA	Letter about recoupment of Her Majesty's Courts and Tribunals Service (HMCTS) Protective Award
	JSANC1	Application for National Insurance (NI) credits for claimants who are not claiming Jobseeker's Allowance (JSA)
	JSA_ESA10A	Hardship interview - Appointment letter

	JSA_ESA10JP	Hardship Application Form and Information on Hardship
	JSA_ESA11	Decision makers decision (Hardship decision) / processing instructions
	JSA_ESA11A	Hardship - Award Letter
	JSA_ESA11D	Hardship - Disallowance Letter
	JSNICC1	Jury Service Declaration - Claim for National Insurance (NI) Contribution Credits
	NHB(JSA)C	Decision notice
	PB3	Enquiry to Her Majesty's Revenue and Custom (HMRC) asking why part 3 of the P45U was issued clerically
	PB4(JC)	Notification to Her Majesty's Revenue and Custom (HMRC) re claim to Employment Support Allowance (ESA / Incapacity Benefit (IB) or Severe Disablement Allowance (SDA)
P✓	PB7	Tax action record sheet
	PB8	Clerical calculation of tax paid on Jobseeker's Allowance (JSA) received
	PB9	Letter to advise claimant how much of their Jobseeker's Allowance (JSA) was taxable
	PB10	Letter to advise the claimant of how much taxable Jobseeker's Allowance (JSA) has been adjusted
	ST1	Jobseeker's Allowance (JSA) student questionnaire - for students and ex students
	VOLWORK1JP	Volunteering when claiming benefits or National Insurance (NI) credits – Declaration and information

Jobseeker's Allowance Forms – Welsh versions

Introduction

1. In accordance with the Welsh Language Act 1993, specified customer facing forms must be available in Welsh. The index lists all the forms that should be available and has been split into 3 parts:
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Welsh Language Unit

9. The Welsh Language Unit (WLU) is responsible for funding the costs of Welsh forms and for ordering and distribution to local offices.

Jobseeker's Allowance Forms - Welsh versions A - D

Printable	Form Code	Description
	AP2JPW	Customer starting JCP Provision - Allowance Payments Declaration

P✓	AP3JPW	Customer on JCP Provision - Change of Circumstances Declaration
P✓	AT112JPW	Claimant on JCP Provision - Information on Allowance Payments over the holiday period
P✓	B7W	Statement of Earnings / Declaration of work and pay
INTERACTIVE	B7AVEW	Statement of Earnings / Declaration of work and pay - Interactive
	B7LW	How to fill in form B7 – Information notes
P✓	BA1JPW	Application for Young Persons Bridging Allowance (YP BA)
P✓	BA3JPW	Notification to Young Person re Bridging Allowance (BA) and Attendance Arrangements
	BA4JPW	Young persons Declaration and Application - attendance record for Bridging Allowance (BA)
P✓	BA5JPW	Notification of days of Young Persons Bridging Allowance (YP BA) paid
P✓	BA6JPW	Notification to the claimant that they have reached the maximum number of days payable of Young Persons Bridging Allowance (YP BA)
P✓	BA7JPW	Notification to claimant of number of days paid of Young Persons Bridging Allowance (YP BA) and how many remaining days left in 52 weeks
P✓	CR2W	National Insurance (NI) Credits during jobseeking period - record notification
P✓	CR5W	Postal application for Contribution Credits by non-claimant
P✓	CR6W	Award / non award of National Insurance (NI) Credits notification
P✓	CR8W	Letter informing claimant that National Insurance (NI) Credits will be awarded automatically without needing to attend Jobcentre

Jobseeker's Allowance Forms - Welsh versions E

Printable	Form Code	Description
	ES6JPW	Helping you into work or training - Under 18
	ES7JPW	Jobseeker's Agreement - Under 18
P✓	ES9JPW	Registration and Referral form - Under 18
P✓	ES11JPW	Confirmation of Registration - Under 18
P✓	ES48JCPW	Letter Informing claimant about a doubt on claim to Jobseeker's Allowance (JSA) - Joint Claim Version
	ES48RJCPW	Letter Informing claimant of a reconsideration on claim to Jobseeker's Allowance - Joint Claim Partner Version

P✓	ES48SJCPW	Letter informing claimant (Student) of a doubt on claim to Jobseeker's Allowance - Joint Claim Partner Version
	ES84JPW	Issued to claimant - Leaving Voluntarily (LV) Cases only
	ES85AJPW	Initial enquiry to former employer Regarding Termination Details - Bulk Discharge
	ES85JPW	Initial enquiry to former employer re termination details
P✓	ES85MJPW	Initial enquiry to former employer re termination details - Mariners Version
P✓	ES85SFJPW	Initial enquiry to former employer re termination details - Sharefishermen
	ES85YJPW	Initial enquiry to former employer re termination details - Under 18
P✓	ES86MSFJPW	Copy of employers comments - Claimants right to comment reply - Mariners & Sharefishermen
P✓	ES86SHJPW	Reasons for failing to complete training - Under 18
P✓	ES86TJPW	Failed to attend/gave up training scheme/employment programme - For claimant reply
	ES86YJPW	Copy of providers comments - Claimant's right to comment reply - Under 18
P✓	ES95JPW	Letter attached to ES85JP when returned to employer for further information
P✓	ES195NTAJPW	Refusal of employment/training form - Claimant's comments
P✓	ES195REJPW	Refusal of employment/training form - Claimant's comments
P✓	ES195SHJPW	Refusal / Failure to pursue training – Under 18
	ES461YJPW	Training Programme - Reason for leaving - Under 18
P✓	ES541JPW	Request to former employer for permission to release information marked 'confidential'
	ES567SJPW	Details of part time study
	ES674JPW	Going on holiday within Great Britain
	ESL48JPW	Referral for a decision - Information sheet

Jobseeker's Allowance Forms - Welsh versions F – Z

Printable	Form Code	Description
	INF1(JSA)W	Disagreeing with a decision - Information sheet
	INF2(JSA)W	Other help you may be entitled to - Information sheet
	INF3(IS/JSA)W	Information sheet - Living Together as Husband and Wife

		LTAHAW
	INF4(JSA)W	Changes you must tell us about - Information sheet
	JSA1W	Jobseekers Allowance Claim Form – Main
	JSA1SW	Jobseekers Allowance Claim Form - Single People
INTERACTIVE	JSA1(T)W	ESA - JSA Transition - action to close ESA claim down - Welsh
	JSA2W	Jobseekers Allowance Assessment Form - Form to check claimant's circumstances to ensure correct award of JSA
	JSA3W	Jobseekers Allowance Re-assessment Application Form – claimant requests a review of claim
P✓	JSA4(JCD)W	Jobseeker's Declaration
	JSA4RRW	Jobseekers Allowance Renewal Claim Form – renewal within 26 weeks
	JSA5W	JSA back dated claim form and help notes
P✓	JSA6W	Application form to be excused from joint claim
	JSA13W	Hardship Application Form – Under 18's
	JSA14AW/J	Clerical Assessment Sheet and Info sheet (JSA14J)
	JSA14BLAW/J	Clerical Assessment Sheet (Board & Lodging) and Information sheet (JSA14BLJ)
P✓	JSA28W	Declaration - short period of sickness
P✓	JSA29AW	Letter to claimant advising that their declared period of sickness will be treated as short term
P✓	JSA29BW	Letter to claimant advising that their declared period of sickness exceeds limit and that they should claim ESA
P✓	JSA30W	Letter to advise of reduced rate of Jobseeker's Allowance due to hospitalisation of a dependent
P✓	JSA31W	Employment whilst abroad questionnaire to establish National Insurance (NI) Contributions record
P✓	JSA32W	Letter to advise whether National Insurance (NI) contributions paid whilst working abroad will count towards UK contribution record
P✓	JSA77W	Form requesting National Insurance (NI) contributions information from previous employer
P✓	JSA81W	Occupational / Personal pension enquiry to claimant
P✓	JSA124W	Explanation on how Jobseeker's Allowance (JSA) has been calculated
P✓	JSA124BLW	Explanation of how Jobseeker's Allowance (JSA) has been calculated for Board and Lodge claims
P✓	JSA164W	Request for more information re new Jobseeker's Allowance

		(JSA) claim
P✓	JSA219W	Enquiry about previous employment within last two tax years
P✓	JSA260W	Letter accompanying the first payment of Jobseekers Allowance (JSA) including full decision
P✓	JSA270W	Letter to claimant advising that entitlement to Jobseeker's Allowance contribution-based (JSA(C) has exhausted
P✓	JSA275W	Notification of how a change in circumstances has affected claimant's claim
P✓	JSA280W	Disallowance letter
P✓	JSA285W	Letter informing claimant that Jobseeker's Allowance (JSA) is no longer payable
P✓	JSA303W	Letter to accompany the JSA/IS302 & JSA/IS302PA
P✓	JSA460W	Change of circumstances report form
P✓	JSA477W	Authority for nominated person to receive payment of Jobseeker's Allowance (JSA)
P✓	JSA478W	Enquiry form about choosing who will receive payments of Jobseeker's Allowance (JSA) in Joint Claims
P✓	JSAIS302W	Letter about recoupment of Her Majesty's Courts and Tribunals Service (HMCTS) Award
P✓	JSAIS302PAW	Letter about recoupment of Her Majesty's Courts and Tribunals Service (HMCTS) Protective Award
	JSANC1W	Application for National Insurance (NI) credits for claimants who are not claiming Jobseeker's Allowance (JSA)
P✓	JSA_ESA10AW	Hardship interview - Appointment letter
	JSA_ESA10JPW	Hardship Application Form and Information on Hardship
P✓	JSA_ESA11AW	Hardship - Award Letter
P✓	JSA_ESA11DW	Hardship - Disallowance Letter
P✓	JSNICC1W	Jury Service Declaration - Claim for National Insurance (NI) Contribution Credits
P✓	PB9W	Letter to advise claimant how much of their Jobseeker's Allowance (JSA) was taxable
P✓	PB10W	Letter to advise the claimant of how much taxable Jobseeker's Allowance (JSA) has been adjusted
P✓	ST1W	Jobseeker's Allowance (JSA) student questionnaire - for students and ex students
	VOLWORK1JPW	Volunteering when claiming benefits or National Insurance (NI) credits – Declaration and information

Statistical Count of unemployed claimants

Guidance Queries and Help

1. If you are unable to find an answer to a particular question regarding the 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 on the DWP 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 hypertext links.

Introduction

3. The Office for National Statistics (ONS) requires statistical returns of all clerically operated claims for Jobseeker's Allowance (JSA) every month.
4. ONS use the information from the monthly statistical count to publish information on the number of people claiming JSA. These highly sensitive statistics are published and used for numerous purposes and are prominent in the media. It is therefore essential that ONS are provided with accurate information to a strict timetable.
5. Previously, ONS required the compilation of an additional Annual Statistical Count in April each year. However, with immediate effect, this information is no longer required.

What is counted

6. All system and non-system JSA claims are counted; including those made by claimants who are not in receipt of benefit, for example, credits only cases.

The monthly statistical count

7. Every month there is a statistical count day, Stats Day, which is the second Thursday of the month.
8. Stats Day is the due date for the return of the count data to ONS, however 10 working days are allowed to return the information.
9. All non-responders will be contacted 11 working days after Stats Day, and a list of all non-responders will be compiled each month.
10. Twenty-one days after Stats Day, the Claimant Count Processing System produces the Claimant Count Statistics by combining:
 - data of system claims from Jobseeker's Allowance Payment System (JSAPS); and
 - data of non-system claims from the information returned to ONS.
11. The twenty-one day delay between Stats Day and the completion date is to allow time for late, terminated or delayed claims that are maintained on JSAPS to be correctly taken into account.
12. Between Stats Day and the compilation date, offices must not convert any clerical claims that have been included in the clerical count to system claims, as this could result in the same claim being counted twice and make the statistical return inaccurate.

Counting System claims

13. Action is not required for system claims, those that are maintained on JSAPS, as the count is done automatically.

14. New claim data is automatically transferred from JSAPS to the Claimant Count Processing System when Jobcentre Plus staff input details in the:

- MAINTAIN CLAIM ADMINISTRATION CLAIM screen JA091004, dialogue JA091: Maintain Claim Details; or,
- MAINTAIN CLAIMS ADMINISTRATION DETAILS screen JA086004, in dialogue JA086: Build from Clerical, if the claim is being built from clerical.

15. Terminated claim data is automatically transferred from JSAPS to Claimant Count Processing System when details have been entered in dialogue JA099: Record Claim Termination Details.

Note: Data is not sent to Claimant Count Processing System until a final decision is made and any final payment action in dialogue JA405: Compute Payment has been completed.

System Fault Claims

16. When a new claim has been registered and built as far as the MAINTAIN CLAIM ADMINISTRATION DETAILS screen JA091004 in dialogue JA091: Maintain Claim Details or the MAINTAIN CLAIM ADMINISTRATION DETAILS screen JA086004 in dialogue JA086: Build from Clerical, leave the claims on JSAPS until the fault can be fixed, unless other instructions are given:

- in the JSA Known Problems and System Work Around Guide, or
- by the live support teams to the DEX.

17. The instructions may be to transfer the claim to clerical. These cases should only be included in any clerical count, once the transfer to clerical has been completed and if they are being clerically maintained on Stats Day

Counting non-system claims

18. Non-system claims are those which, for some reason, cannot be maintained on JSAPS and have to be administered clerically. Non-system claims should not include system fault cases, which have a live record on JSAPS.

19. Every month, Benefit Delivery Centres will compile clerical statistical return information by completing a CBS3 form.

20. As clerical statistical returns only relate to JSA claims not held on JSAPS, consider keeping a separate clerical file run for non-system JSA claims, including credits only claims and non-claimants.

21. Also consider noting the following on the case papers to distinguish these claims from other non-system claims:

- Jobcentre serial number;
- date of claim for JSA; and
- gender.

Completing the CBS3 statistical return form

22. It is important that the clerical count is done accurately as the result allows ONS to advise Jobcentre Plus if our standard of service fails to meet the criteria of the SLA targets.

23. A form CBS3 should be completed each month, and returned to ONS, by a nominated officer within each Benefit Delivery Centre (BDC).

What should not be counted on form CBS3

24. When completing form CBS3 the following non-system cases should not be counted:

- System Fault claims;
- Temporary Stopped claims;
- Non-claimant cases;
- Clerically operated allowance payment claims.

Note: All other non-system claims should be counted; for example, clerically operated imported benefit claims.

How to complete form CBS3

25. The following details should be recorded on form CBS3:

- Stats Count Date;
- Benefit Delivery Centre name; and
- Jobcentre office names and code numbers.

26. To complete the statistical return form, record the number of male and female non-system claims, and the total number of non-system claims per Jobcentre. 'Nil' returns are required.

27. It is important that each individual office count is recorded against the correct office code.

28. When entering the details of the statistical count on the statistical return forms, only include non-system claims, which are live on Stats Day. Do not include claims that terminated before, or started after, Stats Day.

What to do with completed form CBS3

29. When completed, the form CBS3 must be sent by email to ONS using the following address:

- SubNational.Labour.Market@ONS.gsi.gov.uk

30. When returning the completed form CBS3 to ONS, the following heading should be used:

- JSA CLERICAL COUNT mmm/yyyy
 - For Example: JSA CLERICAL COUNT FEB/2012

31. If you are unable to use email to return the statistical information to ONS, the Telephone Data Entry (TDE) system can be used as a contingency. The TDE number is 01633 819501.

32. Completed CBS3 forms must be stored in the office for a period of 14 months.

Dates for completing the count

33. Listed below are the dates for completing the statistical count and the date that the count information should be returned to ONS by.

34. Email must be used whenever possible to return the statistical data.

However, the TDE system can be used as a contingency if you are unable to use email to return the information to ONS.

COUNT DATE	INFORMATION TO BE RETURNED BY
10 January 2013	23 January 2013
14 February 2013	27 February 2013
14 March 2013	27 March 2013
11 April 2013	24 April 2013
09 May 2013	22 May 2013
13 June 2013	26 June 2013
11 July 2013	24 July 2013
08 August 2013	21 August 2013
12 September 2013	25 September 2013
10 October 2013	23 October 2013
14 November 2013	27 November 2013
12 December 2013	20 December 2013

Jobseeker's Allowance Document Retention

Summary

1. Claimant information is held in various formats and Jobcentre Plus has a responsibility to store that information securely and for the appropriate period.
2. Whether to keep it and if so how long to keep it for is determined by whether there is a specific need to keep it.
3. The Data Protection Act (DPA) does not specify retention periods. It is important to remember that when deciding what documents/data to retain or destroy you are applying the principles of the Benefits Document and Data Retention Guide (Benefits DDRG) policy and **not** the DPA.
4. The Benefits DDRG and the Benefits DDR policy are owned by Information and Records Management Services and ensures that whatever the format of the information held, you only need to refer to one source of guidance.
5. The Benefits DDR policy can be found in the Benefits Document and Data Retention Guide (DDRG). The Benefits DDRG and the Benefits DDR policy are designed to help identify:
 - which documents and/or data are to be retained, and
 - for how long, and
 - any exceptions to the general rules.
6. The Benefits DDRG contains both generic material that applies to all the benefit areas and benefit specific material that applies to individual benefits, including Jobseeker's Allowance. The policy and processes must be applied fully and correctly.

Clerical Documents and Systems Records

7. All clerical documents, systems records and prints, scanned images, telephone recordings etc relating to a case must be examined as a case is being processed. They must be classified and noted as either:
 - supporting, or
 - ephemeral.

Note: Where it is not possible to classify the data and a set retention period is unclear, treat all documents and systems records as supporting.
8. Supporting documents must be filed with the main claim file. Ephemeral documents can normally be destroyed after 4 weeks.
9. Following the processing of all claims, Benefit Centres retain their filing for periods of time ranging up to 13 weeks after processing of the claim is completed. Once the local retention period has been served, use FARIO to mark claim documents as PA and input a destruction date. If non-CMS claims are being sent to Remote Store, the FARIO files should be annotated 'NON-CMS'.

Potentially Violent Persons (PVP)

10. Follow current procedures in the Unacceptable Customer Behaviour guidance for all data and records about potentially violent customers.

Note: It is important that PVP records, both clerical and system, are clearly marked and maintained to alert staff accessing them to any potential to violent or inappropriate behaviour.

Reclassification of documents/data needed for checks

11. When a document or systems data previously classified as ephemeral is needed for a check:

- reclassify it as a supporting document/data
- note it with the date of the most recent decision , and
- keep it as a supporting document/data.

12. For guidance on mandatory checks see Business Control System (BCS) guidance.

Scan Reports

13. The retention period for scan reports may vary. Scans are usually issued with a circular or bulletin giving the retention period and advice line contact numbers. If no retention period is given, contact the appropriate advice line.

14. Retention periods for JSAPS printed output is in the Printed Output guidance

Claim reaches PA stage

15. After being PA **both system records and clerically maintained cases** are normally destroyed 14 months later. For exceptions to this general rule see the Benefits DDRG.

Jobseeker's Allowance Draft Letters

Draft Letter Guidance

Introduction

1. The Jobseeker's Allowance (JSA) draft letters are published on the intranet.
2. The draft letters have been designed on templates, which enable readers to directly input all of the appropriate text which is necessary to complete the letters.
3. The draft letters have been separated into 5 volumes:
 - Volume 1: DLJA 001 to DLJA 127
 - Volume 2: DLJA 151 to DLJA 272
 - Volume 3: DLJA 273 to DLJA 414
 - Volume 4: DLJA 415 to DLJA 626
 - Volume 5: DLJA 633 to DLJA 952 and Misc Cross benefit letters

How to complete letters

4. You **must not** complete a draft letter on the intranet. Instead, you must save a copy of the letter to your personal area, naming it as appropriate e.g. DLJA 006. Once you have done this, you will be able to complete it electronically.
5. Draft letters are updated regularly; therefore to ensure you use the most up to date letter; you must access the appropriate letter on the intranet **every** time it is required.
6. As the main body of each letter is protected; you **must not** make any amendments to this text. However, each letter has been designed to allow completion by inputting or selecting pre-populated text from the grey shaded areas.
7. The information to be input or selected in the grey areas may be one or a combination of the following:
 - **Alternative text** - Some letters have been designed with multiple-choice options. These are identified by text already in the grey shaded area. When you tab to one of these areas, a dropdown arrow appears to the right. Click on the arrow and a section of the text will appear. Select the relevant text to use by clicking on top of the options available. **Ensure the correct wording has been populated before printing the letter**
 - **Free Text** - This enables you to insert relevant information e.g. reasons for a decision.
 - **Variable options** –Some of the draft letters are complicated and will require the appropriate text to be manually typed. These letters have an 'instruction page' which will always be last page(s) of the letter. This must be printed off before you start to complete the letter. The instructions will provide a choice of text that should be typed exactly as shown in the relevant boxes on the letter. **Do not send the instruction page(s) to the claimant.**

Navigating Draft Letters

8. To navigate through each letter **you must use the TAB key** to ensure each grey shaded area is completed.
9. Each time you tab to a grey shaded area, an instruction of the information you are required to enter into that grey shaded area will appear in the tool bar at the bottom left hand side of the screen.
- 10. Do not use the return key when navigating the JSA draft letters.**

Claimant's Address

11. When completing the claimants address:
 - the postal town **MUST** always be in **CAPITAL LETTERS**
 - the post code **MUST** always be on the **LAST** line of the address and **MUST** stand alone.

Date

12. The date on the letter will default to 'today's date' when the letter is printed.

Appeal paragraphs

13. Some draft letters contain appeal paragraphs. It is important to ensure that these are issued with the appropriate letter.

Data Protection

14. The Data Protection Act (DPA) 1998 requires that all processing of personal information must be 'fair and lawful'. To ensure that Jobcentre Plus acts lawfully we must ensure that we have a legal basis for collecting information. This will also ensure that we comply with the DPA.
15. Jobcentre Plus will need to make sure that claimants are made aware of our reasons for carrying out follow-up and before making any enquires to other parties ensure that the claimants has provided consent where necessary.
16. Claimants who are not claiming JSA, or are no longer claiming JSA, have a right to refuse consent. In these circumstances we must ensure that follow-up action is not undertaken.

Feedback on the JSA Draft Letters

17. We would welcome any feedback you may have on any of the JSA draft letters. For example are there any that:
 - are no longer used
 - require updating
 - could be amalgamated

Please email the JSA Guidance Team using the link at the bottom of the page with any comments.

Offices in Wales

18. For offices in Wales, if a claimant has chosen to undertake their business with us in Welsh, a Welsh version of these draft letters must be issued.

19. To obtain a Welsh version of a draft letter, complete the draft letter and send it by email to: Eric Thomas DWP Welsh Language Unit for translation.

Volume 1: DLJA 006 to DLJA 127

Ref.	Title
DL5	Letter to claimant: Student Finance
DLJA 001	Letter to claimant: Paying benefit while volunteering
DLJA 001W	Letter to claimant: Paying benefit while volunteering - Welsh version
DLJA 006	Letter to employer: when there is no question of recoupment from an Employment Tribunal Award.
DLJA 007	Letter to claimant: notifying them that no benefit is to be recouped from an Employment Tribunal Award.
DLJA 010	Letter to employer: Reminder letter about JSA/IS302 or JSA/IS302PA.
DLJA 011	Letter to employer: Second reminder letter about JSA/IS302 or JSA/IS302PA.
DLJA 012	Letter to receiver/liquidator about recoupment.
DLJA 013	Letter to Employment Tribunal to confirm if an appeal has been lodged.
DLJA 014	Letter to employer after an appeal to an Employment Tribunal.
DLJA 100	Letter to claimant: claim to be treated as defective.
DLJA 101	Defective claim decision letter
DLJA 102	Letter to claimant: suspension of JSA pending a decision
DLJA 103	Letter to claimant: decision has been made on delayed claim.
DLJA 104	Letter to claimant: non-dependant household.
DLJA 105	Letter to claimant declared assets abroad.
DLJA 106	Letter to claimant/appointee: to obtain permission to contact a trustee of a trust fund.
DLJA 107	Letter to trustee to ask for details of trust fund.
DLJA 108	Letter to Thalidomide Trust to ask for details of payments made to claimant in the last 12 months.
DLJA 109	Letter to claimant saying they disposed of their assets in order to get JSA or an increase in their JSA.
DLJA 110	Letter for use when partners have not agreed who will be the claimant.
DLJA 111	Letter to couple telling them which one of them must claim.
DLJA 113	Letter to claimant: they do not qualify for JSA but their partner may.
DLJA 122	Letter to claimant with a mortgage protection insurance policy.
DLJA 124	Letter to claimant about mortgage/home loan protection policy: How much will be treated as income?
DLJA 127	Letter to provider of full time-education course

Volume 2: DLJA 151 to DLJA 272

Ref.	Title
DLJA 151	Iron and Steel Employees Re-adaptation Benefit Scheme – letter to the DBERR asking for payment details
DLJA 155	Letter to claimant to check type 7-11 housing costs
DLJA 156	Letter to claimant with non-dependant(s) to check type 7-11 housing costs
DLJA 157	Letter to claimant with a Mortgage Protection Policy to check type 7-11 housing costs
DLJA 158	Letter to claimant with a MPP, non dependant(s) to check type 7-11 housing costs
DLJA 159	Letter to claimant - Limited case check - form MI12R(s) not returned
DLJA 160	Letter to claimant - they have not returned info requested for annual case check and MI12R
DLJA 161	Letter to lender - MI12R reminder for clerical claims only
DLJA 162	Letter to claimant: restriction of excessive housing costs is to be reconsidered.
DLJA 163	Letter to be sent when restricting excessive housing costs.
DLJA 166	Letter to notify claimant how much they can get towards the interest on a repair or home improvement loan.
DLJA 167	Letter to claimant: housing costs are restricted because they increased loan in relevant period.
DLJA 170	Letter to claimant in reply to mortgage interest enquiry.
DLJA 171	Letter to lender in reply to mortgage interest enquiry.
DLJA 172	Letter to claimant: not entitled to JSA as full housing costs are not payable.
DLJA 173	Letter to claimant: changes in the interest rate are not implemented as the standard interest rate has been applied.
DLJA 178	Letter to claimant who is a Crown Tenant.
DLJA 179	Letter to claimant re housing costs – no contact.
DLJA 200	Letter to claimant with Married Women's reduced rate liability.
DLJA 201	Letter to claimant to see if Auto Credits can be used in the benefit calculation.
DLJA 202	Reminder letter to claimant: postal claim form on a change of address or JSA2 has not been returned.
DLJA 252	Letter to claimant: Court order for arrears.
DLJA 253	Letter to third party: Court order for arrears.
DLJA 257	Letter to claimant: deductions have ceased because the fine has been cleared.
DLJA 258	Letter to claimant advising that Child Maintenance and Enforcement Commission deductions cannot be made.
DLJA 265b	Letter to court where a fine is already being deducted.
DLJA 266	Letter to claimant: 3 rd Party Deductions have ceased because of a Receiving Order / Grant of Sequestration (Scotland) or Administration Order.
DLJA 270	Letter to advise the courts that a claimants fine is fully paid.

DLJA 271	Enclosure for form A79B: to advise that courts should notify offices if a change of court is appropriate.
DLJA 272	Letter to claimant: 3 rd Party Deduction to stop for one week.

Volume 3: DLJA 273 to DLJA 414

Ref.	Title
DLJA 273	Letter to third party: To stop 3 rd Party Deductions for one week.
DLJA 274	Letter to third party: Deductions from JSA to stay the same.
DLJA 275	Letter to claimant: Deductions from JSA to stay the same.
DLJA 300	Letter to claimant: split payment will not be made to a 3 rd party.
DLJA 301	Letter to third party: split payment will not be made to them.
DLJA 302	Letter to other person: split payment is made to them.
DLJA 303	Letter to claimant: payment is being made to a 3 rd party.
DLJA 304	Letter to claimant: payment will not be made to a nominated person.
DLJA 305	Letter advising disallowance of JSA(C) only claim, because contribution conditions are not satisfied.
DLJA 306	Letter to International Pensions Centre when payment of arrears of UK JSA, a UK Tax refund, Child Maintenance Bonus or foreign imported Unemployment Benefit is to be made to a claimant who now lives abroad.
DLJA 307	Letter to claimant about outstanding payment.
DLJA 351	Decision that a claimant is a member of a couple who are living together as husband and wife or civil partners.
DLJA 352	Decision that a claimant is a member of a couple who are not living together as husband and wife or civil partners.
DLJA 355	Letter to claimant and partner: they will be paid separately as partner is approaching 52 weeks in hospital.
DLJA 356	Letter to partner telling them to claim ESA/IS in their own right as they are approaching 52 weeks in hospital.
DLJA 357	Letter to employer: employees are temporary stopped.
DLJA 400a	Letter to claimant: JSA cannot be paid if they go abroad – from 01 May 2010.
DLJA 401	Application to export JSA(C) to another EEA member state
DLJA 403a	Letter to claimant: exporting JSA(C) to Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Gibraltar, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden – from 01 May 2010.
DLJA 406	Letter to claimant: they no longer need to attend the Jobcentre.
DLJA 411a	Letter of introduction for claimant: exporting JSA(C) to Czech Republic – from 01 May 2010.
DLJA 412a	Letter of introduction for claimant: exporting JSA(C) to Denmark – from 01 May 2010.
DLJA 413a	Letter of introduction for claimant: exporting JSA(C) to Belgium or Holland – from 01 May 2010.
DLJA 414a	Letter of introduction for claimant: exporting JSA(C) to Estonia

– from 01 May 2010.

Volume 4: DLJA 415 to DLJA 626

Ref.	Title
DLJA 415a	Letter of introduction for claimant: exporting JSA(C) to Finland – from 01 May 2010.
DLJA 417a	Letter of introduction for claimant: Exporting JSA(C) to Belgium, France, Luxembourg or Switzerland – from 01 May 2010.
DLJA 418a	Letter of introduction for claimant: exporting JSA(C) to Austria , Germany or Switzerland – from 01 May 2010.
DLJA 419a	Letter of introduction for claimant: exporting JSA(C) to Cyprus or Greece – from 01 May 2010.
DLJA 420a	Letter of introduction for claimant: exporting JSA(C) to Hungary – from 01 May 2010.
DLJA421a	Letter of introduction for claimant: Exporting JSA(C) to Iceland from – from 01 May 2010.
DLJA 422a	Letter of introduction for claimant: exporting JSA(C) to Italy or Switzerland – from 01 May 2010.
DLJA 423a	Letter of introduction for claimant: exporting JSA(C) to Latvia – from 01 May 2010.
DLJA424a	Letter of introduction for claimant: Exporting JSA(C) to Norway – from 01 May 2010.
DLJA 425a	Letter of introduction for claimant: exporting JSA(C) to Poland – from 01 May 2010.
DLJA 426a	Letter of introduction for claimant: exporting JSA(C) to Lithuania – from 01 May 2010.
DLJA 427a	Letter of introduction for claimant: exporting JSA(C) to Slovenia – from 01 May 2010.
DLJA 428a	Letter of introduction for claimant: exporting JSA(C) to Spain – from 01 May 2010.
DLJA 429a	Letter of introduction for claimant: exporting JSA(C) to Sweden – from 01 May 2010.
DLJA 430a	Letter of introduction for claimant: exporting JSA(C) to Portugal – from 01 May 2010.
DLJA 431a	Letter of introduction for claimant: exporting JSA(C) to Slovakia – from 01 May 2010.
DLJA 432a	Letter of introduction for claimant: exporting JSA(C) English version – from 01 May 2010.
DLJA 433a	Letter of introduction for claimant: exporting JSA(C) to Romania – from 01 May 2010.
DLJA 434a	Letter of introduction for claimant: exporting JSA(C) to Bulgaria – from 01 May 2010.
DLJA 435a	Letter of introduction for claimant: exporting JSA(C) to Croatia – from 01 July 2013. (to be produced)
DLJA 500	Letter to deceased claimant's representative about taxable JSA.
DLJA 501	Letter to claimant who enquires about tax and JSA.
DLJA 502	Letter to claimant: no errors in taxable JSA are found and their

	objection is rejected.
DLJA 503	Letter to claimant telling them we will check the amount of JSA paid to them.
DLJA 504	Letter to claimant: objection to taxable JSA is received outside the 60 day limit - good reason has been provided.
DLJA 505	Letter to claimant: objection to taxable JSA is received outside the 60 day limit - no reason for the delay provided
DLJA 506	Letter to claimant when an error in taxable JSA is found and the revised amount agrees with the amount quoted by the claimant in their objection.
DLJA 507	Letter to claimant when an error in taxable JSA is found.
DLJA 508	Letter to accompany a written statement or explanation.
DLJA 511	Letter to tell claimant that they are not entitled to JSA(IB) because their partner has not provided evidence of identity.
DLJA 548	Letter to claimant aged 16 –17: telling them what to do before their JSA ends or is reduced at the end of the Child Benefit extension period.
DLJA 625	Letter to claimant aged 16 –17: entitled to JSA until the end of the Child Benefit extension period.
DLJA 626	Letter to claimant aged 16 – 17: not entitled to JSA.

Volume 5: DLJA 633 to DLJA 952

Ref.	Title
DLJA 633	Letter to claimant aged 16 – 17: Severe Hardship award notification – claim refused.
DLJA 634	Letter to claimant aged 16 – 17: claimant’s efforts to remove themselves from Severe Hardship are unsatisfactory.
DLJA 636	Letter to claimant aged 16 – 17: Severe Hardship award notification – new claim.
DLJA 668	Letter to claimant whose partner is approaching minimum pension credit age.
DLJA 669	Letter to claimant approaching minimum pension credit age.
DLJA 700	Letter to claimant when form MI12 is not returned.
DLJA 701	Letter to claimant: Mortgage/Home Loan interest overpayment recovery.
DLJA 702	Letter to lender to recover a Mortgage/Home Loan interest overpayment.
DLJA 703	Letter to claimant: Mortgage/Home Loan interest underpayment recovery.
DLJA 704	Letter to lender with Mortgage/Home Loan payment interest.
DLJA 705	Letter to claimant: Mortgage/Home Loan interest part week payment.
DLJA 707	Letter to lender: Mortgage/Home Loan interest replacement cheque clerical cases only.
DLJA 708	Letter to claimant: Mortgage/Home Loan interest deductions to start.
DLJA 709	Letter to lender: Mortgage/Home Loan interest deductions to start.

DLJA 710	Letter to claimant: Mortgage/Home Loan interest change in deductions.
DLJA 711	Letter to lender: Mortgage/Home Loan interest change in deductions
DLJA 712	Letter to claimant: Mortgage/Home Loan interest deductions stop.
DLJA 713	Letter to lender: Mortgage/Home Loan interest deductions stop.
DLJA 750	Letter to employer: termination payments made at end of Part-time employment
DLJA 752	ES48R - Letter to claimant: a decision will be looked at again
DLJA 801	Letter to claimant: Letter informing of New Payday and Cycle
DLJA 801W	Letter to claimant: Letter informing of New Payday and Cycle - Welsh
DLJA 802	Letter to claimant: Letter for postal claimant informing of new arrangements
DLJA 802W	Letter to claimant: Letter for postal claimant informing of new arrangements - Welsh
DLJA 824	Loss of Benefit Provisions letter - Decision concerning Loss of Benefit provisions – (One strike /two strike)
DL825	Loss of Benefit Provisions letter - Decision concerning Loss of Benefit provisions (New rules) (Cross benefit -Owned by Income Support)
DLJA 930	Severe Hardship: award continuing on reapplication.
DLJA 940	Severe Hardship: award refused on reapplication.
DLJA 941	Letter to claimant: Part Time Work: Earnings Averaged.
DLJA 941W	Letter to claimant: Part Time Work: Earnings Averaged, welsh version.
DLJA 942	Letter to claimant: Averaged Earnings, request for pay slips.
DLJA 942W	Letter to claimant: Averaged Earnings, request for pay slips, welsh version.
DLJA 943	Letter to claimant: Averaged Earnings, revised earnings limit.
DLJA 943W	Letter to claimant: Averaged Earnings, revised earnings limit, welsh version.
DLJA 944	Letter to claimant: Two year SMI rule, claimant approaching end of SMI.
DLJA 944W	Letter to claimant: Two year SMI rule, claimant approaching end of SMI, welsh version.
DLJA 950	Letter to claimant - ASE/Avail disallowance
DLJA 950W	Letter to claimant - ASE/Avail disallowance - Welsh
DLJA 951	Letter to claimant - ASE/Avail disallowance
DLJA 951W	Letter to claimant - ASE/Avail disallowance – Welsh
DLJA 952	Letter to claimant - ASE/Avail sanction not applicable
DLJA 952W	Letter to claimant - ASE/Avail sanction not applicable – Welsh
DLIS/JSA 900	Letter to claimant: Personal Injury Compensation Payment – 52 week grace period. (Cross benefit -Owned by Income Support)

DLIS/JSA 900 Appointee	Letter to appointee - Personal Injury Compensation Payment – 52 week grace period. (Cross benefit -Owned by Income Support)
DLIS/JSA 901	Letter to claimant: Personal Injury Compensation Payment – 52 week grace period due to end. (Cross benefit -Owned by Income Support)
DLIS/JSA 901 Appointee	Letter to appointee - Personal Injury Compensation Payment – 52 week grace period due to end. (Cross benefit -Owned by Income Support)
DLIS/JSA 902	Letter to claimant: Following a re-consideration. (Cross benefit - Owned by Income Support)

JSA Hardship Awards

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.

Introduction

3. A Jobseeker's Allowance (JSA) hardship payment is an award of Income Based JSA (JSA (IB)) made at a reduced rate to give a minimum level of financial support.
4. JSA Hardship payments can be made to certain people who:
 - do not qualify for JSA under normal rules; **and**
 - would suffer hardship if JSA is not paid.

Note: Hardship is not defined in the regulations. It should be given its normal everyday meaning of "severe suffering or privation". Privation means a lack of the necessities of life.

5. If contribution-based JSA only has been claimed, the claimant must complete a JSA3 as well as the JSA ESA10JP.

Conditions for receiving a JSA hardship award

6. Three conditions must be satisfied before a JSA hardship award can be made. The claimant must: :
 - apply for the hardship award in the appropriate manner; **and**
 - be in one of the prescribed circumstances for receiving an award; **and**
 - show that they, or a specified member of their family, would suffer hardship if an award was not made.

Appropriate manner of application

7. The appropriate manner of application is for the claimant:
 - to complete and sign the JSA hardship application form JSA ESA10JP; and
 - to attend an interview with the JSA Hardship Officer in the Jobcentre.

Prescribed circumstances

8. A JSA hardship award can only be made if one of the following prescribed circumstances applies:

- the claimant has received an adverse decision on labour market entitlement conditions, but all other conditions of entitlement to JSA(IB) are satisfied;
- a sanction has been imposed on the claimant, but all other conditions of entitlement to JSA(IB) are satisfied;
- a Fraud Loss of Benefit (LOB) (under section 6B or 7 of the Social Security Fraud Act 2001) has been imposed on the claimant, but all other conditions of entitlement to JSA(IB) are satisfied;
- the claimant is waiting for a decision about whether they satisfy certain labour market entitlement conditions at the start of their claim to JSA; or
- the claimant's JSA is suspended, but all other conditions of entitlement to JSA(IB) are satisfied.

From what date are hardship payments payable

9. The actual date that JSA hardship is payable to a claimant depends upon whether the claimant is in a vulnerable group or not.

At the beginning of a claim

10. Any questions about whether the claimant meets one or more of the labour market entitlement conditions must be resolved before JSA is awarded.

11. In these cases, JSA cannot be paid until the doubt is resolved. However payments can be made under the JSA Hardship Provision if the claimant successfully applies for a hardship award.

Vulnerable group

12. Vulnerable group is the term used to describe claimants and/or their partners who are more likely to suffer hardship if JSA is not paid.

13. A person or couple in hardship who are members of a vulnerable group are entitled to a hardship payment from the latest of either:

- the date the claimant becomes a person in hardship; **or**
- the fourth day of the Jobseeking Period, if waiting days have to be served;
or
- the date of claim if the claimant does not have to serve waiting days.

14. However, hardship payments can be awarded for a period before the date that the JSA ESA10JP is returned, if the Hardship Officer is satisfied that the claimant suffered hardship in that period.

People who are members of a vulnerable group

15. Treat claimants or partners as in a vulnerable group if they are;

- pregnant women **or**
- lone parents responsible for a young person **or**
- members of couples or polygamous marriages responsible for children or young people **or**
- people who qualify for DP **or**
- certain people with long-term medical conditions **or**

- certain people who provide care for disabled people **or**
- certain people aged 16 or 17 **or**
- certain people under the age of 21

Non Vulnerable group

16. A person or couple in hardship who are not members of a vulnerable group are entitled to a hardship payment from the latest of either:

- The date the claimant provided their statement of circumstances (on a completed JSA 10 **or**
- The date the claimant becomes a person in hardship **or**
- The 19th day of the claim if waiting days have to be served **or**
- The 16th day of the claim if the claimant does not have to serve waiting days.

JSA claim has been established

A decision is made that LM conditions are not met

17. If an adverse decision on labour market entitlement conditions is made, the claimant is disallowed from receiving JSA. An award of JSA under the hardship provision may be made if the claimant is:

- in a vulnerable group; **and**
- the adverse decision was issued because they:
 - are not available for work; **or**
 - are not actively seeking work; **or**
 - will not agree a Jobseeker's Agreement.

18. Claimants who receive an adverse decision on labour market entitlement conditions but are not in a vulnerable group are disallowed from receiving JSA. This means they cannot be entitled to JSA under the normal rules or under the JSA Hardship Provision.

NOTE If the claimant has been treated as unavailable for work see the LMCG for further guidance and information.

19. A Claimant who receives an adverse decision on availability or actively seeking work, a sanction is applied.

Jobseekers Allowance is suspended

20. If a doubt arises about whether a claimant meets one or more of the labour market entitlement conditions after their JSA is awarded, their benefit is suspended until a decision is made.

21. In these cases, JSA is not paid for the suspension period, however payments can be made under the JSA Hardship Provision if the claimant successfully applies for a hardship award.

Vulnerable group, what date is hardship is paid from

22. Once a suspension is imposed on a JSA claim, hardship can be paid from the latest of;

- The date the claimant provided their statement of circumstances (on a completed JSA 10 **or**
- the claimant becomes a person in hardship; **or**
- the date of claim if the claimant does not have to serve waiting days.

Non Vulnerable group, what date is hardship paid from

23. Once a suspension is imposed on a JSA claim, hardship can be paid from the later of

- 15th day of the period of suspension or
- the date the claimant becomes a person in hardship

24. See DMG Chapter 35 Hardship for further information.

JSA is not paid because of a sanction

25. If a sanction is imposed, JSA is not paid for the sanction period. However, payments can be made under the JSA Hardship Provision if the claimant successfully applies for a hardship award.

26. From 22 October 2012 a revised Sanction Regime was introduced for Jobseeker's Allowance (JSA) claimants.

27. Depending on the reason for the failure to comply, one of the following sanctions applies;

- Higher;
- Intermediate;
- Lower Level.

28. See the LMCG, Sanctions and DMA Guidance for further information.

Intermediate Level Sanction applied

29. Intermediate level sanctions usually apply when JSA is reclaimed within a specified period of being disentitled for not being available or not actively seeking work. See the LMCG, Sanctions and DMA Guidance for further information.

30. Intermediate level sanctions usually follow a period of disallowance. The period of disallowance counts towards the waiting period for hardship for non-vulnerable claimants, e.g. claimant is disallowed for two weeks for not being available, hardship would be payable from the fifteenth day.

31. A claim for hardship may be payable if applied for, subject to the hardship rules.

Date hardship payable for vulnerable and non vulnerable groups

32. Hardship payments can be awarded when a sanction has been imposed. The rules depend whether the claimant is in a vulnerable or non vulnerable group.

Loss of Benefit

33. If a Fraud LOB penalty is imposed, JSA is not paid for the LOB disqualification period under the normal rules.

When hardship is payable for vulnerable and non vulnerable groups

34. Hardship payments can be awarded when a LOB penalty has been imposed. The rules depend whether the claimant is in a vulnerable or non vulnerable group.

Enquiries from claimants

35. A claimant may ask about applying for a JSA hardship award:

- in person;
- by telephone; or
- by post.

Claimant attends in person or enquires by telephone

36. If the claimant attends the jobcentre in person or telephones to ask about a JSA hardship award, explain to them the general conditions for getting a JSA hardship award.

37. It is important that the claimant is not discouraged from making an application for a JSA hardship award, however depending upon the circumstances, tell the claimant:

- when they can expect a payment of JSA under the normal rules again if their JSA is sanctioned; or
- that, if they have received an adverse decision on labour market entitlement conditions, but they are not in a vulnerable group, they can claim JSA again when they have addressed the question which was decided against them.
- when they can expect a payment of JSA under the normal rules again if a LOB penalty is applied.

38. If the claimant decides not to pursue their application for a JSA hardship award, make a note in JA110: Maintain Notepad and take no further action.

39. If the claimant wants to continue with their application for a JSA hardship award:

- explain the JSA hardship procedures to the claimant;
- make the claimant an appointment for a JSA hardship interview at the Jobcentre; and
- issue them with a JSA hardship interview appointment letter (JSA ESA10A) and a JSA hardship application form (JSA ESA10JP);
- if the claimant is receiving contribution-based JSA only, a JSA3 must be sent to the claimant. They must complete and return it when they attend the hardship interview.

Claimant enquires by post

40. If the claimant enquires about claiming JSA hardship by post, a Hardship interview must be arranged for the claimant to see the JSA Hardship Officer in the Jobcentre to make their application.

41. If the claimant has a contact number, ring them to arrange the appointment with the JSA Hardship Officer. If the appointment is not within two

days of contacting them, send the claimant a JSA hardship interview appointment letter (JSA ESA10A) and a JSA hardship application form (JSA ESA10JP). A flexible appointment reminder by SMS text may also be sent.

42. If the claimant does not have a telephone, arrange an appointment with the JSA Hardship Officer. Send the claimant a JSA hardship interview appointment letter (JSA ESA10A) and a JSA hardship application form (JSA ESA10JP).

Note: remember to allow time for the post when arranging the appointment.

The JSA Hardship interview

43. The decision about whether or not to make a JSA hardship award is usually made by a JSA Hardship Officer in the Jobcentre.
44. Information is gathered to establish what resources would be available to the family if JSA is not paid. See DMG Chapter 35 for further details.
45. The JSA Hardship Officer conducts the hardship interview with the claimant, during which they decide:
- if the claimant, and their circumstances, satisfies the conditions to receive a JSA hardship award; **and**
 - whether the claimant or a member of their family would suffer hardship if a JSA hardship award is not made

JSA Hardship Officer action

46. When the claimant attends the Jobcentre for their hardship interview take the following action:

Step	Action
1	check if claimant is in one of the prescribed circumstances for receiving a JSA hardship award; <ul style="list-style-type: none"> • If they are, follow steps 2 – 6; • If they are not, please see Claimant is not in one of the prescribed circumstances
2	explain the JSA hardship procedures;
3	check the JSA hardship application form (JSA ESA10JP) is correctly completed and signed and obtain any missing information;
4	compare the information on the JSA ESA10JP to that on JSAPS to ensure no change of circumstances have occurred;
5	if the claimant was previously receiving JSA(C) only, check that form JSA3 has been completed and returned.
6	check if claimant is in a vulnerable group.

Claimant is not in one of the prescribed circumstances

47. If the claimant is not in one of the prescribed circumstances, they cannot be entitled to a JSA Hardship award. The JSA Hardship Officer must:

Step	Action
1	record the decision on hardship decision form JSA ESA11;
2	complete form JSA ESA11D showing the reason why a JSA hardship award cannot be made and issue it to the claimant;
3	explain to the claimant the reasons why they are not entitled to a JSA hardship award, and tell them that they can go through the disputes process if they wish.
4	attach form JSA ESA11 to the JSA ESA10JP (and JSA3 if required) and forward both to the Benefit Centre
5	access dialogue JA110: Maintain Notepad and record the details of the Hardship application and the decision.

Note: do not record the claimant's application in dialogue JA060: Register claim/event. Only hardship applications from claimants who are in the prescribed circumstances must be recorded

Deciding the hardship condition

48. After checking the JSA hardship application form (JSA ESA10JP) to ensure that it has been correctly completed and signed by the claimant, the JSA Hardship Officer must decide:

- if the claimant satisfies the first two conditions for receiving a JSA hardship award; and
- if the claimant or a specified member of their family will suffer hardship if a JSA hardship award is not made.

49. After considering all the available evidence, take the appropriate action depending on whether the claimant:

- does not satisfy the hardship conditions; or
- satisfies the hardship conditions.

Claimant does not satisfy the JSA Hardship conditions

50. If the claimant does not satisfy the JSA hardship conditions:

Step	Action
1	record the decision on hardship decision form JSA ESA11;
2	complete form JSA ESA11D showing the reason why a JSA hardship award cannot be made and issue it to the claimant;
3	explain to the claimant the reasons why they are not entitled to a JSA hardship award, and tell them that they can go through the disputes process if they wish.
4	attach form JSA ESA11 to the JSA ESA10JP (and JSA3 if required) and forward both to the Benefit Centre
5	Within JSAPS, access dialogue JA060: Register claim/event, REGISTER CLAIM/EVENT screen JA060062 and complete the following fields: <ul style="list-style-type: none"> • 'Event type' input [04];

	<ul style="list-style-type: none"> • ‘Event sub type’ input: <ul style="list-style-type: none"> ○ [01] for a suspension; ○ [02]] for a disallowance; ○ [03] for a sanction or LOB; or ○ [04] if the claim has not been decided; • ‘Receipt date’ input the date of the JSA hardship interview;
6	<p>Access JSAPS dialogue JA120: Event maintenance, select the hardship event and complete the following fields:</p> <ul style="list-style-type: none"> • ‘Outcome’ input [02] adverse decision to show that the hardship application has not been successful; • ‘Completed date’ input the date of the JSA hardship interview;

Claimant satisfies the Jobseeker's Allowance hardship conditions

51. If the claimant satisfies the JSA hardship conditions:

Step	Action
1	explain to the claimant that they are entitled to a JSA hardship award and when they can expect to receive a payment
2	explain to the claimant about the arrangements for the future;
3	decide whether a 20% or 40% reduction in the claimant's applicable amount applies;
4	record the decision on hardship decision form JSA ESA11;
5	attach form JSA ESA11 to the JSA ESA10JP (and JSA3 if required) and forward both to the Benefit Centre.
6	complete form JSA ESA11A and issue it to the claimant;
7	access dialogue JA110: Maintain Notepad and record the details of the Hardship application and the decision.

