

Switching-off requirements (easements) for Labour Market regime interventions

Contents

- Switching-off requirements (easements)
- Compulsory switching-off of requirements (easements)
- Discretionary switching-off of requirements (easements)

Switching-off requirements (easements)

In some circumstances, claimants may need additional support if their ability to carry out their work related requirements is disrupted for a temporary period of time due to their personal circumstances.

See Switching off work availability and work-related activities for more details.

Unless there is reason to change it, the claimant remains in the same Labour Market regime during the period that their work-related requirements are switched off. Contact is maintained with the claimant to periodically review the situation and see how the claimant is doing.

Compulsory switching-off requirements (easements)

The table below shows the compulsory switching-off requirement, duration and information by column:

Switching-off requirements	Duration	Information
Unfit for work	Work availability requirements must be switched off for up to the first 14 days of a period of sickness, when it is the first or second episode of sickness in a rolling 12-month period. Mandatory work search requirements must also be removed from the Claimant Commitment.	Work Focused Interview and Work Preparation requirements may be set at any point, if this is reasonable, based on the claimant's health condition. While claimants have a valid fit note, they are not expected to take up a new job, so have no availability requirements. If the claimant reports a third episode of sickness in a rolling 12-month period, or the sickness continues beyond 14

		<p>days, this does not warrant an automatic switching-off of work search requirements. Discretion should be used to decide whether to switch off or tailor work related requirements to reflect the claimant's health condition and capabilities.</p>
<p>Treated as Limited capability for work (LCW)</p> <p>Treated as Limited Capability for work and work-related activities (LCWRA) including terminally ill</p>	<p>Until the outcome of a Work Capability Assessment (WCA).</p>	<p>For claimants treated as LCW, work search and work availability requirements must be switched off pending outcome of their WCA. Work Focused Interviews and Work Preparation activities may still be set, if reasonable, based on the claimant's health condition.</p> <p>For claimants treated as LCWRA, all work-related requirements must be switched off pending the outcome of a WCA.</p>
<p>Temporary absence abroad to receive medical treatment or accompanying child or partner abroad</p>	<p>Up to 6 months.