Deciding the amount of a hardship payment

52. The weekly amount of JSA hardship awarded depends on the claimants needs. All personal allowances, premiums, housing costs and disregards for income and capital are calculated as for JSA (IB) under the normal rules. The special rules reduce the applicable amount by 20% or 40% of specified personal allowances.

53. Further information about determining the amount of JSA Hardship is in Chapter 35 of the Decision Makers Guide.

When does the 20% reduction apply

54. The personal allowance is reduced by 20% if the claimant or a member of the family or a member of a joint-claim couple is pregnant or seriously ill.

When does the 40% reduction apply

55. The personal allowance is reduced by 40% if the claimant or a member of the family or a member of a joint-claim couple is not pregnant or seriously ill.

56. If both members of a Joint claim are sanctioned, the couple receive a 40% reduction of the personal allowance.

Arrangements for the future

57. The arrangements for the future depend on the reason why the claimant has been awarded hardship:

The claimant has received an adverse decision on labour market entitlement conditions and is in a vulnerable group

58. If the claimant has received an adverse decision on labour market entitlement conditions and is in a vulnerable group, tell them that:

- payments made under a JSA hardship award are usually paid two weeks in arrears;
- they may be eligible to get JSA under the normal rules if they address the labour market question on entitlement;
- the JSA hardship award is open ended following the imposition of any waiting days, so long as the claimant attends Jobsearch Reviews and advisory interviews and satisfies the other JSA(IB) entitlement conditions; and
- any payments made under a JSA hardship award count towards the 182 days JSA(C) entitlement.
- NI Credits are NOT awarded during the period of the Suspension, Sanction or Disallowance even if JSA hardship is in payment

The claimant has been sanctioned and is in a vulnerable group

59. If the claimant has been sanctioned and is in a vulnerable group, tell them that:

- payments made under a JSA hardship award are usually paid two weeks in arrears; and
- JSA hardship payments can be made throughout the sanction period, so long as the claimant:
 - attends Jobsearch Reviews and advisory interviews; and
 - satisfies the labour market entitlement conditions and the other JSA(IB) entitlement conditions.

The claimant has been sanctioned but is not in a vulnerable group

60. If the claimant has been sanctioned but is not in a vulnerable group, tell them that:

- they will get their JSA hardship payment from the 15th day after any waiting days have been served;
- payments made under a JSA hardship award are usually paid two weeks in arrears;
- JSA hardship payments can be made throughout the sanction period, so long as the claimant:
 - attends Jobsearch Reviews and advisory interviews; and
 - satisfies the labour market entitlement conditions and the other JSA(IB) entitlement conditions.

The claimant has a Fraud LOB penalty applied and is in a vulnerable group

61. If the claimant has a LOB penalty applied and is in a vulnerable group, tell them that:

- payments made under a JSA hardship award are usually paid two weeks in arrears; and
- JSA hardship payments can be made throughout the LOB penalty period, so long as the claimant:
 - attends Jobsearch Reviews and advisory interviews; and
 - satisfies the labour market entitlement conditions and the other JSA(IB) entitlement conditions.

The claimant has a Fraud LOB penalty applied but is not in a vulnerable group

62. If the claimant has a LOB penalty but is not in a vulnerable group, tell them that:

- they will get their JSA hardship payment from the 15th day after any waiting days have been served;
- payments made under a JSA hardship award are usually paid two weeks in arrears;
- JSA hardship payments can be made throughout the LOB penalty period, so long as the claimant:
 - attends Jobsearch Reviews and advisory interviews; and
 - satisfies the labour market entitlement conditions and the other JSA(IB) entitlement conditions.

The claimant is waiting for a decision at the start of a claim and is in a vulnerable group

63. If the claimant is waiting for a decision at the start of a claim and is in a vulnerable group, tell them that:

- payments made under a JSA hardship award are usually paid two weeks in arrears;
- the JSA hardship award is open ended following the imposition of any waiting days, so long as the claimant attends Jobsearch Reviews and advisory interviews and satisfies the other JSA(IB) entitlement conditions; and
- if the decision goes against them, an adverse decision on labour market entitlement conditions will be imposed.

The claimant is waiting for a decision at the start of a claim but is not in a vulnerable group

64. If the claimant is waiting for a decision at the start of a claim but is not in a vulnerable group, tell them that:

- they will get their JSA hardship payment from the 16th day after any waiting days have been served;
- the JSA hardship award is open ended following the imposition of any waiting days, so long as the claimant attends Jobsearch Reviews and advisory interviews and satisfies the other JSA(IB) entitlement conditions.

- payments made under a JSA hardship award are usually paid two weeks in arrears;
- if the decision goes against them, the claimant's JSA claim will be disallowed and there will be no entitlement to JSA at all.

The claimant has been suspended and is in a vulnerable group

65. If the claimant has been suspended and is in a vulnerable group, tell them that:

- payments made under a JSA hardship award are usually paid two weeks in arrears;
- the JSA hardship award is open ended following the imposition of any waiting days, so long as the claimant attends Jobsearch Reviews and advisory interviews and satisfies the other JSA(IB) entitlement conditions.
- if the decision goes against them, an adverse decision on labour market entitlement conditions will be imposed.

The claimant has been suspended but is not in a vulnerable group

66. If the claimant has been suspended but is not in a vulnerable group, tell them that:

- they will get their JSA hardship payment from the 15th day after any waiting days have been served;
- payments made under a JSA hardship award are usually paid two weeks in arrears;
- if the decision goes against them, the claimant's JSA claim will be disallowed and there will be no entitlement to JSA at all.

67. Advise the claimant that they must inform their Jobcentre of any change of circumstances whilst they are receiving JSA hardship payments.

Processing a Jobseeker's Allowance hardship award on JSAPS

68. To process a Jobseeker's Allowance hardship award on JSAPS, input the JSA(IB) claim as normal unless this has already been done, then:

Step	Action
1	access dialogue JA120: Event maintenance to check if there is an open New Claim or Change of Circumstances event;
2	access dialogue JA060: Register claim/event, REGISTER CLAIM/EVENT screen JA060062 and complete the following fields: <ul style="list-style-type: none"> • 'Event type' input [04] hardship; • 'Event sub type' input: <ul style="list-style-type: none"> ○ [01] for a suspension; ○ [02] for a disallowance; ○ [03] for a sanction or LOB penalty ○ [04] if the claim has not been decided; • 'Receipt date' input the date the claimant applied for a JSA hardship award; then:

	<ul style="list-style-type: none"> • if there is an open New Claim or Change of Circumstances event, go to Step 4; • if there is no open New Claim or Change of Circumstances event, go to Step 3;
3	re-access dialogue JA060: Register claim/event, EVENT MAINTENANCE REGISTER CLAIM/EVENT screen JA060062 and complete the following fields: <ul style="list-style-type: none"> • ‘Event type’ input [02] change of circumstances; • ‘Event sub type’ input [10]; • ‘Receipt date’ input the date the claimant applied for a JSA hardship award;
4	press [F1] to go to dialogue JA091: Maintain claim details, CLAIM DETAILS PICKLIST screen JA091002 and complete the following fields under Change of circumstances: <ul style="list-style-type: none"> • ‘Effective date’ input the date JSA hardship payments have been awarded from; • ‘Exceptional conditions’ input [Y];
5	press [ENTER] to display the EXCEPTIONAL CONDITIONS screen JA091019 and complete the following fields: <ul style="list-style-type: none"> • ‘Person no’ input [01] customer; • ‘Reason code’ input code: <ul style="list-style-type: none"> ○ [15] to show an adjustment to the claimant’s applicable amount; ○ [27] if the claimant is subject to the 20% reduction; ○ [28] if the claimant is subject to the 40% reduction; • ‘D/Start’ input the date the hardship payments have been awarded from; • ‘D/End’, JSAPS will accept a date of up to 52 weeks, input a date which is within this period of the start date of the hardship award, even if the JSA hardship award is open ended;
6	press [F1] to go to dialogue JA200: Award and Decision, EVIDENCE SUMMARY screen JA200201;
7	press [ENTER] or [F12] to go to the AWARD SUMMARY screen JA200202;
8	press [F5] to access the CLERICAL COMPONENTS screen JA200203 and complete the ‘Amount’ field to show the reduced applicable amount payable for the claimant;
9	press [ENTER] to prompt JSAPS to: <ul style="list-style-type: none"> • recalculate the claimant’s JSA(IB) using the clerical components input; and • display the AWARD SUMMARY screen JA200202 and use function key [F24] to make a decision
10	if the claimant has an eligible home loan, access dialogue JA301: Maintain Mortgage Direct and input/update the information as

	appropriate;
11	access dialogue JA405: Compute payment to display the payment profile calculated by the system and to produce a JSA hardship payment if one is due;
13	JSAPS issues the relevant notifications to the claimant which explains that they are entitled to a JSA hardship payment.

Claimants who use the postal facility to provide a labour market declaration

69. If a request is made for a JSA hardship award from a claimant who uses the postal facility, send them a JSA hardship application form (JSA ESA10JP) and a JSA3 if necessary, together with a letter giving a contact name and telephone number for enquiries.

70. When the form is returned, the application is considered in the normal way and a decision made as to whether or not to make a JSA hardship award.

71. If the decision is made to make a JSA hardship award to a claimant who usually uses the postal facility, action depends on whether or not the claimant has received an adverse decision on labour market entitlement conditions.

72. If the claimant's JSA has been suspended, sanctioned, had a LOB penalty applied or a decision is awaited at the start of their claim, they can continue to use the postal facility.

73. If the claimant has received an adverse decision on labour market entitlement conditions and the adverse decision is for two weeks or less, they can continue to use the postal facility. However, if the decision is for more than two weeks, the postal facility is withdrawn.

74. If the postal facility is withdrawn, the claimant must attend the Jobcentre for their Jobsearch Reviews and Adviser Interviews, but they can claim their fares to attend each fortnight.

Claimant sanctioned for failure to participate in the Mandatory Work Activity Scheme (MWA)

75. A claimant who is sanctioned because they have failed, without good cause, to participate in the MWA scheme; can have access to hardship payments during the period of sanction, This can either be on the basis of being:

- In a vulnerable group or;
- the claimant and/or partner are likely to suffer hardship if JSA is not paid.

76. The non-vulnerable claimant becomes eligible for JSA Hardship payments on the 15th day from the start of the sanction.

Schemes for Assisting Persons to Obtain Employment Regulations 2013 (SAPOE).

77. The regulations supporting the ESE scheme were abolished and replaced with Schemes for Assisting Persons to Obtain Employment Regulations 2013 (SAPOE) on 12.2.13 following a Judicial review.

78. A claimant who is sanctioned because they have failed, without good cause, to participate in the SAPOE scheme; can have access to hardship payments during the period of sanction, This can either be on the basis of being:

- In a vulnerable group or;
- the claimant and/or partner are likely to suffer hardship if JSA is not paid.

79. The non-vulnerable claimant becomes eligible for JSA Hardship payments on the 15th day from the start of the sanction.

Claimant receiving JSA(C) applies for a hardship award

80. Awards made under the JSA Hardship Provision are awards of Income Based JSA which are paid at a reduced rate.

81. There is no provision for awarding Contribution Based JSA (JSA(C)) under the JSA Hardship Provision. However, claimants who usually receive JSA(C) only can apply for a JSA hardship award if they provide the information required details for a JSA(IB) assessment.

82. If the details needed for the JSA(IB) assessment are already held:

- confirm whether the details are correct;
- if anything has changed, take normal change of circumstances action; and
- assess JSA(IB) using this information.

83. If the details are not already held, ask the claimant to complete a JSA application for review form (JSA3). This is needed before entitlement to a JSA hardship award can be decided.

84. Any JSA hardship payments made will continue to erode the claimant's cumulative total.

Consecutive and Overlapping Sanctions

85. Claimants that have a sanction imposed for a second offence, immediately following or during an existing sanction are penalised for each offence for which the DM imposes a sanction. Hardship payments are not payable for the first 14 days of the second sanction unless the claimant is in a vulnerable group.

86. A JSA/ESA10 is required for each hardship award following the new sanction. See DMG Chapter 35 Consecutive or overlapping sanctions.

Change of circumstances

87. If a claimant receiving an award of JSA under the JSA Hardship Provision reports a change of circumstances the decision to award Hardship must be reviewed.

Claimant still satisfies the Jobseeker's Allowance hardship conditions

88. If the claimant still satisfies the JSA hardship conditions:

Step	Action
1	access dialogue JA091: Maintain claim details and record the change if appropriate;

2	continue normal action.
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Claimant no longer satisfies the Jobseeker's Allowance hardship conditions

89. If the claimant no longer satisfies the JSA hardship conditions:

Step	Action
1	record the decision on hardship decision form JSA ESA11;
2	complete and issue form JSA ESA11D showing the reason why an award cannot be made: <ul style="list-style-type: none"> • under the normal rules; nor • under the JSA Hardship Provision;
3	explain to the claimant: <ul style="list-style-type: none"> • they are not entitled to JSA at all; and • the reasons why;
4	tell the claimant that, if they wish, they can go through the disputes process;
5	if the claimant's claim is maintained: <ul style="list-style-type: none"> • by JSAPS, go to Step 6; or • clerically, go to Step 20;
6	access dialogue JA060: Register claim/event, REGISTER CLAIM/EVENT screen JA060062 and complete the following fields: <ul style="list-style-type: none"> • 'Event type' input [02] change of circumstances; • 'Event sub type' input [10] changes to exceptional conditions; • 'Receipt date' input the date of the hardship interview;
7	press [F1] to go to dialogue JA091: Maintain claim details, CLAIM DETAILS PICKLIST screen JA091002 and complete the Change of circumstances 'Effective date' field to show the date payment under the JSA hardship award will stop;
8	press [F24] to re-display the CLAIM DETAILS PICKLIST screen JA091002 and input [Y] in the 'Exceptional conditions' field;
9	press [ENTER] to display the EXCEPTIONAL CONDITIONS screen JA091019 and identify the exceptional conditions showing codes: <ul style="list-style-type: none"> • [27] or [28]; and • [15] with a 'D/Start' which is the same as the 'D/Start' for code [27] or [28];
10	When you have identified the correct exceptional conditions [15] and [27/28], overwrite the date in the 'D/End' fields to show the date the JSA hardship award stops;
11	press [F1] to go to dialogue JA200: Award and Decision, EVIDENCE SUMMARY screen JA200201; System Reference Guide Volume 6.
12	press [ENTER] or [F12] to go to the AWARD SUMMARY screen JA200202;
13	if the change of circumstances is effective from: <ul style="list-style-type: none"> • a date between the last benefit week ending (BWE) day and the

	<p>current BWE day, go to Step 14; or</p> <ul style="list-style-type: none"> the current BWE day, go to Step 18;
14	identify the Award Summary screen which includes the final JSA hardship award details and then press [F5] to access the CLERICAL COMPONENTS screen JA200203 ;
15	check whether the details displayed are correct;
16	<p>if the details displayed:</p> <ul style="list-style-type: none"> are correct, go to Step 17; or are not correct, amend them as appropriate and then go to Step 17;
17	press [ENTER] to return to the AWARD SUMMARY screen JA200202;
18	when you are satisfied with the summary of evidence and award details, press [F24] to decide;
19	after deciding, press [END];
20	attach form JSA ESA11 to the JSA hardship application form JSA ESA10JP and file both in the claimant's claim file.

90. Further information about JSA Hardship is available within Volume 6, Chapter 35 of the Decision Makers Guide.

Notifications to Local Authorities

Hardship payments allowed at start of claim

91. If hardship payments are awarded, the notifications to Local Authorities (LA) that are output will depend on the timing of the award.

92. If the decision to suspend, disallow or sanction is input:

- at the same time as the award of hardship payments, JSAPS issues an NHB(JSA) entitlement notice; or
- before the decision to award hardship payments, JSAPS issues an NHB(JSA) decision notice showing a nil award.

93. When the hardship award decision is input, JSAPS issues an NHB(JSA) notification headed 'revised entitlement dates'.

Hardship payments made during the claim

94. If the decision to suspend, disallow, sanction or LOB is input:

- at the same time as the award of hardship payments, JSAPS does not issue a notification. This is because the LA is not affected by the decisions, as the award of Housing Benefit is continuous;
- before the decision to award hardship payments, JSAPS issues NHB(JSA) end of entitlement notice with the appropriate reason.

95. When the hardship award decision is input, JSAPS issues an NHB(JSA) notification headed 'revised entitlement dates'.

Dealing with enquires when hardship is refused

96. Hardship decisions are appealable to Her Majesty's Courts and Tribunal Service if the claimant is still dissatisfied following a mandatory reconsideration.

97. If the claimant is refused hardship they are given a written statement of the reasons why hardship is not payable. This is the JSAESA11D.

98. The JSAESA11D explains the mandatory reconsideration and appeals process to the claimant.

99. If the claimant disagrees with the decision, they must ask for the decision to be reconsidered. A mandatory reconsideration must be done, see the Mandatory Reconsideration Process for LMDM's guidance.

Living Together As Husband and Wife / Civil Partners

Summary

1. For Jobseeker's Allowance purposes, unmarried couples are treated in the same way as married couples/civil partners.
2. Any claim or change of circumstances which shows two adults who are not close relatives living in the same household should be considered a possible Living Together as Husband and Wife or Civil Partners (LTAHAW/CP) situation and investigated.
3. After investigation, a specially trained decision maker will decide if the claimant should be treated as a member of a couple.
4. Full guidance is available within the Living Together As Husband And Wife / Civil Partners guide.

Identifying a potential LTAHAW/CP case


5. On a new claim you may identify potential living together as husband and wife/civil partner LTAHAW/CP where there is another person aged 16 or over living in the same household as the claimant, who is not a member of their immediate family.
6. If, on a change of circumstances, the claimant begins sharing accommodation with another person aged 16 or over who is not a member of their immediate family, LTAHAW/CP should also be considered.

When LTAHAW/CP is not considered

7. Potential LTAHAW/CP should not be considered if:
 - the only other people in the household are married to each other, civil partners of each other, or living together as if they are married or civil partners
 - the claimant is within a prohibited degree, in Scotland, a forbidden degree, of relationship for marriage or civil partnership with the other person.
 - sexual intercourse between the two people would be a criminal offence.
8. See Living Together As Husband And Wife / Civil Partners guide Annex 1 for more information on Prohibited and Forbidden Degrees.

LTAHAW/CP procedures

9. Once potential LTAHAW/CP case has been identified, the process consists of six stages:

Step	Action
1	Information: form LTF1  is completed.
2	Referral: the completed LTF1 is referred to the Financial Assessor Manager (FAM) or the Team Leader.
3	Recommendation: the FAM or Team Leader makes a recommendation as to whether a full LTAHAW/CP interview is required.
4	Interview: a Customer Compliance Officer (CCO) conducts a

	LTAHAW/CP interview and completes form CP2(LT).
5	Decision: the Benefit Delivery Expert (BDE) considers all the information available, including the information on form CP2(LT), and makes a determination as to whether the claimant is LTAHAW/CP.
6	Outcome decision: the decision is issued to the claimant.

10. The aim is to gather information as early as possible in the new claim or change of circumstances process. This will enable cases where it is unlikely that a LTAHAW/CP situation exists to be filtered out, so that interviews can be concentrated on those claims where it is still possible that a LTAHAW/CP situation exists.

11. Full guidance is available within the Living Together As Husband And Wife / Civil Partners guide.

Completion of form LTF1

12. When completing form LTF1:

- tell the claimant why you need to complete the form; explain that, to deal with the claimant's claim correctly, we need to know more about the place where they live and the people who live there.
- use open language that does not lead the claimant's response
- show empathy and understand that the claimant may be feeling sensitive to the questions about possible LTAHAW/CP
- be non-judgmental
- do not lead the claimant into admitting LTAHAW/CP, but if the claimant acknowledges they are LTAHAW/CP, establish the date LTAHAW/CP started
- accept the claimant's answers, asking follow-up questions only for clarification
- if the claimant gives conflicting information or refuses to answer, refer the case to the appropriate officer for further action.

13. When asking the questions on form LTF1 you must obtain sufficient information to enable the appropriate officer to make a recommendation on whether a LTAHAW/CP interview is required.

14. Once completed the form LTF1 is referred to the Financial Assessor Manager (FAM) or the Team Leader for consideration.

15. Full guidance on completing form LTF1 is available within the Living Together As Husband And Wife / Civil Partners guide.

Action for the FAM or Team Leader

16. Using the claimant's responses to the questions on form LTF1, the Living Together As Husband And Wife / Civil Partners guide, and any other information available, the FAM or Team Leader will make a recommendation.

17. The FAM or Team Leader will filter out cases where:

- a LTAHAW/CP situation is unlikely; or
- there is little likelihood that a Customer Compliance Officer (CCO) will be able to collect any further evidence during a LTAHAW/CP interview.

18. The FAM or Team Leader should note JSAPS dialogue JA110: Maintain Notepad, indicating which of the following recommendations they consider appropriate:

- Continue processing as a single claimant
- Refer to a CCO for an interview
- Claimant now claiming as a couple
- Claimant has withdrawn claim

LTAHAW/CP interviews


19. LTAHAW/CP is a sensitive area, therefore interviews are conducted by a CCO who has had special LTAHAW/CP training and can deal with the subject diplomatically and without causing distress to the claimant or possible partner.

20. The interview can be conducted at the local office or by a visit.

21. On receipt of the claim documents, The CCO should consider the recommendation made by the FAM/Team Leader, and any other evidence available, to decide whether a full LTAHAW/CP interview is required.

22. If it is decided that a LTAHAW/CP interview is not appropriate, note JSAPS dialogue JA110: Maintain Notepad, and, where practical, notify the person who made the original recommendation. Contact the claimant to let them know that they will not be interviewed about the LTAHAW/CP situation.

23. If it is decided that a full LTAHAW/CP interview is appropriate:

Step	Action
1	contact the claimant to notify them of the LTAHAW/CP interview
2	issue form INF3(IS/JSA)  to the claimant
3	record details of the interview in the claim documents and in dialogue JA110: Maintain Notepad.

24. See the LTAHAW/CP interviews section of the Living Together As Husband And Wife / Civil Partners guide for more information.

The LTAHAW/CP interview and form CP2(LT)

25. Form CP2(LT) is used to record the claimant's answers during the LTAHAW/CP interview. It is divided into sections which build a picture of the history, current situation, and future plans.

26. See the LTAHAW/CP interviews section of the Living Together As Husband And Wife / Civil Partners guide for more information on completing form CP2(LT).

27. The information on form CP2(LT) is used by the Benefit Delivery Expert (BDE) to decide if the relationship is like that of a husband and wife or civil partners.

28. At the end of the interview, advise the claimant that:

- their statement will be sent to a BDE who will make a decision about the LTAHAW/CP aspect of their claim; and
- they will be informed in writing of the decision.

Making a LTAHAW/CP decision

29. The BDE will assess the information from the completed forms LTF1, CP2(LT) and any other evidence held to establish if:

- there is sufficient information for a LTAHAW/CP decision to be made;
- the LTAHAW/CP situation is ambiguous and will remain unclear no matter how many questions are asked;

- the information gathered is contradictory or improbable.
30. The BDE will make a LTAHAW/CP decision using:
- LTF1, CP2(LT) and any other evidence available
 - case law
 - guidance from the DMG Chapter 11 Living together.
31. After considering all the evidence and deciding whether or not the claimant is LTAHAW/CP, the BDE will record their decision on form CP3(LT) and issue the appropriate notification to the claimant.

Claimant is not LTAHAW/CP

32. If the BDE decides that the claimant is not LTAHAW/CP:

Step	Action
1	Arrange for the claim to be processed as normal
2	Issue draft letter DLJA352 to the claimant

Claimant is LTAHAW/CP

33. If the BDE decides that the claimant is LTAHAW/CP:

Step	Action
1	Issue draft letter DLJA351 to the claimant
2	Consider joint claim action

34. Full guidance is available within the Living Together As Husband And Wife / Civil Partners guide

Possibility of fraud

35. If there is a possibility of fraud, consider a referral to fraud using a Fraud Referral Form (FRF). Further information is available within the Customer Compliance Guide.

Loss of Benefit Provisions

Summary

1. Loss of Benefit (LOB) Provisions are designed to be a deterrent against abuses of the benefit system by applying a penalty to those who are convicted, or who have accepted a caution or an administrative penalty for a benefit fraud offence.
2. First introduced from 1 April 2002 the 'Two Strikes' provision made it possible to impose a penalty by restricting payment of benefit for 13 weeks if a claimant, their partner or a family member was convicted of a second benefit fraud offence, and that second offence was committed:
 - within 3 years of a previous conviction (where 2nd offence committed before 01 April 2008), or
 - within 5 years of a previous conviction (where 2nd offence committed on or after 01 April 2008)
3. From 1 April 2010 a 'One Strike' provision made it possible to impose a restriction of benefit payment for four weeks when a claimant, their partner or a family member has been convicted, or accepted a caution or an administrative penalty for, a first (or non linking) benefit fraud offence, when the whole period of the fraud was committed on or after 1 April 2010.
4. From 1 April 2012, it is DWP policy to no longer offer cautions in respect of welfare benefits as an alternative to prosecution for frauds that occurred wholly on or after 1st April 2012.

Note - Individual Local Authorities (LA) can continue to offer a caution if cautions remain part of their fraud policy.

5. To further deter against fraud, the LOB regime is being strengthened to make the penalties tougher for those convictions where the offence has been wholly committed on or after 1 April 2013.
6. For repeated benefit fraud, longer loss of benefit periods will apply where repeated offences have been committed within a set 5 year linking period and those offences have all been committed on or after 1/4/13. This means that where three offences A, B and C, have occurred offence B must be within 5 years of A, and C within 5 years of B. Penalties following a conviction will also escalate based on the number of previous offences (including penalties as an alternative to prosecution).
7. The amended rules introduce 5 new LOB levels as follows:
 - **Level 1** - Offences which result in an Administrative Penalty (Ad Pen) or caution will continue to result in a LOB penalty of 4 week
 - **Level 2** - For a first benefit fraud conviction the LOB Penalty duration will increase from 4 to 13 weeks
 - **Level 3** - Where there are two offences, within a set time period, with the latter resulting in a conviction the LOB Penalty will be for a period of 26 weeks
 - **Level 4** - A 3 year LOB penalty will be introduced where there are three offences within a set time period the latter resulting in a conviction
 - **Level 5** - An immediate 3 year loss of benefit for serious organised and identity fraud cases.

8. The Fraud Investigation Service (FIS) determines the appropriate level of penalty following a fraud offence or repeated fraud offences.
9. Benefit offences that begin before 1 April 2013 will be liable for One Strike/Two Strike penalties regardless of when the case is discovered, investigated or convicted or a penalty as an alternative to prosecution is accepted. For example an offence may have begun on 30 March 2013, be discovered in March 2014 and eventually convicted in 2015. This will result in a liability for a One Strike/Two Strike penalty as appropriate. Therefore there will be a significant period of time when both the One Strike/Two Strike penalties and the new 5 level LOB penalties regime will run in parallel.

Introduction

10. A penalty reduction for benefit fraud will be applied to all sanctionable DWP, Local Authority (LA), Her Majesty's Revenue & Customs (HMRC) and Service Personnel and Veterans Agency (SPVA) benefits as listed in Appendix 1. A penalty reduction can be applied to more than one benefit at the same time at the rate applicable to each benefit.
 11. Depending on the benefit being claimed, different rules apply to how the penalty reduction is applied. Accordingly while some benefits may be reduced in part, others may be reduced completely. Each benefit area is responsible for ensuring that they action each FIS determination notice that advises that a penalty reduction is required and is applied to the benefit they are responsible for, if it is in payment (or is claimed) during the disqualification period.
 12. FIS will issue a determination notice to all relevant benefit processing teams to confirm that a LOB penalty is appropriate and the length of that penalty. Form LOB1 will be used to notify the determination.
- Note:** Form TS2 will be issued by FIS to notify processors of a one/two strike LOB.
13. The role of the benefit processor is to apply the appropriate penalty applicable to the right claimant's benefit for the duration of the relevant disqualification period.

Definition of Family Member

14. Family means the claimant, any partner and any dependent children.
15. A penalty can still be imposed if the offender is the JSA claimant's partner or a family member. However, the penalty should only be applied when directed to do so by FIS.
16. If the offender is the claimant's partner or a family member and they are removed from the JSA (IB) assessment, recalculate the case to remove the penalty.

Impact of a LOB penalty on Jobseeker's Allowance

17. The application of a LOB penalty results in the removal of the payability of JSA (Cont and/or IB) during the Disqualification Period unless a premium is appropriate.
18. To retain an underlying entitlement to JSA, a claimant must continue to meet all the conditions of entitlement during the disqualification period, e.g.

they must be available for and actively seek work. In addition, the claimant must report all changes of circumstances throughout the disqualification period.

19. Following the application of a LOB penalty, a claimant can make a claim for JSA Hardship.

Impact of a LOB penalty on Joint Claims

Single offender

20. Payment restrictions apply to an offender who is a member of a joint-claim couple during the disqualification period.

21. In these cases, unless the couple qualify for JSA Hardship, the other member of the couple may receive either:

- JSA(Cont), if they satisfy the conditions for it; **or**
- JSA(IB) at a rate equivalent to a single person's applicable amount.

Both offenders

22. No JSA will be payable to a joint claim couple where:

- both members of the couple are subject to a penalty for a benefit fraud;
or
- one member is subject to a penalty for a benefit fraud offence and the other is subject to a labour market sanction.

23. However, where both members of a joint claim couple are subject to a penalty and/or a labour market sanction, they can make a claim for JSA Hardship.

Impact of a LOB penalty on Training Allowance

24. A LOB penalty **cannot** be applied to a training allowance.

25. If a claimant is subject to a LOB penalty and then commences training the penalty will stop on the day before the training starts.

26. However if the training finishes prior to the end of the LOB Disqualification Period, and a new claim to JSA is received, the penalty can be reinstated.

27. If the claimant is on training when the LOB1/TS2 is received, **do not** apply the penalty. Access dialogue JA110: Notepad and ensure that the need to impose a penalty is recorded if a further claim to JSA is made.

Disqualification Period

28. The earliest date a penalty can be applied is 28 days after the determination date, i.e. the earliest date a penalty can be applied is from the 29th day.

29. The determination date is the date the FIS fraud officer determines that a LOB penalty applies. This will then determine the earliest start date for the disqualification period.

30. FIS will issue a determination notice on form LOB1 to confirm that a loss of benefit penalty is appropriate and the length of period the penalty is for. The notice will instruct the processor to apply a LOB from the 'earliest' possible start date, i.e. the 29th day, from which the processor will calculate the actual disqualification period.

DQ Day

31. The first day of the disqualification period is known as DQ day. If no benefit is in payment on the determination day then the DQ day is the 29th day. If benefit was in payment on the determination day but ceases to be in payment before the start of the disqualification period, then the DQ is the 29th day.
32. DQ day is the day following the first payday after the end of the period of 28 days. However if the earliest date (29th day) is the first day of the benefit week then the disqualification starts from the 29th day. Use the start date of the disqualification period as the date of change

Penalty notification received from FIS

33. Upon receipt of the TS2/LOB 1 from FIS, check the claimant details on the form to confirm you have the correct JSAPS claimant record or clerical papers:
- If the claimant details are incorrect return form TS2/LOB 1 immediately to FIS providing any relevant information;
 - If benefit is in payment at another office forward form TS2/LOB 1 to the new paying office.

TS2/LOB 1 received and JSA is not in payment

34. If a TS2/LOB 1 notification is received from FIS and JSA is not in payment, ensure that details of the penalty, including the start date, end date and the penalty level are recorded in dialogue JA110: Notepad.
35. If a TS2 notification is received from FIS for a two strike penalty and JSA is not in payment ensure that details of the penalty, including the start date, end date (5years and 28 days) and the penalty level are recorded in dialogue JA110: Notepad.

TS2/LOB 1 received and JSA is in payment

36. If a TS2/LOB 1 notification is received from FIS and JSA is in payment, apply the LOB penalty.

Applying the penalty

37. Different actions are required to apply the penalty depending on who is named as the offender and whether a TS2 or LOB 1 is received.

TS2

38. The following action is required to apply the penalty if the offender named on form TS2 is:
- the claimant, **or**
 - a member of a joint claim couple; **or**
 - is the claimant's partner and is in the same age band as the claimant (i.e. if the claimant is aged over 25 the partner is also aged over 25)

Step	Action
1	Align the start and end of the disqualification period and implement the penalty for the correct period
2	Input a penalty onto the claim on dialogue JA210: Maintain Suspension

	and Decision Details from the first day of the Disqualification Period using appropriate A/R code. <ul style="list-style-type: none"> • FR0003 - Full sanction "One strike" • FR0006 - Full sanction "Two strikes"
3	access dialogue JA200: Award and Decision to reassess the claim;
4	access dialogue JA405: Compute Payment, payments are shown as [NIL] for the penalty period unless a premium applies;
5	Inhibit the system notification advising the claimant that benefit has reduced/ceased in dialogue JA405: Compute Payment on actioning a TS2 only. For New Claims, JSAPS will not allow the user to inhibit notification. In these cases, consider whether a payment will be issued immediately after processing the new claim: <ul style="list-style-type: none"> • if no, process the new claim as normal then input the LOB penalty as a change of circumstances. This will allow you to inhibit the notification in dialogue JA405: Compute Payment. • if yes, consider processing the new claim as a Build from Clerical a couple of days after the TAM date.
6	access dialogue JA530: Case Controls and set a case control for the end of the penalty period.
7	If one/two strike (TS2) applies Issue DLJA 824 , notifying the claimant that the penalty has been imposed and how long it is for.
8	Access dialogue JA110: Maintain Notepad and record: <ul style="list-style-type: none"> • LOB penalty as the reason for the reduction; • who the offender is, for example the claimant, their partner or a family member; • the start and end dates of the disqualification period; and • details of the FIS contact.

39. The following action is required to apply the penalty if the offender named on form TS2 is the claimant's partner **and** is in a different age band from the claimant (ie the claimant is aged over 25 but their partner is aged 18-24).

Step	Action
1	Align the start and end of the disqualification period and implement the penalty for the correct period.
2	Access dialogue JA091: Maintain Claim Details and Input Y in the EXCEPTIONAL CONDITIONS field within the checklist and press Enter.
3	To apply the penalty: <ul style="list-style-type: none"> • enter Exceptional Condition Code 15, • the person it applies to • the start and end dates of the penalty period and • V in the Verified field.
4	Access the CLERICAL COMPONENTS screen within dialogue JA200: Award and Decision to reassess the claim. For each award period the penalty applies: <ul style="list-style-type: none"> • Record the appropriate number in the For field • Complete the Amount field. This will be the single person's personal allowance appropriate to the customer's age reduced by the

	appropriate penalty amount.
5	Press Enter and check the AWARD SUMMARY to ensure the clerical component amount is displayed
6	Inhibit the system notification advising the claimant that benefit has reduced/ceased in dialogue JA405: Compute Payment. For New Claims, JSAPS will not allow the user to inhibit notification. In these cases, consider whether a payment will be issued immediately after processing the new claim: <ul style="list-style-type: none"> • if no, process the new claim as normal then input the LOB penalty as a change of circumstances. This will allow you to inhibit the notification in dialogue JA405: Compute Payment. • if yes, consider processing the new claim as a Build from Clerical a couple of days after the TAM date.
7	access dialogue JA530: Case Controls and set a case control for the end of the penalty.
8	Issue DLJA 824, notifying the claimant that the penalty has been imposed and how long it is for.
9	Access dialogue JA110: Maintain Notepad and record: <ul style="list-style-type: none"> • LOB penalty as the reason for the reduction; • who the offender is, for example the claimant, their partner or a family member; • the start and end dates of the disqualification period; and • details of the FIS contact.

LOB1

40. If LOB 1, input the correct AR code and the system will automatically make the correct reduction.

Step	Action
1	Align the start and end of the disqualification period to the relevant benefit week ending day and implement the penalty for the correct period.
2	Access dialogue JA091: Maintain Claim Details and Input Y in the EXCEPTIONAL CONDITIONS field within the checklist and press Enter.
3	To apply the penalty: <ul style="list-style-type: none"> • Enter one of the following AR codes depending on who is named on the LOB1 and the level of penalty to be applied: <ul style="list-style-type: none"> ○ CSF01Claimant - Ad Pen or a Caution for benefit fraud 4WKS ○ CSF01Family member - Ad Pen or a Caution for benefit fraud 4WKS ○ CSF01Partner - Ad Pen or a Caution for benefit fraud 4WKS ○ CSF02C - Conviction of benefit fraud JSA 13WKS ○ CSF02F - Conviction of benefit fraud JSA 13WKS ○ CSF02P - Conviction of benefit fraud JSA 13WKS ○ CSF03C - Conviction of benefit fraud JSA 26WKS ○ CSF03F - Conviction of benefit fraud JSA 26WKS ○ CSF03P - Conviction of benefit fraud JSA 26WKS ○ CSF04C - Conviction of benefit fraud JSA 3YRS ○ CSF04F - Conviction of benefit fraud JSA 3YRS

	<ul style="list-style-type: none"> ○ CSF04P - Conviction of benefit fraud JSA 3YRS ● the start date of the penalty period; and ● V in the Verified field.
4	Press Enter and check the AWARD SUMMARY to ensure the clerical component amount is displayed
5	Issue the system notification in dialogue JA405: Compute Payment.
6	Access dialogue JA110: Maintain Notepad and record: <ul style="list-style-type: none"> ● LOB penalty as the reason for the reduction; ● who the offender is, for example the claimant, their partner or a family member; ● the start and end dates of the disqualification period; and ● details of the FIS contact.

Clerical cases

41. If the claimant's case is maintained clerically, calculate the penalty period using the same procedure as for a JSAPS maintained case.
42. In addition, make sure the claimant continues to receive any linked benefits to which they are entitled, for example Housing Benefit.
43. For clerically maintained claims:

Step	Action
1	complete form JSA14A to show the appropriate entitlement for the period;
2	cease all payments of JSA to the claimant if applicable by completing the 'Payment Record' panel on form JSA14P;
3	continue to record on form JSA14P the cumulative total of days of JSA(C) the claimant claimed;
4	Issue DLIS825 to person named on the LOB1 or issue DLIS824 to person named on TS2.
4	BF the claim for the duration of the penalty;

Failure to apply a LOB penalty - Overpayments action

44. If a penalty is not applied in time and an overpayment of benefit happens treat it as an official error and follow the normal procedures to calculate and record an official error overpayment.

Action during the disqualification period

JSA ends before penalty start date

45. If JSA ceases before the penalty start date, note dialogue JA110: Notepad and ensure that the need to impose a penalty is recorded if a further claim is made.
46. This means that if the claimant does not return to benefit within the relevant fixed period as noted below, then the penalty is no longer appropriate:
- 4 weeks for a one strike penalty
 - 4 weeks for a Level 1 penalty
 - 13 weeks for a Level 2 penalty
 - 26 weeks for a Level 3 penalty

- 3 years for a Level 4 or Level 5 penalty
47. For a two strike penalty, the regulations are different. If the claimant customer returns to benefit within 5 years and 28 days of the 2nd benefit fraud conviction the Two Strikes penalty can still be applied.

Entitlement ends during the disqualification period.

48. If the claimant's entitlement ends during the disqualification period:
- ensure dialogue JA110: Notepad has been updated with a record of the disqualification period and how many weeks of the disqualification period have been completed; and
 - Take normal closure termination action.

Claimant re-claims during the disqualification period

49. If the claimant's entitlement to JSA ended during the disqualification period and they later re-claim within the remainder of the disqualification period:

Step	Action
1	Check any dormant records for form TS2/LOB 1 and dialogue JA110: Notepad for any record of a live or incomplete penalty period. If no record found, contact FIS for penalty period if CIS interest held.
2	Confirm that the disqualification period goes beyond the new date of claim.
3	Reinstate the penalty for the remainder of the disqualification period.

Action at the end of the disqualification period

50. When the penalty period ends, case control S098: Entitlement review outstanding appears on the Work Available Report JA72539.

51. When the case control appears:

Step	Action
1	check if any change of circumstance has been reported (Note: a JSA3 is only required for complex change of circumstances);
2	Recalculate the claimant's benefit, making sure it is paid in full from the end of the disqualification period.
3	You do not need to tell FIS if a claimant is overpaid JSA as a result of late or erroneous application of a LOB penalty. If an overpayment occurs treat it as an official error and follow the normal procedures to calculate and record an official error overpayment.

Reconsideration and appeals

Reconsideration procedures

52. If a claimant asks for a reconsideration of a penalty, check that it was applied correctly and as directed by verifying the details against the TS2 or LOB1 penalty notification.

53. If the penalty has not been applied correctly take the following action:

Step	Action
1	Revise the decision.
2	Take any necessary corrective action.
3	Pay any arrears that are due.
4	Notify the claimant of the outcome.

54. If the penalty has been applied to the wrong claimant:

- take any necessary action to apply the penalty to the correct person;
- take any necessary corrective action; and
- record any overpayments that may have been caused by delaying the application of the penalty in the correct case.

55. If the reconsideration request relates to any other aspect of a penalty:

Step	Action
1	<p>Record the details in dialogue JA120: Event Maintenance or the claimant's clerical papers and forward the reconsideration request urgently to the DM.</p> <p>Note: FIS should only be consulted if the DM believes that information on the TS2/LOB1 is incorrect, this could include:</p> <ul style="list-style-type: none"> • part of the offence was prior to 1 April 2010 or 1 April 2013; or • the disqualification period is incorrect. <p>Do not stop any penalties at this stage.</p>
2	After the DM has completed their reconsideration action record the reconsideration details in dialogue JA120: Event Maintenance or the clerical papers.
3	<p>If a penalty is no longer applicable:</p> <ul style="list-style-type: none"> • revise the assessment to remove it; and • pay any arrears that are due.
4	Notify the claimant of the decision. See Disputes and Reconsiderations for further information

Appeals

56. There is no right of appeal against a decision that JSA is not payable or is payable at a reduced rate following a conviction for benefit fraud offences where the only grounds for appeal is that:

- The claimant has not been convicted of a benefit fraud offence, or
- That the offender did not commit the benefit fraud offence in respect of which there has been:
 - an agreement to pay an administrative penalty or
 - for which a caution was accepted

Conviction quashed

57. If a court quashes or sets aside a conviction, the decision to impose a penalty must be revised and arrears paid.

58. FIS will usually notify you if a court quashes a conviction, using form LOB2 if it is against a LOB penalty. However, the claimant may provide evidence of the quashed conviction before FIS notifies you.

59. If a claimant provides evidence that a court has quashed their conviction:

Step	Action
1	Send the evidence to FIS.
2	Do not pay any benefit arrears until instructed to do so by FIS.

60. When FIS receives the evidence, they will reconsider the determination that a LOB penalty applies and notify you of the outcome.

61. When FIS notifies you of the outcome of their reconsideration:

Step	Action
1	If the penalty is still applicable: record the reconsideration details in dialogue JA110 or on the case papers
2	If the penalty is no longer applicable, revise the original decision and notify the claimant of the outcome by letter using DLIS 902
3	Take any corrective action as appropriate to pay arrears or record an overpayment, taking into account any other benefits, CSM deductions and any sanctions etc that may have been applicable during the period of the penalty reduction.

Checking CIS

62. On any new claim to a 'sanctionable' benefit the benefit processor should always check CIS to identify if there is a current LOB penalty in existence. This can be found in the 'Interests screen' within CIS and will display as 'Loss of Benefit Criminal Penalty'.

Appendix - Sanctionable and Disqualifying Benefits/Credits

Offences which began before 1 April 2013

63. Some benefits are disqualifying but not sanctionable (Column B) and others are both disqualifying and sanctionable (Column C).
64. Benefits listed in Column A are not disqualifying or sanctionable.
65. Accordingly, an offence may be committed against a disqualifying benefit but the penalty would be imposed on a different but sanctionable benefit.
66. Most benefits are disqualifying, meaning that fraud against them would trigger the loss of benefit penalty to all sanctionable benefits the claimant is receiving.
67. Some benefits are disqualifying but not sanctionable. The reason for this tends to be the reason why the benefit is paid – for example if paid to meet the extra costs of disability or retirement pension. The Department sees these benefits as falling in categories of extra need, for the benefit of others, or protecting claimants that might be especially vulnerable to hardship.

A	B	C
Benefits/credits that are not 'Disqualifying' or 'Sanctionable'	Benefits/credits that are 'Disqualifying' but not 'Sanctionable'	Benefits/credits that are both 'Disqualifying' and 'Sanctionable'
Maternity Allowance	State Pension	Income Support
Statutory Maternity Pay	Jobseeker's Allowance (Joint Claim Couples) **	Jobseeker's Allowance (single person and non-joint claim couples) #
Statutory Sick Pay	Graduated Retirement Pension	Standard Housing / Council Tax Benefit
Statutory Adoption Pay	Disability Living Allowance	Incapacity Benefit #
Statutory Paternity Pay	Attendance Allowance	Carer's Allowance #

Health in pregnancy Grant	Child Benefit	War Pensions #
Working Tax Credit	Guardian's Allowance	Widows Pension / Bereavement Allowance #
Child Tax Credit	Social Fund Payments	Widowed Mothers / Parents Allowance #
Pneumoconiosis (Workers' Compensation) 1979	Christmas Bonus	Industrial Injuries Disablement Pension #
2008 Diffuse Mesothelioma Scheme	Industrial Injuries (inc. Old Cases) Constant Attendance Allowance *	Industrial Death Benefit #
	Industrial Injuries Exceptionally Severe Disablement Allowance *	All other Industrial Injuries Scheme Benefits not covered elsewhere in the table #
	War Pensions Exceptionally Severe Disablement Allowance*	Pension Credit
	War Pensions Constant Attendance Allowance*	Employment and Support Allowance (Contributory) #
	War Pensions Mobility Supplement *	Employment and Support Allowance (Income Related)
	Bereavement Payment *	
	Passported Housing Benefit / Council Tax Benefit	
Notes		
<p>* The Social Security Fraud Act 2001 does not specify these benefits/credits. However, the Social Security (Loss Of Benefit) Regulations 2001 define these as non-sanctionable (SI2001/4022)</p> <p># These benefits/credits will be withdrawn for the duration of the sanctionable period but the claimant is able to claim/apply for either:</p> <ul style="list-style-type: none"> • Income Support / Employment and Support Allowance (Income Related) at a reduced rate, or • Pension Credit at a reduced rate, or Jobseekers Allowance on ground of hardship <p>** The member of the couple who isn't the offender can receive Jobseekers Allowance (JSA) as a single person without having to apply for hardship payments.</p>		

Offences which began on or after 1 April 2013

68. Some benefits are disqualifying, but not sanctionable (Column B) and others are both disqualifying and sanctionable (Column C).

69. Benefits listed in Column A are not disqualifying or sanctionable.

70. Accordingly, an offence may be committed against a disqualifying benefit but the penalty would be imposed on a different but sanctionable benefit.
71. Most benefits are disqualifying, meaning that fraud against them would trigger the loss of benefit penalty to all sanctionable benefits the claimant is receiving.
72. Some benefits are disqualifying but not sanctionable. The reason for this tends to be the reason why the benefit is paid – for example if paid to meet the extra costs of disability or retirement pension. The Department sees these benefits as falling in categories of extra need, for the benefit of others, or protecting claimants that might be especially vulnerable to hardship

A	B	C
Benefits/credits that are neither 'disqualifying' nor 'sanctionable'	Benefits/credits that are 'disqualifying' but not 'sanctionable'	Benefits/credits that are both 'disqualifying' and 'sanctionable'
Maternity Allowance	State Pension	Income Support
Statutory Maternity Pay	Jobseeker's Allowance (Joint claim couples) *	Jobseeker's Allowance (single person and non joint claim couples) #
Statutory Sick Pay	Graduated Retirement Benefit	Standard Housing/Council Tax Benefit**
Statutory Adoption Pay	Disability Living Allowance	Incapacity Benefit #
Statutory Paternity Pay	Attendance Allowance	Carer's Allowance #
Health in Pregnancy Grant	Child Benefit	War Pensions #
Pneumoconiosis (Workers' Compensation) 1979	Guardian's Allowance	Widows Pension/Bereavement Allowance#
2008 Diffuse Mesothelioma Scheme	Social Fund Payments	Widowed Mothers/Parents Allowance #
	Christmas Bonus	Industrial Injuries Disablement Benefit #
	Industrial Injuries (inc. Old Cases) Constant Attendance Allowance	Industrial Death Benefit #
	Industrial Injuries Exceptionally Severe Disablement Allowance	All other Industrial Injuries Scheme Benefits not covered elsewhere in the table #
	War Pensions Exceptionally Severe Disablement Allowance	State Pension Credit
	War Pensions Constant Attendance Allowance	Employment and Support Allowance (contributory)#

	War Pensions Mobility Supplement	Employment and Support Allowance (Income Related)##
	Bereavement Payment	Severe Disablement Allowance #
	Linked Housing Benefit/Council Tax Benefit	Working Tax Credit
	Child Tax Credit	Universal Credit ##
	Personal Independence Payment	

Notes

- * Section 8 Social Security Fraud Act 2001 – effect on joint claims applies
- ** Whilst CTB remains a sanctionable benefit, as CTB will no longer exist from 1/4/13 and the new LOB levels come into force from 1/4/13, CTB will not be sanctioned following the introduction of the new Council Tax Support (referred to in DWP as Council Tax Local Scheme)
- # Payment withdrawn completely (other benefits are a reduced payment)
- ## For claimants, partners or family members in receipt of ESA (IR) or UC their benefit may be completely withdrawn or reduced depending on the conditions for receipt of those benefits. See benefit specific guidance for further details.

Making Payments

Recording account details

1. Ensure that Direct Payment account details form, DP Gen Direct Payment into an account has been completed with all the relevant account details. If the claimant wishes to inform a change of account details over the telephone take action to complete the DP Tel form.
2. Check that the account details are valid by using Bank Wizard to confirm the details. Bank Wizard can be accessed through the Department for Work and Pension home page on the Intranet at:
<http://bankval/bw2.asp>
3. To input the Direct Payment details on JSAPS:

Step	Action
1	access dialogue JA400: Method of Payment;
2	input the: <ul style="list-style-type: none">• account name;• account number; and• sort code; provided by the claimant.

Special input requirements

4. In addition to the above details, bank and building society accounts require the input of:
 - a two letter code; or
 - an alternative code based on the type of account.

Accounts needing special action

5. Some types of account require special action because of the way they are operated. These are:
 - building society accounts with a sort code;
 - seven or nine digit numbered bank accounts;
 - ten digit numbered bank accounts; or
 - Trustee Savings Bank accounts.

Building society accounts with a sort code

6. If the building society account has a sort code:
 - check any special input requirements; and
 - if necessary, treat the account as a bank account when inputting the details on JSAPS.

Banks account numbers with seven or nine digits

7. The maximum length of a bank account number that JSAPS can accept is eight digits. Some banks operate seven or nine digit account numbers.

8. If the account has:

- seven digits, input [0] as the first number;
- nine digits, input the last eight digits only.

Banks account numbers with ten digits

9. If the account has ten digits, input the first eight digits only.

Trustee Savings Bank accounts

10. Some Trustee Savings Bank accounts have nine digits, in these cases; input the first eight digits only.

Bank and Building Society Codes

11. Bank and building society codes are often subject to change by the banking industry, especially due to mergers and takeovers. If there are problems shown when inputting any of the codes, access up to date information by checking the Direct Payment Input Guide to ensure the correct code is inserted.

12. If there are still problems inserting the details contact Bank Liaison Service Customer Helpline

Post Office ® card account

What is a card account?

13. A POca is a simple bank account that is only able to accept Direct Payments from government departments of either benefit, pension or credit payments. More information on the POca can be found on the Corporate Banking and Method of Payment (COBAP) website. See in particular POca Key Messages

Claimant requests a POca

14. You must follow the guidance in the Post Office card account opening process.

15. A Post Office Authorisation Document (PAD) cannot be completed until benefit entitlement has been decided. On a new claim the Method of Payment Policy discussion and POca follow on conversation may have already been carried out by the Contact Centre or the Financial Assessor in the Jobcentre. Once the claim has been processed and benefit entitlement established the Post Office Authorisation Document (PAD) can be completed and submitted. Otherwise, discussions by telephone must take place before you complete the PAD.

Simple Payment

16. Simple Payment is available to those who cannot be paid by direct payment into a bank, building society or Post Office card account. It is intended for people who cannot operate any other type of account.

17. Simple Payment is the payment method used as a last resort. You should seek confirmation that this method of payment applies to the claimant before making any Simple Payment.

18. All new or repeat claims to benefit should not have been paid by cheque since 8 October 2012. The claimant should have been given a Method of Payment Policy Statement discussion and be encouraged to use direct payment into a bank, building society or Post Office card account.

19. If after the method of payment discussion it is established that the Simple Payment is required explain that they will be given a Simple Payment card or a Simple ePayment number that they take to a Paypoint outlet displaying the Simple Payment logo to obtain their benefit.

20. Processing action is detailed in the Simple Payment chapter of the Jobseekers Allowance Procedural Guidance or you may access the Simple Payment Service guidance direct.

Central Payment System

21. CPS has been introduced to provide an integrated payment and accounting system.

22. CPS Local Payment is part of the functionality of CPS and provides the facility to pay claimants by Direct Payment or by Faster Payment.

23. The term urgent payment on a post award case is used to describe payments that are overdue or due that day and cannot be paid on time using the claimant's normal direct payment because of the three day Bank Automated Clearing System (BACS) cycle.

24. If a claimant requests an urgent payment, consideration of a Faster Payment should only be taken in **exceptional circumstances**. Such as extreme cases of financial hardship where an emergency payment is needed the same day.

25. Where the claimant would have attended the office to collect a payment before CPS LP was introduced a Faster payment may be considered. This is the overriding criteria when considering a Faster Payment.

26. Faster Payments should **not** replace regular Direct Payments. Faster Payments are more expensive to produce than Direct Payments

27. here a change of circumstances is reported that requires action to stop a direct payment or ongoing payment then CPS Manage Payments provides the functionality to cancel or auto recall a payment.

28. All JSAPS payments made on both HBS and CPS have this functionality therefore it is important to understand the impact on both systems when recalling or cancelling a payment. Please refer to CPS User Guide Chapter 15 for help in using the manage payment function.

29. To support the system a variety of guidance has been produced. The CPS Reference Guidance covers all instructions from the User Guide to the System Reference Guide and advice and support telephone numbers.

Consider special payments

30. Special payment action will need to be taken where:

- A Short Term Benefit Advance is appropriate;
- split payments are appropriate;
- the claimant nominates another person to receive Jobseeker's Allowance;
- a clerical payment is appropriate; or
- a payment in cash is considered.

Short Term Benefit Advances

What is a Short Term Benefit Advance?

31. A Short Term Benefit Advance replaces an Interim Payment from 1st April 2013. Interim payments MUST NOT be made from this date. The Interim Payment functionality will still exist on the JSAPS system. This MUST NOT be used under any circumstances.

32. A Short Term Benefit Advance is processed via the STBA Template, which may be accessed via the Handover Telephony Tool (HOTT) icon available on your computer Desktop screen. All action taken is recorded on the various tabs of the template.

33. A Short Term Benefit Advance (STBA) is designed to provide financial support for claimants in the form of an advance of some or all of their benefit.

34. An STBA is an advance of JSA made to a claimant who declares a financial need which may result in a serious risk to their health and/or welfare of them or their family.

35. Advances will be limited to 60% of their personal allowance prior to their first benefit week ending date and 100% of their personal allowance from their first benefit week ending.

36. Any advance paid at the 60% rate will be expected to be repaid over a twelve week period, by deductions from ongoing benefit payments. Advances paid at the 100% rate will be recovered immediately from arrears.

Financial Need

37. STBA's are an important way of alleviating financial need which may result in a serious risk to our claimant's health and/or welfare of them or their family.

38. In the context of STBA's, our intervention means that the claimant or any family member in respect of whom the claim is made may avoid financial difficulties.

39. When considering an urgent need request, think especially about:

- any physical or mental health issues that might increase the risk of their urgent need; and
- establish the likely date a payment of normal benefit can be made and the claimant understands the knock on effect the interim payment will have on their next benefit payment.

Who can decide to make a Short Term Benefit Advance

40. The assessment will be made by:

- a Benefit Processor for assessing the likelihood that the claimant satisfies the conditions of entitlement for benefit and can afford to repay the advance in the normal timescale
- a Decision Maker for deciding on Financial need, the amount to advance and agreeing the repayments with the claimant.

Deciding whether to make a Short Term Benefit Advance or refer for local crisis support

41. If the only reason that the claimant is in urgent need is the time taken to action their JSA claim ensure the claim is processed as soon as possible. If a decision to award benefit is about to be made, give this priority.

42. The case could be “Live” but payment not due because they haven’t reached their pay week. In these cases a Short Term Benefit Advance may still be considered if the claimant has declared a financial need which may result in a serious risk to their health and/or welfare of them or their family.

43. You must be satisfied that the claimant is or may be entitled to JSA once all information has been gathered. Do not wait until all the evidence to support the claim has been provided, unless the claimant is refusing to provide information without good reason. If it is likely the conditions for benefit entitlement will be met continue to process as in the Short Term Benefit Advance Guidance.

44. If the delay in deciding the claim is due to administrative delays in Jobcentre Plus, for example delays in arranging interviews, give the claimant the benefit of the doubt about any information they have not yet had the chance to provide.

45. An STBA may be considered if:

- a claimant has not had a New Jobseeker Interview; and/or
- documentary evidence of ID has not yet been produced and/or
- a specialist decision is outstanding.

46. **Always** consider if an immediate payment of JSA or a Short Term Benefit Advance can be made in addition to providing information about other support available locally from the District Provision Toolkit.

Note: If during the course of a conversation the claimant enquires about the possibility of an urgent payment consider the possibility of an STBA. Their enquiry and plea for help may lead to an offer, depending on the circumstances, for an STBA, or information about other support.

Request made at First Contact

If the claimant makes contact through the Customer Contact Directorate all emergency payment requests for new claims will result in the completion of the STBA Template via HOTT for referral to the Benefit Centre. The Contact Directorate are not able to advise whether the STBA request will succeed. The benefit centre processor must establish if benefit entitlement is likely.

When to consider a Short Term Benefit Advance

47. An STBA may be appropriate when:

- the claimant declares a financial need which may result in a serious risk to their health and/or welfare of them or their family; and
- a claim for benefit has been made but it cannot be determined immediately, for example further information is needed; or
- a decision to award benefit has been made but benefit cannot be paid immediately, for example a breakdown in the computer payment system.

48. An STBA payment may be considered where the claimant has made a new claim or reported a change of circumstances at any point in the claim process.

49. This may be;

- when a claimant writes into or attends the local office to make a claim for benefit rather than telephoning the Contact Centre
- at any point during the CMS process;
- between action completed at the Contact Centre and the date of the New Jobseeker Interview appointment; or
- if the claimant expresses urgent need during the FA/PA interview.

50. A claimant does not need to make an application for an STBA in writing but as soon as it is evident an STBA may be applicable the STBA template, accessed via HOTT should be completed. If a claimant states they will be in urgent need if they do not receive an immediate payment consider making an STBA, unless it is clear that there would be no entitlement to benefit.

51. When considering an STBA, treat each case on its own merits. Take an objective common sense approach when deciding whether benefit is likely to be awarded.

52. For an STBA to succeed you must also assess the affordability of the claimant to make repayments within the required timescale.

53. This action is important to both your own and the Decision Makers assessment of whether an STBA may be allowed or not. If you decide from information gathered that an award cannot be made continue action to make Initial contact with the claimant to update them.

When may a Short Term Benefit Advance be payable

54. When it is established that the conditions of entitlement and the affordability of repayments is likely arrange the handover to the DM for processing.

55. The DM will make a decision whether to approve an advance. The decision makers will be based at four sites around the country. They will not have access to the HBS systems.

56. Once their decision is made the case will be referred back to the benefit processor to make any due payment and update HBS. See making an STBA payment and action to record STBA.

NOTE: The minimum amount of money which should be paid via CPS Local Payment is £10, unless both the Decision Maker and the approver are satisfied that failing to make this payment will lead to the claimant being in a crisis situation. Advances for amounts under £10 may therefore be considered.

Setting a reminder to enter recovery action.

57. Set a “user set case control” in JA530 Maintain Case Control on JSAPS or a clerical control in a separate run for clerical cases to ensure the STBA template is retrieved after payment. The control needs to record when the recovery action should commence. This should be the second full benefit week following the STBA, set the case control in advance, if possible, to give time for recovery action to be implemented.

When may a Short Term Benefit Advance not be payable

58. When considering a Short Term Benefit Advance the following must be considered which may show that an advance could not be paid ;

- if conditions are satisfied for the actual benefit award to be made and benefit can be paid which would resolve the crisis situation (if the first payday has not been reached but an award has been made – consider an STBA if appropriate)
- where it is unlikely that the claimant will be entitled to JSA. To decide that benefit is **not** likely to be awarded there would need to be a significant level of doubt.
- if the claimant cannot afford to pay back the advance in the repayment period
- an STBA will not be appropriate if the claimant has been asked for information to support the claim but **has not provided that information and there is nothing to prevent it being provided.**
- if a claimant has been **suspended, sanctioned** or has **appealed** against a decision to disallow JSA, an STBA should not, in any circumstances, be considered. The purpose of an STBA is not to avoid the effects of the normal decision-making and appeals process. In this event consider the possibility of a JSA Hardship Award.

Note; Benefit processors have discretion when completing the STBA template. Always consider each case on its individual merits and provide all relevant information on the template to aid the decision makers’ determination.

59. Where a claimant is not eligible for an STBA or no contact could be made with the claimant or the claimant has refused the STBA offered, print the STBA request template and store it in line with JSA document retention guidance.

Appeal Rights

60. There is no right of appeal against:

- the amount of an STBA payment; or
- refusal to pay an STBA payment.

However, the claimant can ask for the decision to be reconsidered and ultimately the decision can be challenged through the courts by judicial review.

Effect on accuracy targets

61. Short Term Benefit Advances are not payments of benefit and are not subject to the accuracy rules relating to individual benefits. Once a benefit claim is fully

processed any accuracy check will examine whether the STBA payment has been correctly assessed and recovered. However, the dates and repayment periods of STBAs themselves are not part of the benefit specific accuracy checks.

62. Checks will be made on the quality of decision making and telephony.

Recovery Action for Short Term Benefit Advance

63. When a claim has been fully adjudicated, paid and recorded, it must be;

- Repaid through debt recovery action if there later proves to be no entitlement
- Recovered through deductions from ongoing benefit payments for advances of 60% of claimant's personal allowance (paid prior to the claimant's first benefit week ending date)
- Recovered immediately from arrears for advances of 100% of claimant's personal allowance (paid on or after the claimant's first benefit week ending date)

64. Recoveries must be set as **overpayments** for the agreed period and commence from the second full benefit payment, unless the claimant wishes to commence recovery earlier. Or where the recovery is made from arrears because the claimant has been paid an advance on or after their benefit week ending date, they will be recovered immediately.

NOTE: Recovery of STBAs will be made in full as they are not subject to the £65 overpayment limit for debt.

65. The BF arrangement will identify the date when recovery action needs to be taken. Take the following action to set up the recovery deduction in JSAPS.

Step	Action
1	Access JA304 'Maintain Clerically Identified Overpayments' Press F2
2	JA304342 'Clerical Overpayment Entry' displays
3	Complete: <ul style="list-style-type: none"> • Office code = leave blank • Owned by – input the NINO of the Joint Claim member, if this is a JC • Debt ID = 43 followed by 300 if JSA(IB) or 301 if JSA(C), claimant NINO without the suffix and 000 – so 5 numbers 2 letters and 9 numbers For example a claimant whose NINO is NZ4050500Y and claiming JSA (IB) would be 43300NZ405050000 <ul style="list-style-type: none"> • Origin = JC if JSA(C) JI if JSA(IB) • Amount = the amount of the STBA • Balance Due = outstanding amount of STBA • From = the start date of the period covered by the STBA • To = the end date of the period covered by the STBA

	<ul style="list-style-type: none"> Discovery Type = OT (Other)
4	Press F4
5	JA304342 displays with decodes Press F4
6	JA303331 'Overpayment Summary' displays Select line number of the O/P input at step 2 Press Enter
7	JA303332 'Overpayment Details' displays
8	Classify the STBA Overpayment Complete: <ul style="list-style-type: none"> Reason for O/P = O (non official error) O/P status = RY Vol Rec = N Method of Discovery = OT
9	Press Enter
10	JA303332 displays with decodes Press Enter
11	JA303333 'Recovery Arrangements' displays
12	Input the recovery details Complete <ul style="list-style-type: none"> From = Input the start date of a Recovery By Deduction (RBD). To = Input the end date of an RBD. Wkly Rcvy Rate = Input the weekly rate at which the overpayment is recovered. Termination Reason Code = Input 07
13	Press F2 JA405 'Compute Payment' displays
14	Complete JA405

66. After completing the recovery action, store the hard copy of the STBA request template with other papers relating to the claim – see JSA document retention guidance.

67. If the STBA's have been processed clerically

- part 10 of JSA14A is used to record details of any Income/Benefits for JSA(C) claims See Assessing Other Benefits
- part 11 of JSA14A is used to record details of any Income/Benefits for JSA(IB) claims – See Assessing Other Benefits
- calculate arrears clerically then Build from Clerical in JA086 if the claim continues. See Making clerical payments

STBA recoveries by Debt Management

68. In some circumstances it may not be possible to recover STBA repayments from the claimant's benefit. This may be because;

- benefit is not awarded but the claimant has already received an STBA

- both an STBA and a benefit payment have been made to the claimant who is later found not to be entitled to benefit
- the claimant ends their benefit claim – either because they start work or change benefits, for example a JSA claimant makes a claim to ESA. The STBA debt will then be recovered from their ESA payments.

NOTE: Recovery of STBAs will be made in full as they are not subject to the £65 overpayment limit for debt.

Split payments

69. A split payment means that the claimant's Jobseeker's Allowance is split between the claimant and another person.

70. An appointed officer may decide that all or part of a claimant's JSA can be paid to another person on the claimant's behalf. This may be necessary to protect the interests of the claimant or their family when the claimant cannot, or will not, budget for their own or their family's normal needs. By splitting the payments the interests of the claimant and/or their family are protected.

71. If the claimant has a partner who is willing and considered capable of dealing with money, consider issuing part of the JSA to them.

72. In all cases, consider paying the JSA to some other responsible person, for example a relative.

73. If JSA is the claimant's main income, pay a small amount of pocket money rate to them, for their personal use. The amount is discretionary, but leave at least 10p in payment, to protect their entitlement to other benefits.

74. The case must be referred for a decision if:

- the claimant requests a split payment; or
- it is considered a split payment may be appropriate, for example a visiting officer may express concern about problems discovered during a home visit to the claimant.

Making a Split Payment

75. The payment made to the claimant will be made on JSAPS. This will be by direct payment into a bank/building society/POca account. Simple payment should only be considered as a last resort.

76. The split payment made to another person should be made by direct payment into a bank/building society/POca/simple payment account via the Central Payment System Local Payments.

77. Select Split Payment Payee from the drop down list in the Special Payment Criteria field on CPS and select a split payment payee remittance. This allows the user to record the split payees name and payment details.

78. Any deductions must be applied to the first payment; functionality will prevent users from inputting deductions against the split payment payee.

79. Access dialogue JA110: Maintain Notepad on the claimant's account and note the action taken for each payment.

Claimant nominates another person to receive Jobseeker's Allowance

80. Nominating another person to receive the payment of Jobseeker's Allowance (JSA) means that the payment is issued and payable to the other person. This is usually done when JSA is due for a period immediately before the claimant stops claiming or is no longer entitled to JSA.

81. This could be when the claimant:

- starts work away from home or abroad;
- is in prison or legal custody and the payment is for a period before the claimant was imprisoned or held in custody.

Clerical payments

82. Cases which will require clerical payments are those that:

- cannot be operated on JSAPS, for example claimants without a National Insurance number or a temporary stopped claim; or
- have been transferred to clerical, for example claims affected by system faults or limitations;
- due to a delay or error have a JSAPS calculated payment that cannot be system issued.

Payments in cash

83. In very exceptional circumstances, Jobseeker's Allowance may be paid in cash.

84. The decision to pay in cash is made by the Business Manager, who must, before authorising a cash payment:

- be satisfied that the claimant will suffer hardship unless a cash payment is made; and
- make sure the cashier holds a sufficient supply of cash.

Special payment action

85. Special payment action needs to be taken when:

- making a Short Term Benefit Advance payment;
- split payments are appropriate;
- the claimant nominates another person to receive Jobseeker's Allowance
- making a payment on a clerical claim or;
- making a personal issue payment

How to make a split payments

86. If:

- the claimant requests a split payment; or
- it is considered a split payment may be appropriate, for example a visiting officer may express concern about problems discovered during a home visit to the claimant:

Step	Action
1	access dialogue JA091: Maintain Claim Details, MAINTAIN CLAIM ADMINISTRATION DETAILS screen JA091004 and change the 'special interest' indicator in the 'Split payments/off-line decision' field from [N] to [Y];
2	access dialogue JA200: Award and Decision, AWARD SUMMARY screen JA200202 and: <ul style="list-style-type: none"> • obtain a screen print for each award; and • press [END] to save the evidence;
3	refer the case and the screen prints to the officer who will make the decision about split payments.

87. When the decision has been made:

Step	Action
1	record the decision on form A6 and make a note in dialogue JA110: Maintain Notepad, giving details of whether split payments are appropriate or not and the reasons for the decision;
2	if split payments are appropriate, record: <ul style="list-style-type: none"> • who the responsible other person is; and • the amounts of JSA payable to: <ul style="list-style-type: none"> ○ the claimant; ○ the other person; and ○ the other person's account details

88. If split payments are not appropriate and the request came from the claimant or a third party, notify them of the decision using draft letter:

- DLJA 300 to the claimant; or
- DLJA 301 to the third party.

89. If split payments are appropriate, record the decision and:

Step	Action
1	access dialogue JA530: Case Controls and set a case control for the day after the claimants usual attendance day;
2	access dialogue JA091: Maintain Claim Details, OTHER BENEFITS screen JA091020 and input: <ul style="list-style-type: none"> • the amount payable to the other person as type [62]; • in the 'For' field: <ul style="list-style-type: none"> ○ code [01] if the claimant is single or has a partner but payment is made to another person; or ○ code [02] if the claimant has a partner and payment is made to the partner; <p>Note: if the other person receives JSA in their own right, you cannot input split payment details and the case must be maintained clerically;</p>
3	send draft letters: <ul style="list-style-type: none"> • DLJA 302 to the other person; or

	<ul style="list-style-type: none"> DLJA 303 to the claimant.
90. when the case control appears on the work available report, JA72539:	
Step	Action
1	access dialogue JA504: General Enquiry and check if the claimant attended;
2	<p>if the claimant attended:</p> <ul style="list-style-type: none"> access dialogue JA501: Enquiry/evidence, OTHER BENEFITS screen JA501587 and find out the amount payable to the other person; copy the payment details onto form FF100, recording in the 'Notes' box: <ul style="list-style-type: none"> the DP is payable to a person other than the claimant; and the account is that of the other person; access dialogue JA530: Case Controls and set a case control for the day after the claimants next attendance day; access dialogue JA490: Clerical Computation of Payment and record the payment to the other person;
3	<p>if the claimant did not attend, check in dialogue JA504: General Enquiry each day, for up to seven days, to find out whether the claimant has attended. If the claimant:</p> <ul style="list-style-type: none"> attends, take action as above; or does not attend, terminate the claim.

Making a payment to a nominated other person

91. If the claimant wants their JSA payment to be made to a nominated person, they must make their request in writing, usually on form JSA477.

92. A claimant may want their JSA payment to be made to a nominated person because they have been imprisoned.

93. When a completed form JSA477 or a written request is received:

Step	Action
1	<p>make sure the form or request:</p> <ul style="list-style-type: none"> gives the name and address of the nominated person; gives the method of payment required; is from the claimant;
2	<p>if the request contains enough details to enable a decision to be made, pass to the section manager to decide:</p> <ul style="list-style-type: none"> if the request can be accepted; and if payment can be made to the nominated person;
3	<p>If the request does not contain sufficient details:</p> <ul style="list-style-type: none"> write to the claimant requesting the required information; set a case control to monitor the reply; when the claimant replies or the case control appears on the work available report JA72539, pass to the section manager to

	decide as above.
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94. When the decision has been made, record the details on form A6 and in dialogue JA110: Maintain Notepad and notify the claimant.

95. If it is decided to reject the claimants request for payment to a nominated person:

Step	Action
1	make the payment to the claimant using their usual method of payment;
2	notify the claimant of the decision on DLJA/304.

96. If the decision is to allow payments to a nominated person the method of payment must be by direct payment into a bank/building society or POca or Simple Payment account;

Step	Action
1	access dialogue JA400: Method of Payment, ACT DETAILS screen JA400402 and input the nominated person's bank, building society or POca details;
2	access dialogue JA405: Compute Payment and issue the direct payment in the usual way.

Changing Nominated Payee in a Joint Claim

97. To change the nominated payee once the joint claim has already been registered, take the following action:

Step	Action
1	Access JA050168 Maintain Joint Claim
2	<ul style="list-style-type: none"> delete the [Y] in the 'Nominated Payee' field for the member who will no longer be the nominated payee; and insert [Y] in the 'Nominated Payee' field for the member who is now the nominated payee; <p>Note: [Y] cannot be input in both fields;</p>
3	press the [END] key to save the information recorded and return to the MAINTAIN JOINT CLAIM - PROMPT screen JA050167 or fastpath to dialogue JA200 Award and Decision.

Making payments on clerical claims

98. If a payment of JSA is required on a clerical claim:

Step	Action
1	complete the payment details on form JSA14P up to column 12;
2	complete form JSA260, notification to the claimant for all clerically generated payments;
3	pass all documents to the responsible officer for the payment to be issued via CPS Local Payment and complete column 13 of JSA14P .

Form JSA14P

99. Form JSA14P is used to record payments on clerically operated claims because it provides:

- an ongoing record of all payments made on a clerical claim at the time of payment;
- a record of previous total and taxable allowance and cumulative total from any previous system held or clerical case;
- an ongoing amount of the total and taxable allowance paid to the claimant on the current claim in the current tax year;
- the cumulative total of days of JSA(C) that have been paid to the claimant;
- the amount of total and taxable allowance required if the case is later entered on JSAPS using dialogue JA086: Build from Clerical;
- the amount of total and taxable allowance required to issue a P45U(MAN) and tax refund if appropriate, if the case is terminated clerically.
- the amount of total and taxable allowance required to issue a P60U(MAN) and tax refund if appropriate, if end of year tax action is taken clerically.

100. Form JSA14P also tells the responsible officer:

- the details necessary to issue the direct payment; and
- that the payment is an off-line payment, therefore dialogue JA450: Record Clerical Payment does not need to be accessed.

101. A new form JSA14P should be used when:

- making the first payment on a new clerical claim;
- a new tax year starts;
- a system fault occurs and payments need to be made clerically until the fault is cleared;
- a case has been transferred to clerical using dialogue JA035: Transfer to Clerical and a payment is required before rebuilding the case on JSAPS using dialogue JA086: Build from Clerical.

How to complete form JSA14P

102. At the top of the form, complete the claimant's:

- name;
- National Insurance number;
- tax year; and
- page number.

103. Complete the remainder of the form as follows:

Column	Entry
1 and 2	the from and to dates of the payment;
3	the total amount of JSA the claimant is entitled to for the period before deductions;
4	the taxable element of the payment;
5	the number of days in this payment, for JSA(C) payments only;
6	the cumulative total of days paid, for JSA(C) payments only;
7	the actual amount payable to the claimant after any deductions have

	been made;
8	column not used;
9	the processing officer's initials;
10	supervisor's signature;
11	direct payment category
12	account details
13	paying responsible officer
14	notes for completion if required

Making a cash payment

104. If a payment in cash has been approved:

Step	Action
1	access dialogue JA405: Compute Payment and complete details of the payment;
2	complete forms: <ul style="list-style-type: none"> • FF92, cash payment at local office; • FF100, clerical payment request; and • JSA260, notification to the claimant;
3	pass all papers to the cashier.

Personal Issue/ Person Without Address

105. Any claimant who in the past has received their Jobseeker's Allowance by cheque payment collected at the Jobcentre/Jobcentre Plus office should have been migrated to Simple Payment.

106. The circumstances in which Personal Issue (PI) can be considered are when the claimant:

- states they live at an address that is unsafe for postal deliveries;
- has difficulties with postal deliveries such as late or wrongly delivered cheques, which are replaced and later found to have been cashed;
- is suffering hardship due to late postal deliveries;
- is of no fixed address (NFA); or
- is a person without accommodation (PWA).

107. If, after considering the circumstances, PI status is refused:

Step	Action
1	explain the reason(s) for refusal to the claimant;
2	access dialogue JA110: Maintain Notepad and record the details of the decision.

108. If PI status is allowed:

Step	Action
1	access screen JA400401 of dialogue JA400: Method of Payment and amend the 'Personal Issue' flag to [Y];

2	if appropriate, access screen JA091004 of dialogue JA091: Maintain Claim Details and make any necessary changes to the claim file and/or the benefit week ending day.
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109. JSAPS automatically sets a system case control type S053 when the PI flag is changed. The case control:

- appears on work available report JA72539;
- is cleared when the claimant's payment is processed in dialogue JA405: Compute Payment.

Introduction

1. The Managing Enquiries Across the Department for Work and Pensions guidance is aimed at all relevant stakeholders in DWP who are involved in processes for resolving customer enquiries at the initial point of contact and where this is not possible how to both send and receive handovers and any subsequent customer related action.
2. It is intended for use by Network Services, Work Services and Benefit Delivery Directorates in conjunction with existing guidance.
3. As with all customer related contact organisations DWP strives to resolve claimant's enquiries at the initial point of contact, wherever this is possible.
 - The product is not designed to replace technical guidance on answering Benefit Enquiries or resolving any resulting handovers. Enquiries resolved at the initial point of contact are not included i.e. where a handover is not required
4. The Managing Enquiries Across the Department for Work and Pensions guidance supports Network Services (NSD), Benefits Delivery (BDD) and Work Services Directorates (WSD) processes for resolving claimant enquiries at the initial point of contact and where this is not possible how to create, receive and manage handovers and any subsequent customer related action.
5. Handovers via HOTT are required because of a direct customer enquiry. All other customer information may be exchanged via the agreed e-mail routes and is considered as business as usual. Departmental email standards must be followed when sending e mails.
6. The Managing Enquiries Across the Department for Work and Pensions guidance provides current guidance on the management of handovers between the telephony, processing and customer facing parts of the business for JSA enquiries, as well as to the following benefits:
 - Employment and Support Allowance (ESA);
 - Incapacity Benefit (IB);
 - Income Support (IS);
 - Maternity Allowance (MA); and
 - Incapacity Benefit Reassessment (IBR).

Method of Payment

Obtaining Account Details – Method of Payment Discussion

1. To comply with Government and Departmental policy for claimants to be paid by Direct Payment (DP), claimants should be asked to provide bank / building society account details, during a Method of Payment discussion.
2. When collecting account details, the conversation should focus on the advantages of using a bank / building society account as detailed in the Method of Payment Policy Statement. Only in circumstances where a claimant is unable to provide existing bank / building society account details should other payment options be discussed.
3. A Method of Payment discussion **MUST** be conducted on:
 - all new claims where account details have not been provided;
 - all rapid review and renewal claims where account details have not been provided
 - where the claimant requests a POca (the discussion **must** take place before a PAD is completed);
 - where there is any appropriate contact with a claimant being paid by Simple Payment. For example change of circumstances or repeat/renewal claims. Details of the discussion and the action agreed must be recorded.
Access dialogue JA110: Maintain Notepad and record:
 - the date the Method of Payment discussion took place; and
 - the outcome

Direct Payments

4. Direct Payment (DP) is the best option for the vast majority of JSA claimants. It is a modern, more reliable, secure and efficient method of payment and offers claimants greater choice about where and when they can collect their money.
5. Payments can be made into standard, current or savings accounts at a bank or building society.
6. There are also a range of accounts now accessible at post office branches, including new easy to operate accounts.
7. Claims and Payments Regulations, Reg 21(1)(a) or (b) state that payment can be credited into an account in the name of:
 - the person entitled to benefit;
 - his/her spouse or partner;
 - someone authorised by, or acting on behalf of the person entitled to benefit;
 - in the joint names of the person entitled to benefit and his/her spouse; or
 - in the joint names of the person entitled to benefit and a person acting on his/her behalf.
8. The account chosen by the claimant can be accepted as a suitable account when the above criteria is satisfied and the account has:
 - an account number and sort code recognised by Voca; and

- the facility to accept payments.

Obtaining account details

9. Form DP Gen can be used if a claimant wants to use or change to Direct Payment but does not want to provide details over the telephone. DP Gen is issued by post for the claimant to sign.

10. DP Gen is also used where claimants have

- Third party accounts – someone else’s account; if they have made arrangements to use the account and are certain the money will be used in the way they want
- Corporate acting bodies
- A Credit Union account – either a standard credit union account or the claimant’s own account details for a current credit union account

11. Form DP Gen also enables the claimant to specify other benefits or entitlement they wish to receive by Direct Payment.

See the Direct Payment Input Guide.

Collecting account details over the telephone

12. If a claimant asks to change their method of payment to Direct Payment you can take their account details over the telephone using Form DP Tel 11/08. A guide to completing the DP Tel form is also available.

13. Account details can only be collected over the telephone from the claimant or their legally appointed representative such as:

- an Appointee
- a Power of Attorney
- a Guardian under the Adults with Incapacity (Scotland) Act.

14. Account details cannot be accepted from solicitors, advisers, relatives, friends of other third parties.

15. Account details for Corporate Appointee should not be taken over the phone

16. Before taking the account details over the telephone it is important to verify the details of any legally appointed representative the claimant has.

17. If there is any doubt as to the callers identity advise them the details cannot be taken over the telephone and that form DP Gen will be sent to them.

Accuracy in recording account codes and reference numbers

18. Each bank/building society has unique code and reference numbers which they use to correctly link Direct Payments to their claimant’s accounts.

19. It is important that the correct account details are input when recording direct payment details.

20. If incorrect account details are entered the Direct Payment will be delayed because it is rejected and returned, or it could go missing because the payment is credited into the wrong account.

21. With the changes in status of some building societies, it is not always obvious which codes and reference numbers to use.

22. It is extremely important that the code matches exactly. When claimants request Direct Payments into their bank/building society account always use the

Direct Payment Input Guide (DPIG) to check account codes and reference numbers which have been supplied by the claimant.

23. To ensure that the Direct Payment is credited to the correct account you may also use the Bank Wizard package to check the validity of the account details provided by the claimant. For more information see the Guide to Bank Wizard which is available on the COBAP site. Bank Wizard also has a link into the Direct Payment Input Guide.

Account name validation

24. Although it is essential that a sort code, account number and, if required, a roll/reference number, are input correctly, the account name also plays a necessary part of the payment record. Some banks/building societies check Direct Payments to check that the sort code and account number quoted match the account holder's name. If they do not match the payment may be delayed or rejected.

Inputting account names

25. The claimant's surname is important data for the bank. You should ensure the account name entered into JSAPS matches the account name held by the bank or building society, including any title.

26. Guidance in the Direct Payment Input Guide instructs that the claimants account name details from their cheque book, debit card or building society pass book should be used when inputting details onto HBS. Enter the account name in the account name field in JSA Dialogue JA400402 exactly as shown in their bank/building society account. This will ensure the payment passes the validation check which the banks and building societies now conduct against their customer accounts.

27. The claimant's surname should be input in full if possible and the more common the surname the more information on other names is needed. In certain cases inputting the surname first (especially if a long surname has been provided) ensures the bank is able to match the account.

28. The account name field can accommodate up to 18 characters, where there is insufficient room some letters or spaces may be omitted. The following examples show how an account name can be input:

- full first name, second name and surname e.g. THOMAS IAIN SMITH (17 characters including spaces)
- full first name and surname e.g. ROBERTHOLLINGSWORTH (maximum 18 characters, no spaces)
- double barrelled surname such as Hollingsworth-Smythe input as HOLLINGSWORTHSMYTH (max 18 characters so last letter of surname omitted).

Bank accounts linked to pre-paid cards

29. The Department has received a number of requests for claimants' payments to be paid into a bank account that is directly linked to a pre-payment card. Claimants are making these requests on form DP Gen.

30. These accounts can be recognised as they have both a bank account number and a building society roll or reference number. However, our systems are **unable** to process these accounts.

31. When one of these forms is received, claimants should be informed that our systems are technically unable to process this type of account. Claimants should also be reassured that we will continue to make their benefit/pension payments into their existing account. If we do not hold any other account details for the claimant, you should discuss the other payment options available to them. Please see the Method of Payment Policy Statement.

How payments are issued

32. Voca, formerly BACS, is the system that processes all Direct Payments. Voca operates the electronic funds transfer processing of direct debits, direct transfers and standing orders and the management of inter-bank network services. It provides for the transfer of monetary items between organisations/businesses and banks/building societies.

33. Voca is the system used to send benefit payments to claimants' bank/building society accounts.

Post Office ® card account

34. A Post Office ® card account (POca) is a simple bank account available via any post office counter in the United Kingdom (UK) and it should be treated in the same way as all other bank/building society accounts.

35. A POca only accepts Direct Payments from Government Departments, for example a payment of a claimant's benefit or allowance. Withdrawals and balance enquiries can be made at any post office during normal opening hours or via Post Office ® branded Automated Teller Machines (ATM's). Though not all post offices will have ATM's and withdrawals cannot be made via other cash machines operated through the LINK network. More information can be found on the Corporate Banking and Method of Payment (COBAP) site or the Post Office card account opening process guidance.

POca limitations

Poca limitations will not:

- allow the claimant to go overdrawn;
- have cheque book facilities;
- have deposit facilities, for example, claimants will not be able to pay cash or cheques into their POca account, this includes any DWP cheque payments, though they may credit money back into their account if they have mistakenly withdrawn too much;
- offer direct debit/standing orders or access to LINK cash machines;
- offer debit or credit cards; or
- pay interest on balances.

36. A POca can be opened even if the claimant has a poor credit history, has had any debt problems in the past or has been declared bankrupt.

37. Claimants with no fixed abode can apply for a POca if they can supply a suitable mailing address in the UK. A post office or government office address **cannot** be accepted.

Note: The existing POca contract is due to run until March 2015 with the possibility of being extended. Claimants can open a new POca (if the account suits their needs and circumstances) and existing claimants can continue to be paid into their POca

Poca Exceptions

38. Before progressing a request for a POca you must be sure that the claimant does NOT fall into any of the Exceptions categories. Further action will depend upon which if any of the exceptions apply. Once it is established the request for a POca can proceed continue to Progress the Poca application.

Claimant requests a Post Office ® card account (POca)

39. If the claimant wishes to open a POca they must understand all their payment options from the Method of Payment Discussion and be aware of the POca limitations compared to a normal bank or building society account. Follow the guidance in the Post Office ® Card Account opening process.

39. A POca Follow on conversation **must** take place before a PAD is completed

Simple Payment

40. Simple Payment is available to those who cannot be paid by direct payment into a bank, building society or Post Office card account. It is intended for people who cannot operate any other type of account.

41. Simple Payment is the payment method used as a last resort. You should seek confirmation that this method of payment applies to the claimant before processing a Simple Payment request.

42. All new or repeat claims to benefit should not have been paid by cheque since 8 October 2012. The claimant should have been given a Method of Payment Policy Statement discussion and be encouraged to use direct payment into a bank, building society or Post Office card account.

43. If after the method of payment discussion it is established that the Simple Payment is required, explain that they will be given a Simple Payment card or a Simple ePayment number which they take to a Paypoint outlet displaying the Simple Payment logo to obtain their benefit.

44. Processing action is detailed in the Simple Payment chapter of the Jobseekers Allowance Procedural Guidance or you may access the Simple Payment Service guidance direct.

Payment by cheque

45. The contract for the encashment of cheque payments has terminated from 31st March 2013.

46. Although we cannot pay any claimants by cheque from 1st April 2013, the functionality will still exist on the JSAPS system.

47. There is the opportunity for users to attempt to pay by cheque in error, or for cheque requests to be generated through automated system processes.
48. A solution exists to prevent the production and issue of cheques which results in the issue of an output report.
49. This report will list all the claimant's accounts where an attempt has been made to issue a cheque.
50. The output report for JSA accounts will be sent to Payment Resolution Service (PRS) who will take remedial action to pay the claimant by DP, if possible, in order to maintain the claimants' payment continuity.
51. Where PRS are unable to action the case it will be handed off to the owning office for resolution and payment.

Processing new and repeat JSA claims

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 DWP 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 DWP staff only. Details of how to contact them can be found by clicking on the following hyperlink, Advice Line Home Page.
2. 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 are only to be used to report broken hyperlinks or provide feedback on the guidance.
3. Feedback on the content and layout of the guidance is welcomed. Please send any feedback to the 'E-mail page owner'

Background

4. This guidance supplements existing guidance for assessing and processing a new or repeat claim to Jobseeker's Allowance. The steps detailed must be complied with to ensure consistency nationally and to ensure the integrity of the data held on the Jobseeker's Allowance Payment System.
5. Any non-standard processes currently in operation or future process improvements must be registered on the Bright Ideas or Freedom and Flexibilities portals. This means ideas are considered nationally and where appropriate incorporated into guidance.

Action on CMS

6. CMS produces a Customer Statement and an Input Document when Jobseeker's Allowance (JSA) is claimed and transfers information to the Jobseeker's Allowance Payment System (JSAPS).
7. The information can be fully transferred, partially transferred or not be suitable for an electronic transfer.
8. Processors use the Input Document and Customer Statement to identify which JSAPS dialogues have been completed and to input any information provided after the CMS gather.
Note: Input Documents include additional administration details that are necessary to process the claim, but not contained in the Customer Statement.
9. For the action to take on CMS prior to processing, please see the CMS BDO Overview guidance

CMS push

10. JSA information is transferred to JSAPS electronically. This is either done:
 - at the Jobcentre after the claimant has attended the New Jobseeker Interview; or
 - at the Contact Centre, at the end of the Reclaim Gather or when a claim has been made online.

11. Gatekeeper Memo 08.13.373 - Improving CMS Transfer (Push) Rates was issued to Work Services Directorate in August 2013. Jobcentres must ensure they comply with that guidance to ensure push rates are maximised.

Partial transfer

12. If electronic transfer fails, the Input Document contains all verified information including all calculations made to support the information for each benefit - and follows the relevant system dialogue flow.
13. To identify at which point the electronic transfer failed, the reason for failure is included in the 'Error, Warnings and Comments' messages section towards the beginning of the Input Document.
14. Input Documents include relevant additional claim information which can be used with the Customer Statement to help process the claim. Key information is placed on the front of the Input Document to ensure backdating, Treat As Made (TAM) Date and Cycle are easily identifiable.
15. The Input Document contains the following sections:
 - identification details;
 - messages returned by ISCS or JSAPS;
 - verification and Enable Benefit Calculations details;
 - administration details;
 - override information;
 - Case Notes; and
 - defective claim warning for IS
16. It also includes administration details, which provide information on:
 - verification;
 - benefits in payment;
 - contact details;
 - print logs; and
 - call-back logs, if applicable.
17. The CMS1 JSA and JSAIS 69 may be received in addition to the Input Document. These forms are completed by the Personal Advisor (PA) and sent to the BC with the JSA Input Document.

Cases not suitable for an electronic transfer

18. For cases that are not suitable for electronic transfer, CMS overrides the transfer method to clerical. See CMS BDO CMS Documentation guidance for details.

ESA to JSA Transitions Cases

19. The ESA to JSA Transitions process only applies to claimants who are moving directly from income related ESA (ESA (IR)) to income-based JSA (JSA (IB)).
20. If the claimant is not eligible for the Transition process, then a full gather must be completed.

21. If a Transition gather is completed in error, contact the claimant to obtain any missing information. **DO NOT** issue a JSA1 /JSA4RR.
22. A signature is not required to enable the claim to be processed, but must be obtained before payment can be made. It is the responsibility of the Jobcentre to obtain the signature from the claimant.
23. When the claimant attends their NJI, the Customer Statement/JSA1(T), is printed and the claimants signature taken.
24. An email is sent to confirm that the claimant has attended and the signed Statement/JSAIS69/JSA1 (T) sent to the Benefit Centre.
25. For further information, see the CMS BDO Processing Action guidance

Processing action on receipt of Input Document

26. Ensure all documentation has been received. Check the Customer Statement/Input Document and in particular both CMS Case Notes and dialogue JA110: Maintain Notepad for any additional information, which needs to be considered, eg submission to a Decision Maker, before authorising payments.

Errors/Warnings/Comments Messages

27. Where an electronic transfer has been attempted, the Input Document always includes any messages returned by JSAPS, regardless of the success of the transfer.
28. Where a case has failed, error messages are displayed on the Input Documents to explain why and to prevent further failures, where possible.
29. The 'Push and Pull' (PxP) error messages form part of the 'MESSAGES RETURNED BY [ISCS or JSAPS]' section of the Input Document.
30. This section is found towards the beginning of the Input Document and is used to identify whether the transfer has been successful.
Note: It is good practice, therefore, to check this section of the document first.
31. Error codes used in the returned messages are the same as those currently used for JSAPS, see the JSAPS system reference guidance for the action to take to clear these. .

Electronic transfer is successful

32. An Input Document is received with any additional detail to support the successful electronic transfer to JSAPS.

Partial transfer of information

33. Establish where the transfer failed and manually input the remaining information - from the point of failure onwards - using details from the Customer Statement and Input Document.

Clerical transfer

34. Input the information to the legacy system using the Customer Statement and Input Document. See the JSAPS system reference guidance for details on the dialogues to use.

The JSA “Must-Do’s”

35. Even when the Input document shows a successful electronic transfer it is **essential** for JSA cases that details on the Input Document/Customer Statement are checked against JSAPS to ensure the claimant’s details match.
36. The following details **must** be checked for **every** case.
- Name, address and bank details;
 - Partner details (if applicable);
 - Current Work details for claimant and partner (if applicable);
 - WTC run-on; and
 - Capital details.
37. These are the minimum screens that require checking but other screens and systems must be checked if **conflicting** evidence is supplied.

Mandatory CIS Check for other benefits

38. Access CIS on **every claim** to check for any benefits that are in payment to, or that have been claimed by the claimant and/or partner, regardless of whether other benefits have been declared.
39. If other benefits are shown in CIS, see the JSA Assessing Other Benefits guidance for the action to take.

Return to Work and In Work Credit

40. For new claims to JSA, check JA110: Maintain notepad for details of an award of Return to Work Credit (RTWC) or In Work Credit (IWC). Where an award was in payment, the processing officer **must** call the RTWC/IWC team named to notify them that the claimant has returned to benefit.

Additional Information

41. Both CMS Case Notes and dialogue JA110: Maintain Notepad must be checked for any additional information that needs to be considered. This includes details of:
- when to expect the claimants P45 so the correct action can be take on JSAPS;
 - the claimant’s unique tax reference if they were self employed;
 - any Joint Claims Exemptions;
 - any Labour Market decisions/sanctions; and
 - any forms issued.
42. For Reclaim gathers where the claimant has been abroad for more than 13 weeks check whether the test of actual habitual residence is required. See Benefit Centre Action for further information.

Destitute Domestic Violence Concessions for Migrants

43. Individuals who:
- come to the UK; or

- were granted leave to stay in the UK as the spouse or partner of a British Citizen or someone settled in the UK; and
 - whose relationship has broken down due to domestic violence
- may be given 3 months **limited leave to remain** in the UK by the United Kingdom Border Agency (UKBA), pending consideration of an application for Indefinite Leave to Remain.

44. During this three month period they person has a right to work in the UK and can access income-related benefits.

45. If a claim is made, they are not required to satisfy either stage of the Habitual Residence Test but must satisfy the normal conditions of entitlement for the benefit, including production of or getting a NINO. If the claimant does not have a NINO follow guidance in the Secure NINO Allocation Process guidance.

46. UKBA issue a letter to the claimant, confirming the start and end date of the three months limited leave to remain in the UK. During this period the claimant must apply to stay permanently under the Domestic Violence Immigration rule.

47. Assess the claim as normal, and:

Step	Action
1	Issue draft letter DL109a as the benefit award notice;
2	Set a case control for review action to be taken one month before the period of limited leave expires;

For further details of the action to take, see the Gathering Evidence chapter of the JSA procedural guidance.

Updating JSAPS with a locally determined JSA Attendance/ FJR Day

48. Certain claims, eg Temporary Stopped or joint claims have to have a different benefit week ending and/or cycle applied . The default values in the FJR day and FJR cycle fields can be amended via dialogues JA086, JA091 and JA094.

49. For further information about Payday and Periodicity and how benefit week ending days and payment cycles are allocated see Periodicity and Payday guidance.

Wrong Partner Details recorded

50. Where it is identified that the wrong partner details have been pulled through from CIS, take the following action:

Step	Action
1	access dialogue JA060: Register Claim/Event and record claim event type = 02 sub type = 06 Receipt Date = Date of Claim
2	F1 to access dialogue JA091002: Claim Details Picklist

	Effective date = Date of claim F24
3	access the dialogue JA091005: About Partner input New Partner' = D
4	Access dialogue JA200: Award and Decision and dialogue JA405: Compute payment Do NOT overtype 'Inhibit Notification' Leave at 'Y'
5	Overpayment will be calculated and W9088 output
6	access dialogue JA060: Register Claim/Event and record claim event type = 02 sub type = 06 Receipt Date = Date of Claim
7	F1 to access dialogue JA091002: Claim Details Picklist Effective date = Date of claim F24
8	access the dialogue JA091005: About Partner input Partner NINO = correct NINO New Partner' = Y
9	Access dialogue JA200: Award and Decision and dialogue JA405: Compute payment Do NOT overtype 'Inhibit Notification' Leave at 'Y'
10	Arrears will be inhibited due the overpayment calculated by JSAPS at step 4
11	JA70100 Inhibited Retrospective Payment Report will be produced the following day
12	On receipt of JA70100 access dialogue JA303: Maintain Overpayments and take action to classify the Overpayment as recoverable
13	Access JA490 Clerical Computation of Payment to record the arrears offset against the overpayment
14	access dialogue JA303: Maintain Overpayments and take action to update the Overpayment as recovered
15	Raise a JSAPS Incident with OMC (0800 975 4000) to arrange for the Incorrect partner NINO to be deleted from the JSAPS database

CIS Broadcasts

51. There may be occasions when a claim has to be clerically transferred because a CIS Broadcast is received. If the broadcast is a change of circumstance, this is recorded in Case Notes
52. Decide whether contact with the claimant is required to confirm the change and if any other information is required before the claim can be processed.

Input Document not received

53. If a claimant makes contact about their claim, access 'View Case' on CMS to establish the status of the claim. If the claimant has outstanding information to

provide they must be advised why the case cannot be progressed until this information is received. Follow up by issuing a SMS text message to confirm what information is required.

54. If the claimant advises that they have produced all of the information requested and verification is complete but transfer has not occurred, contact the Jobcentre immediately and request transfer.

Note: CIT must be told in advance of changes to the processing location codes. An incorrect code might mean the case failing electronic transfer or being transferred to the wrong Benefit Centre.

Evidence Requirements

55. In order for a JSA claim to be valid, it must meet the Evidence Requirement (ER) set out in the Claims and Payment Regulations. This means that, unless it is decided that the claimant is exempt from providing certain evidence, claimants must:

- answer all the questions asked by the Customer Service Agent (CS Agent), the on-line service or on the claim form; and
- provide specified documentary evidence to support the information provided.

56. Whilst there is a legal obligation for the claimant to provide the evidence requested in support of their claim, there is not a definitive list of what to ask for.

57. Verification of information that has a higher risk of negatively impacting processing or accuracy is asked for. The CMS gather, JSA Online gather and the claim forms, all highlight the information the claimant needs to provide or that can be verified from other sources.

58. Guidance on the information required to support the claim and satisfy the ER is in the CMS Financial Assessor Deskaid.

59. The deadline for meeting ER is a maximum of one month from the initial date of contact. Claims that do not meet the ER are referred for a defective claim decision.

60. Changes to the ER implemented from 15 November 2010 standardised the approach to requesting documentary evidence from claimants.

61. Accept the customer statement or claim form as complete if the answers to some unanswered questions are:

- answered somewhere else on the form
- in a supporting document provided by the claimant
- easily available from departmental records, for example the amount of a social security benefit, or
- irrelevant to the claim, for example a missing telephone number.

62. Reuse information already verified from a previous claim if it has not changed, eg occupational pension review date not reached. There is no need to ask the claimant to provide proof again.

63. Information captured and verified by the Customer Service Agent and/or during any financial assessment interview must be accepted.

Documentary evidence not required

64. The claimant does not need to provide documentary evidence in the following circumstances as an alternative verification source is used:

Item	Alternative source for verifying information
Child Benefit	Departmental IT systems and Child Benefit Online
National Savings Certificates	Details obtained during Information Gather
Permanent Health Insurance	Details obtained during Information Gather
Volunteering	Details obtained during Information Gather
Armed Forces Compensation Scheme or Armed Forces Personal Independence Payment	Details obtained during Information Gather
Special Occupational Disregard	Details obtained during Information Gather
Proof of Work Capability Assessment (WCA)/Personal Capability Assessment (PCA)	Departmental IT systems
Notional Income	Details obtained during Information Gather
Work as an actor or musician	Captured under current/previous work and have not changed
Ex-prisoners – date of release	Details obtained during Information Gather
Dates in Hospital	Details obtained during Information Gather
Previous Work	Details obtained during Information Gather
Worked Abroad since last claim	Details obtained during Information Gather
Other Benefits	Departmental IT systems ie CIS. Note: Benefits not paid by DWP eg War Widows Pension, Widowers Pension and War Disablement Pension, require the customer to provide documentary evidence.
Company Director	Details obtained during Information Gather

Student Income/Loans	Details obtained during Information Gather
Dates in Education/Training	Details obtained during Information Gather
Personal Injury Payment	Details obtained during Information Gather

65. Return any documentary evidence that is not required to the claimant. Do not copy and retain.

Documentary evidence needed

66. Where evidence cannot be verified via an alternative source the documentary evidence needed to meet ER is:

- two monthly or five weekly payslips if the claimant and/or partner are in current work
- confirmation of bank/ building society accounts, savings and property. Savings of £5,500 and above must be confirmed by an up to date bank statement or passbook and where the claimant has shares they must provide the certificates or proof of the shares
- details of occupational pensions. Proof of pension is required, for example the latest statement from the company that pays it or the claimant's latest bank statement and a recent form P60
- verification of other benefits that cannot be verified using the Departments IT system, such as War Widow's Pension, Widower's Pension and War Disablement Pension
- verification of other money received by the claimant and/or partner:
 - any training allowance
 - Statutory Sick Pay
 - Statutory Maternity Pay
 - Statutory Adoption Pay
 - Statutory Paternity Pay
 - fostering fees or allowances
 - money from a charity or benevolent fund
 - payments made in lieu of concessionary coal
 - War Pension
 - money from a trust fund
 - payments made from a creditor insurance policy.

Documentary evidence always required

67. Certain groups of claimants are required to provide documentation. These are:

68. people granted asylum – they must send proof of immigration status and any support from the Home Office, an example of proof could be a letter from the Home Office confirming this. For further information, please see Persons from Abroad.

69. Sponsored immigrants – must send proof of immigration status confirming date they entered the country and the date the sponsorship undertaking was signed. See Persons from Abroad for further information.

When to use JA200 and JA405

70. Dialogue JA200: Award and Decision is used to:

- check evidence input in dialogue JA091: Maintain Claim Details for JSA, or dialogue JA610: ESA Claim Maintenance for ESA
- view awards;
- add clerical components;
- assess;
- decide on a claim; or
- make an interim decision.

71. JSA(C) is assessed whenever this dialogue is accessed, but further processing within the dialogue will depend on the type of claim.

72. When deciding on a claim, make sure that the:

- evidence input is correct;
- calculated awards are correct; and
- a decision has been made that the claimant is entitled or not entitled to a payment of benefit.

73. If the conditions above are not met, **do not input dialogue** JA200: Award and Decision.

74. Dialogue JA405: Compute Payment is used to generate payments and notifications to the claimant, based on evidence decided on for awards of:

- ESA(C) or JSA(C);
- ESA(IR) or JSA(IB);
- JSA Hardship;
- Training Allowance

75. Access this dialogue only when actioning:

- a new or repeat claim; or
- a change of circumstances; or
- deductions.

76. **Do not** use these dialogues until all the evidence and information requested in support of the claim has been provided, verified through other systems or is not needed as the information remains unchanged.

77. The DWP measure for JSA of x% of claims cleared in 16 days takes into account claims that cannot be processed within this timescale. There are tolerances in built to the target that recognises not all claims can be processed promptly.

Appendix

Quick links to guidance

Action required in CMS for preview and early push cases	<ul style="list-style-type: none">• CMS BDO guidance• JSA Online guidance• Reclaim Gather Guidance
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Evidence requirement	<ul style="list-style-type: none"> • CMS Financial Assessor desk aide • JSA Procedural guidance – Evidence Requirements and defective claims
Effect of other benefits	JSA Procedural guidance – Assessing Other Benefits
Effect of income	JSA Procedural guidance – Assessing Income
Effect of capital	JSA Procedural guidance - Capital
Part time work	JSA Procedural guidance – Current Work
How to use the JSA dialogues	JSAPS system reference guidance

Obtaining contribution information

Definition of a contribution record

1. The National Insurance record for each year is made up of:
 - contributions paid whilst in employment or during a period of self employment;
 - voluntarily paid contributions;
 - contributions credited whilst sick or unemployed;
 - other contribution credits, eg for periods of approved training;
 - contributions and credits from the Isle of Man.
2. This information can be obtained in three ways; either through the eNIRS2 browser, through JSAPS as a Main Benefit Reply or through form RD26.
3. To be entitled to JSA (C), a claimant must have enough contributions of the right type in a specified period.

What is the eNIRS2 browser

4. The eNIRS2 browser gives access to contributions information provided by HMRC.
5. It provides on line services replacing current paper processes and removes the need for a number of paper forms, specifically CF368 (CA5481), CF201, CF400, MF64 and T250DE.
6. The eNIRS2 browser operates through DOI. It is not currently available for cases from Northern Ireland or from the Isle of Man.
7. These cases should be processed using RD26 or Main Benefit Reply.

What is the Main Benefit Reply

8. The Main Benefit Reply (MBR) is produced by NPS using information from Departmental Central Index (DCI). JSAPS uses the information from DCI screen whilst waiting for the MBR from NPS.
9. The MBR confirms whether the claimant is entitled to JSA (C), and it identifies:
 - full time education details;
 - approved training details;
 - overlapping benefits; and
 - linking details.

Contribution information from the Isle of Man

10. Contribution and credits from the Isle of Man (IOM) are transferred to NIRS2 and become effective from the first Sunday following the end of the Tax Year.
11. From the contribution information transferred from the IOM, NIRS2 identifies IOM claimants claiming in Great Britain and sends form RD26 for each one to the **JSA & DMA Team (Isle of Man)** in National Tier.
12. When form RD26 is received the team will:
 - complete Part 1 of form JSA722;
 - send form JSA722 together with form RD26 to the appropriate JSA Unit;

- keep a list of all claimants to whom they have issued forms RD26 and JSA722.
13. When the JSA processing site receive the forms, they:
 - should complete Part 2 of form JSA722 and return it to the **JSA & DMA Team (Isle of Man)** by the 10th April;
 - keep a copy of the completed JSA722 in the labour market unit and if the claimant re-registers before the end of the tax year, send the JSA722 amended to show the revised details if:
 - the amounts of JSA(C) paid and/or JSA(IB) recovered are changed.
 14. If the claimant has not claimed or has signed off before the end of the tax year, complete Part 2 of form JSA722 and return immediately to the JSA Team.
 15. If form JSA722 is not returned by the due date, a reminder letter will be sent requesting the information within 7 days. If no reply is received, a second reminder will be sent allowing a final 7 days for return.

How to obtain a contribution record

16. How to obtain a contribution record:
 - from NPS;
 - from the Isle of Man (IOM).

Contribution records from NPS

System maintained claims

17. When a claim to JSA is registered, JSAPS automatically:
 - checks the contribution and linking details held on the Departmental Central Index (DCI);
 - asks NPS to send details of the contributions information they hold for the claimant. NIRS2 supplies this information via the Main Benefit Reply (MBR); and
 - produces a Work Available Report JA72539 if the MBR holds details of periods of training or Carers Allowance.
18. The information from NIRS2 states the claimant's current contribution position, which is used to assess the JSA (C) claim.
19. This information can be checked using eNIRS2.

NPS information not transferred

20. If the contribution record has not transferred you can access eNIRS2 to obtain contributions information for input to JSAPS via Dialogue JA097. Remember to access the STB Calc screen for FCC information and the Cont Record for details of the earnings factor for the SCC.
21. The STB Calc screen will confirm whether the claimant has satisfied the FCC or not. You can no longer work this out from the claimants 'earnings factor', which is now only relevant to the SCC.
22. If the STB Calc screen confirms that the claimant has sufficient NI contributions to satisfy the FCC then this can be confirmed in Dia97 by inputting [Y] in FCC satisfied, JA097 will also expect an amount to be input for FCC.
23. The 'earnings factor' can still be used for the SCC.

24. JSAPS will also validate 26 x lel, for FCC amount, and 50 x lel, for SCC amount, against the Y or N flag.

Note: From 1 November 2010 the FCC changed from a 'total' of 25 times the Lower Earnings Limit (LEL) in at least one of the two Relevant Income Tax Years (RITYs), known as the 'earnings factor' to 'at least' 26 separate (though not necessarily continuous) times the LEL, known as 'relevant earnings'.

Clerically maintained claims

25. For clerically maintained cases contribution information can be obtained through NPS (eNIRS2).

Please note: Do not use form JSA690 – this form is obsolete

Contribution record from the Isle of Man

26. When an IOM case is identified obtain contribution information from the IOM **Department of Social Care (DSC)**. For claims:

- maintained on JSAPS;
- maintained clerically.

System cases

27. For system cases:

Step	Action
1	Access dialogue JA091: Maintain Claim Details and input claim details as appropriate;
2	access dialogue JA200: Award and Decision, screen JA200201 AWARD SUMMARY displays, then: <ul style="list-style-type: none"> • view the claimant's contribution assessment; • determine whether JSA (C) is payable;
3	Access dialogue JA405: Compute Payment and issue payment;
4	if JSA is not yet payable, access dialogue JA530: Case Controls and set a user case control for 14 days to monitor receipt of form RD26;
5	await receipt of form RD26 noted 'Agency Payment for Isle of Man';
6	the Decision Maker will then decide on whether an Interim Payment is appropriate.

28. If NIRS2 identifies that the claimant has contribution details in the IOM, it issues a request to the IOM DSC for them to issue form RD26 noted 'Agency Payment for the Isle of Man'.

29. The IOM DSC send form RD26 to JSA & DMA Team (Isle of Man), who then refer it with form JSA722 to the appropriate JSA Unit.

Clerical cases

30. For clerical cases:

Step	Action
1	<ul style="list-style-type: none"> • telephone or fax the IOM Department of Social Care (DSC); • when the IOM DSC receive your request, they will send

	form RD26 direct to the JSA section;
2	note on form JSA14A, the date you requested the information;
3	set a case control for 14 days to monitor receipt of form RD26 from the IOM authorities noted 'Agency payment for Isle of Man';
4	Print form JSA722 from the intranet, complete and send to JSA & DMA Team (Isle of Man)

Form RD26 not received

31. Take action if form RD26 has not been received by the time:
- the system case control appears on the Work Available Report JA72539;
 - the clerical case control matures;
 - RD23 received.

System cases

32. For system cases:

Step	Action
1	telephone or fax as a reminder to the original JSAPS request to the IOM Department of Social Care (DSC);
2	access dialogue JA530: Case Controls and set another user case control for 14 days to monitor receipt of form RD26;
3	await receipt of form RD26 noted 'Agency payment for Isle of Man' which will be sent to the JSA section

Clerical cases

33. For clerical cases:

Step	Action
1	telephone the IOM Department of Social Care (DSC);
2	access dialogue JA530: Case Controls and set a case control for a further 14 days to monitor receipt of form RD26;
3	await receipt of form RD26 noted 'Agency payment for Isle of Man'.

No details held by Isle of Man authorities

34. If the IOM Department of Social Care (DSC) do not hold any details for the claimant, they will notify you that they have 'No account on File'.
35. When notification is received, interview the claimant to get further details, for example:
- change of name;
 - status; or
 - discrepancies in date of birth or NINO.
36. When further details have been obtained, send them to the IOM DSC for them to investigate.
37. When they finish their investigation, the IOM DSC will send form RD26 noted 'Agency payment for Isle of Man'.

When contribution information from NPS has been obtained

38. Take action when contribution information has been obtained from NPS for:

- for system maintained cases;
- for clerically maintained cases.

System maintained claims

39. When JSAPS receives the Main Benefit Reply (MBR), if the information held on it differs from the information held on DCI, JSAPS sets a case control, which will be output on a Work Available Report JA72539.

40. When JSAPS receives the MBR from NPS:

- if an entry appears on the WAR, access dialogue JA511: Contribution Enquiry, to view the contributions record for both Relevant Income Tax Years (RITYs). The Contributions details will display here.
- if the information displayed shows that the assessment is provisional, do not assess the claim. Wait until form RD26 is received from NPS or view the information on eNIRS2 if appropriate.

41. Dialogue JA511: Contributions Enquiry:

- enquire about a claimant's contribution record details held on JSAPS for a specific Tax Year;
- view:
 - out of date contributions;
 - contribution details received from NPS but not yet accepted on JSAPS.

42. To access this dialogue:

Step	Action
1	in screen JA511513, input the last two digits of the Tax Year required, that is, for 2006/2007, input [07];
2	Screen JA511512 displays. Use this screen to view: <ul style="list-style-type: none"> • the contribution details held on JSAPS for that tax year; • the contribution details awaiting acceptance; • up to seven out of date contributions;
3	the contribution details are in the 'Awaiting Acceptance' field if: <ul style="list-style-type: none"> • there is a provisional indicator displayed; • MBR details differ from DCI; • there are revised details from NPS.

43. If the details shown in dialogue JA511: Contributions Enquiry match the current contribution details shown on the MBR, access dialogue JA097: Maintain Revised Contributions to view:

- the current contribution details held for a specified Tax Year;
- record new details for a specified Tax Year;
- accept or reject details.

44. If no details are held for the Tax Year, all fields apart from 'Tax Year' and 'End Married Women's Election?' will be blank.

How to accept new NPS data

45. Any new NPS data that is accepted is marked 'current', and the previous contribution record is marked 'out of date'.
46. Providing no revised or provisional contribution details are held for a different Tax Year, press [F7] to fastpath to dialogue JA200: Award and Decision.
47. If there are linking details outstanding, JSAPS will fastpath to dialogue JA091: Maintain Claim Details.
48. If there are further Tax Years with revised or provisional contribution details:
 - a screen message displays: C9553 Comment: Other revised or provisional conts exist for other Tax Years;
 - the INPUT/MAINTAIN CONTRIBUTION DETAILS – PROMPT screen JA097197 will appear.

How to reject new NPS data

49. If the data is rejected, the contribution record remains as 'out of date', and the INPUT/MAINTAIN CONTRIBUTION DETAILS – PROMPT screen JA097197 will display.
50. When all outstanding provisional or revised contribution records are cleared, further details for any number of Tax Years can be input.
51. The current details for the Tax Year will display if:
 - provisional or revised contribution records do not exist for any Tax Year;
 - current details exist for the specified Tax Year.
52. All the fields will be protected apart from:
 - '13 x LEL Alt Test satisfied?':
 - this field will be unprotected if the Jobseeking Period (JSP) date is between 1 January 1978 and 1 October 1978.
 - 'Pre 1/1/78 Contribution Conditions satisfied?':
 - this field is unprotected if the Jobseeking Period (JSP) is before 1 January 1978.
 - 'End Married Woman's Election?':
 - this field will be unprotected if the claimant is female and the election is still current. When the default is [N], terminate a Married Woman's Election (MWE). If the election ends, it will apply from the current Tax Year onwards. When this field is unprotected, either the '13 x LEL Alt Test satisfied?' field or the 'Pre 1/1/78 Contribution Conditions satisfied?' field will be unprotected.
53. When the WAR shows that the Pre 1/7/78 Contribution Conditions satisfied? test needs to be applied:
 - carry out the test clerically; and
 - input the result in the 'Pre 1/1/78 Contribution Conditions satisfied?' field.
54. In order to award credits to a claimant, the Married Woman's Election may need to be terminated.
55. Unless the 2-year test applies, the decision to revoke the election must be the claimant's, in consultation with the Inland Revenue.
56. To end the Married Woman's Election in JSAPS:

Step	Action
1	access dialogue JA097, screen JA097198 INPUT/MAINTAIN CONTRIBUTION DETAILS displays;
2	input [Y] in the 'End Married Woman's Election?' field.

57. If any changes are made to the three unprotected fields:
- press [F7]:
 - the database will be updated with the new information and JSAPS will fastpath into dialogue JA200: Award and Decision.
58. To update National Insurance (NI) contribution details for a specified Tax Year:
- press [F2]:
 - the screen JA097198 INPUT/MAINTAIN CONTRIBUTION DETAILS will again display.

Clerically maintained claims

59. View contribution information on eNIRS2 if appropriate or on form RD26. This gives the contribution details for the:
- RITYs requested;
 - rate of JSA (C), which is shown as:
 - S:
 - for standard rate of JSA (C);
 - N:
 - no entitlement to JSA (C), as contribution conditions are not satisfied;
 - location of any linking information, for example:
 - UB;
 - JSA;
 - Incapacity Benefit;
 - Employment Support Allowance
 - Training.
60. If NPS is unable to supply all the relevant contribution details because there is a query on the claimant's contribution record for any other reason, NPS sends a form RD26 noted with a message that explains what the query is about.
61. On eNIRS2 the query information is held in the Note box.

RD26 action- Special Notes, eNIRS2 Notes

62. NPS will provide the user with an error message on eNIRS2, or send form RD26, when:
- the HMRC National Insurance Contributions Office have noted there is a Provisional Assessment on the Main Benefit Reply;
 - there are revised contribution details to be input onto JSAPS;
 - there is additional information the office should be aware of, and to take action on it if necessary.
63. Action may need to be taken if there is an entry in the e-NIRS2 notes box or box 6 of form RD26.

eNIRS2 Notes box or Box 6 of RD26 is annotated

64. The possible entries are:
- ratio check failure;
 - excess payment;
 - late paid contributions;
 - erroneous payment;
 - MW Reduced Rate Authority (MWRRA) from.(date);
 - non-matching cont item;
 - autocredits used in calculation;
 - automatic PIE from..(date and office code number);
 - agency payment for the Isle of Man;
 - negligent employee;
 - assessed earnings factor;
 - gross earnings used;
 - eNIRS or RD26 annotated 'for information only';
 - via bankruptcy section (sequestration in Scotland);
 - administration waiver.

Ratio check failure

65. At the end of every Tax Year (TY), NPS checks that the employer and employee's contributions paid into each person's account are in the correct ratio, and this is known as the Ratio Check.
66. If there is an unacceptable discrepancy between the two amounts, NPS asks the HMRC National Insurance Contributions Office to investigate.
67. If an employed earner claims JSA before the discrepancy is cleared:
- eNIRS2 shows, or NIRS2 sends form RD26 noted, Ratio Check Failure;
 - the Provisional Indicator is set and displays in the Awaiting Acceptance line on the CONTRIBUTION INFORMATION ENQUIRY screen JA511512 in dialogue JA511: Contributions Enquiry.
68. Entries noted Ratio Check Failure are different to those usually made.
69. Contributions that fail the checks are excluded from:
- the benefit rating information in box 5; and
 - the Earnings Factor (EF) information in box 5.
70. JSAPS sets a case control which clears when a revised contribution record is input in dialogue JA097: Maintain Revised Contributions.
71. The failed contributions are included in box 6, the breakdown of the contribution record in the Tax Year.
72. The entry in column 8, Total Earnings Factor is the total of the employed earner's and employer's contributions, and not the EF.
73. The details that display on the CONTRIBUTION INFORMATION ENQUIRY screen JA511512 for the affected Relevant Income Tax Year, do not include details of the contributions that have failed the ratio check.

Excess payment

74. When NPS receives form P14, End of Year Return, from the HMRC National Insurance Contributions Office (HMRC (NICO)), it carries out the 'excess payment check'.

75. This check makes sure the total contributions paid by an employed earner do not exceed the maximum amount permitted in the relevant Tax Year.
76. If this check fails, NPS contacts the HMRC (NICO) to ask them to investigate.

What happens when a claim is made before the query is cleared

77. If an employed earner makes a claim to JSA (C) before the HMRC (NICO) clears the query, NPS sets a Provisional Indicator in dialogue JA511: Contributions Enquiry, and shows Notes in eNIRS2, or sends form RD26, noted 'Excess Payment'.

What to do when Excess Payment is noted on eNIRS2 or on the RD26

78. Record the receipt of the information and/or form RD26 on form JSA14C.
79. The entries on the form RD26 are as normal except for box 5:
- Items 'f' to 'j' show [NIL] entries.
80. Check if mixed classes of contributions paid in the Relevant Income Tax Years (RITYs) are shown:
- for example, self employed Class 2 and Class 1 contributions.
81. If mixed classes of contributions are shown:

Step	Action
1	check: <ul style="list-style-type: none"> • the total amount of Class 1 contributions paid in box 6, column 6 (Total Primary Contribution Value) and column 7 (Contributions or Credits (No)) • any Class 2 share fisherman contributions shown in column 6;
2	calculate the Earnings Factor (EF) from these details;
3	access the INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contributions and press [F6] to reject the NIRS2 data;
4	the INPUT/MAINTAIN CONTRIBUTIONS DETAILS PROMPT screen JA097197 displays;
5	re-input the claimant's NINO and press [ENTER]. The INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 displays, still showing the rejected details;
6	press [F2] to display a blank screen;
7	input the revised contribution details and press [F7] to confirm the details;
8	JSAPS will go to dialogue JA200: Award and Decision to make a decision;
9	file form RD26 if held.

What to do when eNIRS2 or the RD26 shows two or more employers.

82. If the records show two or more employers in the Relevant Income Tax Year (RITY), it is possible that not all the employers shown relate to that particular claimant, that is, there has been a mismatch.

83. When this happens:

Step	Action
1	check the JSA wallet for details of previous employment. If details are not found, send form JSA219, Request For Further Information About Employment, to the claimant. Note the issue of form JSA219 on form JSA14C;
2	Access dialogue JA530: Case Controls and set a case control;
3	if the claimant does not reply, arrange an interview with them to obtain the necessary information;
4	on receipt of this information, check the names of the claimant's employers against the employers shown on eNIRS2 or form RD26. Using only these employers, calculate the Earnings Factor for the RITY by adding contributions shown on eNIRS2 or the form RD26;
5	access the INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097:Maintain Revised Contributions and press [F6] to reject the NIRS2 data;
6	the INPUT/MAINTAIN CONTRIBUTIONS DETAILS PROMPT screen JA097197 displays;
7	re-input the claimant's NINO and press [ENTER]. The INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 displays, still showing the rejected details;
8	press [F2] to display a blank screen;
9	input the revised contribution details and press [F7] to confirm the details;
10	JSAPS will go to dialogue JA200: Award and Decision to make a decision;
11	file form RD26 if held.

What to do when two or more periods are with the same employer

84. If the records show two or more periods of employment with the same employer, one of these could be incorrect.

85. Ask the claimant to provide a form P60 or P60 substitute - statement of contributions and tax paid for the relevant RITY as soon as possible.

What to do when the claimant provides form P60

86. If the claimant provides form P60, check it to see if the contribution details shown match those on eNIRS2 or form RD26.

87. If the details are the same:

Step	Action
1	access the INPUT/MAINTAIN CONTRIBUTIONS DETAILS

	screen JA097198 in dialogue JA097: Maintain Revised Contributions and press [F6] to reject the NPS data;
2	the INPUT/MAINTAIN CONTRIBUTIONS DEATAILS PROMPT screen JA097197 displays;
3	re-input the claimant's NINO and press [ENTER]. The INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 still showing the rejected details;
4	press [F2] to display a blank screen;
5	input the revised contribution details and press [F7] to confirm the details;
6	JSAPS will go to dialogue JA200: Award and Decision to make a decision;
7	file form RD26 if held.

88. If the contribution details on form P60 are different to those shown on eNIRS2 or form RD26, send a normal tracing action file (using an EF102) to the HMRC (NICO) Individual Caseworker section, for them to investigate the record.

What to do when the claimant does not provide form P60

89. If the claimant does not provide form P60, check the period of employment listed on form JSA219 is the same as that shown on eNIRS2 or form RD26.
90. If the period is the same, consider sending the employer form JSA77, Request to employer, for details of earnings/contributions, which may help speed up the assessment process.
91. When form JSA77 is returned:

Step	Action
1	access the INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contributions and press [F6] to reject the NIRS2 data;
2	the INPUT/MAINTAIN CONTRIBUTIONS DETAILS PROMPT screen JA097197 displays;
3	re-input the claimant's NINO and press [ENTER]. The INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 displays, still showing the rejected details;
4	press [F2] to display a blank screen;
5	input the revised contribution details and press [F7] to confirm the details;
6	JSAPS will go to dialogue JA200: Award and Decision to make a decision;
7	file form JSA77.

92. If form JSA77 is not returned:

Step	Action
1	send a Benefit Involved Case (BIC) to HMRC (NICO);
2	note the issue of the BIC file on form JSA14C;
3	access dialogue JA530: Case Controls and set a case control for two weeks.

93. HMRC (NICO) should send a reply, or an update on how the investigation is progressing, within two weeks of receiving the BIC.
94. If a reply or an update is not received after two weeks send a reminder Benefit Involved Case to HMRC (NICO).
95. When HMRC (NICO) have completed their investigation, they will return the completed eBIC file. Upon receipt of the eBIC file take the following action:

Step	Action
1	record the date and the outcome of the investigation on form A6;
2	access the INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097 and press [F6] to reject the NIRS2 data;
3	the INPUT/MAINTAIN CONTRIBUTIONS DETAILS PROMPT screen JA097197 displays;
4	re-input the claimant's NINO and press [ENTER]. The INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 displays, still showing the rejected details;
5	press [F2] to display a blank screen;
6	input the revised contribution details from form CA5715 and press [F7] to confirm the details;
7	JSAPS will go to dialogue JA200: Award and Decision to make a decision;
8	file form RD26 if held.

Late paid contributions

96. If a claimant's contribution record includes late paid contributions, eNIRS2 shows, or NPS sends form RD26 noted, Late Paid contributions.
97. The Earnings Factor (EF) on eNIRS2, or given in box 5 of form RD26, includes the late paid contributions.
98. Late paid contributions can only be taken into account when assessing JSA (C) entitlement, if the contributions were paid before the end of the second Tax Year (TY) following that in which they were due.
99. To satisfy the contribution conditions, the contributions are treated as paid for the:
 - First Contribution Condition (FCC), from the day following that on which they were paid; and
 - Second Contribution Condition (SCC), six weeks and one day from and including the day of payment.
100. For cases of late paid contributions, other than Class1, the fault lies with the individual and not the employer. As a result, a penalty is imposed which delays the satisfaction of the contribution condition and JSA (C).

What to do when eNIRS2 or RD26 is noted Late Paid Contributions

101. When viewing eNIRS2 or on receipt of form RD26:
 - note information on form JSA14C;
 - access dialogue JA511: Contributions Enquiry and check if the date contributions were paid displays in the 'late paid contributions' field.
102. If the date displays:

Step	Action
1	access the CONTRIBUTION INFORMATION ENQUIRY screen JA511512 in dialogue JA511: Contributions Enquiry and check if the claimant satisfies the contribution conditions;
2	if the claimant satisfies the contribution conditions, press [F4] to accept the details in the INPUT/ MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contributions;
3	access dialogue JA200: Award and Decision and make a decision;
4	if payment is due, access dialogue JA405: Compute the payment;
5	note form RD26 (if held) [JSA (C) payable], and file it.

103. If the date does not display, or JSA (C) is not payable:

Step	Action
1	access the INPUT/ MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contributions and press [F6] to reject the NIRS2 data;
2	the INPUT/MAINTAIN CONTRIBUTIONS DETAILS PROMPT screen JA097197 displays;
3	re-input the claimant's NINO and press [ENTER]. The INPUT/ MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 displays, still showing the rejected details;
4	press [F2] to display a blank screen;
5	input the revised contribution details and press [F7] to confirm the details;
6	JSAPS will go to dialogue JA200: Award and Decision to make a decision;
7	file form RD26 if held.

104. If more than one set of contributions is shown, repeat the above action, until all of the dates have been input.

105. For each date that is input, JSAPS:

- decides if there is a need to apply a penalty period; and
- re-assesses the claimant's JSA (C) entitlement.

106. When this action has been taken, file the form RD26. No further action is required.

Erroneous payment

107. At the end of every Tax Year, NPS checks the recorded details of Entry/Sex/Age and choice of liability held on a person's contributions record against details notified on contributions paid that year.

108. If there is a discrepancy, NIRS2 contacts the HMRC National Insurance Contributions Office (HMRC (NICO)) and asks them to investigate.

109. If the claimant claims JSA before HMRC (NICO) clear the query:

- eNIRS2 shows, or NIRS2 sends form RD26 to the office marked, 'Erroneous Payment';

- the provisional rating indicator is set and is shown on the CONTRIBUTION ENQUIRY screen JA511512 in dialogue JA511: Contributions Enquiry.

110. Note the information and/or receipt of form RD26 on form JSA14C.

Married or widowed women

111. If the claimant is married or a widowed woman, the erroneous contributions must be investigated.

Step	Action
1	send a Benefit Involved Case to HMRC (NICO);
2	note the issue of the BIC file on form JSA14C;
3	access dialogue JA530: Case Controls and set a case control for two weeks.

112. HMRC (NICO) should send a reply, or an update on how the investigation is progressing, within two weeks of receiving the BIC.

113. If a reply or an update is not received after two weeks send a reminder Benefit Involved Case to HMRC (NICO).

114. When HMRC (NICO) have completed their investigation, they will return the completed eBIC file. Upon receipt of the eBIC file the following action is required:

Step	Action
1	record the date and the outcome of the investigation on form A6;
2	access the INPUT/ MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contribution and press [F6] to reject the NIRS2 data;
3	the INPUT/MAINTAIN CONTRIBUTIONS DETAILS PROMPT screen JA097197 displays;
4	re-input the claimant's NINO and press [ENTER]. The INPUT/ MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 displays, still showing the rejected details;
5	press [F2] to display a blank screen;
6	input the revised contribution details and press [F7] to confirm the details;
7	JSAPS will go to dialogue JA200: Award and Decision to make a decision;
8	file form RD26 if held.

Men or single/divorced women

115. If the claimant is a man or a single/divorced woman, access the CONTRIBUTION ENQUIRY screen JA511512 in dialogue JA511: Contributions Enquiry.

If JSA (C) is in payment

116. If JSA (C) is in payment, access the SPECIAL CREDITS screen JA501581 in dialogue JA501: Claim Details Enquiry, and check whether the claimant satisfies the contribution conditions due to the award of special credits.

117. If JSA (C) is payable or was paid due to the award of special credits:

Step	Action
1	record the date and the outcome of the investigation on form A6;
2	access the INPUT/ MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contribution and press [F6] to reject the NIRS2 data;
3	the INPUT/MAINTAIN CONTRIBUTIONS DETAILS PROMPT screen JA097197 displays;
4	re-input the claimant's NINO and press [ENTER]. The INPUT/ MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 displays, still showing the rejected details;
5	press [F2] to display a blank screen;
6	input the revised contribution details and press [F7] to confirm the details;
7	JSAPS will go to dialogue JA200: Award and Decision to make a decision;
8	file form RD26 if held.

118. If JSA (C) was paid or is payable due to the incorrect award of special credits, refer the claim to the Team Leader as an error has occurred to allow the award of JSA (C) and there may be an overpayment. If necessary refer to the Debt Management section.

119. After the Supervisor has looked at the claim again:

Step	Action
1	access the Claim Details Enquiry - SPECIAL CREDITS screen JA091010, in dialogue JA091: Maintain Claim Details; and
2	amend the credits position.

If JSA (C) is not in payment

120. If JSA (C) is not in payment and the claimant is a man or single/divorced woman, take the action to send a BIC file to the HMRC (NICO) as instructed for married or widowed women.

Married woman's reduced rate authority

121. If a woman who has chosen Married Women's Reduced Rate Authority (MWRRA) becomes a widow, their reduced rate liability will continue and credits should be awarded.

122. Take the following action:

Step	Action
1	clerically award any credits due, since JSAPS stops the award of credits if MWRRA is in force;
2	confirm the claimant's status;
3	tell the claimant they will be awarded credits as long as they: <ul style="list-style-type: none"> • continue to claim; and • satisfy the entitlement conditions for receiving credits.

123. To make adjustments to credits:

Step	Action
1	use eNIRS2 to adjust credits.
2	note on form CR1: <ul style="list-style-type: none"> • the date of interview; • any information given; • any action taken;
3	file the documents.

What to do when viewing this information or on receipt of form RD26

124. When viewing this information or on receipt of form RD26, record it on form JSA14C, and file form CR1.
125. Check the claim to find out if the claimant has worked in the last two complete tax years.
126. If there is no evidence of work done in the last two tax years, interview the claimant as soon as possible to get the information.
127. Ask the claimant if they have done any work in the last two tax years and explain the rules of reduced liability, that is, the two year test.
128. Note the date of the interview and any information given on form CR1.

What to do if the claimant has worked in the last two tax years

129. If the claimant has worked and paid Class 1 reduced liability contributions:

Step	Action
1	note form JSA14C 'MW NO CREDITS';
2	access the INPUT/ MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contribution and press [F6] to reject the NIRS2 data;
3	The INPUT/MAINTAIN CONTRIBUTIONS DETAILS PROMPT screen JA097197 displays;
4	re-input the claimant's NINO and press [ENTER]. The INPUT/ MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 displays, still showing the rejected details;
5	press [F2] to display a blank screen;
6	input: <ul style="list-style-type: none"> • the revised contribution details to show MWRRA continues; • N in field 19; Press [F7] to confirm the details;
7	JSAPS will go to dialogue JA200: Award and Decision to make a decision;
8	send a letter to the claimant telling them of the disallowance of credits for married women;
9	file form RD26 if held.

130. If the claimant is entitled to JSA (IB), no further action is needed until JSAPS sets a case control at the end of the tax year.
131. Take action as for the two year test.

132. If the claimant is not entitled to JSA (IB), there is further action that needs to be taken.

What to do if the claimant has not worked in the last two tax years.

133. If the claimant has not worked:

Step	Action
1	note form CR1, 'Not Employed.../...Tax Year,.../...Tax Year';
2	send a Benefit Involved Case to HMRC (NICO);
3	note the issue of the BIC file on form JSA14C;
4	access dialogue JA530: Case Controls and set a case control for two weeks.

134. HMRC (NICO) should send a reply, or an update on how the investigation is progressing, within two weeks of receiving the BIC.

135. If a reply or an update is not received after two weeks send a reminder Benefit Involved Case to HMRC (NICO).

136. When HMRC (NICO) have completed their investigation, they will return the completed eBIC file, stating whether the reduced rate liability has lapsed or not.

137. If the reduced liability has lapsed:

Step	Action
1	interview the claimant and tell them credits will be awarded from the date of claim or from the date when liability lapsed, whichever is later;
2	access the INPUT/ MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contributions and press [F6] to reject the NIRS2 data;
3	the INPUT/MAINTAIN CONTRIBUTIONS DETAILS PROMPT screen JA097197 displays;
4	re-input the claimant's NINO and press [ENTER]. The INPUT/ MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 displays, still showing the rejected details;
5	press [F2] to display a blank screen;
6	input the revised contribution details and input [N] to show MWRRA continues. Press [F7] to confirm the details;
7	JSAPS will go to dialogue JA200: Award and Decision to make a decision;
8	file form RD26 if held.

138. If the reduced liability has not lapsed:

Step	Action
1	note on JSA wallet 'MW NO CREDITS';
2	access the INPUT/ MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contributions and press [F6] to reject the NIRS2 data;
3	the INPUT/MAINTAIN CONTRIBUTIONS DETAILS PROMPT screen JA097197 displays;
4	re-input the claimant's NINO and press [ENTER]. The

	INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 displays, still showing the rejected details;
5	press [F2] to display a blank screen;
6	input the revised contribution details and input [Y] to end MWRRA. Press [F7] to confirm the details;
7	JSAPS will go to dialogue JA200: Award and Decision to make a decision;
8	file form RD26 if held.

139. Send draft letter DLJA200 to the claimant to tell them of the disallowance of credits for married women.

140. If the claimant has claimed JSA (IB), take no further action until a case control is produced at the end of the tax year.

What to do when the claimant is not entitled to JSA (IB)

141. If the claimant is not entitled to JSA (IB), tell them they may end their claim if they wish. Tell them about the possible effects of other NI benefits before they decide if they want to stop claiming.

142. JSAPS inhibits the award of credits as long as the MWRRA is in force even if the claimant is not entitled to JSA (IB).

143. If the claimant is not satisfied with the credit position, send leaflet CA13 (NI1), National Insurance Contributions for married women, and tell them to contact their local HMRC (NICO) office. If they wish to revoke their election to pay contributions at a reduced rate, leaflet CA13 (NI1) contains a form for that purpose.

144. If the HMRC (NICO) confirm on form CR7 that the claimant can revoke her election:

Step	Action
1	note the date and the outcome of the investigation on form A6;
2	access the INPUT/ MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contributions and press [F6] to reject the NIRS2 data;
3	the INPUT/MAINTAIN CONTRIBUTIONS DETAILS PROMPT screen JA097197 displays;
4	re-input the claimant's NINO and press [ENTER]. The INPUT/ MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 still showing the rejected details;
5	press [F2] to display a blank screen;
6	input the new contribution details and press [F7] to confirm the details;
7	JSAPS amends the credits and will go to dialogue JA200: Award and Decision to make a decision;
8	file form RD26 if held.

145. The claimant can revoke her election at any time, any credit adjustment can be done on eNIRS2.

146. Record the action taken on form CR1 and file the documents. No further action is required.

Non matching contributory item

147. When NPS receives the contributions payment details, the contributions are posted as Non-Matching Items (NMI) and are not added to the account.
148. If the employed earner claims JSA before the query is cleared, the Main Benefit Reply (MBR) that JSAPS receives does not include the contributions posted as NMI.

What to do when record is noted Non Matching Item

149. When viewing a record, or on receipt of form RD26 noted Non-Matching Cont Item (NMI), this should be recorded on form JSA14C.
150. The majority of NMI cases involve a change of name on marriage or where MWRRA covers any part of the Relevant Income Tax Year (RITY).
151. If the claimant is male no further action is required. File the RD26 or record of information viewed in eNIRS2.
152. If the claimant is female and Married Woman's Reduced Rate Allowance (MWRRA) is not shown:

Step	Action
1	access the CONTRIBUTION INFORMATION ENQUIRY screen JA511512 in dialogue JA511: Contributions Enquiry;
2	compare the information on eNIRS2 or form RD26 against the contribution details displayed on the screen.

What to do if the contribution conditions are satisfied

153. If the claimant's contribution conditions are satisfied:

Step	Action
1	note the date and outcome of the investigation on form A6;
2	access the INPUT/ MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contributions and press [F6] to reject the NIRS2 data;
3	the IINPUT/MAINTAIN CONTRIBUTIONS DETAILS PROMPT screen JA097197 displays;
4	re-input the claimant's NINO and press [ENTER]. The INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 displays, still showing the rejected details;
5	press [F2] to display a blank screen;
6	input the revised contribution details and press [F7] to confirm the details;
7	JSAPS will go to dialogue JA200: Award and Decision to make a decision;
8	file form RD26 if held.

What to do if the contribution conditions are not satisfied

154. If the claimant's contribution conditions are not satisfied:

Step	Action
1	send a Benefit Involved Case (BIC) to HMRC (NICO);

2	note the issue of the BIC file on form JSA14C;
3	access dialogue JA530: Case Controls and set a case control for two weeks.

155. HMRC (NICO) should send a reply, or an update on how the investigation is progressing, within two weeks of receiving the BIC.

156. If a reply or an update is not received after two weeks send a reminder Benefit Involved Case to HMRC (NICO).

157. When HMRC (NICO) have completed their investigation, they will return the completed eBIC file. Upon receipt of the eBIC file take the following action:

Step	Action
1	note form JSA14C with: <ul style="list-style-type: none"> the [date the file was received]; and the [outcome of the investigation];
2	check the information given on the eBIC form. If it shows contributions paid at Class 1 category B or E, refer back to the HMRC (NICO) for advice, as the claimant has at some point paid an incorrect Class of contributions;
3	check if the Non Matching Item relates to the claimant.

What to do if the non matching item does not relate to the claimant

158. If the non matching item does not relate to the claimant:

- mark form RD26 'does not relate'; and
- attach form CA5715 to form RD26 and file them.

What to do if the non matching item relates to the claimant

159. If the non matching item relates to the claimant:

Step	Action
1	access the CONTRIBUTION ENQUIRY PROMPT screen JA511511 in dialogue JA511: Contributions Enquiry and obtain a printout. This enables the input of the unchanged/carried forward details, for example: <ul style="list-style-type: none"> 'Class 1 credited Earnings Factor (EF)' to the relevant fields in the INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contributions;
2	add the Class 1 contributions for the RITY on eNIRS2 or form RD26 to those on form CA5715;
3	access the INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contributions and press [F6] to reject the NIRS2 data;
4	the INPUT/MAINTAIN CONTRIBUTIONS DETAILS PROMPT screen JA097197 displays;
5	re-input the claimant's NINO and press [ENTER]. The INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 still showing the rejected details;
6	press [F2] to display a blank screen;
7	input the revised contribution details and press [F7] to confirm

	the details;
8	JSAPS will go to dialogue JA200: Award and Decision to make a decision;
9	file form RD26 if held.

Auto credits used in calculation

160. NPS holds details of automatic credits posted to a person's account.
161. If someone makes a claim to JSA and auto credits have been posted to the record, eNIRS2 shows Auto credits Used In Calculation, or NIRS2 sends form RD26 noted Auto credits Used In Calculation to the office concerned.
162. The JSA (C) rate shown on eNIRS2 or in box 5 of form RD26 includes auto credits.
163. If the claimant has worked in the Relevant Income Tax Years (RITYs) and is entitled to JSA (C) based on the contributions they have paid, form RD26 is not issued.
164. The auto credits will have been posted to the claimant's record and will be shown on eNIRS2.
165. In these cases, although form RD26 noted Auto credits Used In Calculation will not be received, it is possible to receive a form RD26 noted Automatic PIE from (Date). If so, take action as in Automatic PIE from (Date)
166. The CONTRIBUTION ENQUIRY screen JA511512 in dialogue JA511: Contributions Enquiry shows the contributions and credits received from NPS.
167. The Credited Earnings Factor includes auto credits, as JSAPS cannot distinguish between auto credits and other types of credits notified by NIRS2.
168. JSAPS uses these details to assess JSA (C).

What to do when eNIRS2, or form RD26, is noted Auto credits Used in Calculation

169. Note receipt of the information and/or form RD26 on form JSA14C.
170. The JSA (C) rate shown is provisional at box 5 on RD26, and includes the auto credits.
171. The 13 X LEL (lower earnings limit) test for use of credits does not apply to auto credits.

Check of auto credits

172. Check if the claimant satisfied the contribution conditions because of paid contributions or permanent credits during the Relevant Income Tax Years (RITYs). If so:

Step	Action
1	note the date and outcome of the investigation on form A6;
2	access the INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contributions and press [F6]to reject the NIRS2 data;
3	the INPUT/MAINTAIN CONTRIBUTIONS DETAILS PROMPT

	screen JA097197 displays;
4	re-input the claimant's NINO and press [ENTER]. The INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 still showing the rejected details;
5	press [F2] to display a blank screen;
6	input the revised contribution details, excluding the auto credits and press [F7] to confirm the details;
7	JSAPS will go to dialogue JA200: Award and Decision to make a decision;
8	File form RD26 if held.

Check the date of birth

173. Check if the claimant was male and aged over 60 in either of the RITYs.

174. If there is no doubt about the date of birth, send draft letter DLJA201 to check if auto credits can be in the benefit calculation.

175. If there is any reason to doubt the date of birth held, and the claimant may not have been aged over 60 in the RITYs:

Step	Action
1	confirm the date of birth and if found to be incorrect send form CA5453, Date Of Birth/Death Notification to the HMRC (NICO). It is the responsibility of the HMRC (NICO) to advise the claimant that auto credits were awarded incorrectly;
2	access the INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contributions and press [F6] to reject the NIRS2 data;
3	the INPUT/MAINTAIN CONTRIBUTIONS DETAILS PROMPT screen JA097197 displays;
4	re-input the claimant's NINO and press [ENTER]. The INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 still showing the rejected details;
5	press [F2] to display a blank screen;
6	input the revised contribution details, excluding the auto credits and press [F7] to confirm the details;
7	JSAPS will go to dialogue JA200: Award and Decision to make a decision;
8	File form RD26 if held.

How to use draft letter DLJA/201

176. Send draft letter DLJA201 to the claimant to check if auto credits can be used in the calculation.

177. On return of draft letter DLJA201 check the answers to questions 1 and 2.

178. If they have answered no to questions 1 and 2, the auto credits can be used in the benefit calculation:

Step	Action
1	Access the INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised

	Contributions and press [F6] to reject the NIRS2 data;
2	the INPUT/MAINTAIN CONTRIBUTIONS DETAILS PROMPT screen JA097197 displays;
3	re-input the claimant's NINO and press [ENTER]. The INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 still showing the rejected details;
4	press [F2] to display a blank screen;
5	input the revised contribution details and press [F7] to confirm the details;
6	JSAPS will go to dialogue JA200: Award and Decision to make a decision;
7	File form RD26 if held.

If the claimant has answered yes to question 1 and/or question 2:

Step	Action
1	send a Benefit Involved Case (BIC) to HMRC (NICO);
2	note the issue of the BIC file on form JSA14C;
3	access dialogue JA530: Case Controls and set a case control for two weeks.

179. HMRC (NICO) should send a reply, or an update on how the investigation is progressing, within two weeks of receiving the BIC.

180. If a reply or an update is not received after two weeks send a reminder Benefit Involved Case to HMRC (NICO).

181. When HMRC (NICO) have completed their investigation, they will return the completed eBIC file. Upon receipt of the eBIC file the action to take depends upon whether auto credits can be used or not.

182. If auto credits can be used:

Step	Action
1	access the INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contributions and press [F6] to reject the NIRS2 data;
2	the INPUT/MAINTAIN CONTRIBUTIONS DETAILS PROMPT screen JA097197 displays;
3	re-input the claimant's NINO and press [ENTER]. The INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 displays, still showing the rejected details;
4	press [F2] to display a blank screen;
5	input the revised contribution details and press [F7] to confirm the details;
6	JSAPS will go to dialogue JA200: Award and Decision to make a decision;
7	File form RD26 if held.

183. If auto credits cannot be used:

Step	Action
1	access the INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contributions and press [F6] to reject the NIRS2 data;

2	the INPUT/MAINTAIN CONTRIBUTIONS DETAILS PROMPT screen JA097197 displays;
3	re-input the claimant's NINO and press [ENTER]. The INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 displays, still showing the rejected details;
4	press [F2] to display a blank screen;
5	input the revised contribution details and press [F7] to confirm the details;
6	JSAPS will go to dialogue JA200: Award and Decision to make a decision;
7	File form RD26 if held.

Automatic Period of Interruption of Employment

184. If someone makes a claim to JSA and NPS only holds a record of the start date of an Auto JSP and not a termination date, eNIRS2 shows, or NIRS2 sends form RD26 noted, 'Automatic PIE From (Date) (LO Code No)'.
185. The provisional indicator is set and is shown on the CONTRIBUTIONS ENQUIRY INFORMATION screen JA511512 in dialogue JA511: Contributions Enquiry.
186. Access dialogue JA530: Case Controls and set a case control as a reminder to consider clearing CR8 action at a later date.
187. The receipt of the information and/or RD26 should be noted on form JSA14C.

What to do when assessing whether Auto PIE is broken

188. Check whether the AutoPIE is broken. If the Relevant Income Tax Year (RITY) and the tax year before the RITYs used to assess the claim are different:
- the AutoPIE is broken:
 - access the LINKING DETAILS screen JA091022 in dialogue JA091: Maintain Claim Details;
 - input the AutoPIE termination date in the [LED date] field;
 - JSAPS automatically assesses the claim and requests a further Main Benefit Reply (MBR);
 - file form RD26, if held, in JSA wallet.
189. If the RITY and the tax year before the RITY used to assess the claim are the same:

Step	Action
1	access dialogue JA097: Maintain Contributions and input the revised contribution details;
2	tell the claimant they are being assessed on the same RITY and issue draft letter; DLJA406;
3	set a case control for seven days to check whether the claimant has replied to draft letter DLJA406;
4	if the claimant wishes to stop attending the office or does not reply within seven days, end the claim.

Agency payment for the Isle of Man

190. If NIRS2 identifies contribution details held in the Isle of Man, it requests the Isle of Man Board of Social Security to issue a form RD26 direct to the office.
191. The RD26 received will be noted 'Agency Payment for the Isle of Man'.

Form RD26 received

192. When form RD26 is received:
- for system cases;
 - for clerical cases.

System cases:

193. When form RD26 is received:

Step	Action
1	access dialogue JA097: Maintain Contribution, INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 and input the revised contribution details;
2	access dialogue JA200: Award and Adjudicate, AWARD SUMMARY screen JA200203 to: <ul style="list-style-type: none">• view the claimant's contribution assessment;• determine whether JSA (C) is payable;
3	access dialogue JA405: Compute Payment and issue payment, if any;
4	consider if JSA (C) is: <ul style="list-style-type: none">• now payable;• still not payable. Take appropriate action regarding Isle of Man agency payments.

Clerical cases:

194. When form RD26 is received:

Step	Action
1	assess JSA (C) entitlement;
2	note on form JSA14C, [Isle of man agency case] in red;
3	file form RD26;
4	consider if JSA (C) is: <ul style="list-style-type: none">• now payable;• still not payable. Take appropriate action regarding Isle of Man agency payments.

Negligent Employee

195. If NPS indicates a "negligent employee", HMRC (NIC&EO) have already investigated the claimant's National Insurance record and decided that the claimant was a negligent employee (normally a company director who was aware that monies for National Insurance contributions were not being paid to HMRC). Any contributions that fall into this category are not

used to help the employee satisfy the contribution conditions for benefit purposes

Assessed earnings factor

196. If an employer cannot submit correct earnings information, NPS runs a computer program, which produces an earnings factor.

197. When this assessment is made, eNIRS2 shows, or NPS sends form RD26 noted, 'Assessed earnings factor'.

198. When this information is received:

Step	Action
1	note receipt of the information and/or RD26 on form JSA 14C;
2	access the CONTRIBUTIONS ENQUIRY screen JA511512 in dialogue JA511: Contributions Enquiry;
3	check if JSA (C) is in payment. If so, no further action is necessary;
4	file form RD26 if held.

199. If the claim is rated as Nil and the revised contribution details would enable the claimant to qualify for JSA (C):

Step	Action
1	note the date and outcome of the investigation on form A6;
2	access the INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contributions and press [F6] to reject the NIRS2 data;
3	the INPUT/MAINTAIN CONTRIBUTIONS DETAILS PROMPT screen JA097197 displays;
4	re-input the claimant's NINO and press [ENTER]. The INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 displays, still showing the rejected details;
5	press [F2] to display a blank screen;
6	input the revised contribution details and press [F7] to confirm the details;
7	JSAPS will go to dialogue JA200: Award and Decision to make a decision;
8	file form RD26 if held .

200. If the claim is Nil rated and the revised contribution details will not change the entitlement, no action needs to be taken.

201. File form RD26 or information recorded from eNIRS2.

202. The claimant may dispute the revised contribution record. Record the action on form JSA14C. If appropriate, the HMRC (NICO) will adjust the contribution record.

Gross earnings used

203. When an assessment is made using gross earnings, eNIRS2 shows, or NIRS2 sends RD26 noted, 'gross earnings used'.

204. When this information is received:

Step	Action
1	note receipt of information and/or RD26 on form JSA14C;
2	access the CONTRIBUTIONS ENQUIRY screen JA511512 in dialogue JA511: Contributions Enquiry;
3	check if JSA (C) is in payment. If so, take no further action.

205. If the claim is rated as Nil and the revised contribution details would enable the claimant to qualify for JSA (C):

Step	Action
1	access the INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contributions and press [F6] to reject the NIRS2 data;
2	the INPUT/MAINTAIN CONTRIBUTIONS DETAILS PROMPT screen JA097197 displays;
3	re-input the claimant's NINO and press [ENTER]. The INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 displays, still showing the rejected details;
4	press [F2] to display a blank screen;
5	input the revised contribution details and press [F7] to confirm the details;
6	JSAPS will go to dialogue JA200: Award and Decision to make a decision;
7	file form RD26 if held.

206. If the claim is rated as Nil and the revised contribution details will not change the entitlement, no action needs to be taken.

207. File form RD26 or information recorded from eNIRS2.

208. The claimant may dispute the revised contribution record.

209. Note the action taken on form JSA14C. If appropriate, HMRC (NICO) will adjust the contribution record.

eNIRS or RD26 annotated for information only

Action on latest claim

210. If eNIRS2 sends an Action List Prompt due to a change in a Relevant Income Tax Year (RITY), or an RD26 is received noted, 'For Information Only', on the most recent claim:

Step	Action
1	access the CONTRIBUTIONS ENQUIRY screen JA511512 in dialogue JA511: Contributions Enquiry;
2	check the Earnings Factor (EF), shown in box 6 of RD26, against the information displayed on the screen;
3	access eNIRS and check under historical calculations, this will display the latest benefit calculation. Then consider if there has been any impact on the benefit.

211. If the details held differ:

Step	Action
1	access the INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contributions and press [F6] to reject the NIRS2 data;
2	the INPUT/MAINTAIN CONTRIBUTIONS DETAILS PROMPT screen JA097197 displays;
3	re-input the claimant's NINO and press [ENTER]. The INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 displays, still showing the rejected details;
4	press [F2] to display a blank screen;
5	input the revised contribution details and press [F7] to confirm the details;
6	JSAPS will go to dialogue JA200: Award and Decision to make a decision;
7	file form RD26 if held.

212. JSAPS will issue a notification to the claimant, explaining any change in the rate of JSA (C).

Action if there is a previous claim

213. If there is a previous JSA or UB claim and the revised contribution details relate to either of the RITYs used in assessing JSA (C) for that claim, assess the effects of the revised details clerically.

214. To do this:

Step	Action
1	access dialogue JA511: Contribution Enquiry, using the last two digits of the RITYs required;
2	compare the earnings Factor (EF) for the RITYs with the EF on eNIRS2, or at box 5 of form RD26.

215. If there is no change in the rate, but there is a discrepancy, take action as in for information only: Action on latest claim.

216. If there is a change in rate, pay any arrears of JSA (C) or consider referring the case to the Debt Management Section – if an overpayment has occurred.

217. If the previous claim used the same RITYs as the latest claim, decide on the effect of any change in the cumulative total before assessing the effects of the change in contribution details on the latest claim.

218. Take the following action:

Step	Action
1	access dialogue JA035: Transfer to Clerical and transfer the claim to clerical. This enables the revised information to be taken into account;
2	pay the arrears clerically on the: <ul style="list-style-type: none"> • previous account; • current account;
3	refer the papers to the Team Leader or nominated officer to access dialogue PD052: Close Record Interest to end the JSA

	<p>interest, on SEF/CIS:</p> <ul style="list-style-type: none"> • when the JSA interest is closed on SEF/CIS; access dialogue PD350: Register Interest to re-register the JSA interest [62] and amend the personal details as appropriate; • access dialogue CP650: Amend Post Office to record the claimant's NPO details; • access dialogue JA060: Register Claim/ Event and register the BFC event; • access dialogue JA086: Build From Clerical to build the claim. Ensure all relevant contribution, cumulative totals and taxable benefit information is input;
4	<p>if any arrears of taxable benefit are paid to the claimant, consider issuing form:</p> <ul style="list-style-type: none"> • P180 (MAN) to HMRC; • PB10 to the claimant; <p>these forms are only sent if arrears exceed the de-minimus limits and end of tax year action has been already taken;</p>
5	<p>check the notes box on eNIRS2, or notes column under box 6 of form RD26, for any further action required;</p>
6	<p>file form RD26 if held.</p>

No discrepancies found

219. If there are no discrepancies, file form RD26, if held, as no further action is required.

Via bankruptcy/sequestration section

220. eNIRS2 may show 'Via Bankruptcy Section', or Form RD26 noted 'Via Bankruptcy Section' is issued, as an alert that the benefit reply is delayed because it is going through the Bankruptcy Section at Inland Revenue (National Insurance contributions Office) HMRC (NICO).

221. There is no action to take in these cases except:

- note the information and/or receipt of form RD26 on form JSA14C; and
- file form RD26 if held.

222. Do not issue reminder forms MF64, JSA690 etc when this type of RD26 is received, as this will delay other replies.

Administrative waiver

223. When eNIRS2 shows, or form RD26 is received noted, 'Administrative Waiver':

Step	Action
1	note the information and/or receipt of RD26 on form JSA14C;
2	file form RD26 if held.

224. This reply is issued to show that the person's liability to pay contributions during that year was waived.

What forms to send when personal details are incorrect

225. If the claimant's identity details and date of birth on the claim form do not match those on eNIRS2 or form RD26:

Step	Action
1	interview the claimant to confirm identity details;
2	send the following forms to let NIRS2 know of the changes: <ul style="list-style-type: none"> • CA5450: <ul style="list-style-type: none"> ○ notification of marriage, for women only; • CA5450, CA5451 or CA5452: <ul style="list-style-type: none"> ○ change of name; • CA5453: <ul style="list-style-type: none"> ○ notification of date of birth and death; • MF65: <ul style="list-style-type: none"> ○ different or new address;
3	note the issue of any forms on form JSA14C.

What to do when eNIRS2 is checked or RD26 is received

226. On checking eNIRS2, or receipt of form RD26, accept or reject the information.

227. Note receipt of the information on form JSA14C, and compare the information shown against the details displayed in the 'Awaiting Acceptance' field on the CONTRIBUTION INFORMATION ENQUIRY screen JA511512 in dialogue JA511: Contributions Enquiry.

Accepting the information

228. If the claimant satisfies the contribution conditions without the failed contributions, shown on eNIRS2 or at box 6 of form RD26:

Step	Action
1	access the INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contributions;
2	press [F4] to accept the details;
3	JSAPS will automatically fastpath to dialogue JA200: Award and Decision;
4	JSAPS will fastpath to dialogue JA405: Compute Payment to produce the payment;
5	file the RD26 if held.

229. If the failed contributions show on eNIRS2 or in box 6 of form RD26 and the claimant does not initially satisfy the contribution conditions:

Step	Action
1	access dialogue JA530: Case Controls;
2	clear any outstanding case controls for special credits;
3	access dialogue JA511: Contributions Enquiry to see if the contribution conditions are satisfied;
4	if the contribution conditions are satisfied, press [F4] to accept the

	details in the INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contributions;
5	JSAPS will fastpath to dialogue JA200: Award and Decision;
6	JSAPS will fastpath to dialogue JA405: Compute Payment to produce the payment;
7	file form RD26 if held.

230. If the claimant still does not satisfy the contribution conditions after the award of special credits, check eNIRS2 or form RD26 to see if contingency credits have been correctly awarded for the Tax Years as follows: Box 6 of form RD26 shows which permanent credits have been recorded by NPS for the RITYs:

- column 5 of form RD26 contains the entry 'CREDIT';
- column 3 of form RD26 contains one of the following entries:

Code	Explanation
ADP R	for Reading ADP claims
ADP L	for Livingston ADP claims
DE LO	for clerically operated claims
DSS LO	for weeks of incapacity
DD	File for Class 2 contributions paid by direct debit. Credits are awarded for weeks of incapacity
ADP NI	for SB credits from Northern Ireland
INTERN	for credits awarded by NIRS2
CA	for Carers Allowance
NCIP	for Housewives Non-Contributory Invalidity Pension
AUTOOCR	for Auto credits
Jury	Service
DWAGBE	DWA unit (Blackpool) employed earner
DWAGBS	DWA unit (Blackpool) self employed
DWANIE	DWA unit (Belfast) employed earner
DWANIS	DWA unit (Belfast) self employed
DC	deduction card

231. Check if forms JSA14C, form JSA14P, and/or form JSA14A show a period of clerical operation. If there is, check it:

- contains form CF201 (JSA) annotated Linking input;
- contains forms CA5481/ CF368;
- shows the data has been input to JSAPS or notified to NIRS2.

232. If the period of clerical operation has not been notified to NIRS2:

Step	Action
1	enter the correct number of credits that need to be awarded via eNIRS2, or if not available complete form CA5481/ CF368 and send it to NIRS2;
2	complete form CR1 and note on it the number of weeks and credits notified.

233. If the contribution conditions are now satisfied:

Step	Action
1	press [F4] to accept the details in the INPUT/MAINTAIN CONTRIBUTIONS DETAILS screen JA097198 in dialogue JA097: Maintain Revised Contributions;
2	JSAPS fastpaths to dialogue JA200: Award and Decision;
3	JSAPS fastpaths to dialogue JA405: Compute Payment to produce payment;
4	file form RD26.

234. If the claimant still does not satisfy the contribution conditions to receive JSA (C):

Step	Action
1	consider an application to JSA (IB) if not already made or an award of JSA under the hardship provisions;
2	investigate the claimant's contribution record by sending a Benefit Involved Case (BIC) to HMRC (NICO);
3	note the issue of the BIC file on form JSA14C;
4	access dialogue JA530: Case Controls and set a case control for two weeks.

235. HMRC (NICO) should send a reply, or an update on how the investigation is progressing, within two weeks of receiving the BIC.

236. If a reply or an update is not received after two weeks send a reminder Benefit Involved Case to HMRC (NICO).

237. When HMRC (NICO) have completed their investigation, they will return the completed eBIC file containing the corrected contribution record.

Rejecting the information

238. If NIRS2 cannot supply all the relevant contribution details because there is an outstanding query on the claimant's contribution record, eNIRS2 will show, or NPS will issue, a provisional assessment.

239. To reject the provisional assessment from NIRS2, press [F6]. JSAPS will return to the INPUT/MAINTAIN CONTRIBUTION DETAILS PROMPT screen JA0970197.

240. Wait for NPS to deal with the query on the claimant's contribution record.

241. If NIRS2 does not hold an account for the NINO or the personal details on JSAPS do not match those held on NIRS2, the Main Benefit Reply (MBR) rejects with the reason for the rejection appearing on schedule JA70488

242. JSAPS will automatically send a reminder MBR if the reason for rejection is either:

- account not found on NPS;
- non-match on transaction checkbrick; or
- account not live.

243. The first reminder will be issued 14 days after the initial MBR was issued. A further reminder is then issued every 42 days until a reply is received.

244. If a further MBR is issued, any case control S013 will be cleared by JSAPS.
245. If the rejection reason is:
- account not found on NPS; or
 - account not live.
- Refer to the National Insurance Number Centre (NC) using form DCI1, for an EOI interview to be arranged.
- No further action is required, as the reminder MBR will make sure contribution information details are provided by NIRS2 when the NINO registration process has been completed. In these cases, do not clear schedule JA70488.
246. If the rejection reason is:
- pseudo account;
 - COP account enquiry; or
 - account transferred to Isle of Man,
247. JSAPS will not issue a reminder MBR, and the schedule JA70488 should be cleared.

NPS issues a provisional assessment

248. NPS may not be able to supply all the relevant details on the claimant's contribution record when:
- HMRC (NICO) are investigating contributions paid by the claimant;
 - there are revised contribution details to be input to the system;
 - there is additional information that the office should be aware of, and to take action of it if necessary.
249. In these cases, send form JSA219 to the claimant, asking:
- if they have had employment in the Relevant Income Tax Years which is not held by NPS; and
 - for documentary proof of any contributions paid, that is, a P60 or wage slips.
250. If the claimant can provide this information:
- update information on JSAPS and forward relevant documents to HMRC for investigation;
 - send photocopies of the documentary proof to the local HMRC (NICO) Field Office in a separate file (using an EF102), to investigate why NIRS2 does not hold the details. Do not use a Benefit Involved Case file.
251. If there is no contribution record held, NPS will send a form RD23 rejection.
252. NPS does not reply to the first request for information If after two weeks NPS does not reply to the first request for information:
- access NIRS2; and
 - note the current information on forms A6 and JSA 14C.

Non Posting of 2004/2005 Contributions

253. There was an issue regarding the non posting of contributions in 2004/2005. If a case claim uses these RITYs, please contact the JSA Guidance Team for advice/guidance using the following email address:
- sheffieldrockinghamhouse.jsaguidanceteam@jobcentreplus.gsi.gov.uk

Benefit Involved Cases/Deficient Contributions Disputes

254. A Benefit Involved Case (BIC) only occurs if one of the following circumstances applies:
- a claimant's entitlement to JSA cannot be established because there is a problem with their NI Contribution Record; or
 - a claimant has had a JSA(C) claim disallowed because of either a deficient NIC record, or other missing contributions (for the action to take for cases where MoD credits have not been awarded see MoD Credits.).
255. Such cases only become BICs if the claimant disputes their NIC record and they cannot provide acceptable evidence of earnings to enable benefit into payment.
256. Examples of acceptable evidence are:
- P60;
 - Wage slips;
 - A declaration from the claimant's employer (including form BF215C or JSA77) showing earnings paid and NICs deducted; or
 - Evidence that the claimant has paid self-employed contributions by Quarterly Billing or Direct Debit.
257. See Resolving Benefit Involved Cases and National Insurance Disputes for further information about Benefit Involved Cases.
258. The specially designed electronic Benefit Involved Case (eBIC) referral form must be used to refer cases to HMRC (NICO).
259. If HMRC (NICO) receives a BIC via any other means they will return the case without taking any action on it.
260. When they receive the eBIC form, HMRC (NICO) will take action to resolve the query. When they have determined what NICs should be recorded on NPS they will:
- return the BIC referral form
 - include details of what earnings can be used to decide entitlement to benefit
 - take action to update the NI record held on NPS as appropriate
261. The details supplied by NICO should be used to determine the correct entitlement to benefit.
262. HMRC (NICO) should send the reply within two weeks of receiving the eBIC form.
263. However, if HMRC (NICO) becomes aware that there will be a delay in resolving the case, to the extent that they will not be able to return the outcome within the agreed timescales, they should return the referral form to the referring office to advise them of the delay.
264. This update should include details about the cause of the delay and information about when a full reply may be expected.
265. Upon receipt of this update, access dialogue JA530: Case Controls and set a further case control based on the information supplied by HMRC (NICO).
266. For Example, if an update is received from HMRC (NICO) advising that a BIC case will take a further 2 weeks to resolve due to the complexities of the case, the case control should be set for a further two week period.

267. If a reply or an update is not received after two weeks send a reminder to HMRC (NICO) using the reminder functionality within the eBIC form.

MoD Credits

268. MoD credits are awarded by HMRC to spouses and civil partners who accompanied a member of Her Majesty's forces (HMF) on a posting abroad after April 2010 for any periods where they were unable to find work during the posting.

269. Three months prior to the end of the overseas posting, HMF will provide the spouse or civil partner with an application form to apply for the credits. HMF will formally authorise the application form and provide the spouse or civil partner with details of how the form should be sent to HMRC. HMRC is then tasked with the job of awarding the Class 1 credit for each week spent on the accompanied overseas posting.

270. Where claimants who do not satisfy SCC state that they were entitled to MoD credits during the RITYs, and NPS shows that HMRC have not processed or awarded, an electronic referral form (MOD1) should be emailed to HMRC.

271. If the claimant says that they were entitled to, but have not applied for, the credit they should contact MoD to see if they can still be awarded.

Useful Addresses

The Isle of Man Department of Social Care (DSC)

- Isle of Man Government, Markwell House, Market Street, Douglas, Isle of Man, IM1 2RZ.
- Telephone: 01624 685070
- Fax: 01624 685030

NB – These numbers must not be given to members of the public.

HMRC NI Contributions Office contact details:

- HMRC National Insurance Contributions Office (NICO), Longbenton, Newcastle upon Tyne, NE98 1YX.

Refund Group

- Refund Group, Technical Support: Room 97A Longbenton, Newcastle upon Tyne, NE98 1YX (for NINOs ending 00-49),
- Room 101B Longbenton, Newcastle upon Tyne, NE98 1YX (for NINOs ending 50-72),
- Room 102A Longbenton, Newcastle upon Tyne, NE98 1YX (for NINOs ending 73-99).

Class 1 Casework

- Class 1 Casework: Central Support Team, Room 117B, Longbenton, Newcastle upon Tyne, NE98 1YX.

Self Employment services

- Self Employment Services: Post Handling and Distribution, Room 105E, Longbenton, Newcastle upon Tyne, NE98 1YX.

NIRS2 Special Amendments section

- NIRS2 Special Amendments Section: Room 138C, Longbenton, Newcastle upon Tyne, NE98 1YX.

Individual Caseworker

- Individual Caseworker, Room BP1009, Benton Park View, Longbenton, Newcastle upon Tyne, NE98 1YX.

Contact number for the general public

- Telephone Number: **0845 302 1479**

JSA & DMA Team (Isle of Man)

- Level 4 East, Rockingham House, 123 West Street, Sheffield S1 4ER

JSA 722

Part 1 (for JSA Team to complete)

Please complete return to:

JSA & DMA Team (Isle of Man), Level 4 East, Rockingham House, 123 West Street, Sheffield S1 4ER

Office code number

Office name

Surname

Forename

Full NI number

This jobseeker has been insured in the Isle of Man. Please record in Part 2 of this form all JSA payments made for the period 1 April to 31 March and send the completed form, no later than 10 April 20 to the above address.

Signed Date

Part 2:

See Jobseekers Allowance Guidance, Obtaining contribution information, supporting evidence, contribution information from the Isle of Man for instructions on completion.

Please tick if:

- 1 There is no entitlement to JSA (C)
- 2 No claim was made
Complete and send to Jobseeker System, Products and Liaison (IT) team immediately
- 3 JSA(C) was paid from: to: totalling: £ (1st period)
JSA(C) was paid from: to: totalling: £ (2nd period)
JSA(C) was paid from: to: totalling: £ (3rd period)
- 4 JSA(IB) was recovered from: to: totalling: £ (1st period)
JSA(IB) was recovered from: to: totalling: £ (2nd period)
JSA(IB) was recovered from: to: totalling: £ (3rd period)

Complete when claim is closed or at end of tax year ending 31st March and send to JSA & DMA Team (Isle of Man)

Isle of Man Agency payments – first reminder letter

Urgent

To:

From: JSA & DMA Team (Isle of Man), Level 4 East, Rockingham House, 123 West Street, Sheffield S1 4ER

Subject: Isle of Man Agency Payments

Jobseekers name:

Jobseekers NI number:

Form JSA722 which was sent to you on _____ for the above named, was due here by the 10th April 20 ____ . As we have not received a response, please send it to the JSA Business Integrity Team by _____ .

If the JSA722 is no longer available, please circle the appropriate number below, complete where needed and send this minute back urgently.

There is no trace for the above named at this office.

The claim unit has been transferred to.....on.....

The jobseeker has made no claim to JSA(C) or JSA(IB).

In the year ending 31 March 20 the above named claimed:
From..... to.....
From..... to

Total JSA(C) paid in the period 1 April 20 to 31 March 20 is

Total JSA(IB) recovered in the period 1 April 20 to 31 March 20 is

Please return to:

JSA & DMA Team (Isle of Man), Level 4 East, Rockingham House, 123 West Street, Sheffield S1 4ER

Isle of Man Agency payments – second reminder letter

Urgent

To:

From: JSA & DMA Team (Isle of Man), Level 4 East, Rockingham House, 123 West Street, Sheffield S1 4ER

Subject: Isle of Man Agency Payments

Jobseekers name:

Jobseekers NI number:

Form JSA722 which was sent to you on for the above named, was due here by the 10th April 20 . As we did not received any response we are now sending a further reminder. Please send it urgently to the JSA Business Integrity Team by .

If the JSA722 is no longer available, please circle the appropriate number below, complete where needed and send this minute back urgently.

There is no trace for the above named at this office.

The claim unit has been transferred to.....on.....

The jobseeker has made no claim to JSA(C) or JSA(IB).

In the year ending 31 March 20 the above named claimed:
From..... to.....
From..... to

Total JSA(C) paid in the period 1 April 20 to 31 March 20 is

Total JSA(IB) recovered in the period 1 April 20 to 31 March 20 is

Please return to:

JSA & DMA Team (Isle of Man), Level 4 East, Rockingham House, 123 West Street, Sheffield S1 4ER

Overpayments

Summary

An overpayment occurs when a claimant has received an amount of benefit they are not entitled to. There are different types of overpayments which are:

- Small (£65.00 and under)
- Overpayments £65.01 to £100
- Straightforward
- Non-Straightforward
- Clerical.

All overpayments (except small overpayments) are referred to Debt Management via the Central Team. Refer to the Overpayment Referral Forms and Guidance on Jobcentre Plus (JCP) Intranet for further information on the Central Team procedures.

For the action to take for small overpayments, please see the Overpayment and Referral Forms guidance.

What causes an overpayment

1. An overpayment may occur when:
 - the claimant or appointee misrepresents a fact on their claim
 - the claimant or appointee fails to disclose a change of circumstances on time
 - an incorrect amount is paid
 - there is an overprovision of benefit.
2. The Overpayment Recovery Guide Section 2 gives more detailed information.

Checking Procedure

3. Failure to refer overpayments to Debt Management could mean qualification of the Department's accounts by the National Audit Office because all debt has not been taken into account. District Managers must demonstrate control over their overpayment referral process from the point that an overpayment is created.
4. Checks must be carried out:
 - promptly;
 - accurately; and
 - fully.

Jobseeker's Allowance

JSA Overpayment: Background

5. When an overpayment is created on JSAPS, a case control S100(CC) 'Overpayment record created' or 'Overpayment action overdue' will appear in Dialogue JA530 Case Controls immediately. The S100 will appear on the JSA Work Available Report (JA72539) the following day.
6. Dialogue CR2 will list the JSA work available report in the following order:
 - Special Customer Records

- Live cases
 - Dormant cases
7. Each list will appear in whichever alpha split the JSA Team has requested via their FLLS
8. If the JSA work available report is not cleared within 7 days it will convert to JSA overdue work report (JA72525) and repeat every 14 days until action has been taken to clear.
9. If an overpayment of JSA (IB) is discovered for a past period, Social Fund (SF) processing teams need to be made aware, this is because it may mean that SF payments such as Community Care Grants or Sure Start Maternity Grants should not have been paid. See Overpayment Referral Guide.

Managing the reports

Daily JSA Work Available Reports

10. JSA work available report should be viewed daily, If overpayments are being actioned timeously at the time of processing, the OP referral should be in the Team Leader Debt inbox, or if shown as CLRD should be with the Central Team. (see checking process below).

Overdue JSA Work Available Reports

11. High volumes of JSA overdue work reports indicate either
- Overpayments are not being referred
 - Overpayments are being referred but the CC is not being cleared in Dialogue 530.
12. Access CR002 to view the JSA overdue work reports entries, the maximum date view is 7 prior to the current date
13. The backlogs of JSA overdue work report should be examined using the same process as for daily JSA overdue work report (see checking process below)
14. Checking officers must ensure that:
- A minimum of 15% of total entries on JSA overdue work report are selected for check (see checking process below)
 - Checks are performed on a daily basis
 - Details and results of checks are recorded both for BCS and performance monitoring purposes
 - Keep a weekly record of volumes of outstanding S100 on the JA72525 JSA Overdue Work reports (as S100 appear every 14 days on the JA72525 figures taken on the same day in 2 consecutive weeks is an indication of potential outstanding debt in the system)

How to check S100

Step	Action
1	Access CE001 selecting either 01 – JSA Work Available Report or 02 – JSA Overdue Work Report to identify potential overpayment cases
2	Select each case individually and fast path from CR2 in JSA Work

	Available Report to selected case in JSAPS using F keys
3	<ul style="list-style-type: none"> • Check OP dates in Dialogue JA303 (make a note) • Use Dialogues JA523, JA502, JA507 is there an actual OP? • If No, <ul style="list-style-type: none"> ○ Write off OP in Dialogue JA303 and clear in Dialogue JA530 • If Yes <ul style="list-style-type: none"> ○ continue below
4	Check Dialogue JA510/ 110 is there any record of OP being referred?
5	Access Team Leader Debt inbox - is there a REF1 for the relevant OP to be referred to CT – if 'Yes', refer REF1 to CT. If 'No', continue below
6	Access the Debt Shared Folders to view all overpayments referred for recovery action since the actual period of the OP
7	Cross check the relevant OP (name and period) with the entries on the CT Tracker or in the Overpayments Shared Folder
8	If there is no evidence to confirm that an overpayment referral has been made for the case which appears on the JSA Work Available Report, use Dialogue JA570 to identify the staff number of the processor who implemented the change of circumstance on the system.
9	Track to ensure OP is referred
10	Record check on Business Controls System (BCS)JCP00058

Manager (Band D) check

15. Managers should:

- access BCS / checking records to validate and give an assurance that checks are being performed
- be provided with monthly updates of the volumes of outstanding overdue JSA overdue work reports.

Paying arrears

Paying arrears to a claimant no longer in the United Kingdom

1. A claimant who leaves the United Kingdom (UK) may become entitled to arrears of:

- UK Contribution based Jobseeker's Allowance (JSA(C));
- UK Income based Jobseeker's Allowance (JSA(IB));
- foreign imported Unemployment Benefit; or
- an income tax refund.

2. If arrears become due and the claimant requests payment to be sent to an address abroad:

Step	Action
1	calculate the payment clerically using form JSA14P;
2	complete a payment authority DLJA 306 in duplicate and send both copies to: <ul style="list-style-type: none">• International Pensions Centre 'Email address redacted for Data Protection'
3	note clerical records to await reply.

3. If International Pensions Centre (IPC) make the payment, they will complete part 2 of DLJA/306, retain one copy and return the other to Jobcentre Plus.

4. When the copy is received:

Step	Action
1	note form JSA14P 'paid by IPC';
2	file the copy of DLJA/306 with the claim documents.

5. If IPC cannot make the payment, they will return both copies of DLJA/306.

6. When the copies are received:

Step	Action
1	note form JSA14P 'unpaid – claimant overseas';
2	file both copies of DLJA/306 with the claim documents;
3	Issue DLJA 307 to the claimant.

Paying arrears for joint claims

7. A system limitation on JSAPS means that arrears cannot be automatically paid to a claimant if:

- they have been, or are, part of a joint claim; and
- the arrears span a change in:
 - claim status from joint to single;
 - claim status from single to joint; or
 - the nominated payee.

8. In these circumstances, JSAPS will inhibit payment of the arrears.

9. Report JA70100: Inhibited Retrospective Payments report will not be produced when JSAPS identifies an arrears payment for a joint claim or a previous joint claim.

10. To provide an audit trail to support the issue of a payment or payments, calculate the arrears on form A6. Record on the form:

- the breakdown of the payments; and
- to whom each payment is made.

11. The payment will be made to the claimant whose National Insurance number is entered in Dialogue JA490: Clerical Computation of Payment. If a change of circumstances spans a period of both single and joint claim, there will be an entry for each period on the Joint Claim Adjustment Screen JA490177.

12. Any arrears for a period of a single/joint claim will be shown as payable to the person who:

- is currently the nominated payee; or
- was the nominated payee at the time the joint claim ended.

13. Where arrears become due on a joint claim:

Step	Action
1	access Dialogue JA490: Clerical Computation of Payment and in the 'Payment Type' field input: <ul style="list-style-type: none"> • [5] – arrears payment/offsetting for joint claims;
2	press [ENTER] to move to the Joint Claim Adjustment Screen JA490177 to view the amount of arrears due;
3	if the arrears are not going to be offset against an overpayment: <ul style="list-style-type: none"> • input [Y] in the 'Select' column if the arrears are to be paid; and • input the amount of the arrears that are to be paid in the 'Amount' column;
4	if the arrears are going to be offset against an overpayment: <ul style="list-style-type: none"> • input [Y] in the 'Select' column against the corresponding arrears; • enter the adjusted amount of arrears to be paid in the 'Amount' column; • input [Y] in the 'Select' column against the corresponding overpayment; and • enter the amount of the overpayment remaining after the arrears have been offset in the 'Amount' column;
5	if an overpayment has been offset, access dialogue JA303: Maintain Overpayments to record the amount of overpayment offset against the arrears due.

14. Dialogue JA490: Clerical Computation of Payment and Joint Claim Adjustment Screen JA490177 must be accessed separately for each payment component type for each person for whom payments are to be made.

Note: The hyperlink to Dialogue JA490177 has been removed. This is because the screen has been inadvertently removed from the System reference Guide.

Paying arrears after a joint claim has ended

15. Case control P114 will be set if:

- a joint claim is ended and arrears are due; and
- the amount of arrears paid or offset against arrears paid to one member of the joint claim is less than the total arrears due; and
- the person who was a member of the joint claim is now claiming at a different office.

16. Calculate and pay the arrears as normal.

17. If arrears are due to a claimant from a previous joint claim who is no longer signing at the original office, send form JSA1C to the new office. This details the amount of benefit that has been paid to the claimant at the original office and requests the new office to pay the arrears to their claimant.

JSAPS calculated arrears

18. JSAPS calculates and issues arrears automatically if they are due:

- for a period wholly within the current live JSA claim; or
- for a period wholly within a dormant JSA claim and there is no current live claim.

19. If warning message 'W9406 – Warning: Arrears due but overpayment outstanding' displays, JSAPS will not issue the arrears automatically because arrears may need to be offset against an outstanding recoverable overpayment.

20. JSAPS cannot always automatically calculate the arrears due, for example:

- when arrears are due on a dormant claim and the claimant has since made another claim.

Outstanding recoverable overpayment

21. If JSAPS calculates an arrears payment for a claimant who has an outstanding recoverable overpayment, JSAPS will:

- display a warning message 'W9406 – Warning: Arrears due but overpayment outstanding';
- withhold the arrears;
- issue a revised/superseded award if necessary;
- notify the claimant that an arrears payment is being held back because of an outstanding overpayment;
- produce Inhibited Retrospective Payment Report JA70100 that shows arrears payments that are being withheld as an overpayment may need to be offset;
- notify the office on a Work Available Report (WAR) JA72539 that further action is required;

22. If no action is taken, a reminder will appear 14 days later on an Overdue Work Report (OWR) JA72525.

23. When the case appears on the WAR, it should be referred to Debt Management who will:

- check whether any arrears are due for the same period as the recoverable overpayment;

- decide whether any of the arrears should be offset against the outstanding recoverable overpayment;
- record the decision;
- take the necessary action on the overpayment; and
- refer the case back to the JSA Processor to pay the arrears or balance of the arrears to the claimant.

24. When the case is returned from Debt Management:

Step	Action
1	access Dialogue JA490: Clerical Computation of Payment and input the appropriate payment type: <ul style="list-style-type: none"> • [1] clerical calculation of arrears payment; • [2] arrears payment due after offsetting an overpayment; • [3] irregular or 'one-off' payment; • [4] clerical recalculation of a system calculated payment; or • [5] arrears payment/offsetting for joint claims.
2	pay the balance due to the claimant by their usual method of payment.

Arrears due wholly for a dormant claim but a live claim exists

25. To calculate and pay the amount of arrears due wholly within a dormant claim where a live claim exists:

Step	Action
1	clerically calculate the amount of arrears due for the dormant claim period;
2	access dialogue JA501 593: Claim Administration and check the 'Overpayment Interest' field;
3	if the 'Overpayment Interest' field: <ul style="list-style-type: none"> • displays [Y]: <ul style="list-style-type: none"> ○ refer the case to Debt Management with details of the amount of arrears due and the applicable dates; • displays [N]: <ul style="list-style-type: none"> ○ access Dialogue JA490: Clerical Computation of Payment and input the arrears due for the dormant claim. JSAPS will then automatically pay the clerically calculated arrears by the claimant's usual method of payment.

Arrears due for both a dormant and live claim

26. If the claimant is due arrears for a period covered by both a dormant claim and the current live JSA claim:

Step	Action
1	clerically calculate the arrears due for the dormant claim period on form A6;

2	access dialogue JA110: Maintain Notepad and record the amount of arrears due and the period covered for the dormant claim period;
3	access dialogue JA091: Maintain Claim Details and: <ul style="list-style-type: none"> • correct any entries previously input incorrectly; and/or • input any missed evidence to correct the claim;
4	access Dialogue JA490: Clerical Computation of Payment and input the arrears due for the dormant claim. JSAPS will then automatically pay the clerically calculated arrears by the claimant's usual method of payment.

Updating the tax record

27. The payment of a clerical amount of JSA in Dialogue JA490: Clerical Computation of Payment does not update the claimant's tax record.

28. To adjust the tax details in the current year:

Step	Action
1	access dialogue JA100: Taxation changes and input: <ul style="list-style-type: none"> • [Y] in the 'Adjust Taxable Benefit' field on the NINO PROMPT FOR TAXATION CHANGES screen JA100100; and • the payment details on the P6U DETAILS/TAXABLE BENEFIT ADJUSTMENT screen JA100101;

29. If the tax record is incorrect after completing the End of Tax Year action, make clerical adjustments to the tax records.

Paying Winter Fuel Payments

Jobseeker's Allowance Winter Fuel Payments

1. The Jobseeker's Allowance Winter Fuel Payment (WFP) is payable to all claimants who are over women's state pension age, or have a partner over women's state pension age, who satisfy the qualifying conditions.
2. For winter 2013/2014, the payments consist of;
 - £200 where the eligible claimant, or partner is over women's state pension age - 79; or
 - £100 each, if there is more than one eligible person in the household;
 - £300, where an eligible partner is aged 80 or over on or before 22 September 2013.
3. JSA claimants aged under 80 may be entitled to receive the extra money on behalf of a partner who is aged 80 or over on or before 22 September 2013 if:
 - JSA(IB) is in payment;
 - their partner qualifies for a WFP; and
 - their partner reaches 80 years of age either during or before the qualifying week.

Qualifying conditions

4. To qualify for a Winter Fuel Payment (WFP), the claimant must:
 - be in receipt of JSA(IB), or claiming credits only;
 - have reached the qualifying age (born on or before 5 January 1952), or be the partner of someone who has reached the qualifying age (born on or before 5 January 1952);
 - be ordinarily resident in Great Britain (this does not include the Isle of Man or the Channel Islands) or Northern Ireland for at least one day in the qualifying week; and
5. JSA(IB) claimants who are under 60 could receive a WFP on behalf of a partner who is over state pension age (born on or before 5 January 1952).
6. Persons without accommodation and no fixed abode are also eligible to WFP if they meet the qualifying criteria.
7. Claimants receiving JSA(C) and Jobcentre Plus programme participants entitled to a Jobcentre Plus Allowance Payment based on JSA (IB/C) may qualify for a WFP depending on their household circumstances.
8. If the claimant or partner is in hospital during the qualifying week, a WFP is still due if the claimant and/or partner:
 - born on or before 5 January 1952; and
 - was in hospital for less than 52 weeks by the end of the qualifying week.
9. A claimant and/or their partner temporarily in a care home for less than 13 weeks at the end of the qualifying week may also qualify for a WFP.

Qualifying week

10. The qualifying week for establishing entitlement to a Winter Fuel Payment (WFP) is from 16 September 2013 to 22 September 2013.

11. If the qualifying conditions are satisfied, for even one day in the qualifying week, entitlement to a WFP is established.

Claimants not entitled to a Winter Fuel Payment

12. Winter Fuel Payments (WFP) are not payable to:

- claimants and partners who are both aged under women's state pension age during the qualifying week;
- partners of claimants who receive a WFP in their own right;
- claimants aged under women's state pension age with a partner aged over women's state pension age or who:
 - is in a care home (by care home we mean nursing homes, residential care homes, Local Authority residential accommodation, and Ilford Park Polish resettlement home accommodation) ; AND in receipt of Pension Credit, Income-based JSA, or income related ESA, or
 - has been in receipt of free hospital in-patient treatment 52 weeks or more by the end of the qualifying week.

Identifying eligible claimants

13. As many of the Winter Fuel Payments (WFP) as possible will be paid automatically by Jobseekers Allowance Payment System (JSAPS).

14. An initial scan will be run on JSAPS on 27 September 2013. This scan will:

- identify claimants who satisfy the WFP conditions;
- set a case control S217 against the cases JSAPS will automatically pay a WFP; and
- identify claimants who satisfy the WFP conditions but are in an excluded category for a WFP.

15. A second scan will be run on the 1st November 2013 using the same WFP entitlement criteria as the first. The results from this scan will be compared electronically with the results from the first scan.

16. This will identify the claimants who still satisfy the qualifying conditions and are:

- suitable for an automatic payment; or
- excluded from receiving a WFP.

17. Where the first scan identified a claimant suitable for an automatic WFP and the second scan is an exact match, a WFP will be automatically issued by JSAPS from 2nd and 3rd November 2013.

18. A Payments Issued and Clerical Action report, JA72852, will be available within DRS, in local offices by 4 November 2013.

19. This report:

- will detail JSA claimants to whom a WFP was automatically issued by JSAPS;
- gives details of hospital/residential care claims made less than 52 weeks before the qualifying week;
- will be visible within DRS including a NULL report for offices where there are no cases;
- must be retained for 12 months.

20. The report will also include, if appropriate, additional information needed for follow up action, for example, WFPs that have been issued and:

- the case is subject to a pre payment check; and/or
- the partners National Insurance number is not recorded on JSAPS.

21. If the report is not received by 4 November 2013, raise an incident with EDS Customer Services.

How to action the Winter Fuel Payment JA72852 report

22. Once the scan has been run in JSAPS to identify all Winter Fuel Payments, the report will be displayed in DRS as an electronic image.

23. A bulletin will be sent to the benefit centre Single Point of Contact (SPOC) to notify them that the report has been produced.

24. The SPOC must access DRS to view the report and notify the appropriate Benefit Processing team leader of their cases due for action.

25. The benefit processor must then access DRS to read the electronic image of the report and identify claims where a Winter Fuel payment may be due but has not been paid.

Generalised Matching Service

26. A computerised file containing the details of the JSA claimants who meet the entitlement criteria for a WFP will be sent to the Generalised Matching Service (GMS). All of the other qualifying benefits will also supply GMS with details of their qualifying claimants.

27. GMS will compare the information on all these files to ensure that:

- WFPs are not made by more than one qualifying benefit; and
- the other benefits do not make payments to the excluded cases.

See Winter Fuel Payments Guidance.

Special categories of claimant

28. Additional action is required for certain claimants falling into the following categories:

- claimants residing in the European Economic Area;
- claimants in receipt of JSA(C) or Jobcentre Plus programme participants;
- change of circumstances;
- termination of claim over the Winter Fuel Payment (WFP) period;
- transfer cases;
- claimants in a care home ;
- retrospective claims; and
- claimants who request a WFP.

Claimants residing in the European Economic Area

29. If a claimant qualified for WFP in GB or Northern Ireland before they moved to an EEA country or Switzerland they may be able to continue receiving WFP whilst living in that country.

30. From 16 September 2013, in order to receive a WFP, a claimant who is resident outside of the UK during the qualifying week must, during that week:

- be habitually resident in an EEA member state or Switzerland **and**
- have a genuine and sufficient link to the UK's social security system **and**
- either Council Regulation EC No 1408/71 or Regulation No 883/2004 applies to the claimant.

31. If a genuine and sufficient link cannot be established, then the claimant is not eligible for any further payments of Winter Fuel. This is irrespective of whether or not a WFP was made in the UK prior to removal abroad.

32. Further details on the action to take for claimants residing in an EEA country is detailed in the Winter Fuel Payments Guidance, click on the EEA chapter on the left hand side.

JSA(C) benefit cases and Jobcentre Plus programme participants

33. Cases involving claimants in receipt of JSA(C) and Jobcentre Plus programme participants receiving Jobcentre Plus Allowance Payments who qualify for a Winter Fuel Payment (WFP) will not be notified automatically to offices. A separate report will be produced by the Generalised Matching Service (GMS) and will be sent via internal mail to owning offices.

34. The report will show all cases requiring investigation and, where appropriate, payment. This report should be actioned in the same way as the JA 72852 report and given the same priority.

35. The reports will be sent out to offices in w/c 4 November 2013. Offices with no cases will receive a nil report.

Change of circumstances cases

36. There may be cases that are identified as being eligible to receive a Winter Fuel Payment (WFP) by the first scan but, because of a change of circumstances in the intervening period, are not eligible on the second scan.

37. For these cases, apply the WFP qualifying conditions and determine the claimants' eligibility as follows:

Step	Action
1	if the claimant does not satisfy the criteria for a WFP: <ul style="list-style-type: none"> • record the decision on form A6 and in dialogue JA110: Maintain Notepad; and • take no further action;
2	if the claimant may be entitled to a WFP, check the Payment and Clerical Action report to ensure an automatic WFP has not already been made to the claimant or partner by JSAPS;
3	if the claimant or partner has already received a WFP of £200/£300: <ul style="list-style-type: none"> • record the decision on form A6 and in dialogue JA110: Maintain Notepad; and • take no further action;
4	if no WFP has been issued by JSAPS, check the Common Enquiry Service/Departmental Central Index/ Personal Details Computer System

	and contact the WFP Helpdesk and ensure no other benefit has made a payment to the claimant or partner;
5	if the WFP Helpdesk confirm the claimant or partner have already received a WFP: <ul style="list-style-type: none"> • record the decision on form A6 and in dialogue JA110: Maintain Notepad; and • take no further action;
6	if no WFP has been paid, pay the WFP clerically via CPS(LP);
7	Record the issue in dialogue JA110: Maintain Notepad.

New claim or a change of circumstances not considered for a Winter Fuel Payment

38. These cases appear on report JA72852 because the case was identified by the second scan as being ineligible for a Winter Fuel Payment (WFP), as it did not appear on the first scan.

39. This could be because:

- a new claim was made after the first scan was run and the award backdated to the qualifying week; or
- a change in the claimant's circumstances after the first scan was run resulted in a change to entitlement that was backdated to the qualifying week; or
- the case was selected by the first scan and case control S217 was set, but a change of circumstances has since been applied which means they no longer satisfy the conditions when the second scan is run.

40. These cases should be dealt with clerically following the procedures for JSA claims made or terminated in the qualifying week.

Termination of claim over the Winter Fuel Payment period

41. Any cases that satisfy the Winter Fuel Payment (WFP) qualifying criteria but are terminated between 16 September 2013 and 3 November 2013 will be identified by the second scan run on the 3rd November 2013 and the output recorded on report JA72852 for investigation.

42. Take the following action:

Step	Action
1	check the Common Enquiry Service/Departmental Central Index/ Personal Details Computer System and the WFP Helpdesk to find out whether a claim for another qualifying benefit existed in the qualifying week for the claimant or partner. If a claim existed, go to step 2. if no claim existed go to step 4;
2	contact the other benefit section to find out whether they have paid a WFP, and if so, the amount paid;
3	if a WFP has been made: <ul style="list-style-type: none"> • note on form A6 or dialogue JA110: Maintain Notepad that: • the payment has been made;

	<ul style="list-style-type: none"> • to whom the payment was made; and • the amount paid; <p>if the amount paid was £200/£300, note notepad 'A WFP paid by (name of benefit) – WFP not paid by JSA' and take no further action;</p> <p>if the amount paid was £100, go to step 6;</p>
4	<p>if no claim to another qualifying benefit existed for either the claimant or partner:</p> <ul style="list-style-type: none"> • determine entitlement to a WFP; • if appropriate make a WFP clerically by CPS(LP); <p>if a WFP is not appropriate, annotate notepad 'Not paid – claimant not entitled to a WFP on JSA';</p>
5	<p>if a claim to another qualifying benefit existed for the claimant, partner or both, but no WFP has been made:</p> <ul style="list-style-type: none"> • determine entitlement to a WFP; • if a WFP is appropriate: <ul style="list-style-type: none"> ○ inform the other benefit section that JSA will pay the WFP clerically by CPS(LP); ○ note on form A6 and in dialogue JA110: Maintain Notepad that you have taken this action; and ○ pay the WFP clerically via CPS(LP);
6	<p>if a claim to another qualifying benefit existed and a WFP of £100 has been made to the claimant, partner or both:</p> <ul style="list-style-type: none"> • determine entitlement to a WFP; • if a WFP was paid to both the claimant and partner: <ul style="list-style-type: none"> ○ note notepad 'A WFP paid by (name of benefit) – WFP not paid by JSA'; ○ no further action is required as the maximum WFP has already been paid; <p>if only one WFP has been issued to either the claimant or partner and the claimant is due the £200/£300 WFP:</p> <ul style="list-style-type: none"> • pay the balance clerically via CPS(LP);
7	<p>the WFP must be made wholly clerically. Do not pay off line via dialogue JA490: Clerical Computation of Payment</p>

43. If the WFP has been issued and a claimant's claim is terminated retrospectively and there is no entitlement to JSA during the qualifying week, contact the claimant to request the return of the WFP.
See Winter Fuel Payments Guidance.

Transferred cases

44. If a case is transferred in the period between the qualifying week and the automatic payments being issued, how it is treated for a Winter Fuel Payment (WFP) will be dependant on whether the transfer was within the same service area or cross service area.

45. If a case is transferred within service, it will be included in the automatic processing and a WFP issued when appropriate.

46. If a case is transferred cross service, it will output on the Payment and Clerical Action report JA72852 and will need to be dealt with clerically.

Care home cases

47. If one of a couple aged over women's state pension age is in a care home (by care home we mean nursing homes, residential care homes, Local Authority residential accommodation, and Ilford Park Polish resettlement home accommodation), by the end of the qualifying week, and the stay is temporary, for example, less than 13 weeks by the end of the qualifying week, they can still qualify for a Winter Fuel Payment (WFP).

48. Determine entitlement to a WFP and take the following action:

Step	Action
1	if the claimant does not satisfy the criteria for a WFP: <ul style="list-style-type: none"> • annotate notepad of the Payment and Clerical Action report JA72852 held in DRS; • record the decision on form A6 and in dialogue JA110: Maintain Notepad; and • take no further action;
2	if it appears that the claimant may be entitled to a WFP: <ul style="list-style-type: none"> • check report JA72852 to ensure that an automatic WFP has not already been made to the claimant or partner by JSA;
3	if the claimant or partner has already received a WFP: <ul style="list-style-type: none"> • annotate notepad of the Payment and Clerical Action report JA72852; • record the decision on form A6 and in dialogue JA110: Maintain Notepad; and • take no further action;
4	if no WFP has been made by JSAPS contact the WFP Helpdesk and ensure no other benefit has made a payment to the claimant or partner;
5	if the claimant or partner have already received a WFP: <ul style="list-style-type: none"> • annotate notepad of the Payment and Clerical Action report JA72852; • record the decision on form A6 and in dialogue JA110: Maintain Notepad; and • take no further action;
6	if no WFP has been paid, pay the WFP clerically via CPS(LP). This may be: <ul style="list-style-type: none"> • £200/£300 if no payment has been made at all; or • £200/£100 if £100 has already been paid;
7	record the issue of the payment in dialogue JA110: Maintain Notepad.

Retrospective claims

49. Retrospective claims to JSA made after 16 September 2013 by claimants aged over women's state pension age in the qualifying week, will not be included in the automatic payment process.

50. If JSA is still in payment at the second scan they will be picked up and appear on the Payment and Clerical Action report JA72852 for further investigation and if necessary a clerical payment should be made.

51. If a claimant is awarded JSA on or after 23 September 2013, which has been backdated to include a payment of JSA for at least one day in the qualifying week, there may be an entitlement to a Winter Fuel Payment (WFP). As these claims were not on the system, they cannot be paid automatically and must be actioned clerically via CPS(LP).

52. As clerical WFPs are not to be made before the automatic payments have been issued, set a case control to mature on 4 November 2013. If the claimant is still receiving JSA at the time of the second scan the case will be output on the Payment and Clerical Action report.

53. When the case control matures or the case is out on the report, the WFP is to be issued clerically.

54. If a retrospective claim is made after the automatic payments have been issued, and JSAPS identifies that the qualifying conditions are met, a warning message 'W6877 Warning: Check if correct WFP has been issued' displays in dialogue JA200: Award and Decision.

55. When this warning message appears:

Step	Action
1	check the Common Enquiry Service/Departmental Central Index/ Personal Details Computer System to determine whether a claim for another qualifying benefit existed in the qualifying week for the claimant or partner. If a claim existed, go to step 2. if no claim existed go to step 4;
2	contact the other benefit section to find out whether they have paid a WFP, and if so, the amount paid;
3	if a WFP has been made: <ul style="list-style-type: none"> • note on form A6 or dialogue JA110: Maintain Notepad that: <ul style="list-style-type: none"> ○ the payment has been made; ○ to whom the payment was made; and ○ the amount paid; • if the amount paid was £200/£300, note notepad 'A WFP paid by (name of benefit) – WFP not paid by JSA' beside the claimant's details and take no further action; • if the amount paid was £100, go to step 6;
4	if no claim to another qualifying benefit existed for either the claimant or partner: <ul style="list-style-type: none"> • determine entitlement to a WFP; • if appropriate make a WFP clerically via CPS(LP); • if a WFP is not appropriate, annotate notepad 'Not paid –

	claimant not entitled to a WFP on JSA’;
5	if a claim to another qualifying benefit existed for the claimant, partner or both, but no WFP has been made: <ul style="list-style-type: none"> • determine entitlement to a WFP; • if a WFP is appropriate, inform the other benefit section that JSA will pay the WFP clerically and note on form A6 and in dialogue JA110: Maintain Notepad that you have taken this action; • pay the WFP clerically via CPS(LP);
6	if a claim to another qualifying benefit existed and a WFP of £100 has been made to the claimant, partner or both: <ul style="list-style-type: none"> • determine entitlement to a WFP; • if a WFP was paid to both the claimant and partner, note notepad‘A WFP paid by (name of benefit) – WFP not paid by JSA’. No further action is required as the maximum WFP has already been paid; • if only one WFP has been issued to either the claimant or partner and the claimant is due WFP, pay the balance clerically via CPS(LP);
7	the WFP must be made wholly clerically. Do not pay off line via dialogue JA490: Clerical Computation of Payment.

Claimant requests a Winter Fuel Payment

56. Requests for a Winter Fuel Payment (WFP) may be received direct from claimants. If a request is made:

Step	Action
1	check the claimants claim to see if the qualifying conditions are met;
2	if the entitlement conditions are not met, complete and issue the clerical refusal letter;
3	if the claimant satisfies the entitlement conditions for a WFP, check the Payment and Clerical Action report JA72852 on DRS;
4	if the claimant’s details are listed on the report and a payment has been issued, consider non-receipt action;
5	if the claimant’s details are listed on the report and no payment has been issued, consider paying the WFP clerically via CPS(LP).

See Winter Fuel Payments Guidance.

Payment procedures

Automatic payments

57. Automatic JSA payments and the issue of Direct Payment notifications will take place on or after 4 November 2013.

58. JSAPS will also issue a claimant notification, J1800, detailing action they should take in the event of non receipt of payment.

Clerical payments

59. The Payments Issued and Clerical Action Report, JA72852, as well as giving details of automatic payments, will provide details of those cases that require investigation and clerical payment action.

60. The report will:

- detail cases identified by the scans as being potentially eligible for a WFP but need investigation;
- detail the claimants name and National Insurance number;
- show one of the following exception reasons for each case:
 - 'This case shows Temporary RCH – investigate':
 - claimant and/or partner are in a care home;
 - 'This case is not live in payment – investigate':
 - the case was to be paid on the first scan and is now not payable;
 - 'There has been a change in circumstances on this case – investigate':
 - the case was on the second scan but not the first;
 - the case was recognised on the first scan and is now not payable;
 - the case was not recognised on the first scan but is now in payment; or
 - the claimant has died either during or after the qualifying week;
 - 'This case shows payment suspended – investigate':
 - the case has a payment suspension.

61. All JSA claimants who are No Fixed Address or a Person Without Accommodation, who satisfy the qualifying criteria must be actioned clerically via CPS(LP) and paid by Simple e payment.

62. Action must be taken on all cases shown on the report and, where appropriate, a clerical WFP issued as soon as possible after 4 November 2013.

Paying the Winter Fuel Payment clerically

63. Clerical Winter Fuel Payments (WFP) must not be made before 4 November 2013.

64. To pay the WFP clerically:

Step	Action
1	Prepare and issue a clerical WFP notification;
2	Note 'paid clerically by JSA' beside the claimants details in notepad;
3	Issue the Winter Fuel Payment by direct payment through CPS (LP) see CPS Guidance

Claims made after 1 November 2013

65. If an award of JSA is made after 1 November 2013, the date of the second scan, in a claim when the claimant or partner are over women's state pension age and includes entitlement for at least one day during the qualifying week, take the following action:

Step	Action
1	<p>contact the WFP Helpdesk and ensure that no other benefit has made a payment to the claimant or partner. If a WFP of £200/£300 has been made go to step 4;</p>
2	<p>if no WFP is recorded:</p> <ul style="list-style-type: none"> • check Common Enquiry Service to determine whether a claim for any other qualifying benefit existed in the qualifying week. <p>If a claim:</p> <ul style="list-style-type: none"> • existed <ul style="list-style-type: none"> ○ go to step 3; • did not exist: <ul style="list-style-type: none"> ○ go to step 5;
3	<p>contact the other benefit section to determine if a WFP has been made, and if so, the amount;</p>
4	<p>if a WFP of £200/£300 has been paid:</p> <ul style="list-style-type: none"> • note on form A6 that the other benefit has paid the maximum WFP; and • take no further action; <p>if a WFP of £100 has been paid:</p> <ul style="list-style-type: none"> • note on form A6 that the other benefit has paid the smaller WFP; and • go to step 6;
5	<p>if no claim to another qualifying benefit existed:</p> <ul style="list-style-type: none"> • check the Departmental Central Index and Personal Details Computer System to ensure the claimant's partners, if appropriate, personal details are correct and that no WFP has been made to them; • determine entitlement to a WFP; and • if appropriate, make a clerical WFP depending on whether the other benefit has already paid £100;
6	<p>If another qualifying benefit has made a payment of £100 to the claimant or partner, or has failed to make a payment where a qualifying claim existed:</p> <ul style="list-style-type: none"> • determine entitlement to a WFP; • if a WFP is to be made: <ul style="list-style-type: none"> ○ inform the other benefit section that JSA are making the payment; ○ pay the WFP clerically via CPS(LP); and ○ note on form A6 and Notepad that the payment has been made and the other benefit section informed;

See Winter Fuel Payments Guidance and associated forms and letters available down the left hand side of the home page.

Periodicity and Payday

Background

1. Since 6 April 2009 most Working Age (WA) benefits are paid a minimum of fortnightly in arrears on a payday determined by the claimant's National Insurance number (NINO). At the New Jobseeker Interview (NJI) the Personal Advisor (PA) must allocate the claimant's Benefit Week Ending (BWE) day and cycle based on the last two digits of their National Insurance number;

NINO	Payday
00 – 19	Monday
20 – 39	Tuesday
40 – 59	Wednesday
60 – 79	Thursday
80 – 99	Friday

2. The fortnightly cycle will be split into odd and even cycles based on the last two digits of the NINO as follows:

NINO	Cycle
Even	1 (equivalent to P/T cycle)
Odd	2 (equivalent to R/V cycle)

The key reasons for the change were to;

- simplify and align the different paydays and pay periods across the benefits; and
- reduce confusion for claimants when they move from one benefit to another.

3. At the New Jobseeker Interview (NJI), the Personal Advisor (PA) must allocate the customer's BWE day and cycle based on the last two digits of their National Insurance Number.

4. Weekly payments may, in exceptional circumstances, be allowed on a temporary basis. Further information can be found at weekly payment guidance.

As these changes may give rise to conversations with claimants all opportunities should be taken to promote direct payments where appropriate, see Method of Payment Discussion.

Effects of Payday and Periodicity on JSA

Fortnightly Interventions

5. The main change was to break the link between the benefit week ending (BWE) day and the day the customer attends the Jobcentre.

6. In the majority of cases the claimant's BWE day and attendance day will coincide. However, especially in part time offices, the facility to attend on a different day is used to manage fortnightly attendance.

Payments

7. A claimant will still receive a payment of benefit 2-3 working days (Mon – Fri) after their attendance day.

8. Although the attendance day can be delayed, this does not alter the period a customer is paid for. Claimants are still required to attend a Jobsearch Review (JSR) before payment can be released.

9. For example, a claimant is a Friday BWE as determined by their NINO and should attend on Friday 13th April 2012, but has to attend on Tuesday 17th April 2012 because

the office only opens Tuesdays and Thursdays. The claimant receives a payment on Thursday 19th or Friday 20th covering the period 31st March to 13th April 2012.

Jobcentre Guidance

Attendance

10. Even though the BWE day and cycle is determined by a claimant's NINO, their attendance day and cycle can be determined locally if necessary.

11. Jobcentres have the discretion to allocate a claimant a different attendance day and/or cycle if they cannot accommodate them on their BWE day or if the claimant cannot attend on their allocated attendance day, for example customers who work part-time.

12. The claimant's attendance day must be on or after their BWE day and any payment will not be released until the customer attends.

Note: The PA must annotate the notes section of the Customer Management System (CMS) Input Document if the customer's BWE day and attendance day differs

Updating LMS with BWE, cycle and time

13. The PA must update LMS with the claimant's BWE day, attendance day and cycle.

14. When the BWE day and attendance day are different, use the **Time Box** to input the attendance day and time. This shows that the attendance arrangements are different to the BWE day and/or Cycle (1 or 2) as denoted by their National Insurance number.

Annotating the documentation

15. During the NJI, the PA must note the ES80A and the ES40JP with the claimant's attendance day and cycle (for example, FRI EVEN).

16. It is important that both the BWE day and cycle of a claim can be easily identified. Therefore the following standard system of identification has been developed for Labour Market Units:

Signing Day	Garter Colour
Monday	White
Tuesday	Yellow
Wednesday	Red
Thursday	Blue
Friday	Orange
Personal Issue	Yellow & Blue

Clerical claim action

17. For clerical claims, the notes section of the claim form must be annotated with the claimant's BWE day and cycle.

Claimant's with special circumstances

18. Certain categories of claimant may require specific action to be taken under the new arrangements. They are:

- Weekly Paid Claimants
- Personal Issues
- Postal Claimants
- Share Fishermen
- Temporarily Stopped claimants

- Non claimants
- Joint Claims
- JSA for 16 and 17 year olds
- Claimants with no National Insurance number
- Claimants with part time earnings

Weekly paid customers

19. If a customer asks to be paid JSA weekly instead of fortnightly, wherever possible, encourage them to attend fortnightly as normal.
20. In exceptional circumstances, a customer may demonstrate that fortnightly payments are unacceptable. In these cases, weekly payments may be considered.
21. The decision to authorise weekly payments lies with a manager at the BDC.
22. These cases will be subject to a review after 26 weeks and will move to fortnightly payments at the earliest suitable opportunity as agreed with the customer. Full guidance can be found at the weekly payment guidance

Personal issue (PI)

23. A claimant requesting payment of JSA by PI will have their request determined according to local criteria.
24. PI claimants will be allocated a BWE day which corresponds to their NINO, even though Jobcentres may have a pre-determined attendance/collection days for all PI claimants

Share fishermen

25. Share Fishermen are excluded from the P&P changes. The current guidance for Share Fishermen should be followed.

Temporarily Stopped (TS) customers

26. TS claimants are excluded from the P&P changes. This is because TS claims must be handled clerically under current procedures, and must remain with a Saturday BWE day. For further details see the Temporary Stopped Claims Guidance.

Non claimants

A claim for a non-claimant is handled in the same way as a claim for those receiving JSA. Therefore, the customer must be allocated a BWE day and cycle based on the last two digits of their NINO.

Joint Claims

27. For Joint Claims, the same BWE day should be allocated by the PA to both members.
28. The BWE day allocated will be based on the last two digits of the NINO of the payee. The other member of the Joint Claim must be allocated the same day regardless of their NINO. They may however, attend on a different day/time but payment wont be released until they have both attended

JSA for 16 and 17 year olds

29. A claim for a young person must be allocated a BWE day and cycle based on the last two digits of their NINO.

Customers with no National Insurance number

30. Claims from customers without a NINO are temporarily excluded from the P&P changes as they do not have a NINO to determine their BWE day or cycle.

31. Customers with no NI number must still attend every fortnight so that when a NINO is issued, payment may be backdated to the start date of their claim if attendance has not been broken.

32. As soon as a NINO is allocated to the customer, they should be assigned their correct BWE day and cycle in line with the P&P.

Customers with part time earnings

33. Customers with part time earnings must continue to complete form B7 in the normal way. However the form must be completed with all earnings the customer received and hours they worked in the 2 week period ending on their BWE day.

34. The FJR officer must explain to the customer that attribution of any part-time earnings will be aligned to their BWE day, and not the day they attend if this is different. The date their part time earnings are paid will have a bearing on which BWE day it affects.

35. The form B7 has been amended to reflect the introduction of P&P.

36. The Jobcentre must forward the form B7 to the BDC, where the benefit processor will attribute the earnings accordingly.

Non attendance on the specified day

Advance notification received

37. If a claimant informs us in advance that they will not be able to attend on a specified day, the action to take depends upon whether their BWE day is the same as their attendance day.

38. If the claimants BWE day is the same as their attendance day, existing guidance should be followed. See the Fail to Attend Interviews and Jobsearch Reviews and Failure to Provide a Signed Declaration chapter of the Labour Market Conditions Guide for further information.

39. If the customers BWE day is different to their attendance day, specific action needs to be taken. Please see the Treated as Available/Actively Seeking Employment chapter of the Labour Market Conditions Guide for further information.

Advance payments

40. When the office is closed for public holidays customers who are due to attend the Jobcentre on that day are excused attendance and their payment advanced automatically. This is because JSAPS cannot currently identify cases whose BWE is different to their day of attendance and exclude them from the advance.

41. For example a customer who is a Monday BWE but attends on Friday's will receive an advance payment, due to Monday falling on a Bank holiday. However he is still required to attend on Friday, his allocated attendance day.

Cases not Converted

42. All cases **should** have been converted by 31 March 2011. If any stock case is found not to have been converted e.g. Rapid Reclaim cases, immediate action must be taken to

do so. The FJR Officer must explain how the system now works in more detail and advise the customer of their new BWE and signing day.

Reclaim Gather

Summary

1. A reclaim gather (formally known as a Rapid Reclaim) was announced as a budget measure in March 2000. It:
 - streamlines the reclaiming process for claimants making a repeat JSA claim within 26 weeks of the last day of a previous JSA award,;
 - increases the incentive to take up employment, including short term periods of full time work;
 - eases the concerns about reclaiming benefit if a job ends unexpectedly.

Note: Rapid Reclaim is an administrative term and **must not** to be used when dealing with claimants either verbally or by letter.

2. Reclaim gather claimants still need to satisfy the Evidence Requirement (ER) but they do not have to provide evidence which was provided for an earlier claim and is unchanged.
3. The right to reside part of the habitual residence test must be applied on all new claims including reclaim gathers. UK nationals and non-UK nationals who have been abroad between 13 and 26 weeks are subject to the whole habitual residence test.

Eligibility for a reclaim gather

4. A reclaim gather is appropriate if:
 - a repeat claim to JSA is made within 26 weeks of the last day of a previous JSA award; and
 - there has been no relevant change in circumstances (except for the reason the previous claim ended) since the previous claim.

Note: A reclaim gather does not apply if another benefit is claimed between the JSA claims.

5. Eligibility for a reclaim gather is identified at First Contact, either by a Customer Service Agent/Face to Face First Contact Officer using CMS or by the Jobcentre if a claim form is issued. .
6. Please see the CMS First Contact Guidance for further information.
7. If there is any doubt that a reclaim gather applies, then the claimant must complete a full gather of information on CMS or be issued a JSA1 claim form.

Action to take on receipt of CMS reclaim gather information

8. Following the gather of information at the Contact Centre any cases where a reclaim gather is appropriate are registered on JSAPS and made available in the 'Non WFI/reclaim gather/JSA (C) Online Cases' screen for action. This screen must be monitored at regular periods.
9. To action a reclaim gather cases:

Step	Action
1	Access the home page and select 'Non WFI/reclaim gather/JSA (C) Online Cases' link
2	Select 'reclaim gather' from the Case Type drop down field. Select the Search Icon.

3	<p>Ensure the correct BC location is displayed and amend if necessary.</p> <p>Use additional search criteria If no case is displayed.</p>
4	<p>Select a case by double clicking on the required case. A pop up message will appear 'Do you wish to print off the claim documents'. Upon selection of 'Yes' or 'No' the pop up message will disappear and the 'Non WFI/reclaim gather/JSA(C) Online cases' screen is re-displayed.</p> <p>In all cases where 'Yes' is selected a reclaim gather customer statement is produced and where there has been an attempt to register the claim on JSAPS a reclaim gather Input Document is also be produced.</p>
5	<p>Check if backdating applies.</p> <ul style="list-style-type: none"> ○ If yes: Wait until the claimant has attended the New Jobseeker Interview before processing the claim; ○ If no: compare the information with that held on JSAPS for the previous claim; <ul style="list-style-type: none"> – highlight any changes in circumstances not identified at First Contact or the New Jobseeker Interview and take appropriate action; and – establish if all relevant verification in support of the claim is available
6	<p>If a test of actual habitual residence is required try to contact the claimant by telephone to complete an HRT2. If this is no possible, issue a clerical form for return to the Benefit Centre.</p>
7	<p>If the claim is straightforward it can be processed before the claimant signs the IS/JSA69 and attends the New Jobseeker Interview. For further information, see Straight Through Processing.</p>

Change of circumstances identified at the BC- Reclaim gather taken in error

10. It is not necessary for the claimant to complete a claim form or be re-routed to the Contact Centre if it is identified that a change of circumstance has occurred or a reclaim gather was taken in error.

11. However, in these instances, it is unlikely there will be enough information to process the claim. Contact the claimant, either by telephone or by using form JSA164 to gather any further information required.

Verification

12. There is no need to seek verification in all cases as a full check of the claimant's circumstances has been carried out on the previous claim and case controls set for reviews. For further information, please see the Evidence Requirements & Defective Claims guidance.

Straight through processing

13. The JSA award can be processed **before** the claimant has signed the JSA69 and attended their New Jobseeker Interview.

14. This is because the JSAg can be treated as having been made before the claimant attends the JC to agree the JSAg

15. When the Customer Service Agent completes the call, the reclaim gather case is automatically registered in Dialogue JA060: Register Claim/Event and the case is available for previewing.

16. Once the claim has been previewed and checked, it can be processed and dialogue JA200: Award and Decision and JA405: Compute Payment can be input.

17. Payments are not issued until the claimant has attended the Jobcentre for the New Jobseeker Interview. Please see the Get Britain Working guidance for further information

18. If the claimant Fails to Attend see Revision Following Fail To attend Action

JSA4RR claim form requested or clerical claim made

19. If the claimant requests a JSA4RR claim form, the Customer Service Agent/Face to Face First Contact Officer will:

- issue the form;
- book the New Jobseeker Interview: and
- advise the claimant:
 - of where and when to attend; and
 - to take the JSA4RR to their interview.

20. These claims cannot be straight through processed as consideration needs to be given to the time it takes for the claimant to:

- receive and complete the form; and
- return it the BDC.

21. In this instance the claim is processed after the claimant attends their New Jobseeker Interview.

Joint Claims

22. Members of a joint claim couple are eligible for a reclaim gather. In addition to satisfying the basic criteria, the previous claim must also have been a joint claim.

Revision Following Fail to Attend Action

23. Claimants who fail to attend an advisory interview or Jobsearch review and who do not make contact within 5 working days will have their claims closed from the day after the last day evidence was provided, so this will be the day after the Date of Claim

24. If no Waiting Days are to be served JSAPS will pay 1 days benefit if entitled

25. If the claimant subsequently reclaims JSA and provides evidence that they continued to be available for and actively seeking work up to the date they failed to attend, then the date on which their claim was closed can be revised and payment of benefit for that period considered.

26. These cases will be identified in the Jobcentre and a Labour Market decision will be made. For further information, see the Get Britain Working guidance.

27. On receipt of notification of the Labour Market decision from the Jobcentre:

STEP	ACTION
1	Access Dialogue JA490: Clerical Computation of Payment
2	Calculate the amount of benefit due for the period from the day after the claimant last attended to the day before they FTA.
3	In dialogue JA490491 input: <ul style="list-style-type: none"> • Payment type – [1]; • Payment component – either <ul style="list-style-type: none"> ○ [21] – JSA(C) arrears; ○ [22] - JSA(IB) arrears; or ○ [21] and [22], as appropriate
4	Access dialogue JA100: Taxation Changes amend adjust the tax details
5	Access dialogue JA110: Notepad and record the details of the payment, including that it is a revision.

28. If the arrears payment includes JSA(C), the claim must be TTC to allow the input of the correct 'starting' figure of cum tots on for the latest claim.

29. **DO NOT** apply backdating rules (as set out in DMG Chapter 2, paragraphs 02372 – 02377) to the revision period.

Backdating Action

30. If the claimant also wishes to make a backdated claim for the period after they FTA, normal backdating rules will apply.

31. A JSA5 needs to be completed for the period following the FTA to the date of claim. The period from the day after they last provided a signed declaration up to the date they FTA will be considered automatically

Example

- Claimant FTA on 26 July and does not make contact
- Claim is closed from the day after they last attended (13 July)
- Reclaim is made on 13 August and LM decision is favorable
- For the period 13 July to 25 July, the disallowance is revised and a clerical payment of benefit is due;
- For the period 26 July – 12 August, normal backdating rules apply

Housing Benefit Rapid Reclaim

32. Housing Benefit rapid reclaim (HBRR) is a streamlined reclaiming process for all claimants who reclaim JSA and Housing Benefit (HB) within 26 weeks of their previous entitlement to JSA and HB ending.

33. The claimant is issued with form HBRR1 at the Jobcentre.

34. Claimants are asked to return form HBRR1 directly to their local authority (LA). If form HBRR1 is received in the BC, forward it immediately to the relevant LA.

Storage and Retrieval

35. For the action to take for storage and retrieval of CMS documentation, see the CMS BDO guidance, chapter 3

Bank Holiday Advance Payments

36. Set the Advance Indicator to `N` for reclaim gather cases received during periods when payments are being advanced because of a Bank Holiday. Payments will not be advanced.

Recoupment

Referring cases/ enquiries to the Recoupment Team

1. Recoupment is dealt with by a specialist team based at Bury St Edmunds Benefit Centre. Any queries or issues regarding recoupment should be referred to the Recoupment Team via the Bury St Edmunds JSA Changes Team using the HOTT tool.

The contact details below are for internal use only and should not be given out.

'Telephone numbers and Email addresses redacted for Data Protection'

Employment Tribunal awards

2. When the Employment Tribunal (ET) have reached a decision, the clerk to the ET will:

- telephone the JSA processing section with the details of the award; and
- confirm the call by issuing form IT30.

3. The decision will be announced either:

- at the hearing; or
- at a later date, this is known as a reserved decision.

4. Form IT30 will include details of the:

- monetary award;
- amount of the prescribed element;
- period to which the prescribed element relates; and
- amount, if any, by which the monetary award exceeds the prescribed element.

5. If form IT30 is not received within 3 days follow up action must be taken.

6. A copy of the full decision will be sent as soon as possible after the hearing.

7. Only when the full decision has been received can recoupment procedures start.

Prescribed element

8. The prescribed element is the part of the monetary award that represents arrears of pay or compensation for loss of earnings up to the date of the ET hearing.

Recoupment of JSA

9. The Industrial Tribunals Act enables the Secretary of State to recover from an employer, some or all of any JSA already paid for a period covered by an Employment Tribunal (ET) award.

10. The amount to be recouped is the lesser of:

- the amount of the prescribed element; or
- the amount of JSA paid during the period of the prescribed element.

11. Housing costs included in a JSA award must be included in the amount to be recouped.

12. Recoupment does not apply:

- when a settlement has been reached between the two parties before an ET hearing takes place. Any payment made in these circumstances should be considered as a compensatory payment;
- to awards made to a dependant for whom the claimant receives additional payment of JSA;
- to any Housing Benefit paid by local authorities; or
- to payments made under the training provisions, including training premiums.

13. The JSA processing section is responsible for issuing the recoupment notice JSA/IS302 to the employer.

14. The recoupment regulations state that:

- for a decision announced at the hearing, the recoupment notice must be issued within either:
 - 21 days of the conclusion of the hearing; or
 - 9 calendar days of the date the decision is registered and sent to the parties; whichever is the latest;
- for a reserved decision, the recoupment notice must be issued within 21 calendar days of the date the decision is registered and sent to the parties.

Recoupment notice not sent within time limit

15. If, for any reason, it is not possible to issue a recoupment notice within the time limit, it can still be sent, but recoupment may not be achieved.

16. If the time limit has passed:

- there is no obligation on the employer to withhold any payment;
- if the employer has already paid the prescribed element to the claimant, Jobcentre Plus will be unable to recoup the money.

Decision not to send recoupment notice

17. If it is decided not to send a recoupment notice:

Step	Action
1	issue draft letter: <ul style="list-style-type: none">• DLJA006 to the employer;• DLJA007 to the employee;
2	disallow JSA for the period of the prescribed element;
3	decide if JSA has been overpaid;
4	note form JSA300 'Decided not to recoup JSA, employer and employee notified' and initial and date the entry.

Claimant disputes the amount of JSA to be recouped

18. If the claimant disputes the amount of JSA to be recouped, check the amount recorded on form JSA300.

19. If the amount is correct:

Step	Action
1	explain the details to the claimant;
2	if they are still dissatisfied: <ul style="list-style-type: none">• ask them to put their reasons for disagreement in writing; and• check their written statement and all the details of the case and decide if the original recoupment is correct.

See, Decision Makers Guide, Volume 5, Chapter 26

20. If the amount is incorrect:

Step	Action
1	issue a revised recoupment notice immediately;
2	notify both the claimant and the employer of the action taken.

Action on receipt of Employment Tribunal decision

21. When the Employment Tribunal (ET) have reached a decision, the clerk to the ET will telephone the JSA processing section with the details of the award.

22. When the ET clerk phones:

Step	Action
1	confirm that a claim is held for the person to whom the award has been made;
2	ask the clerk to confirm the call by sending form IT30;
3	confirm whether or not the ET have made a future loss award;
4	if they have and there is a current claim to JSA: <ul style="list-style-type: none">• access dialogue JA210 Maintain Suspension and Decision Details and input AR code [JSA/566] to suspend JSA;
5	if they have not: <ul style="list-style-type: none">• complete form JSA300 with the claimant's and ET's details;
6	Access dialogue JA530: Case Controls and set a case control for three days to check for receipt of form IT30.

23. If form IT30 is not received within three days, contact the ET and urgently request completion.

24. When form IT30 is received:

Step	Action
1	complete the remainder of form JSA300;
2	access dialogue JA530 : Case Controls and set a case control for 14 days to monitor receipt of the full ET decision.

25. If the full copy of the decision is not received within 14 days:

Step	Action
1	contact the ET urgently to request the decision;
2	access dialogue JA530: Case Controls and set a case control for three days to monitor receipt of the full ET decision.

Future loss award

26. Employment Tribunals can make an award that goes beyond the date of the hearing. These awards are made if it is considered that the person might have difficulty finding employment, to compensate for the loss of wages.

27. These awards are known as future loss awards and may include:

- loss of pension rights;
- loss of fringe benefits;
- loss arising from the manner of dismissal;
- future loss of earnings.

Full copy of decision received

28. When the full copy of the Employment Tribunal (ET) decision is received:

Step	Action
1	check if a future loss award has been made and; <ul style="list-style-type: none"> • if it has: <ul style="list-style-type: none"> ○ go to step 2; • if it has not: <ul style="list-style-type: none"> ○ go to step 4;
2	access: dialogue JA210: Maintain Suspension and Decision Details and suspend payment of JSA immediately using AR code [JSA/566] for the full period of the award;
3	notify the claimant of the suspension on form JSA47;
4	check if the dates are the same as those on form IT30 and: <ul style="list-style-type: none"> • if the dates are the same: <ul style="list-style-type: none"> ○ go to step 6; • if the dates are not the same: <ul style="list-style-type: none"> ○ go to step 5;
5	<ul style="list-style-type: none"> • contact the ET office and clear the discrepancy and request confirmation of any changes or new details in writing; and • go to step 6;
6	check if a claim for JSA is still held and: <ul style="list-style-type: none"> • if a claim is held at another office: <ul style="list-style-type: none"> ○ go to step 7; • if a claim is held at your office: <ul style="list-style-type: none"> ○ go to step 9; • if no claim has been made: <ul style="list-style-type: none"> ○ issue draft letter DLJA006 to the employer;

	<ul style="list-style-type: none"> ○ issue draft letter DLJA007 to the claimant; and ○ file the papers and retain for 3 years;
7	telephone the ET clerk to advise them: <ul style="list-style-type: none"> ● that form IT30 will be sent to the correct office; ● of the other office address and request that the full copy of the decision be sent to that office;
8	send form IT30 to the other office;
9	check if JSA was paid during the period of the prescribed element.

JSA paid during period of the prescribed element

29. If JSA was paid for the period of the prescribed element:

Step	Action
1	complete form JSA300 with the JSA payment details for the period of the prescribed element;
2	send recoupment notice form JSA/IS302 to the employer, requesting them to pay the lesser of: <ul style="list-style-type: none"> ● the amount of the prescribed element; or ● the amount of JSA paid during the period of the prescribed element.

JSA not paid during period of the prescribed element

30. If JSA was not paid during the period of the prescribed element, check if it was not made because of:

- a sanction/suspension or disallowance; or
- any other reason.

Sanction/suspension or disallowance

31. If JSA was not paid because of a sanction or disallowance and the decision has not been revised/ superseded and no JSA Hardship payments were made there will not be any JSA to recoup from the employer. Take action as in para 32.

32. If JSA is suspended and the suspension covers all or part of the period of the prescribed element await the decision on the original referral. If the referral is disallowed or sanctioned but the period leaves some of the prescribed element period unpaid take the following action;-

Step	Action
1	access dialogue JA210: Maintain Suspension and Decision Details and suspend payment of JSA immediately using AR code [JSA/566] for the period of the prescribed element;
2	input the decision. This will prevent any payment being made and avoid the need for recoupment.
3	Take action as in para 32.

Other reason

33. If no JSA was paid for any other reason for example, non entitlement :

Step	Action
1	note form JSA300 at item 8 that no JSA paid during the period covered by the prescribed element;
2	issue draft letter: <ul style="list-style-type: none">• DLJA006 to the employer; and• DLJA007 to the claimant.

Issuing a recoupment notice

34. The recoupment regulations state that:

- for a decision announced at the hearing, the recoupment notice JS/ISA302 must be issued within either:
 - 21 days of the conclusion of the hearing; or
 - 9 calendar days of the date the decision is registered and sent to the parties; whichever is the latest;
- for a reserved decision, the recoupment notice must be issued within 21 calendar days of the date the decision is registered and sent to the parties.

35. Recoupment notice JSA/IS302 consists of five copies:

- send the top copy to the employer by recorded delivery to a named person wherever possible;
- send the second copy to the claimant together with form JSA303;
- retain the third and fifth copies with the claim documents; and
- send the fourth copy to the Employment Tribunal.

Employer pays the full award to the claimant

36. If the employer pays the full Employment Tribunal (ET) award to the claimant, recoupment action must still be taken.

37. The employer must then claim the money back from the claimant.

38. This is because the employer will have been advised by the ET, in writing, that:

- recoupment of benefit will apply; and
- they should not make any payment until they receive the recoupment notice JSA/IS302.

No reply from employer

39. If the employer does not reply to the recoupment notice within 14 calendar days:

Step	Action
1	issue a reminder draft letter DLJA010;
2	access dialogue JA530: Case Controls and set a case control for 14

	days to monitor reply;
--	------------------------

40. If the case control matures and it appears on the Work Available Report JA72539 and there is still no reply:

Step	Action
1	issue a further reminder draft letter DLJA011;
2	access dialogue JA530: Case Controls and set a case control for 28 days to monitor reply;

41. If the 28 day case control matures and there is still no reply from the employer, pass all documents to the Benefit Manager to consider whether the case should be referred to Corporate Debt Control Unit (CDCU) for further action.

Employer declares insolvency

42. If the employer replies to the recoupment notice stating they are now insolvent:

Step	Action
1	request the name and address of the liquidator/receiver/trustee from the employer;
2	send the liquidator/receiver/trustee: <ul style="list-style-type: none"> • a copy of the recoupment notice; and • draft letter DLJA012.

43. If the liquidator/receiver/trustee:

- acknowledges Jobcentre Plus as a creditor:
 - it is not necessary to consider the case until some or all of the money is repaid;
 - if no payment is received:
 - file and keep all papers for three years from the date the liquidator/receiver/trustee acknowledges the debt;
- refuses to accept Jobcentre Plus as a creditor, or fails to reply:
 - refer all papers to the Benefit Manager to consider whether referral to CDCU is appropriate.

44. If no payment is made because the employer is insolvent, the ex-employee may be able to claim a compensation award payment from the National Insurance Fund, through the Redundancy Payment Service, under Part XII of the Employment Rights Act 1996.

45. If the employer is insolvent and it is unlikely that the claimant will receive the award:

Step	Action
1	allow the suspension input under AR code [JSA/566];
2	file and retain the documents for three years.

Employer offers payment by instalments

46. If the employer offers to repay by instalments, each offer must be assessed according to the employer's circumstances.

47. The amount of the instalments must be reviewed every six months to allow for any changes in the employers circumstances.

JSA fully recouped

48. When employer has refunded a full or partial amount of JSA, note form JSA300 with the amount repaid.

49. When JSA is fully recouped:

Step	Action
1	revise/supersede the award of JSA paid during the period of the prescribed element;
2	disallow JSA for the period of the prescribed element. This will produce an overpayment which should be the same as the amount recouped. No referral to Debt Management is needed.
6	<p>JSAPS cannot make adjustments to a claimant's cumulative total (cum tot). To make an adjustment:</p> <ul style="list-style-type: none"> access dialogue JA035: Transfer to Clerical and transfer the claim to clerical; <p>access dialogue JA086: Build from Clerical and input the new cum tot after adjustment;</p>
7	<p>JSAPS will not award National Insurance credits for the weeks covered by a disallowance. If they wish to claim credits the claimant must sign a declaration to do so. Prepare a declaration:</p> <ul style="list-style-type: none"> 'I declare that I am in receipt of a compensation payment resulting from the loss of employment, I am a jobseeker and I wish to claim National Insurance credits for the period from to (both dates inclusive)'; insert the dates of the period and ask the claimant to sign and date the declaration; file the declaration with the claim documents. <p>See Belated Application for Credits for further action to award credits.</p>

Employer appeals or intends to appeal

50. If the employer replies to the recoupment notice by stating they have appealed or are intending to appeal against the outcome decision:

Step	Action
1	stop recoupment action at whatever stage it has reached;
2	write to the Employment Appeal Tribunal (EAT) using draft letter DLJA013 to confirm that an appeal has been lodged;
3	access dialogue JA530: Case Controls and set a case control for 14 days to monitor receipt of the EAT's decision;

51. If the EAT confirm that an appeal has been lodged, await the revised/superseded outcome decision before taking any further action.

52. If they state that no appeal has been lodged:

Step	Action
1	access dialogue JA530: Case Controls and set a case control to mature within 42 days of the date of the original decision.

53. When the case appears on the Work Available Report JA72539 and an appeal has not been made:

Step	Action
1	re-introduce recoupment proceedings;
2	send a duplicate form JSA/IS302 and record the issue on form JSA300;
3	access dialogue JA530: Case Controls and set a case control for 14 days to monitor the employer's response.

Appeal decision received

54. When the appeal decision is received, check to see if EAT confirm the original outcome decision.

Step	Action
1	if EAT do not amend the award: <ul style="list-style-type: none"> send a revised recoupment notice JSA/IS302, together with draft letter DLJA014 to the employer; continue as per No 34 et seq above
2	if EAT amend the award and is no longer payable: <ul style="list-style-type: none"> the employer is notified by the EAT; file and retain the papers for three years from the date the revised outcome decision was issued

Claiming compensation

55. In order for an ex-employee to claim a compensation award payment under the Insolvency Provisions of the National Insurance Fund, the following conditions apply:

- the person must have been an employee of the insolvent employer;
- they must apply in writing, either by letter or on form RP1, to the Redundancy Payments Office (RPO).

See, Decision Makers Guide, Volume 5, Chapter 26.

56. Under the terms of the Insolvency Provisions:

- there are no age limits on the employee;
- the employee does not have to work for a minimum length of time before they can claim a compensation award payment;
- there is no time limit for claiming.

57. When the RPO receive a claim for payment under the insolvency provisions, they will, when the notice period is about to expire, issue the claimant with form RP2 to claim compensations for that period.

58. Form RP2 asks the claimant for details of any benefit claimed during the relevant period.

59. If the claimant attends with form RP2:

Step	Action
1	complete and photocopy form RP2 and retain the copy;
2	complete the 'Record of benefits paid' proforma, including only the amount of recoverable benefit;
3	authenticate the proforma by: <ul style="list-style-type: none">• stamping it with the office address stamp;• dating it; and• initialling it;
4	give the original form RP2 and the proforma to the claimant;
5	tell the claimant they must return form RP2 and the proforma to the RPO within 14 days as their claim will be rejected if it received late;
6	access dialogue JA530: Case Controls and set a case control for four weeks to check whether the claimant has received a payment.

Corporate Debt Control Unit

60. The Corporate Debt Control Unit, will take responsibility for collecting payments when an employer has failed to make payments following an Employment Tribunal decision.

61. This applies only after all local recoupment action has failed to secure a payment.

62. Referral to CDCU does not apply where the company is in liquidation as CDCU cannot refer the debt for enforcement. The owning office should take steps to register the debt with the liquidator.

63. All cases where there is outstanding debt and the company is not in liquidation should be referred, irrespective of the amount owed. CDCU will then determine the appropriate action in each case.

64. All referrals must be made on a 'Employment Tribunal Referral to CDCU' stencil and include all appropriate documentation for the case.

65. CDCU will contact the employer to arrange repayment on behalf of Jobcentre Plus. If they receive no payment, they will send the case to one of three specialist companies for debt collection. They are:

- Commercial Collection Services;
- Eversheds; and
- The Lewis Group.

66. These companies will then liaise with CDCU until either:

- full repayment is made; or
- they have exhausted all viable options and cannot secure repayment.

67. CDCU will then send the case back to the referring office detailing the reason for return. For example:

- payment received, no debt now outstanding;
- employer ceased trading and no assets are available.

CDCU contact details

68. CDCU can be contacted at Durham House in Washington
'Telephone number and Email address redacted for Data Protection'

Referral to Corporate Debt Control Unit

69. Where an employer has:

- failed to respond to recoupment notices and reminder letters; or
- failed to make or maintain payments by instalments where agreed;

the case should be considered for referral to Corporate Debt Control Unit (CDCU) by the Benefit Manager.

70. In all cases:

Step	Action
1	complete 'Employment Tribunal Referral to CDCU' stencil;
2	attach all appropriate documentation for the case to the stencil and retain photocopies with the claim documents;
3	send all documents to CDCU.

Redundancy Payment office addresses

'Telephone numbers and Email addresses redacted for Data Protection'

Appendix 1 - Employment Tribunal Referral to CDCU Template

Name of officer referring case		
Contact details	Phone no	Fax no
	Email address	
Name and address of office		
Name of claimant		
National Insurance number		
Name of employer		
Address of employer		
Name of contact for employer		

Telephone number for contact	
Date of Tribunal	
Date debt identified if different from above date	
Date of first contact on debt	
Date of last contact on debt	
Additional details held which could make the case sensitive: Complaints received; MP involvement; Insolvency/liquidation; Charitable organisation legal action taken; (Attach additional sheet if required)	
Contact name for payment enquiries from CDCU	
Contact number	
Cost centre number	
Account number	

This template should then be sent to:

CDCU

Durham House

'Telephone numbers and Email addresses redacted for Data Protection'

Appendix 2 - Record of benefits paid proforma

RECORD OF BENEFITS PAID DURING PERIOD SPECIFIED BY REDUNDANCY PAYMENTS SERVICE

This form gives details of benefits paid during the compensatory notice period (pay in lieu of notice period) in relation to an insolvency claim. The completed form should be returned to the claimant, within 3 days, either in person or by post.

RP Case Reference No
(obtained from form RP2)

The claimant's details and if relevant, the partner's details are shown below:

Claimant
Date of birth
NI number
address

Partner
Date of birth
NI number
address

Claim for Compensatory Notice Payment:

Compensatory notice claim period: from _____ to _____

Claim made during period YES Date of claim _____ / _____ / _____
NO If no, please sign and return form to claimant

Benefit paid YES If yes, go to 'Details of benefit paid in the period' box
NO If no, please state reason below and then sign and return form to claimant

Reason benefit not paid for whole or part of claim period

Details of benefit paid in the period:

	From	To	Weekly rate	Total paid
JSA(C) claimant			£	£
			£	£
			£	£
JSA(IB) claimant or partner			£	£
			£	£
			£	£
Income Support			£	£
			£	£
			£	£

Officer's name

Officer's signature

date

Office stamp and
telephone number

Replacement Payments

Confirming payment has been made

1. If a claimant reports that they have not received their payment of Jobseeker's Allowance (JSA):

Step	Action
1	access dialogue JA504: General Enquiry, GENERAL ENQUIRY CLAIM DETAILS screen JA504611 to confirm whether the claimant is entitled to JSA;
2	access dialogue JA502: Payment Enquiry, IOP PAYMENT HISTORY screen JA502503 to confirm that: <ul style="list-style-type: none">• payment has been made; and• the method of payment is correct.
3	Access dialogue JA 110: Maintain Notepad to check there are no notes there that may influence the decision to replace the payment.

2. If a payment is due, but has not been issued, either:

- make the correct payment to the claimant by their normal payment method; or
- consider a Faster Payment, via CPS Local Payment

Taking non receipt action for a cheque payment

3. Before non receipt action can be taken, ensure there has been enough time for the cheque to be delivered, eg three working days must have passed since the claimant attended the Jobcentre to confirm attendance to allow for the post.

4. If a claimant reports that their cheque payment has:

- not been received;
- been lost;
- been stolen; or
- been destroyed;

take the following action:

Step	Action
1	issue form QB52, report of missing cheque to the claimant for completion;
2	access dialogue JA502: Payment Enquiry, IOP PAYMENT HISTORY screen JA502503 to obtain details of the relevant payment;
3	complete form QB51 parts 1 to 5 with details of the missing payment;
4	carry out a Method of Payment Discussion see also, Method of Payment Policy Statement;
5	consider whether a replacement payment can be authorised.

5. If a replacement payment can be authorised:

Step	Action
1	complete part 7 of form QB51 with details of the replacement payment;
2	issue form QB54, declaration about missing cheque to the claimant for completion;
3	access dialogue JA430: Record Missing Payment and: <ul style="list-style-type: none"> • select the appropriate payment details for the missing payment in the PAYMENT SUMMARY screen JA430431 and press [ENTER]; • input the details of non receipt in the RECORD/CANCEL MISSING DETAILS screen JA430432; Note The "Type of Loss" field is NOT valid for Direct Payments.
4	access dialogue JA485: Replace IOP, REPLACE PAYMENT screen JA485487 to: <ul style="list-style-type: none"> • record the decision to replace the payment; • record the method of payment of the replacement; and • produce FF100 paysheet if the method of payment is by clerical cheque;

6. If a replacement payment cannot be authorised:

Step	Action
1	complete part 6 of form QB51 with details of the reason for not replacing the payment;
2	complete and issue form QB53, refusal to replace payment, to the claimant;
3	access dialogue JA430: Record Missing Payment and: <ul style="list-style-type: none"> • select the appropriate payment details for the missing payment in the PAYMENT SUMMARY screen JA430431 and press [ENTER]; • input the details of non receipt in the RECORD/CANCEL MISSING DETAILS screen JA430432;
4	access dialogue JA485: Replace IOP, REPLACE PAYMENT screen JA485487 to: <ul style="list-style-type: none"> • record a Secretary of State decision to refuse replacement.

See, Missing Payment Guide

Cheque payment received but not cashed

7. Cheques are valid for one month from the date of issue. If the claimant does not cash the cheque within this time limit, they must;

- return it
- explain why it was not cashed
- request a replacement cheque for that period

Taking non receipt action for a Direct Payment

Bank/building society or Simple Payment account

8. If the claimant reports that their payment has not been made into their bank/building society or Simple Payment account:

Step	Action
1	access dialogue JA502: Payment Enquiry, IOP PAYMENT HISTORY screen JA502503 to confirm that: <ul style="list-style-type: none"> • payment has been made; and • there has been enough time for transfer to the account, eg allow three working days following the day of the claimant's confirmed attendance at the Jobcentre for the payment to be credited to the account; and • the method of payment is correct.
2	access dialogue JA400: Method of Payment, ACT DETAILS screen JA400402, to confirm the claimant's account details are correct;
3	if the account details are incorrect: <ul style="list-style-type: none"> • input the correct details; • make an immediate replacement payment; • consider whether a recall is appropriate; and, if not: <ul style="list-style-type: none"> ○ contact the relevant bank/building society to seek a refund of the payment;
4	if the account details are correct: <ul style="list-style-type: none"> • complete part 1 of form QB42, Application for a replacement payment, and issue to the claimant to complete part 2; • complete form QB59, Replacement of a Direct Payment; access dialogue JA430: Record Missing Payment and: <ul style="list-style-type: none"> ○ select the appropriate payment details for the missing payment in the PAYMENT SUMMARY screen JA430431 and press [ENTER]; ○ input the details of non receipt in the RECORD/CANCEL MISSING DETAILS screen JA430432; <ul style="list-style-type: none"> • access dialogue JA485: Replace IOP, • REPLACE PAYMENT screen JA485487 to: <ul style="list-style-type: none"> ○ record the decision to replace the payment; ○ record the method of payment of the replacement; and ○ produce FF100 paysheet if the method of payment is by clerical cheque;

See, Missing Payment Guide

9. The introduction of Faster Payments has made it easier to replace DPs immediately. Staff will be able to process Faster Payments via the Central Payment System. See CPS User Guide and CPS System Reference Guide.

Post Office ® card account

10. If the claimant reports that their payment has not been made into their Post Office ® card account:

Step	Action
1	access dialogue JA502: Payment Enquiry, IOP PAYMENT HISTORY screen JA502503 to confirm that: <ul style="list-style-type: none"> • payment has been made; and • the method of payment is correct.
2	access dialogue JA400: Method of Payment, ACT DETAILS screen JA400402, to confirm the claimant's account details are correct;
3	if the account details are incorrect: <ul style="list-style-type: none"> • input the correct details; • make an immediate replacement payment;
4	If the account details are correct: <ul style="list-style-type: none"> • ask the claimant to telephone the post office customer services help line to report non-receipt;

11. When the claimant contacts the post office customer services help line, the post office will confirm whether or not the payment is in the system.

12. If the payment is in the system, no further action should be taken

13. If the payment is not in the system, the claimant must ring the PO Customer Service Centre direct to report the non-receipt. The claimant should request the name of the person they have spoken to and request a (POca Customer Service Centre) reference number. This will provide DWP staff with assurance that the claimant has contacted the POca Customer Services Centre.

14. BLS does not require the reference number and action should not be delayed if the claimant does not supply a reference number.

15. When the claimant attends with the reference number or states they are unable to provide one:

Step	Action
1	contact BLS to request them to trace the payment;
2	complete part 1 of form QB42, Application for a replacement payment, and issue to the claimant to complete part 2;
3	if an immediate replacement is to be made: <ul style="list-style-type: none"> • complete form QB59, Replacement of a Direct Payment;
4	Access dialogue JA430: Record Missing Payment and: <ul style="list-style-type: none"> • select the appropriate payment details for the missing payment in the PAYMENT SUMMARY screen JA430431 and press [ENTER]; • input the details of non receipt in the RECORD/CANCEL MISSING DETAILS screen JA430432;
5	access dialogue JA485: Replace IOP, REPLACE PAYMENT screen JA485487 to: <ul style="list-style-type: none"> • record the decision to replace the payment;

	<ul style="list-style-type: none"> • record the method of payment of the replacement; and • produce FF100 paysheet if the method of payment is by clerical cheque;
--	--

Simple Payment account

16. If the claimant reports that there is no payment to be collected at the Paypoint outlet in their Simple payment account:

Step	Action
1	access dialogue JA502: Payment Enquiry, IOP PAYMENT HISTORY screen JA502503 to confirm that: <ul style="list-style-type: none"> • payment has been made; and • the method of payment is correct.
2	access dialogue JA400: Method of Payment, ACT DETAILS screen JA400402, to confirm the claimant's account details are correct i.e. the Departmental Funding Instruction number is correct;
3	if the account details are incorrect: <ul style="list-style-type: none"> • input the correct details; • make an immediate replacement payment; • contact BLS with all details. BLS will take action to recall the incorrect payment
4	If the account details are correct: <ul style="list-style-type: none"> • ask the claimant to telephone the Citibank Customer Service Centre on 0845 600 0046 (local rate available Monday to Saturday, 8am to 8pm) to report non-receipt;

17. When the claimant contacts Citibank customer services helpline, Citibank will confirm whether or not the payment is in the system.

18. If the payment is in the system, no further action should be taken.

19. If it is established by Citibank that the payment has been made to the account but the claimant continues to maintain that they have not encashed the payment, a Dispute and Investigation Affidavit (DIA) will be completed by the claimant via Citibank. There is no action for DWP staff to take.

Recalls of Direct Payments

20. A recall is a facility to reverse a payment into a bank/building society account where it is found the claimant:

- is not entitled to the payment ; or
- incorrect account details are held.

21. All JSAPS payments in the past needed to be cancelled or recalled via Bank Liaison Section (BLS). Central Payment System (CPS) provides the option to cancel or auto recall a payment request using the Manage Payment function. Note; All HBS payments are now viewable on both HBS and CPS therefore it is important to understand the impact on both systems when recalling or cancelling a HBS payment on CPS. For further information please refer to CPS User Guide

Chapter 15 about changing payment status and CPS User Guide Chapter 11 about recalling a direct payment.

22. If a recall is requested on CPS an automatic recall request will be generated to the bank to stop the payment being credited to the claimant's bank account, known as Auto-Recall.

23. CPS automatically calculates whether a Cancellation or Recall is possible.

24. Direct Payments made on HBS follow a 3 day BACS processing cycle;

Day 0 = Input Day, cancellation possible

BACS Day 1 = Payment has been transmitted overnight to claimant's bank/building society, auto-recall possible

BACS Day 2 = Payment processing day. Manual recall possible via BLS up to 11:30am for payments under £500 and up to 13:30pm for payments over £500.

BACS Day 3 = Payment is credited to claimant's account

25. Direct Payments made on CPS LP also follow a 3 day BACS processing cycle. However payments can reach a claimant's account in 2 days after being approved due to the payment being processed faster in CPS.

Day 0 + BACS Day 1 = Input Day onto CPS LP and transmitted to claimant's bank/building society, auto recall possible

BACS Day 2 = Payment processing day. Manual recall possible via BLS up to 11:30am for payments under £500 and up to 13:30pm for payments over £500

BACS Day 3 = Payment is credited to claimant's account

26. recall a payment:

Step	Action
1	access dialogue JA502: Payment Enquiry for the following information: <ul style="list-style-type: none"> • reason for recall; • claimant's initials and first three letters of the surname; • issue date; • claimant's National Insurance number; • credit amount; • credit serial number; • name of bank or building society; • sort code; • branch for bank accounts only; and • account title;
2	Access CPS to take recall action <ul style="list-style-type: none"> • note JA110 Notepad of recall details

27. If the payment cannot be recalled on CPS because it is Day 2 contact BLS before the times shown at 24 and 25 above

28. If the recall is successful:

Step	Action
1	BLS will access dialogue JA445: Record Returned/Reallocated ACT and record the returned payment details;
2	when the returned payment has been recorded, JSAPS: <ul style="list-style-type: none"> • issues a Work Available Report (WAR), JA72539 showing details of the returned payment; • sets a system case control P072 'Return ACT action outstanding';

29. When the WAR confirms that the payment has been successfully returned, check whether the claimant is still entitled to the payment, and if so, make a replacement payment.

Bank Liaison Section contact details

30. Direct payment recalls are dealt with by a special team called Bank Liaison section at Runcorn. 'Email address redacted for Data Protection'

Reporting Changes

Definition of a change of circumstances

1. A change of circumstances is a change that affects the records that are currently held for a claimant.
2. The claimant is responsible for notifying all changes of circumstances relevant to their claim to their Jobcentre Plus office.
3. For any notification to a Tax Credit change of circumstance see Tax Credit guidance-Changes of Circumstances.

Reporting a change of circumstances

4. Any change of circumstances can be reported by the claimant at any time during their JSA claim either:

- in person by the claimant or third party; or
- by telephone from the claimant or third party; or
- in a letter from the claimant or third party; or
- by a visit to the claimant.

See Bogus Calls Guidance

5. Some notifications may also come from other sources, for example, through:
 - JSAPS prompts or notifications;
 - an employer;
 - a local authority;
 - welfare organisations.
6. An authorised third party is someone to whom information can be disclosed with the claimant's consent for example:
 - a representative from:
 - an advice centre;
 - a welfare organisation;
 - a solicitor;
 - a work programme provider

Notifying the Jobcentre/Provider of a change in circumstances

7. Certain changes of circumstances, that are reported direct to the Benefit Centre, including claim closure must be notified immediately to the Jobcentre and any other interested parties. This is because there is a requirement to notify the Work Programme Provider or their subcontractors if appropriate in writing of a change of circumstance by using the Change of Circumstance form, WP07b, if the claimant is participating in the Work Programme (WP).
8. Failure to notify the Work Programme Provider of claimant changes in circumstance may results in:
 - unnecessary compliance doubts or entitlement queries or applying sanctions that are no longer appropriate
 - not being able to support the claimant back to work.

Identifying if the claimant is participating in the Work Programme

Access to LMS

9. If you have access, check LMS to see whether the claimant is participating in the WP. If:

- LMS shows claimant on the WP but there is no access to update LMS, notify JC of change of circumstances on form JSA460 and note it “No access to update LMS – please action and notify Provider”
- LMS shows claimant on WP and there is access to update LMS, notify the Work Programme Provider on form WP07b and update LMS.
- LMS shows the claimant is not on WP, use form JSA460 to notify the Jobcentre of the change of circumstances.

No access to LMS

10. If there is no access to LMS, but there is evidence that the claimant may be participating in the WP (e.g. a note on JSAPS, then notify the Jobcentre of the change of circumstances on the JSA460 and note it “No access to LMS – cannot check if claimant on WP”

Changes to be notified to the Jobcentre

11. The following changes **must** be notified to the Jobcentre if the claimant is on the WP or if it is likely they are on the WP:

- Change of name (or status);
- Change of address (or other contact details);
- Appointee/Power of Attorney details;
- Change in JSA benefit type from JSA(C) to JSA(IB);
- Credits only case becomes payable (or vice versa);
- Part time work or volunteering starts/ends/changes;
- Training Course/Part time education starts/ends;
- Carer's Allowance starts/ends;
- Claimant reaches age of eligibility for Pension Credit;
- Claimant admitted to hospital;
- Claimant admitted to prison;
- Vulnerable claimant identified;
- Special Claimant Records status applied;
- Claimant is (de)categorised as Potentially Violent;
- Change of office:
- Changes which affect the claimant's availability to attend any required activity or provision e.g. Jury Service;
- JSA claim terminated;
- Claimant/partner/child dies.

Change of circumstances notified in writing

12. Changes of circumstances may be notified by the claimant on either form:

- JSA460;
- JSA3; or

- by letter.
13. These forms contain details of the reported change and whether verification of the change was available at the time the change was reported .
14. Details about a change of address and change to the method of payment can be gathered using the Information Capture Tool.
15. On receipt, check whether the change is relevant to JSA and that the Identity of the claimant has been established.
16. Register the change of circumstances using dialogue JA060: Register Claim/Event.
17. JSAPS automatically sets a case control S003 – Decision Outstanding prompting a work available report JA72539 that instructs the JSA Processor to action the change.
18. Changes of circumstances must be passed to the appropriate sections as soon as possible because a change that is not actioned in time for the next payment to be adjusted may cause either an overpayment or an underpayment.
19. However, the change of circumstances must be processed on the same day if:
- the claimant reports the change during their fortnightly intervention; and
 - the change affects the previous two weeks.
20. This is because payment is issued automatically overnight if the claimant's attendance has been recorded in dialogue JA470: Attendance.
- 21..

Changes of circumstance that may be reported

22. A claimant may report changes to:

- Personal details;
- partner's dependant or non dependant details;
- temporary unavailability due to sickness;
- temporary unavailability;
- current or previous work details;
- occupational pension details;
- the amount of capital held;
- change to other benefits;
- income;
- home loan details; or
- rate of deductions from benefit.

This list is not exhaustive.

23. Whenever a change of circumstances is reported consider whether a joint claim is now appropriate.

Change of circumstances that must be reported in writing

24. Certain changes of circumstance can be reported by telephone but must be confirmed in writing, eg a change of agent or appointee.

25. In these circumstances:

Step	Action
1	Gather the details of the change and advise the claimant to notify the change in writing;
2	for system maintained claims: <ul style="list-style-type: none"> • set a case control for 1 week in dialogue JA530: Case Controls to await a reply: or clerically maintained claims: • set a seven day BF to await reply.

Information needed to support the change of circumstances

26. If a claimant reports a change of circumstances they must provide, within one calendar month:

- information to support the change; and
- additional information if requested to do so.

27. If the information is not provided within one calendar month, either make a decision based on the evidence available or, alternatively, it may be appropriate to consider suspending benefit.

28. The Decision Maker can extend the one month time limit if it is reasonable to do so in the circumstances, for example if the claimant is having difficulty obtaining documents.

See Decision Maker's Guide, Volume 1, Chapter 4, Supersession, suspension and termination

29. In a joint claim, both members have equal responsibility to notify any changes of circumstances, an exception being that although either member can request a change to their own method of payment, they cannot request this change on behalf of the other member.

30. If a change involves a break up of the partnership, each member will become a single claimant who must report their own relevant changes.

31. If a joint claim includes a member who is in receipt of another benefit, it is their responsibility to report any changes to that benefit section.

Prescribed time limits

32. The general rule is that a change of circumstances should be notified within one month of the change occurring.

33. The date a change of circumstances affects a JSA claim depends on whether the claimant reports the change:

- within one month of the change occurring; or
- outside of one month of the change occurring.

Change reported within one month

34. If a claimant reports a change within one month of the change occurring, the effective date is usually the first day of the benefit week in which the change occurred. Please see the Decision Maker's Guide, Volume 1, Chapter 4, Supersession, suspension and termination

Change not reported within one month

35. If a claimant reports a change later than one month of the change occurring, check whether the lateness can be accepted.

36. If the lateness is accepted the action to take is the same as if the claimant reported the change within one month.

37. If the lateness is not accepted take action as in changes reported late. For further information, please see the Decision Maker's Guide, Volume 1, Chapter 4, Supersession, suspension and termination

Change of circumstances reported late

38. If a claimant reports a change later than one month of the change occurring, the effective date depends on whether the superseded outcome decision is:

- advantageous to the claimant; or
- not advantageous to the claimant.

Definition of supersession

39. Supersession means that a decision made by a Decision Maker, a Tribunal or a Commissioner can be changed and replaced from a later date than the original decision. For further information, please see the Decision Maker's Guide, Volume 1, Chapter 4, Supersession, suspension and termination

Superseding an outcome decision

40. If a relevant change of circumstances is accepted and this affects the outcome decision, supersede the original outcome decision.

Note: Outcome decisions are always superseded when a change of circumstances is reported, never revised. For further information, please see the Decision Maker's Guide, Volume 1, Chapter 4, Supersession, suspension and termination and chapter 5, work-focused interviews.

See Decision Maker's Guide, Volume 1, Chapters 4, Supersession, suspension and termination and chapter 5, Work-focused interviews

Superseded outcome decision is advantageous to the claimant

41. The effective date is the first day of the benefit week in which the claimant reports a change if:

- the change is reported later than one month of the change occurring; and
- the superseded outcome decision is advantageous to the claimant.

Superseded outcome decision is not advantageous to the claimant

42. The effective date is the first day of the benefit week in which the change occurs if:

- the claimant reports the change later than one month of the change occurring; and
- the superseded outcome decision is not advantageous to the claimant.

Note: In these cases, take overpayment action from the first day in the benefit week in which the change occurs.

Arrears payment due as a result of a change of circumstances

43. If a claimant reports a change of circumstances late:

- input [Y] in the 'CofC Reptd Late' field in the CLAIMS DETAILS PICKLIST screen JA091002 of dialogue JA091: Maintain Claim Details, if:
 - there are no grounds for accepting lateness; and
 - arrears are only being paid from the first day of the benefit week in which the change was notified.

Note: This action ensures that a paragraph is included in the JSAPS notification telling the claimant that arrears can only be paid from _/_/_ because the change was not reported within one month of it happening.

Effective date of change

44. The date from which any change is implemented is known as the effective date of change.

45. The effective date is determined by one or more of the following:

- the date of change;
- the claimant's benefit week;
- the claimant's payday; and
- the date on which the change is reported.

Recording change of circumstances on the Labour Market System

46. A claimant's Labour Market System (LMS) records must be updated with any relevant change of circumstance.

47. When a change of circumstances is reported:

Step	Action
1	if the claimant attends the office, confirm their identity by asking for proof of identity;
2	if a third party attends the office, confirm their identity by: <ul style="list-style-type: none">• inspecting their written authorisation from the claimant; and• asking relevant questions as proof of identity. It is important to ensure that the third parties have the necessary authorisation before discussing any claims with them. If there is any doubt that a third party should be dealt with directly, refer the matter to the nominated Security Officer;
3	if the claimant or third party contacts the office by telephone, confirm their identity by asking questions that can be verified on JSAPS, using dialogue JA501: Claim Details Enquiry, or on clerical documents, for example: <ul style="list-style-type: none">• date of birth;• previous employment details;
4	decide whether the change of circumstance is relevant to the claimant's claim;
5	refer the claimant or third party to the appropriate benefit section if

	the reported change is not relevant to their JSA claim;
6	record the reported change of circumstance fully on form JSA460. If the form is completed in the claimant's/third party's presence: <ul style="list-style-type: none"> • read it back to them; and • ask them to sign it; If the change is notified by telephone: <ul style="list-style-type: none"> • record the details on form A6; • note the form 'by telephone'; • if any of the changes cannot be accepted over the telephone, ask the claimant or third party to confirm them in writing;
7	verify any change of circumstances if appropriate;
8	for clerical cases: <ul style="list-style-type: none"> • notify Newcastle records of the change of circumstances on the following forms: <ul style="list-style-type: none"> ○ CA8437– Marriage and Civil Partnership; ○ CA8438 – Amending Personal Details ○ CA5453 – notification of date of birth and death; ○ MF65 – Different or new address;
9	send the completed forms to HMRC National Insurance Contributions Office

Action to update claimant's records

System maintained claims

48. To process changes of circumstances that do not create or end a joint claim, the following dialogues should be updated if appropriate:

Step	Action
1	access dialogue JA060: Register Claim/Event and register the appropriate change of circumstances as a claim event. If more than one change has been reported, complete the Event Sub Type [18] for Multiple/Other changes;
2	access dialogue JA110: Notepad and record details of action taken;
3	amend the claimant's personal details in the relevant Personal Details Computer System (PDCS) dialogues, these are dialogues: <ul style="list-style-type: none"> • PD355: Amend Names to amend the claimant's name; • PD360: Further Personal Details to amend other personal details, for example, recording verified/unverified date of birth; • PD365: Amend Address, to amend the claimant's address;
4	if appropriate, access dialogue CP650: Amend Post Office to amend the claimant's nominated post office details; or dialogue JA400: Method of Payment to amend claimant's Direct Payment details;
5	Dialogue JA091: Maintain Claim Details and input the appropriate

	change of circumstances;
6	Dialogue JA300: Maintain General Deductions and input any changes of deductions;
7	Dialogue JA301: Maintain Mortgage Direct and input any changes in mortgage deductions;
8	Dialogue JA099: Record claim Termination Details and input claim termination date and reason code;
9	Dialogue JA200: Award and Decision to award and decide on the claim;
10	Dialogue JA405: Compute Payment to calculate any payment due;
11	Dialogue JA530: Case Controls to confirm no unnecessary outstanding case controls.

Clerically maintained claims

49. Reassess the claim using form JSA14A recording the change of circumstance details in the 'Notes' box.

50. Record all clerically maintained changes of circumstance on form MR204 JSA Changes.

51. If the claimant's claim records cannot be found and it is apparent that they do exist, take lost clerical record action.

Sanctions, Suspensions and Disallowances

Guidance Queries and Help

1. If you are unable to find an answer to a particular question regarding the 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 on the DWP 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 hypertext links.

Summary

3. When an award of Jobseekers Allowance (JSA) is in doubt payment can be immediately suspended, wholly or in part. A suitably trained person, usually the JSA Decision maker (DM) is the person who makes the decision to suspend benefit. The circumstances when suspension should be considered or a case Stayed are outlined in Legal Group's Suspension and Termination Guide, and the DMG, Chapter 4.
4. Before applying a suspension the DM must consider if the claimant would suffer hardship. The claimant has no right of appeal against a decision to suspend payments, however if the decision is questioned it should be looked at again by a different officer. Ultimately the decision to suspend benefit is open to judicial review.
5. From 17 April 2012, a reduction in the time allowed to provide evidence in support of the claim before considering suspension has been implemented. A suspension can be considered after 14 days.
6. From 22 October 2012 a revised Sanction Regime was introduced. Sanctions already being served are not affected.
7. The revised Sanction Regime only applies to suspensions, sanctions and disallowances which start on or after 22 October 2012

What is a suspension?

8. Suspensions are imposed when
 - doubts are identified on a claimants entitlement to JSA because of:
 - availability;
 - actively seeking work;
 - refusal to sign a Jobseeker's Agreement;
 - limited capability for work; or
 - compensation payments, which include final earnings from their employer; or
 - further information or evidence is needed which may affect the award; or
 - There is an indication that the amount of JSA may be reduced.

9. For Joint Claim cases, consideration should be given to whether both members of the claim should receive a suspension.
10. The decision to suspend payment is discretionary and consideration should be given to whether there are individual factors which might make the suspension unacceptable. For example:
 - ill health;
 - children;
 - age;
 - financial commitments which could cause hardship.
11. If a suspension is imposed on a JSA claim, payments of JSA cease under the normal rules. However, the claimant may apply for an award of JSA under the hardship provisions during this period.
12. If a suspension is outstanding on a prior claim, this must be decided upon and details entered in dialogue JA210: Maintain Suspension and Decision Details before new claim details can be entered onto JSAPS.

What is a Disallowance?

13. A Disallowance decision can be made by a Decision Maker if a claimant has failed to fulfil any of the following JSA entitlement conditions:

- availability;
- actively seeking work;
- failure to have a Jobseeker's Agreement in force;
- capability;
- receiving compensation payments;
- failure to provide a signed declaration; or
- failure to provide a National Insurance number or sufficient evidence to establish identity.

NOTE This does not apply for disallowances of JSA(C) on the grounds of insufficient NI contributions or exhaustion of JSA(C)

14. If a JSA claim is disallowed, the claim and payments of JSA cease under the normal rules. However the claimant may, in certain circumstances, apply for an award of JSA under the hardship provisions.
15. Entitlement to JSA(C) does not accrue during a period of disallowance, unless an award of JSA is made under the JSA Hardship provisions.
16. Days of disallowance do not count for:
 - the award of National Insurance (NI) credits unless the claimant is disallowed on:
 - a contribution condition;
 - exhaustion of JSA(C); or
 - a compensation payment;
 - linking purposes, unless the disallowance is on:
 - a contribution condition; or
 - the exhaustion of JSA(C).
17. When a disallowance ends, or before a claim for Hardship can be made, the claimant must make a new claim.

What is a sanction?

18. A sanction is a penalty imposed by a Decision Maker if a claimant fails to fulfil all of their responsibilities as a claimant.
19. A sanction may apply even if the claimant satisfies the conditions of entitlement to Jobseeker's Allowance (JSA).
20. During the period between the identification of a sanction question and the decision by the Labour Market Decision Maker (LMDM), the claimant can, if the entitlement conditions are satisfied, continue to receive JSA payments.
21. Sanctions are imposed from the first day of the benefit week following the week in which the decision is made on Higher and Lower level sanctions.
22. If the LMDM decides to apply a sanction, payments of JSA cease under the normal rules. However, the claimant may apply for an award of JSA under the hardship provisions during this period.
23. A sanction penalty does not attract a National Insurance (NI) credit, even when JSA Hardship is awarded.
24. If JSA Hardship is in payment and a second Sanction is received, end the Hardship award from the day before the second sanction begins, unless the second Sanction is for exactly the same dates as the first Sanction. See Claimant no longer satisfies the JSA Hardship Conditions

Levels of Sanctions

25. There are three levels of sanction:

- **Higher Level**
- **Intermediate Level**
- **Lower Level**

Higher Level

26. Under a **Higher Level** sanction claimants lose 100% of their JSA for a period of up to:
- 13 weeks for a first higher level failure;
 - 26 weeks for a second higher level failure committed within 52 weeks of a previous higher level failure; **or**
 - 156 weeks for a third or subsequent higher level failure where the claimant has committed two or more previous higher level failures the most recent of which occurred within 52 weeks of the date of the claimant's current higher level failure.
27. If a claimant leaves JSA, and then reclaims, the sanction will continue until the original expiry date. However if a claimant reclaims JSA after paid work of 26 weeks then any balance remaining on a 156 week sanction is lifted. The 26 weeks do not have to be consecutive.

Intermediate Level

28. Under an **Intermediate Level** sanction the claimant loses 100% of their JSA for up to four weeks for a first failure. This rises to 13 weeks for second and subsequent failures

Lower Level

29. Under a **Lower Level** sanction the claimant loses 100% of their JSA for four weeks for a first failure. This rises to 13 weeks for second and subsequent failures.

Suspending a claim

30. The first day of the suspension must be after the claimant's paid up to date.

31. If a suspension is due to a question about a claimant's entitlement, it continues until:

- a decision is made to lift the suspension, for example when appropriate evidence is provided; or
- the entitlement question is answered.

32. If a claim to JSA needs to be suspended:

Step	Action
1	access dialogue JA210: Maintain Suspension and Decision Details
2	in the MAINTAIN SUSPENSION AND DECISIONS screen JA210213, input [S] in the '(S)usp/(D)ecision field' and press [ENTER] to access dialogue JA210211.
3	in the MAINTAIN DECISION DETAILS screen JA210211 input details of the suspension by completing the following fields: <ul style="list-style-type: none">• Case Number – Leave blank• AR Code – Use appropriate AR code• AR Period in doubt – Input the start date and end date, the end date can be left blank, of the period in doubt
4	If an end date has been input access dialogue JA200: Award and Decision to reassess the claim. JSAPS automatically sets up a NIL award for the suspension period;
5	access dialogue JA405: Compute Payment the payments are shown as [NIL] for the suspension period. Input [N] into the 'Inhibit Award Notification' field if a decision notification is required. Press [END].

33. In dialogue JA405407 the 'Inhibit award Notification' should **ALWAYS be overtyped with 'N'** where the decision has been made because of a claim Suspension or Disallowance. This will ensure the Claimant is notified of the suspension/disallowance of the claim, and the reason, as soon as possible to allow him/her to take corrective action if they wish to.

34. An indefinite suspension can apply if the claimant declares ongoing circumstances that cast doubt over their entitlement, for example, availability for work or caring for a sick relative, or awaiting information which affects the award. In these cases it is not possible to access dialogue JA200: Award and Decision after inputting the suspension details. Send draft letter DLJA/102 to the claimant telling them that their benefit is suspended

Applying a suspension on a clerical claim

35. For clerically maintained claims:

Step	Action
1	Cease payments of JSA by completing form JSA14P, noting it in red 'claim suspended because – reason why – from dd/mm/yy to dd/mm/yy';
2	send draft letter DLJA/102 to the claimant telling them that their benefit is suspended awaiting a decision;
3	note on form A6 that the claim is suspended and the reasons why;
4	BF the claim for two weeks to await the decision;
5	Send draft letter DLJA/103 to the claimant telling them of the decision
6	Notify any relevant third parties

Lifting a Suspension

36. To lift a suspension:

STEP	ACTION
1	Access dialogue JA210: Maintain Suspension and Decision details and lift the suspension. Press [F3] to confirm;
2	Access dialogue JA200: Award and Decision and press [F24];
3	Access dialogue JA405: Compute Payment and issue any payment due. Press [END] to confirm

Inputting a decision

37. The LMDM will email the decision notification from DMAS to the JSA Maintenance team for action. The action to take depends upon whether the Decision Maker decides to allow or to disallow the claim.

Decision is to allow JSA

38. If the LMDM decides to allow the claim:

Step	Action
1	access dialogue JA210: Maintain Suspension and Decision Details
2	in the MAINTAIN SUSPENSION AND DECISIONS screen JA210213, complete the following fields: <ul style="list-style-type: none"> input [D] in the '(S)usp/(D)ecision field' input the case number relating to the suspension in the 'Number' field (this can be found in JA513525). press [ENTER] to access dialogue JA210212.
3	in the MAINTAIN DECISION DETAILS screen JA210212 input details of the decision by completing the following fields: <ul style="list-style-type: none"> Case Number – Input the case number AR Code – This code can be found on the DMAS notification

	<ul style="list-style-type: none"> AR Period in doubt – Leave blank (Delete any dates that are pre-populated) Decision – enter ALLD Source – Input '2' Decision Date – This is the date that the decision was made.
4	access dialogue JA200: Award and Decision to reassess the claim;
5	access dialogue JA405: Compute Payment. Input [N] into the 'Inhibit Award Notification' field if a decision notification is required. Press [END].

39. In JA405407 the 'Inhibit award Notification' should **ALWAYS be overtyped with 'N'** where the decision has been made. This ensures the claimant is notified of the suspension/disallowance on their claim, and the reason.

Clerical claims

40. When a decision to allow JSA is made on a clerically operated claim:

Step	Action
1	note the decision on form JSA14A and reassess the claimant's entitlement;
2	if payment was suspended, calculate the amount of arrears due, if any, and pay; award NI Credits
3	note the decision on form A6;
4	notify the claimant of the decision using draft letter DLJA 103

Decision is to disallow JSA following Bank Holiday Payment advance

41. If the LMDM decides to disallow the claim and the payment for that period has been advanced due to a Bank Holiday Payment advance:

Step	Action
1	access dialogue JA510: Notepad Enquiry details to check if JC have recalled/attempted to recall the payment
2	If no payment recall has been attempted take action as CPS Chapter 11
3	Access dialogue JA110 Maintain Notepad and note outcome of payment recall
4	Take action as Decision to Disallow JSA below

Decision is to disallow JSA

42. If the LMDM decides to disallow the claim:

Step	Action
1	access dialogue JA210: Maintain Suspension and Decision details
2	in the MAINTAIN SUSPENSION AND DECISIONS screen JA210213, complete the following fields: <ul style="list-style-type: none"> input [D] in the '(S)usp/(D)ecision field'

	<ul style="list-style-type: none"> input the case number relating to the suspension in the 'Number' field (this can be found in JA513525). press [ENTER] to access dialogue JA210212.
3	<p>in the MAINTAIN DECISION DETAILS screen JA210212 input details of the decision by completing the following fields:</p> <ul style="list-style-type: none"> Case Number – Input the case number AR Code – This code can be found on the DMAS notification AR Period in doubt – can be found on the DMAS notification Decision – enter DISD Source – Input '2' Date of Transgression – input the date if notified by the LMDM Decision Date – This is the date that the decision was made.
4	access dialogue JA200: Award and Decision to reassess the claim;
5	access dialogue JA405: Compute Payment the payments are shown as [NIL] for the sanction period. Input [N] into the 'Inhibit Award Notification' field if a decision notification is required. Press [END].
6	See Intermediate Level Sanctions for inputting a suspension following the Disallowance

43. In JA405407 the 'Inhibit award Notification' should **ALWAYS be overtyped with 'N'** where the decision has been made because of a claim Disallowance. This will ensure the Claimant is notified of the disallowance of the claim, and the reason, as soon as possible to allow him/her to take corrective action if they wish to.

44. If the claim has been terminated when the decision to disallow is received see Terminated Claim is Disallowed.

Clerical claims

45. When a decision to disallow JSA is made on a clerically operated claim:

Step	Action
1	note the decision on form JSA14A;
2	<p>cease payments by completing form JSA14P:</p> <ul style="list-style-type: none"> note in red 'claim disallowed, benefit not due from dd/mm/yy to dd/mm/yy'; and note the days of disallowance for the purpose of awarding credits;
3	if the disallowance is due to compensation payment, note the decision on form A6
4	notify the claimant of the disallowance decision using draft letter DLJA 950 if the disallowance is for ASE/Avail
5	notify any appropriate third parties.
6	See Intermediate Level Sanctions for action to apply a suspension following the Disallowance

Period of disallowance ends

46. The action to take when a period of disallowance ends will depend on the claimant's circumstances.

The claimant was disallowed for Failing to Provide a Signed Declaration

47. If the claimant Fails to Provide a Signed Declaration their JSA claim is terminated if they do not make contact within 5 working days.

48. If the claimant wishes to continue with their JSA claim, after it has been terminated they must make a new claim to benefit.

49. The new claim will be subject to a sanction because of the earlier disallowance

Claimant disallowed for other reason

50. The action to take depends on whether the claimant has maintained contact with the Jobcentre during the period of the disallowance.

The claimant maintains contact with the jobcentre

51. If the claimant maintains contact with the jobcentre the JSA award ends but the claim is not terminated.

52. When the period of disallowance ends, a review must be carried out. This is a procedural review to enable JSAPS to continue JSA payments.

53. JC will issue a clerical JSA1(ILS) to the claimant. The receipt of the completed form or a JC note in JA110 Maintain Notepad stating the claimant has completed the JSA1(ILS) is sufficient evidence to continue to process the claim on JSAPS

54. JSAPS sets a case control SO98 to appear on the Work Available Report (WAR) JA72539 14 days before the disallowance period ends.

55. When the case control appears on the WAR check for completion of JSA1(ILS) in JA510 Notepad Enquiry so entitlement can be reassessed.

56. re-assess entitlement to JSA using the information on the form

57. See Intermediate Level Sanctions for further action

The claimant fails to maintain contact with the jobcentre

58. If the claimant fails to maintain contact with the jobcentre, their JSA claim is terminated.

59. At the end of the disallowance, if the claimant wishes to continue with their JSA claim, they must make a new claim for benefit.

60. See Intermediate Level Sanctions for further action

Action when a claim is sanctioned

61. A date of transgression is input when the sanction decision is input. The date remains on JSAPS when the case is allowed, but is used by JSAPS to count towards the 52 week rolling period for escalation

NOTE: Do not use the phrase 'Date of Transgression' when communicating with a claimant. Refer to the 'failure to carry out an action, for example, 'you did not comply with a jobseeker direction'

62. A transgression date is mandatory for all the sanctions, but not for a period of disallowance.

63. For intermediate sanctions, the date of transgression is always the first day of the disallowance

Mortgage Interest Direct (MID) in Payment

64. Any MID in payment must be ended from the BWE before the start date of the Sanction or Suspension

65. After inputting a new sanction AR Code in JA210 'Maintain Suspension and Decision Details':

Step	Action
1	access dialogue JA200 'Award and Decision' then screen JA200202 'Award Summary'
2	if Home Loan details display in JA200202 'Award Summary', end the MID from the BWE immediately before the start of the sanction/suspension. See Housing Costs Guidance
3	Restart MID when the sanction ends

Note: This action must be taken to avoid TTC being required

High Level Sanctions

66. Higher level sanctions apply where a claimant:

- Loses employment through misconduct
- Leaves employment voluntarily without good reason
- Refuses or fails to apply for, or accept if offered, a job which an employment officer has informed him is vacant or about to become vacant without good reason
- Neglects to avail themselves of a reasonable opportunity of employment without good reason
- Fails to participate in Mandatory Work Activity for no good reason

Jobcentre Action

67. For the actions carried out by Jobcentre teams, please see the Labour Market Conditions Guidance

Benefit Delivery

68. Action to take when the LMDM decision is received depends upon whether the decision is to allow the doubt or to impose a sanction. The notification will be sent via email.

Sanction not imposed

69. If the LMDM decides not to impose a sanction, take the following action:

Step	Action
1	access dialogue JA210: Maintain Suspension and Decision Details
2	in the MAINTAIN SUSPENSION AND DECISIONS screen JA210213, input [D] in the '(S)usp/(D)ecision field' and press [ENTER] to access dialogue JA210212
3	in the MAINTAIN DECISION DETAILS screen JA210212 input details of the decision by completing the following fields: <ul style="list-style-type: none"> • Case Number – Leave blank • AR Code – This code can be found on the DMAS notification • AR Period in doubt – Leave blank • Decision – enter ALLD • Source – Input '2' • Date of Transgression – input the date notified by the LMDM • Decision Date – input the date the decision was made.
4	access dialogue JA200: Award and Decision and reassess the claim;
5	access dialogue JA405: Compute Payment. Input [N] into the 'Inhibit Award Notification' field if a decision notification is required. Press [END].

70. The 'Inhibit award Notification' in JA405407 must **ALWAYS be overtyped with 'N'** where the decision has been made. This ensures the claimant is notified of the decision and the revised award on their claim.

Sanction imposed

71. If the LMDM decides to impose a sanction, take the following action:

Step	Action
1	access dialogue JA210: Maintain Suspension and Decision Details
2	in the MAINTAIN SUSPENSION AND DECISIONS screen JA210213, input [D] in the '(S)usp/(D)ecision field' and press [ENTER] to access dialogue JA210212.
3	in the MAINTAIN DECISION DETAILS screen JA210212 input details of the decision by completing the following fields: <ul style="list-style-type: none"> • Case Number – Leave blank • AR Code – This code can be found on the DMAS notification • AR Period in doubt – Input the start and end dates of the sanction • Decision – enter DISD • Source – Input '2' • Date of Transgression – input the date notified by the LMDM • Decision Date – This is the date that the decision was made • Employer – complete if Decision is for LV or Misc .
4	access dialogue JA200: Award and Decision to reassess the claim;
5	access dialogue JA405: Compute Payment the payments are shown as [NIL] for the sanction period. Input [N] into the 'Inhibit Award Notification' field if a decision notification is required. Press [END].

6	access dialogue JA530: Case Controls and set a case control for the end of the sanction period.
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72. The 'Inhibit award Notification' must **ALWAYS be overtyped with 'N'** in JA405407 where the decision has been made. This ensures the claimant is notified of the reason for and dates of the sanction as soon as possible.

Action when decision is for revised dates for a 3 year sanction following a repeat claim

73. If the LMDM decides not to revise the sanction:

Step	Action
1	access dialogue JA110: Maintain Notepad and input the details of the reconsideration

74. If the LMDM decides to revise the sanction:

Step	Action
1	access dialogue JA210: Maintain Suspension and Decision details
2	in the MAINTAIN SUSPENSION AND DECISIONS screen JA210213, complete the following fields: <ul style="list-style-type: none"> input [D] in the '(S)usp/(D)ecision field' input the case number relating to the Disallowance in the 'Number' field (this can be found in JA513525). press [ENTER] to access dialogue JA210212.
3	in the MAINTAIN DECISION DETAILS screen JA210212 input details of the decision by completing the following fields: <ul style="list-style-type: none"> Case Number – the case number displays AR Code – This code should be the same as on the DMAS notification AR Period in doubt – Input dates on the DMAS notification Decision – enter REVD Source – Input '2' Date of Transgression – should display same as on the DMAS notification Decision Date – This is the date that the decision was made.
4	access dialogue JA200: Award and Decision to reassess the claim;
5	access dialogue JA405: Compute Payment. Input [N] into the 'Inhibit Award Notification' field as a decision notification is required. Press [END].

Intermediate Level Sanctions

75. Intermediate level sanctions apply where a claimant reclaims JSA within a specified period of being disentitled for not being available or actively seeking work (with some exceptions). The claim may have been terminated during the period of the disallowance.

76. The suspension AR Code, input by JC, will be

- CSN001 – for all Availability doubts
- CSN013 – for all ‘regarded as....’ doubts
- CSN015 – for all Actively seeking doubts

Jobcentre Action

77. For the actions carried out by Jobcentre teams, please see the Labour Market Conditions Guidance

Benefit Delivery

78. Only return the decision to the DM if Error Message ‘E2332 – Invalid amendment to AR code’ is displayed in JA210212 ‘MAINTAIN DECISION DETAILS’ screen when the suspension AR code is overtyped with the Decision AR code.

79. When the disallowance notification for ‘Not Available’ or ‘Not Actively Seeking Work’ is received, take the following action:

80. From 13/05/2013 the Disallowance decision and the Intermediate Sanction decision may be received together.

81. If this happens there is no need for a suspension following the Disallowance, input the Sanction decision instead

Step	Action
1	access dialogue JA210: Maintain Suspension and Decision details
2	in the MAINTAIN SUSPENSION AND DECISIONS screen JA210213, input [D] in the ‘(S)usp/(D)ecision field’ and press [ENTER] to access dialogue JA210212.
3	in the MAINTAIN DECISION DETAILS screen JA210212 input details of the decision by completing the following fields: <ul style="list-style-type: none"> • Case Number – Leave blank • AR Code – This code can be found on the DMAS notification • AR Period in doubt – Input the start and end dates of the Disallowance • Decision – enter DISD • Source – Input ‘2’ • Date of Transgression – input the date notified by the LMDM • Decision Date – This is the date that the decision was made.
4	Access JA210213, input [S] in the ‘(S)usp/(D)ecision field’ and press [ENTER] to access dialogue JA210212.
5	in the MAINTAIN DECISION DETAILS screen JA210212 input details of the suspension by completing the following fields: <ul style="list-style-type: none"> • Case Number – Leave blank • AR Code – Use the code on the DMAS Disallowance notification • AR Period in doubt – Input the start date as the first day following the last day of the Disallowance. Leave the end date blank Do not complete any other fields NOTE: if steps 5 and 6 are not completed this may result in an official

	error overpayment
6	access dialogue JA200: Award and Decision to reassess the claim;
7	access dialogue JA405: Compute Payment the payments are shown as [NIL] for the sanction period. Input [N] into the 'Inhibit Award Notification' field if a decision notification is required. Press [END].

82. The 'Inhibit award Notification' must **ALWAYS be overtyped with 'N'** in JA405407 where the decision has been made. This ensures the claimant is notified of the reason for and dates of the Disallowance, and sanction suspension, as soon as possible.

83. A JSA1(ILS) is not required if the claimant is only disallowed for the first week of the fortnightly signing period. See DMG Chapter 02 claims

84. If a JSA1(ILS) is required, check dialogue JA510: Notepad Enquiry to see if a JSA1(ILS) has been issued by JC and completed by the claimant.

85. Action to take when a Labour Market Decision Maker (LMDM) decision is received depends upon whether the decision is to allow the doubt or to impose a sanction.

Sanction not imposed

86. If the LMDM decides not to impose the sanction, take the following action:

Step	Action
1	access dialogue JA210: Maintain Suspension and Decision details
2	in the MAINTAIN SUSPENSION AND DECISIONS screen JA210213, complete the following fields: <ul style="list-style-type: none"> input [D] in the '(S)usp/(D)ecision field' input the case number relating to the Suspension in the 'Number' field (this can be found in JA513525). press [ENTER] to access dialogue JA210212.
3	in the MAINTAIN DECISION DETAILS screen JA210212 input details of the decision by completing the following fields: <ul style="list-style-type: none"> Case Number – case number will display AR Code – This code should be the same as on the DMAS notification AR Period in doubt – only a start date I displays Decision – enter ALLD Source – Input '2' Date of Transgression – should display same as on the DMAS notification Decision Date – This is the date that the decision was made.
4	access dialogue JA200: Award and Decision to reassess the claim;

87. The 'Inhibit award Notification' must **ALWAYS be overtyped with 'N'** in JA405407 where the decision has been made. This ensures the claimant is notified that the sanction will not be imposed as soon as possible

Sanction Imposed

88. If the LMDM decides to impose a sanction:

Step	Action
1	access dialogue JA210: Maintain Suspension and Decision details
2	in the MAINTAIN SUSPENSION AND DECISIONS screen JA210213, input [D] in the '(S)usp/(D)ecision field' and press [ENTER] to access dialogue JA210212.
3	in the MAINTAIN DECISION DETAILS screen JA210212 input details of the decision by completing the following fields: <ul style="list-style-type: none"> • Case Number – JSAPS populates with next available number • AR Code – This code can be found on the DMAS notification • AR Period in doubt – Input the start and end dates of the Disallowance • Decision – enter DISD • Source – Input '2' • Date of Transgression – input the date notified by the LMDM • Decision Date – This is the date that the decision was made. • Press 'End' to return to JA210210 Maintain Suspensions and Sanctions
4	Access the MAINTAIN SUSPENSION AND DECISIONS screen JA210213, complete the following fields: <ul style="list-style-type: none"> • input [S] in the '(S)usp/(D)ecision field' • input the case number relating to the 'Not Available' or 'Not Actively Seeking Work' Indefinite Suspension in the 'Number' field (this can be found in JA513525). press [ENTER] to access screen JA210211 Maintain Suspension Details.
5	In screen JA210211 Maintain Suspension Details. <ul style="list-style-type: none"> • Press F3 to lift the suspension and access dialogue JA200: Award and Decision
6	consider ending any JSA Hardship provisions;
7	reassess the claim in dialogue JA200: Award and Decision

89. The 'Inhibit award Notification' must **ALWAYS be overtyped with 'N'** in JA405407 where the decision has been made. This ensures the claimant is notified of the reason for, and dates of, the sanction as soon as possible.

Terminated Claim is Disallowed

90. When a decision to disallow a claim for Not Actively Seeking Employment or Not Available for Work is received and the claim has been terminated:

Step	Action
1	access dialogue JA210: Maintain Suspension and Decision details
2	in the MAINTAIN SUSPENSION AND DECISIONS screen JA210213, input [D] in the '(S)usp/(D)ecision field' and press [ENTER] to access dialogue JA210212.
3	in the MAINTAIN DECISION DETAILS screen JA210212 input details

	<p>of the decision by completing the following fields:</p> <ul style="list-style-type: none"> • Case Number – JSAPS populates with next available number • AR Code – This code can be found on the DMAS notification • AR Period in doubt – Input the start and end dates of the Disallowance • Decision – enter DISD • Source – Input '2' • Date of Transgression – input the date notified by the LMDM • Decision Date – This is the date that the decision was made. • Press 'End' to return to JA210210 Maintain Suspensions and Sanctions
4	Access JA210213, input [S] in the '(S)usp/(D)ecision field' and press [ENTER] to access dialogue JA210211.
5	<p>in the MAINTAIN SUSPENSION DETAILS screen JA210211 input details of the suspension by completing the following fields:</p> <ul style="list-style-type: none"> • Case Number – Leave blank • AR Code – Use the code on the DMAS Disallowance notification • AR Period in doubt – Input the start date as the first day following the last day of the Disallowance. Leave the end date blank <p>Do not complete any other fields NOTE: if steps 5 and 6 are not completed this may result in an official error overpayment</p>
6	reassess the claim in dialogue JA200: Award and Decision
7	access dialogue JA405: Compute Payment Leave [Y] into the 'Inhibit Award Notification' field [END].
8	access dialogue JA530: Case Controls and set a user case control case control for the end of the sanction period – 4 or 13 weeks as appropriate.

91. The 'Inhibit award Notification' **must be left at the default 'Y'** in JA405407 where the decision has been made.

92. If repeat claim made before the User Case Control matures, maintain the claim clerically until DM decision received

93. If no claim has been made when User Case Control matures, check the Claim Termination date. If it is the day after the Disallowance ends, lift the Suspension:

Step	Action
1	access dialogue JA210: Maintain Suspension and Decision details
2	<p>access the MAINTAIN SUSPENSION AND DECISIONS screen JA210213, complete the following fields:</p> <ul style="list-style-type: none"> • input [S] in the '(S)usp/(D)ecision field' • input the case number relating to the 'Not Available' or 'Not Actively Seeking Work' Indefinite Suspension in the 'Number' field (this can be found in JA513525). • press [ENTER] to access screen JA210211 Maintain Suspension

	Details.
3	In screen JA210211 Maintain Suspension Details, press F3 to lift the suspension and access dialogue JA200: Award and Decision
4	access dialogue JA200: Award and Decision to reassess the claim;
5	access dialogue JA405: Compute Payment. Leave [Y] into the 'Inhibit Award Notification' field [END].

94. If the claim Termination date is later than the day after the Disallowance ends Transfer the claim to Clerical using JA035 Transfer to Clerical to prevent an Overpayment and an incorrect Last Effective Day (LED) on JSAPS – see Claim Termination Guide para 11

Low Level Sanctions

95. Lower level sanctions apply where a claimant:

- fails to attend an interview without good reason;
- fails to participate in a Scheme for Assisting Persons to Obtain Employment without good reason;
- refuses or fails to carry out a jobseeker's direction without good reason;
- voluntarily leaves a place on a training scheme or employment programme without good reason;
- neglects to avail themselves of a reasonable opportunity of a place on a training scheme or employment programme without good reason;
- Refuses, fails to attend or loses through misconduct a place on a training scheme or employment programme without good reason;

Jobcentre Action

96. For the actions carried out by Jobcentre teams, please see the Labour Market Conditions Guidance

Benefit Delivery

97. Action to take when a Labour Market Decision Maker (LMDM) decision is received depends upon whether the decision is to allow the doubt or to impose a sanction.

Sanction not imposed

98. If the LMDM decides not to impose a sanction, take the following action:

Step	Action
1	access dialogue JA210: Maintain Suspension and Decision details
2	in MAINTAIN SUSPENSION AND DECISIONS screen JA210213, input [D] in the '(S)usp/(D)ecision field' and press [ENTER] to access dialogue JA210212
3	in the MAINTAIN DECISION DETAILS screen JA210212, input details of the decision by completing the following fields: <ul style="list-style-type: none"> • Case Number – Leave blank • AR Code – This code can be found on the DMAS notification • AR Period in doubt – Leave blank

	<ul style="list-style-type: none"> • Decision – enter ALLD • Source – Input '2' • Date of Transgression – input if on DMAS notification but will probably be blank • Decision Date – This is the date that the decision was made.
4	access dialogue JA200: Award and Decision to reassess the claim;
5	access dialogue JA405: Compute Payment. Input [N] into the 'Inhibit Award Notification' field if a decision notification is required. Press [END].

99. The 'Inhibit award Notification' in JA405407 must **ALWAYS be overtyped with 'N'** where the decision has been made. This ensures the claimant is notified the suspension no longer applies.

Sanction imposed

100. If the LMDM decides to impose a sanction, take the following action:

Step	Action
1	access dialogue JA210: Maintain Suspension and Decision details
2	in the MAINTAIN SUSPENSION AND DECISIONS screen JA210213, input [D] in the '(S)usp/(D)ecision field' and press [ENTER] to access dialogue JA210212.
3	in the MAINTAIN DECISION DETAILS screen JA210212 input details of the decision by completing the following fields: <ul style="list-style-type: none"> • Case Number – Leave blank • AR Code – This code can be found on the DMAS notification • AR Period in doubt – Input the start and end dates of the sanction • Decision – enter DISD • Source – Input '2' • Date of Transgression – input the date notified by the LMDM • Decision Date – This is the date that the decision was made.
4	access dialogue JA200: Award and Decision to reassess the claim;
5	access dialogue JA405: Compute Payment the payments are shown as [NIL] for the sanction period. Input [N] into the 'Inhibit Award Notification' field if a decision notification is required. Press [END].

101. The 'Inhibit award Notification' must **ALWAYS be overtyped with 'N'** in JA405407 where the decision has been made. This ensures the claimant is notified of the reason for and dates of the sanction as soon as possible.

102. When the Sanction is due to end Case Control S098 Entitlement Review will appear on the JA72539 Work Available Report. Clear S098 as appropriate

Applying a sanction on a clerical claim

103. For clerically maintained claims:

Step	Action
1	consider ending any JSA Hardship provisions;
2	complete form JSA14A to show the nil entitlement for the period;
3	cease all payments of JSA to the claimant by completing the 'Payment Record' panel on form JSA14P; <ul style="list-style-type: none"> note in red 'claim disallowed, benefit not due from dd/mm/yy to dd/mm/yy'; and note the days of disallowance for the purpose of awarding credits;
4	continue to record on form JSA14P the cumulative total of days of JSA(C) the claimant claimed;
5	BF the claim for the duration of the sanction;
6	Notify the claimant of the decision on DLJA951
7	Notify any relevant third parties.

Action to take for New Error and Warning Messages In JA210212

Number	Wording and Action
E3663	<p>Error: Date of Transgression must be completed</p> <ul style="list-style-type: none"> If the AR codes is prefixed with CSL, CSM or CSH then the Transgression date must be input. <p>Action: Check for date on the DMAS notification and if not present abandon dialogue and return the DMAS notification for completion of missing date</p>
E3664	<p>Error: Date cannot be prior to Legislative start date</p> <ul style="list-style-type: none"> If the Transgression Date is prior to JSAPS Release 33 go-live <p>Action: Check for date on the DMAS notification and if not present abandon dialogue and return the DMAS notification for completion of missing date</p>
E3666	<p>Error: Duration cannot exceed maximum for this level</p> <ul style="list-style-type: none"> If the sanction has an AR code prefixed by 'CSH' the period of the sanction (Doubt) must not exceed 156 weeks (1092 days). If the sanction has an AR code prefixed by 'CSM' the period of the sanction (Doubt) must not exceed 13 weeks (91 days). <p>Action: Check if input correctly if yes abandon dialogue and return DMAS notification for checking and amendment</p>
W3665	<p>Warning: Future same level sanction exists, consider durational revision</p> <ul style="list-style-type: none"> If a revised decision is being input 'REVD' or 'REVA' for a sanction with an AR code prefixed by 'CSL', 'CSM' or

	<p>'CSH' a check is made for the existence of the same sanction type(prefix) with a start date on or after the start date of the sanction being revised.</p> <p>Action: When the DM makes a revised decision part of the process is to consider any sanctions in the same level and whether they should be revised. Notifications of revised decision may be delivered as separate DMAS notifications. If documentation is not received for sanctions impacted by the revision then abandon the dialogue return and DMAS notification for checking.</p>
W3667	<p>Warning: Prior same level sanction, consider escalation</p> <ul style="list-style-type: none"> • If the sanction has an AR code prefixed by 'CSM' and there is a prior sanction with the same prefix where the transgression dates are within 365 days. • If the sanction has an AR code prefixed by 'CSL' and there is a prior sanction with the same prefix where the transgression dates are within 365 days. <p>Action: Complete JSAPS action then Notify the DM of the Warning message</p>

New Error Message in JA060062

Number	Wording and Action
W3688	<p>Warning: Consider whether previous Sanction can be terminated:</p> <p>When a repeat claim is registered for a case where,</p> <ul style="list-style-type: none"> • A high level sanction (CSH AR code) exists for the previous claim AND • The previous claim was closed 26 weeks or more prior to the date of repeat claim AND • The sanction period from the previous claim applies to the new claim

Simple Payments

Summary

From 8 October 2012 new or repeat claimants to benefit must not be paid by cheque, they should be encouraged to use Direct Payment. The Simple Payment Service is a method of paying benefit, using the Direct Payment functionality, to claimants who are unable to be paid into a bank, building society or Post Office Card account and should only be used as a last resort. A claimant will be given a Simple Payment card or a Simple ePayment number that they take to a Paypoint outlet displaying the Simple Payment logo, to obtain their benefit.

An account for the claimant must be created on ClientZone to obtain a Departmental Funding Instruction number (unique to each claimant). This number along with a generic account code (13146820) and sort code (08-30-90) are input into the direct payment fields on the Heritage Benefit Systems.

Introduction

1. The Simple Payment Service is a method of paying benefits, using the Direct Payment functionality, to claimants who are unable to be paid any other way. Such as into a:
 - Bank account
 - Building Society account
 - Basic bank account
 - Credit Union account
 - Post Office card account (POCa)
2. Simple Payment must not be considered as the normal method of payment it must only be used as a last resort.
3. Funds are transferred electronically making it a more secure and cost effective process than issuing cheques. It is imperative that by April 2013 all existing cheque paid claimants will have been moved to an electronic payment method. The cheque functionality will be switched off from April 2013.
4. Benefit is obtained in cash from a PayPoint outlet displaying the simple payment logo using either a Simple Payment card or a Simple ePayment number. To obtain payment the claimant must take their Simple Payment Card or Simple ePayment number, acceptable ID and correctly state their memorable date. No PIN is needed
5. Providing the claimant passes the identification check, they will be able to collect payments up to a daily limit of £600.
6. Claimants **unsuitable** for payment by this method are:
 - Claimants whose benefit entitlement has not been established
 - Claimants who are abroad
 - Claimants who have, or can manage a bank/building society/credit union account or a Post Office card account (POCa)
 - Claimants requesting a joint Simple Payment account, for example a husband and wife who want to use one card for both benefits, except where one party is an appointee.
 - Corporate Acting Bodies

7. The Simple Payment service is another form of Direct Payment:
 - It is recorded the same way as any other Direct Payment
 - it follows exactly the timescales as those claimants who are paid into a bank, building society or credit union account or POca.
 - it is subject to the usual Direct Payment processes for returned and recalled payments.
 - it is paid via BACS or faster payment if appropriate
8. Once an account is opened for the claimant using ClientZone, the claimant is allocated a Departmental Funding Instruction (DFI) number. The claimant does not need to know this number and it must not be given to them. It is used when recording payment details on the Heritage Benefit System (HBS).
9. The Simple Payment service can provide access to ongoing, one off and urgent payments. These payments can be collected using the
 - Simple Payment Card if they have one, or a
 - Simple ePayment number.

Deciding on the method of payment.

10. You should take every opportunity to encourage new claimants and existing cheque claimants to be paid by Direct Payment in line with the Method of Payment Policy Statement.
11. From 8 October 2012 claimants making a new or repeat claim to benefit **must not** be paid by cheque.
12. Any existing customer who advises they no longer wish to have payments made into their account (e.g. because it is overdrawn) must be taken through a Method of Payment discussion to consider the payment options available. These customers have demonstrated that they can manage an account and should **not** be paid via the Simple Payment service as their regular method of payment. They may provide details of a different bank or building society account or wish to open a new one. The POca can only be used for benefit payments and there is no overdraft facility available. Customers can be paid by the Simple Payment service until alternative account details are provided. Keep these cases under urgent review. The Simple Payment service is not for those customers who have already provided account details for another benefit.
13. If the customer chooses to open an account, you should explain that if a payment is due before we receive the account details the payment will be made via the Simple Payment service. Ensure the customer provides account details as soon as possible.
14. Claimants who still refuse to or cannot open an account of any kind must be made aware of how the Simple Payment Service works before they decide on this method of payment.
15. Once it is determined that an award will be made and that no other method of payment is possible for the claimant, then a Simple Payment account should be set up using the Citibank application ClientZone. There is no specific form for the claimant to fill in before they can be paid by this method.
16. Once a claimant has moved to Simple Payment they **must not** be converted back to cheque payments under any circumstances. Doing so may threaten payment continuity as cheques will end for all claimants from April 2013.

About the Simple Payment account /ClientZone

17. To open a Simple Payment account use ClientZone.

18. Access to ClientZone is via an icon on your desktop.

19. In order to log on to ClientZone you will need a user name, this will be your staff number and a password consisting of between 8 to 15 letters and numbers, the password is case sensitive.

20. With the correct permissions within ClientZone, you will be able to:

- search for a claimant and create an account
- update a temporary NINO to a permanent one
- make a Simple ePayment
- request a Simple Payment card
- view the last five 5 payments.

21. For full instructions on how to use ClientZone refer to the ClientZone guidance you got when doing your Simple Payment Learning and Development.

22. Once an account is opened, Citibank will send the claimant a Simple Payment Welcome pack, containing their card (if requested) and information. This should be received within three working days from setting up the account. You should give the Citibank phone number to the claimant in case of non receipt.

23. Once an account is set up you are **unable** to make changes to personal information such as name or address on ClientZone. If a claimant changes their name or address the claimant must call Citibank Customer Service.

24. If you identify that information, such as the NINO, name, date of birth has been entered incorrectly on ClientZone you must follow the exceptions process. See the Simple Payment and Exceptions Guide.

25. Only Citibank can close an account. If a claimant chooses to have their Simple Payment account closed they must contact Citibank. Normally if a Simple Payment claimant moves to a normal Direct Payment there is no need for them to close their Simple Payment account, you simply update the HBS with the new account details when known.

26. For the less common scenarios that may occur for Simple Payment you must refer to the Simple Payment and Exceptions Guide. This covers such things as:

- Persons without an address (PWA)
- Persons with no fixed abode (NFA) with a correspondence address
- Persons with a single name
- Appointees or legally appointed representatives

About the Simple Payment Card

27. Claimants who receive regular payment of benefit by Simple Payment will be given a Simple Payment card. This plastic card (similar in size to a credit card) has no monetary value and does not bear any identifying marks as to who it belongs to.

28. Although the Simple Payment card looks like a credit/debit card the claimant cannot use it for the payment of goods and services and it cannot be used at a '*hole in the wall*'. It can only be used at a PayPoint outlet displaying the simple payment logo to obtain payment of benefits in cash.

29. The front of the card shows the Simple Payment logo that matches the logo advertising the service at the Paypoint outlets. It displays a barcode (that encodes a 16 digit number). Above the barcode, is a printed ten digit number. This is a unique reference number for the claimant to use if they need to contact Citibank. It is also used by the PayPoint operator to manually key into a terminal in the event that the barcode cannot be successfully scanned.

30. The back of the card displays the Simple Payment logo, Citibank Customer Service phone number and a Direct Gov website address for more information.

31. The card does not display the claimant's Departmental Funding Instruction number DFI.

32. Simple Payment cards do not have an expiry date.

33. If a Simple Payment card is returned to the office refer to Simple Payment and exceptions guidance at part 15

About PayPoint .

34. PayPoint is a network of terminals currently used for the payment of some household bills, TV Licences and mobile phone top-ups. They are usually located in newsagents, local shops, off licences and petrol stations. The Paypoint Outlets are contracted to be open for Simple Payments 6 days a week, Monday to Saturday, 8am to 6pm. These outlets can be open outside of these times but it is up to each individual outlet.

35. Since the introduction of the Simple Payment service, PayPoint are contracted to make cash payments of benefit. A Simple Payment logo is displayed in the outlet's window where they offer this service.

36. If a claimant does not know where their nearest or alternative Simple Payment PayPoint outlet is they should contact Citibank for this information, or look at the Agent Locator on the PayPoint website. Alternatively, you can help claimants find an alternative Simple Payment PayPoint by looking at the Simple Payment page on the Directgov website. Access this via the Simple Payment Service Staff Q&A Brief.

37. To obtain payment the claimant must take their Simple Payment Card or Simple ePayment number, acceptable ID and correctly state their memorable date.

PayPoint payment limits.

38. The maximum amount that PayPoint will pay out to a claimant is £600 a day. This means that if a claimant is due an amount exceeding this figure they have to obtain the balance on a subsequent day. For example, if a claimant is due £850 they can receive £600 one day and the balance of £250 the following day or vice versa.

39. PayPoint will split a large payment of a single benefit into multiples of £600. If a claimant is due a payment of £1250 it will be split as £600/£600/£50 and payment can only be made over three days.

40. Claimants must collect the full amount of a single benefit (subject to the daily limit of £600). They cannot withdraw a smaller amount, however, if they are due two or more benefits they can choose to cash only one of the benefits, but must collect the full amount of that benefit. If the total of both benefits is £600 or less they can cash both at the same time.

41. If a claimant is regularly due payments exceeding PayPoint's daily limit and this is a problem for them, they should be encouraged to consider opening a mainstream account in order that higher withdrawals can be made.

Memorable date

42. The claimant's memorable date is initially set as their date of birth but can be changed to another date at the claimant's request. The claimant must contact Citibank to do this.

43. The memorable date is required by Citibank as one of the security/identity requirements when the claimant obtains a payment from Paypoint or contacts Citibank.

Acceptable Identification

- Valid passport
- Foreign National Identification Card
- Birth, Marriage, Decree Absolute Certificate
- NI Electoral Office Identity Card
- Driving Licence, old or photo style
- Naturalisation/UK Citizenship Certificate
- Council/Housing Association rent agreement
- Biometric Residence Permit issued by UK Border Agency
- Travel Pass with photo
- Council Tax/NI Land & Property Services rates demand or statement
- Utility Bill
- Evidence of Entitlement to State or Local Authority benefit
- Form BF7A issued by DWP

For the full list of acceptable ID see Simple Payment and exceptions guidance at appendix 2

Completion of form BF7A

44. Form BF7A – Claimant without documentary evidence of identity (used to support the withdrawal of a Simple Payment). When issuing a BF7A, a validity period must be entered on the form and the dates inserted will be determined by the type of Simple Payment being issued as follows:

- BF7A to support a Simple ePayment – a validity period of 5 calendar days from the **date of issue** of the Simple ePayment must be entered on the form.
- BF7A to support a payment being withdrawn using a Simple Payment card – a validity period of 5 calendar days from the **payment due date** must be entered on the form.

Making a Simple Payment

45. You must create a new account or search for an existing account in ClientZone.

46. You can request a Simple Payment card, a Simple ePayment or both.

47. You must make a note of the DFI number as you will be required to input this on HBS.

48. For full instructions on how to use ClientZone refer to the ClientZone guidance you got when doing your Simple Payment Learning and Development.

Making a Simple Payment by card on JSAPS

49. A simple payment is recorded on JSAPS as a Direct Payment and the DFI number is recorded as a Building Society Roll Number.

Step	Action
1	Access dialogue JA400400 Method of Payment
2	Input the claimant's NINO in the NINO field
3	Press ENTER to go to screen JA400401 Giro Details
4	Press F3 to go to screen JA400402 ACT DETAILS
5	In JA400402 input 'Effective Date' as today's date and using the 'Building Society Details' section of the screen input the new Simple Payment details
6	In 'Building Society Code' input ' SM '
7	In 'Account No' field enter the claimant's 16 digit DFI number provide by ClientZone
8	Enter the name of the claimant or their appointee in the 'Account Name' field
9	Press END
10	The screen will re-display with: <ul style="list-style-type: none"> • Citibank, Canary Wharf as the Bank/Building Soc Name • 08-30-90 in the Sort Code field (this is the sort code for Citibank) and • 13146820 in the 'Account Number' field (this is the account number for Citibank)
11	Press 'F9' to access JA405 Compute Payment
12	Press END to issue payment to claimant

Clerical cases

50. You must create an account in ClientZone and make a note of the DFI number.

51. Simple Payments will be made using CPS(LP) in exactly the same way as a Direct Payment. Use the generic sort code and account number for Citibank plus the DFI number unique to the claimant. See CPS(LP) guidance for further information.

About Simple ePayments

52. A Simple ePayment is used for making an urgent or one off payments to a claimant. It can **only** be made to a claimant who uses the Simple Payment service and must not be made to a claimant who is paid into any other type of account, including a POca.

53. You will not be able to pay benefit by Simple ePayment if the claimant has previously been issued with a Simple Payment card. If they have lost their card then only Citibank can issue a Simple ePayment number.

54. A Simple ePayment must only be considered if the claimant is due a payment and they have not received their Simple Payment card, for example the first payment on a new claim, or for one off payments for example a fixed period award.

55. These urgent and one off payments use 'BACS' or the 'Faster Payment System'.

56. Once a record is set up in ClientZone and the DFI recorded on the relevant payment systems, a claimant can collect benefit using a Simple ePayment number within 3 hours if a faster payment is requested.

57. When a Simple ePayment is requested in ClientZone, as well as generating the DFI number, a Simple ePayment icon will appear showing the 10 digit ePayment number and its expiry date.

58. Claimants will need the 10 digit ePayment number to collect their benefit.

59. If the claimant is in the office you may verbally give them the 10 digit number or you can click on the **Print** button to print off the Simple ePayment number and expiry date and give the print out to the claimant. If the claimant has requested to receive the ePayment number by phone, SMS text or email advise the claimant that Citibank will send the ePayment number to them via their preferred option within 30 minutes of a selection being made in ClientZone.

60. The claimant takes the Simple e Payment number to their PayPoint outlet where it is keyed in by the PayPoint Operator who will ask for identification and their memorable date, and the claimant receives their money.

61. A Simple ePayment number is only valid for five days from the creation of the Simple ePayment in ClientZone and must be used to collect benefit within that time. If the claimant fails to collect an ePayment within this time they must contact Citibank to obtain a replacement number.

How to make a Simple ePayment on JSAPS

62. To issue an ePayment take the following actions:

Step	Action
1	Access dialogue JA400400 Method of Payment
2	Input the claimant's NINO in the NINO field
3	Press ENTER to go to screen JA400401 Giro Details
4	Press F3 to go to screen JA400402 ACT DETAILS
5	In JA400402 input 'Effective Date' as today's date and using the 'Building Society Details' section of the screen input the new Simple Payment details
6	In 'Building Society Code' input SM
7	In 'Account No' field enter the claimant's 16 digit DFI number provide by ClientZone
8	Enter the name of the claimant or their appointee in the 'Account Name' field
9	Press END
10	The screen will re-display with: <ul style="list-style-type: none">• Citibank, Canary Wharf as the Bank/Building Soc Name• 08-30-90 in the Sort Code field (this is the sort code for Citibank) and• 13146820 in the 'Account Number' field (this is the account number for Citibank)
11	Press 'F9' to access JA405 Compute Payment
12	Press 'F2' to Record Temporary Method of Payment screen

	JA405406
13	In the Temporary Method of Payment field input CG and Press "Enter"
14	Screen JA405407 Payment Details displays. Press "End"
15	JSAPS will send an FF100 to the printer
16	Complete the Document of Authority form FF100 and pass to the Authorising Officer
17	Payment is made via the Central Payment System (Local Payments) as a Direct Payment or as a Faster Payment if due benefit that same day
18	Record the cheque number in JA 450451 Clerical Payment Issue Details as 5000000004

Clerical cases

63. You must create an account in ClientZone and make a note of the DFI number.

64. Simple ePayments will be made using CPS(LP) in exactly the same way as a Direct Payment or Faster Payment. Use the generic sort code and account number for Citibank plus the DFI number unique to the claimant. See CPS(LP) guidance for further information.

Simple Payments made to a Third Party or Appointee

Obtaining Payment via a Casual Third Party

65. There may be occasions where a claimant is unable to visit a PayPoint outlet and needs a trusted family member or friend to collect benefit on their behalf. Where this is the case the claimant should give their payment card, memorable date and identification documents to the third party. At the PayPoint outlet the third party will need to give the PayPoint operator the claimant's card, memorable date and identification plus their own proof of identity before payment can be made. A third party is an arrangement with the claimant and must not be recorded on HBS.

Obtaining Payment via a Nominated Third Party

66. If a claimant is housebound or unable to visit a PayPoint outlet on a regular basis they can nominate a third party to collect their benefit each week. In order to nominate a third party, the claimant must contact Citibank to arrange this. No details of the nominated third party are recorded on ClientZone or HBS.

67. Citibank will arrange for the nominated third party to have their own Simple Payment card. When collecting the claimant's benefit the nominated third party must give the PayPoint operator their own identification and memorable date. Nominated third parties can contact Citibank to obtain information such as balance enquiries or reporting lost/stolen cards etc, but the claimant must be in their presence when they do this.

68. Nominated third parties are unable to report a change to the claimant's details e.g. change of name or address, the claimant must contact Citibank and the Department directly to report personal change of circumstances.

Appointees

69. Appointees are set up in ClientZone as an authorised claimant. All details recorded in ClientZone, including the NINO, must belong to the appointee. The claimant's details are not recorded.

70. When recording the DFI in the ACT details screen in dialogue JA400, the 'Account name' field must be completed with the name of the appointee, not the claimant.

71. If an appointee is also a Simple Payment service claimant in their own right i.e. they get their own benefit paid by this method, then only one account is set up in ClientZone. Both payments of benefit will be made to the one account. It will **not** be possible to identify which payments belong to the claimant and which belong to the appointee.

Simple Payment problems

72. Please refer to the Simple Payment and exceptions guidance for instructions on:

- Dead Letter office (DLO)
- Simple Payment cards returned to the office
- Card account status
- Postal delays
- Non receipt/ missing payments
- Lost Simple Payment cards
- Dead Letter Office

Migration to Simple Payment

73. It is imperative that by April 2013 all existing cheque paid claimants will have moved to an electronic payment method.

74. Migration will take place over several months from October 2012 until March 2013 after which payment by cheque will no longer be possible. This will be done by a central team within DWP. See Migration to Simple Payment bulletin for more information.

Appendix

Citibank

Citi is a global financial services organisation working with the government to provide a payment service that is suitable for benefit claimants who are unable to operate a mainstream account.

Citibank is part of the Citi group and offers a wide range of banking services. Citibank works in partnership with PayPoint to operate the Simple Payment service.

ClientZone

Features of ClientZone include:

- Search for claimants
- Create individual claimants accounts online
- Update a claimant's temporary NINO

- Issue Simple ePayments
- Issue Simple Payment cards
- Confirm receipt of card for migration claimants
- Look up Departmental Funding Instruction number
- Online help facility - provided by Citibank

ClientZone is a desktop web facility provided by Citibank that is used to create and manage the Simple Payment service claimants' accounts. The details displayed can belong to the claimant or their appointee.

Departmental Funding Instruction (DFI)

The Departmental Funding Instruction is a 16 digit number provided by Citibank. The number is created when a claimant account is set up via ClientZone. The DFI is unique to each claimant.

The claimant does not need to know what their DFI number is in order to obtain payment of their benefit and **must not** be told what it is. It will not appear on any letters or notifications. The DFI number is recorded on HBS in the building society roll/ref number field on the ACT details screen.

A Simple Payment card displays a 10 digit number but this is not the DFI number

Useful Telephone Numbers/ Email Addresses

'Telephone numbers and Email addresses redacted for Data Protection'

Student Income

Full-time student

1. Claimants who undertake a course of full-time study or training are not generally entitled to JSA because they are not regarded as available for employment.
2. The only exception to this is if:
 - they are available for employment or treated as available in specific circumstances and want to claim during the summer vacation from their course, and
 - they are single or have a partner who is also a full time student; and
 - they or their partner, in the case of a student couple, are or are treated as being responsible for a child or young person.

Note: by partner we mean a person who is married, a civil partner of someone or living with someone as if they were married or civil partners.

3. Claimants who are participating in part-time courses of study or training or who meet the conditions in the above paragraph may be entitled to JSA provided they satisfy the availability and actively seeking employment conditions.

Student Income

4. A student may have income from various sources, for example:
 - grant awards;
 - student loans;
 - assessed contribution or parental contribution;
 - covenant income;
 - access funds (known as support funds at NI HEIs and Financial Contingency Funds in Wales);
 - other income.

Note: Student loans and grants may be reviewed annually.

Grant awards

5. A grant is any kind of educational grant or award, including:
 - scholarship;
 - studentship;
 - exhibition;
 - allowance;
 - bursary.
6. There are two main types of grants awarded:
 - mandatory;
 - discretionary.
7. Mandatory awards, for example, the standard maintenance grants or standard maintenance allowance in Scotland, are calculated under the rules in force at the beginning of the academic year.
8. This is done in England and Wales by the Local Education Authority (LEA), in Scotland by the Students Awards Agency Scotland (SAAS) and in Northern Ireland by the Education and Library Boards.

9. Discretionary grants can be paid for any period of time. They are often paid for term time only.
10. In both types of grant, discretionary and mandatory, the award may include an amount for:
 - tuition fees;
 - examination fees;
 - personal maintenance including an element for dependants;
 - school meals grant (not available in Wales);
 - special equipment;
 - additional expenses incurred by a disabled student on attending the course;
 - maintenance expenses connected with term residential study away from the educational establishment;
 - books and equipment.
11. Grant income may affect claims for:
 - existing students;
 - former students.

Welsh Assembly Learning Grant

12. The Welsh Assembly Learning Grant (WALG) is entirely for the costs associated with study and course related costs. It does not cover day to day living expenses. It can be fully disregarded for benefit purposes.

Student loans

13. The Student Loan Company (or Education and Library Boards in Northern Ireland) decides and administers student loans. To qualify for a loan, the student must satisfy certain residence and course conditions.
14. The main conditions are that the student must:
 - be a full time student on a 'loan bearing' course, this includes sandwich and initial teacher training courses;
 - be under 60 years of age when the course began; and
 - satisfy the residency conditions.
15. Students taking certain part-time higher education courses, including some Open University courses can apply for a means-tested fee grant and a means-tested course grant of up to £260 for books, equipment and travel.

Access funds / Support Funds / Financial Contingency Funds

16. Access funds are grants, loans or other payments made under a specific law that are paid on a discretionary basis to assist students in financial difficulties.

Note: In Northern Ireland Access Funds are referred to as Support Funds.

Note 2: In Wales, the equivalent funds are called Financial Contingency Funds (FCF).

Learner Support Funds

17. In England Access funds also include Learner Support Funds which may be made available to students under specific law. For those in further education they are paid out of fund provided by the Young Peoples Learning Agency for England, the Chief Executive of Skills Funding.

18. See, Decision Makers Guide, Volume 6, Chapter 30 - Access funds.

Treatment of an Access Fund / Support Fund / Financial Contingency Funds

19. The way payments from an Access / Support fund / Financial Contingency Funds (FCF) are treated depends on how they are made:

- treat a single payment from an Access / Support fund / FCF that is not part of a series of payments as capital;
- treat as income and fully disregard a loan from an Access / Support fund / FCF that is:
 - made on or after 1 September or the first day of the course if this is earlier; and
 - intended to bridge the period until the student loan is received;
- treat regular payments from an Access / Support fund / FCF as income. These payments of income are fully disregarded unless they are intended and used for:
 - food;
 - fuel;
 - ordinary clothing and footwear;
 - rent for which Housing Benefit is payable;
 - any housing costs to the extent that these are met under current provisions;
 - Council Tax and water charges.

20. Apply a disregard of £20.00 to payments intended and used for the items listed above.

Note: The maximum student income disregard is £20.00.

See, Decision Makers Guide, Volume 6, Chapter 30 - Access funds

Covenant income

21. Covenant income is income payable to a student under a deed of covenant by a person whose income is taken into account, or is likely to be taken into account, in assessing the student's grant or award.

See, Decision Makers Guide, Volume 6, Chapter 30 - Covenant income and other income and capital

Income from covenants

22. In the past parents or spouses could covenant a certain amount of income to students. This meant that the student could receive the amount plus the income tax that would otherwise be paid on it.

23. Tax law has changed and covenants are no longer advantageous.

See, Decision Makers Guide, Volume 6, Chapter 30 - Covenant income and other income and capital

Definition of a former student

24. A person stops being a student from the:

- day after the last day of the course; or
- date they abandoned or are dismissed from the course.

See, Decision Makers Guide, Volume 6, Chapter 30 - Income of former students.

24+ Advanced Learning Loans

25. 24+ Advanced Learning loans can be awarded for both full and part time courses. They are paid from the government directly to the educational establishment to pay for student's tuition fees, the loan is disregarded for JSA purposes. See the Labour Market Conditions guide for how to decide if the course is full/part time.
26. In addition to the loans there is a bursary available to students who are considered by the educational establishment to be in severe hardship. The bursary is intended to cover travel, childcare and equipment costs. As the bursaries are not for living costs they are disregarded. However in some circumstances the educational establishment may extend a bursary to cover living costs which **are** taken into account as income.
27. Confirmation from the educational establishment of the bursary is required listing the individual costs the bursary covers.
- See, Decision markers Guide, Volume 6, Chapter 30.

Obtaining Information about Student Income

28. The following information must be provided by the claimant to assess the affect the student loan or grant has on the claimant's entitlement to benefit:
- The year of the course, if the first year, the date the course started
 - The period of study, including start and end dates, these are not required for each term
 - The amount and date of the first payment of loan or grant. The exact amount needs to be established
29. This information may be provided in a loan offer letter or the grant award letter or can be obtained using ST1 form, the draft letter DL5 or by telephone. Form ST1 can be used for all benefits and any parts containing information already held should be deleted before it is issued to the claimant. The draft letter will be withdrawn later.

Calculating the period and amount of student income

30. The way the period and amount of student income is calculated depends on the type of student income received:
- grant awards;
 - student loans.

Period and amount of the grant

31. Mandatory grants are paid at set amounts for set periods.
32. Discretionary grants can be paid for any period of time.

Assessed contribution

33. Take the amount of any assessed contribution into account as part of the student's grant income.
34. The parent or spouse may pay less or none of the assessed contribution. However, the student is still assessed as having the income.

Treatment of Grants, loans or covenant income for former students

35. If a student has completed the course disregard any grant, loan or covenant income from the last day of the course.
36. If a student has abandoned or been dismissed from a course there may be student income to take into account.
37. The period and amount of income is calculated in the same way as for an existing student.

Changes to Attribution of loan income when a student abandons or is dismissed from their course

38. Generally student loans are paid at the start of each term. However, Scottish legislation gives Scottish Ministers the power to pay a student loan at a frequency they see appropriate. All Scottish domiciled students studying in Scotland are now paid on a monthly basis.
39. The income-related benefit Regulations make provision for the calculation of income other than earnings. This is applied to student loans in cases where a student abandons or is dismissed from their course of study. Confirmation is required if the student abandons or is dismissed from their course either by letter or phone call with their place of study. Any information verified by phone must be recorded in dialogue JA110 notepad.
40. The calculation uses an assessment period that attributes the loan up to the end of the last quarter, and takes the income into account when assessing benefit entitlement.
41. . Where two or more instalments of a loan have been made in a quarter, the assessment period ends on the earlier of the benefit week including:
 - the day immediately before the day on which the next instalment would have been due had the payments continued; or
 - the last day of the last quarter for which an instalment was payable.
42. There are no changes to the assessment period used for students who are paid quarterly.

School meals grant

43. Attribute any school meals element of the grant over the same period as the student loan.

Calculate the period and amount of the loan

44. The amount and period of the loan should be shown on the award letter or ST1 or from details provided by telephone
45. The award may also include a grant for dependants.
46. The maximum amount that can be advanced to a student depends on:
 - where the student is studying;
 - which year of the course the student is in;
 - whether the student lives in the parental home.
47. Standard loan amounts may be uprated annually.
48. If a student is eligible for a loan, treat them as possessing the maximum loan, which they could obtain by taking the appropriate action, for that academic year. See para 47 below.

49. The loan may include an assessed contribution; this may not be received by the student but should be taken fully into account in most cases. See, Decision Makers Guide, Volume 6, Chapter 30 - Financial support available to students – loans and grants

Second and Subsequent years

50. For students who are commencing a second or subsequent year and it is known that they will be in receipt of a student loan, payments of benefit should not be made from the start of the academic year, 1st September. Suspend benefit from 1st September indefinitely.

Disregards on student income

51. The applicable disregards on student income depend on the type of income received:

- grant awards;
- student loans.

Disregards appropriate to loans

52. If a student is in receipt of a loan and a grant, the following disregards should always be applied exclusively to the loan.

53. Before calculating the weekly income from a loan apply the following disregards to the annual amount of the loan for:

- books and equipment - 2013/14 disregard is £390;
- travel - 2013/14 disregard is £303.

Note: Standard disregard amounts for books, travel and equipment haven't changed since **2009/10**.

Financial support for part-time students

54. Part-time student support now consists of a means tested grant for fees and a means-tested grant to cover course costs, books, equipment and travel, this grant, made by the Student Loan Company is subject to the student income provision and is disregarded.

Disregards appropriate to grants

55. The disregards below are only applicable to the personal maintenance element of the grant.

56. The disregard for books and equipment and travel are only applied to the grant where the student does not qualify for a loan.

Disregard	Amount of disregard
Tuition or examination fees	Amount included in the grant
Additional expenses a disabled student has for attending the course	Amount included in the grant
Additional expenses connected with term time residential study away from the educational establishment	Amount included in the grant
Additional expenses for maintaining a home, other than where they live during the course. This applies only if	Amount included in the grant

Housing Benefit does not meet the rent. It is generally known as 'Two homes grant'	
Any element for another person living outside the UK	Amount included in the grant
The cost of books and equipment	Either: <ul style="list-style-type: none"> • the amount specified in the grant; or • the standard amount of £390 for 2010/11 is applied when: <ul style="list-style-type: none"> • no loan is available; or • no amount is specified. (The amount for 2008/09 was £380[†]). See note below*
Travel expenses	Either <ul style="list-style-type: none"> • nil if the award is discretionary or is made by Student Awards Agency Scotland (SAAS); or • the standard amount of £303 for 2010/11 is applied when: <ul style="list-style-type: none"> • no loan is available; or • no amount is specified. (The amount for 2008/090 was £295[†]). See note below*
Extra disregard for travel expenses	Any sum specifically intended for travel expenses by the person or body making the grant
Payments related to child care responsibilities	<ul style="list-style-type: none"> • Any grant paid under National Assembly for Wales Learning Grant Scheme should be fully disregarded; • Any Department for Innovation, Universities and Skills - Parents Learning Allowance Payments should be fully disregarded.
Higher Education Bursary for Care Leavers	Amount included in the grant

Note: Standard amounts are reviewed annually

[†]Figures for 2009/10 were the same as for 2010/11

*amounts differ in Wales

Calculating disregards for former students

57. Income for a former student is calculated as if they are still a student. The appropriate disregards still apply.

Applying disregards to grants

58. To apply a disregard to a grant, deduct the appropriate disregard amount from the total amount of the grant before calculating the weekly amount. This offline decision should be recorded on an A6.

Attribution of student income

59. The way student income is attributed depends on the type of student income received:
- grant awards;
 - student loans.

Calculate period of attribution for a grant

60. The attribution method to use depends on the student's status:
- for continuing students;
 - for former students.

Attribution of a grant for continuing students

61. The amount of grant income to be taken into account should be spread equally over the relevant period. The length of the period depends on:
- what elements of grant are involved; and
 - whether the grant is paid for the period of study.

See, Decision Makers Guide, Volume 6, Chapter 30. Paragraph 30281 onwards - Period over which grant income taken into account.

Attribution of a grant for former students

62. Former students who abandon or are dismissed from their course still have their grant income taken into account. The period to take the grant into account for:
- begins on the date that the income is treated as paid; and
 - ends on the earliest of:
 - the date the amount owed is repaid in full; or
 - the date of the term or vacation when the person ceased being a student; or
 - the day before the next instalment would have been paid had the person remained a student, if the grant was paid in instalments.
63. Partial repayments of the grant do not reduce the amount of weekly income to take into account.

Calculate period of attribution for a loan

64. The period over which the loan is attributed, depends on:
- whether the student is an existing student; or
 - whether the student is a former student;
 - which year of the course the student is in; and
 - when the course begins.
65. For existing students the following year of course and course start dates should be considered:
- academic year starting on 1 September;
 - course is for one academic year or less;

- claimant is in the final year of the course;
- claimant is in any other year;
- academic year starts on other than 1 September.

Course is for one academic year or less

66. Where the course is for one academic year or less, the student loan should be divided equally between the weeks in the period:

- beginning with:
 - the first benefit week that begins on or after the start of the academic year; or
 - if the student starts attending the course in August or the course is less than a year, the first benefit week that begins on or after the start of the course;
- and ending on the last day of the benefit week that ends on or before the last day of the course.

Claimant is in the final year of the course

67. Where the student is in the final academic year of the course, divide the student loan between the weeks in the period:

- beginning with:
 - the first benefit week that begins on or after the start to the academic year; or
 - where the final academic year starts on 1 September, the first benefit week begins on or after the earlier of:
 - the 1 September; or
 - the first day of the autumn term;
- and ending with the last benefit week that ends on or before the last day of the course.

Claimant in any other year of the course

68. In any other case, divide the student loan equally between the weeks in the period:

- beginning with the first day of the first benefit week:
 - in September; or
 - that begins on or after the first day of the autumn term;
- and ending with the last benefit week that ends on or before the last day of June.

Note: See also further information on monthly paid Scottish students

Academic year starts on other than 1 September

69. Where a student loan is made in respect of an academic year that begins other than on 1 September, divide the student loan equally between the period which:

- starts at the beginning of the first benefit week starting on or after the first day of the academic year; and
- ends on the last day of the benefit week which ends on or before the last day of the academic year; and
- excludes any complete benefit weeks that fall entirely within the quarter where, in the opinion of the Secretary of State, the longest

holiday period is taken.

Note: Quarter means one of the periods in the academic year from:

- 1st January to 31 March;
- 1st April to 30 June;
- 1st July to 31 August;
- 1st September to 31 December.

Attribution of student income for former students

70. The student loan is paid in three instalments or monthly for Scottish students.

Note: See also further information on monthly paid **Scottish students**

71. A former student who abandons or is dismissed from a course of study may have been receiving, or treated as receiving, income from a student loan.

72. If they abandoned their course or were dismissed during their course of study, the income needs to be recalculated because there is **no disregard** on the income from **the date of abandonment or dismissal**. The £10 disregard only applies where the person receiving the loan **is still** a student.

73. Under these circumstances the loan instalments received to date are attributable until the last complete benefit week at the end of the last quarter, for which the instalment received was payable.

74. This will mean that in some of these cases income from the student loan will continue to be taken into account until the last day of the:

- course, for claimants:
 - in the final year of a course of more than one years duration; or
 - attending a course of one year duration or less;
- last complete benefit week in June in any other case.

75. A student loan which has been fully repaid should be disregarded.

See, Decision Makers Guide, Volume 6, Chapter 30 - Course not completed treatment of loan and dependant grant income

Income disregard for students

76. When the amount has been calculated, disregard up to £10.00 a week.

This is subject to the overall limit on the disregard for students.

See, Decision Makers Guide, Volume 6, Chapter 30 - Overall limit to income disregard

Recording student income

77. How student income is recorded depends on the type of student income received:

- grant awards;
- student loans.

Processing student income

78. If a student is in the first year and tells us on or before their course starts that they are starting a course action must be taken as soon as possible to avoid an overpayment of benefit. Any overpayment arising due to the information not being processed timeously will be an official error and not

recoverable from the claimant. If the claimant does not notify the receipt of income or fails to notify the start of a course and an overpayment occurs, the overpayment can be recovered. See [Overpayment Recovery Guidance](#) (add link)

Record grant information

79. To record grant information for system maintained claims:

Step	Action
1	access dialogue JA091: Maintain Claim Details, OTHER INCOME screen JA091015;
2	JSAPS will calculate any period of attribution once you have input the correct dates and weekly amount of the grant.

80. To record grant information for clerically maintained claims:

Step	Action
1	on form JSA14A, for clerically maintained claims, for the appropriate dates, note: <ul style="list-style-type: none"> • the weekly amount of the grant; • that there is no disregard; • the net amount of the payment.

Record loan information

81. To record loan information for system maintained claims:

Step	Action
1	access dialogue JA091: Maintain Claim Details, JA091015 OTHER INCOME
2	Input Type 51
3	Input weekly Amount of loan, see Calculate period of attribution for a loan in Total Rec'd field

82. To record loan information for clerically maintained claims:

Step	Action
1	on form JSA14A for clerical maintained claims, for the appropriate dates, note: <ul style="list-style-type: none"> • the weekly amount of the loan; • the correct disregard; • the net amount of the payment.

Third Party Deductions Scheme

Background

1. Claimants are expected to meet their day to day living expenses from their income in the same way those in work do.
2. The Third Party Deduction (TPD) scheme is:
 - available to help a minority of vulnerable claimants who have run up arrears of essential household outgoings and who have failed to budget for the debt; and
 - considered where there is no other suitable course of action available to clear the arrears.
3. The TPD scheme promotes financial responsibility by helping claimants manage debt. They are normally made where it is in the interests of the family. For examples and guidance, see DMG Chapter 33 Interests of the family.
4. For further information, please see the Third Party Deductions guidance

Purpose of TPD

5. TPDs help:
 - reduce or stop the number of people getting into debt with essential household costs including Fuel costs: or
 - ensure compliance with a social obligation.
6. Paying a prescribed amount to a creditor removes the risk of hardship, for example a claimant is less likely to be disconnected.

How the TPD scheme works

7. TPDs work by deducting a prescribed amount at source from the claimant's benefit and paying it direct to the creditor until the debt is cleared.
8. TPD's can be taken from **JSA(C)** and **JSA(IB)**, providing both elements have been claimed. TPD's cannot be taken from a JSA(C) only claim.
9. Deductions which are normally taken from a claimant's JSA(IB) can be taken from JSA(C) if:
 - the claimant has claimed both JSA(C) and (JSA(IB) and;
 - the JSA(IB) entitlement can either equal or be more than the JSA(C) amount;
 - JSA(C) is only being paid because it takes precedence over JSA(IB).
10. Only the TPD's belonging to the claimant can be deducted from benefit. Any TPD's for the partner cannot be implemented.
11. TPD's can be made in respect of either member of a joint claim. This is because they are both claimant's.
12. Deductions can be made without the claimant's consent but there are maximum amounts that can be deducted.
13. Requests for a TPD for an unpaid fine, compensation order, or any court costs can only come from:
 - a Magistrate's Court (in England and Wales)
 - any court (in Scotland).
14. The customer cannot request a TPD for an unpaid fine, compensation order, or any court costs incurred.

15. For further information, please see the Third Party Deductions Guidance.

Integration loans and Eligible loans

16. Recovery of Integration loans and Eligible loans is subject to similar rules to other TPDs but administration of both schemes is the responsibility of Debt Management. See Third Party Deductions Guidance for detailed guidance on these schemes.

17. Send any appeals against a decision to take an Integration or Eligible loan deduction to Debt Management for action.

18. An appeal against the reduction in benefit that occurs following a deduction is dealt with normally. See DMG Volume 1 Chapter 6.

Priority between debts

19. Because there is a maximum number of TPD that can be taken for arrears where more than one deduction is applied, there is a priority order to be considered. For further information, please see the Third Party Deduction Guidance and the DMG Volume 6, Chapter 33.

20. If when processing a change of circumstances it is discovered that the 25% rule or three arrears rule is being broken or that there is insufficient JSA stop at dialogue JA405: Compute payment and refer the case urgently to the specialist TPD section.

Action to take when a change of address is notified

21. For action when a claimant notifies a change of address see the Third Party Deductions Guidance.

Setting up a third party deduction

22. Action to implement a third party deduction:

Step	Action
1	access dialogue JA060: Register Claim/Event and input: <ul style="list-style-type: none"> • event type code [02]; and • event sub type code [03];
2	access dialogue JA300: Maintain General Deductions and input the claimant's National Insurance number;
3	press [ENTER] to go to the DEDUCTIONS PICKLIST screen JA300301 and input: <ul style="list-style-type: none"> • [Y] in the appropriate 'Deduction type' field;
4	press [ENTER] to go to the MAINTAIN GENERAL DEDUCTION DETAILS screen JA300302 and complete the following fields: <ul style="list-style-type: none"> • 'Date of receipt': <ul style="list-style-type: none"> ○ input the date the request was received; • 'Arrears amt': <ul style="list-style-type: none"> ○ input the weekly deduction rate; • 'Current amt': <ul style="list-style-type: none"> ○ input the amount of the weekly deduction for current usage;

	<ul style="list-style-type: none"> • ‘Total amt’: <ul style="list-style-type: none"> ○ input the total weekly amount for the third party deduction; • ‘From date’: <ul style="list-style-type: none"> ○ input the benefit week ending date from which the deduction is taken; • ‘For’: <ul style="list-style-type: none"> ○ input [01]; • ‘Type’: <ul style="list-style-type: none"> ○ leave blank; • ‘Reference’: <ul style="list-style-type: none"> ○ input the creditor’s reference number; • ‘Claimant reference’: <ul style="list-style-type: none"> ○ input the claimant’s reference number either: <ul style="list-style-type: none"> – as quoted by the creditor; or – from the current third party deduction schedule;
5	press [F6] for JSAPS to automatically calculate and display an arrears clearing date if the amount for arrears has changed;
6	input the JSAPS calculated arrears clearing date in the ‘To date’ field;
7	press: <ul style="list-style-type: none"> • [END] to save the details input; or • [F2] to process the details and access the PAYMENT DETAILS screen JA405407 of dialogue JA405: Compute Payment to issue payment;
8	when the details are processed, JSAPS automatically: <ul style="list-style-type: none"> • issues the relevant deduction notifications to the claimant and the third party; and • includes the claimant’s deduction details in the next bulk payments schedule JA72330;
9	access dialogue JA094: Claim Administration and input [Y] in the ‘Third Party Deduction interest’ field;

Setting up a Third Party Deduction on a clerical claim

23. To implement a third party deduction on a clerical claim:

Step	Action
1	complete form JSA14D;
2	complete form JSA14A, transferring the deduction details from JSA14D to box 17 of JSA14A;
3	for JSA(C) claims, complete a fresh JSA14A with a deduction end date corresponding to the last benefit week ending day of the JSA(C) award;
4	complete and send forms: <ul style="list-style-type: none"> • A76A to the claimant; and • A76B to the third party;
5	set up clerical deductions record form A78 for the third party deductions.

Temporarily stopping arrears deductions

24. If a decision has been made to temporarily stop third party deductions:

Step	Action
1	access dialogue JA300: Maintain Deduction Details and input the claimant's National Insurance number;
2	press [ENTER] to display the MAINTAIN GENERAL DEDUCTIONS PICKLIST screen JA300301;
3	input [Y] against each screen to be temporarily stopped;
4	press [ENTER] to display the MAINTAIN GENERAL DEDUCTIONS DETAILS screen JA300302 for the first deduction selected;
5	input: <ul style="list-style-type: none"> the last benefit week ending date the claimant or the creditor was paid to in the 'To date' field; [07] in the 'Termination reason code' field;
6	press [ENTER];
7	JSAPS displays the next arrears deduction selected to temporarily stop; repeat steps 5 and 6 as required until all selected arrears deductions are temporarily stopped;
8	press [END];
9	JSAPS automatically issues appropriate notifications to the claimant and third parties;
10	access dialogue JA530: Case Controls and set a case control to mature on the date of the court hearing.

Temporarily stopping arrears deductions on a clerical claim

25. To temporarily stop a third party deduction on a clerical claim:

Step	Action
1	complete form JSA14D;
2	complete form JSA14A, transferring the deduction details from JSA14D to box 17 of JSA14A and input:
3	the termination date, if it is for a past date, record <ul style="list-style-type: none"> the last benefit week ending date on or following the paid to date input the appropriate code in the 'Termination code' field;
4	if the termination is for a future date, record <ul style="list-style-type: none"> the benefit week ending date on or following the paid to date the appropriate code in the 'Termination code' field;
5	complete and send forms: <ul style="list-style-type: none"> A76A to the claimant; and A76B to the third party;
6	record the temporary end date of clerical third party deductions form A78.

Terminating a deduction

26. To terminate a third party deduction:

Step	Action
1	access dialogue JA300: Maintain Deduction Details and input the claimant's National Insurance number;
2	press [ENTER] to display the MAINTAIN GENERAL DEDUCTIONS PICKLIST screen JA300301;
3	input [Y] against the deduction that is to be terminated;
4	press [ENTER] to display the MAINTAIN GENERAL DEDUCTIONS DETAILS screen JA300302 for the selected deduction;
5	if the termination is for a past date, input: <ul style="list-style-type: none"> • the last benefit week ending date on or following the paid to date in the 'To date' field; • the appropriate code in the 'Termination code' field;
6	if the termination is for a future date, input: <ul style="list-style-type: none"> • the benefit week ending date on or following the paid to date in the 'To date' field; • the appropriate code in the 'Termination code' field. See JSA Deskaide
7	press [END] or the appropriate function key and JSAPS: <ul style="list-style-type: none"> • updates the deductions information; • issues notifications to the claimant and third party; • makes the final payment of: <ul style="list-style-type: none"> ○ fuel deductions on a weekly termination schedule JA72340; ○ deductions other than fuel on the next bulk payment schedule JA72330.

Terminating a deduction on a clerical claim

27. To terminate a third party deduction on a clerical claim:

Step	Action
1	complete form JSA14D;
2	complete form JSA14A, transferring the deduction details from JSA14D to box 17 of JSA14A and input:
3	the termination date, if it is for a past date, record <ul style="list-style-type: none"> • the last benefit week ending date on or following the paid to date • input the appropriate code in the 'Termination code' field;
4	if the termination is for a future date, record <ul style="list-style-type: none"> • the benefit week ending date on or following the paid to date • the appropriate code in the 'Termination code' field;
5	complete and send forms: <ul style="list-style-type: none"> • A76A to the claimant; and • A76B to the third party;
6	record the end date of clerical third party deductions on form A78.

Re-instatement of deductions

28. When the 'Termination of deductions' report JA72350 or 'Termination of payments' report JA72340 reports are received, check CIS to see if the claimant has claimed another benefit..

29. If the claimant has made a claim to another benefit where deductions can continue, see the Third Party Deductions Guidance for the action to take.

New and repeat claims

30. When JSA is reclaimed and deductions were in place on a previous claim, email or telephone the relevant benefit or Third Party Deductions team.

31. The claimant or creditor can re-apply for the deductions to be re-instated by contacting the TPD team.

Third Party Payments (TPP)

32. The TPP team are based at Norcross, Blackpool; they are responsible for all payments to the third party creditors.

33. The TPP system allows for recoveries to be made from the third parties and also repay any credit payments that are due to the claimant as a result of a rebate.

34. For further instructions on TPP, see The Third Party Payments guidance.

Work Related Payments

Work related payments

1. Work related payments became part of the Welfare to Work programme to help enable claimants in the transition from benefit into paid work.
2. The incentives are:
 - Housing Benefit Run On; and
 - Mortgage Interest Run On.

Housing Benefit Run On

3. Housing Benefit Run On (HBRO) was introduced as part of the Welfare To Work programme as an incentive to encourage claimants to move from benefit into paid work.
4. HBRO consists of four weeks Housing Benefit and is paid irrespective of earnings.
5. The Local Authority has the responsibility to identify and determine whether HBRO should be paid.

Who can qualify for Housing Benefit Run On?

6. A claimant can get HBRO if:
 - for a continuous period of at least 26 weeks immediately before they or their partner started work or increased their hours/wages they were entitled to:
 - Income Support (IS)
 - Income Based Jobseekers Allowance (JSA(IB))
 - Jobseekers Allowance (Contributory) (JSA (C))
 - Employment and Support Allowance (Income – Related)
 - a combination of the above
 - they are no longer claiming JSA(IB)/IS because they have:
 - started work, including self employment
 - increased their hours of part time work
 - increased their wages beyond the limit for claiming JSA(IB)
 - they expect to work for 5 weeks or more.

Note: Although JSA (C) can be counted for the 26 week qualifying period the claimant must have been entitled to IS or JSA(IB) on the day before they started work or increased their hours.

7. If the claimant's partner goes into work, HBRO can still be paid if the other qualifying conditions are satisfied. Any period the claimant's partner has spent on IS/JSA should count towards the 26 week qualifying period. However, any period (or periods) within the 26 week qualifying period during which the partner has been on IS/JSA will only count if he or she was, throughout that period or periods, the claimant's partner and is still the claimant's partner at the end of the qualifying period.

8. When a claim is Sanctioned there is an entitlement to benefit but the award is nil. Periods of Sanction will count for the qualifying period. During a Disallowance there is no entitlement to benefit so following a Disallowance the qualifying period starts again. See Para 9
9. There is no linking provision for HBRO. If there is a break in entitlement to IS/JSA another 26 week period must be completed before claimant is entitled to HBRO.

Establishing entitlement to Housing Benefit Run On

10. It is the responsibility of Local Authority staff to identify the 26 week entitlement condition.
11. JSAPS will display warning messages to prompt the user to consider the potential entitlement to Housing Benefit Run On (HBRO) when a claim is terminated in dialogue JA099: Record Claim Termination Details using termination code:
 - [04] found work;
 - [06] Child Maintenance Bonus claimed-**DO NOT USE**
 - [16] training;
 - [20] New Deal Employer option;
 - [21] New Deal Environmental Task Force;
 - [22] New Deal Voluntary work;
 - [23] Welfare to Work;
 - [29] EZ Paid Work Placement.
12. The warning message should be ignored and no further action should be taken to inform LAs of the HBRO potential entitlement

Mortgage Interest Run On

13. Mortgage Interest Run On (MIRO) is paid to qualifying claimants for 28 days from and including the date the claimant or their partner start remunerative work. MIRO is paid at the lower of:
 - the amount of mortgage or home loan interest plus any other housing costs, for example ground rent, to which the claimant is entitled
 - the weekly benefit entitlement.
14. MIRO is paid to the claimant in their normal benefit payment cycle, for example, weekly or fortnightly. It can be paid by cheque or Direct Payment.
15. Any mortgage or home loan interest that is normally paid direct to the lender is paid to the claimant during the MIRO period. If any mortgage or home loan interest which has already been paid to the lender falls within the MIRO period it must **not** be paid again.
16. All elements of a claimant's housing costs, for example, ground rent and service charges are included in the MIRO calculation.
17. Benefit processing staff are responsible for identifying claimants who may be eligible for MIRO. Warning messages display to alert you to potential entitlement to run-ons.

Qualifying Conditions for MIRO

18. To be eligible for Mortgage Interest Run On (MIRO) the claimant or partner must be starting remunerative work, that is:
- the claimant must be starting work of 16 hours per week or more, or increasing part-time hours to 16 hours per week or more, or
 - the partner must be starting work of 24 hours or more, or increasing hours to 24 hours or more.
19. The remunerative work must be expected to last for five weeks or more.
20. At the time the claimant or partner starts remunerative work, the claimant must have been in receipt of mortgage or home loan interest and remain liable to make payments on the loans and:
- have been in receipt of IS, Jobseekers Allowance (Income Based) (JSA (IB)) or ESA(IR) immediately before starting work for a continuous period of 26 weeks or more
 - be a member of a couple who have been in receipt of IS, JSA (IB) or ESA(IR) for an accumulated period of 26 weeks irrespective of whose name the claims were in.
21. The qualifying condition will be satisfied providing there was no break in entitlement.

Carers

22. Carers are exempt from the remunerative work rule and do not have to leave benefit. If they choose to leave benefit at the point of starting work they will qualify for MIRO. If they choose to remain on benefit, but their earnings, when paid exceed their entitlement they are **not** eligible for MIRO

Paying Mortgage Interest Run On

23. JSAPS will display warning messages to prompt the user to consider the potential entitlement to Mortgage Interest Run On (MIRO) when a claim is terminated in dialogue JA099: Record Claim Termination Details using termination code:
- [04] found work;
 - [16] training;
 - [20] New Deal Employer option;
 - [21] New Deal Environmental Task Force;
 - [22] New Deal Voluntary work;
 - [23] Welfare to Work;
 - [29] EZ Paid Work Placement.

24. When it is established that the claimant is eligible for MIRO:

Step	Action
1	access the CLAIM DETAILS PICKLIST screen JA091002 of dialogue JA091: Maintain Claim Details and input the date the claimant started work as the effective date of change;
2	access the EXCEPTIONAL CONDITIONS JA091019 and input:

	<ul style="list-style-type: none"> • [40] if there are no changes to the amount of the run on period; or • [41] if there is a change;
4	<p>if code [41] has been input:</p> <ul style="list-style-type: none"> • access the CLERICAL COMPONENTS screen JA200203 of dialogue JA200: Award and Decision and input: <ul style="list-style-type: none"> ○ [35] for MIRO; ○ the amount of run on to be paid per week; ○ the start date as the start date of the exceptional condition; ○ the end date as the end date of the exceptional condition; ○ [01] in the 'Person number' field
5	continue with claim termination action.

25. As the claimant is in remunerative work, payments of MIRO are accounted for as IS payments. Payments of MIRO **do not** count as a linked IS claim and **do not** exempt the claimant from the 104 week limit for housing costs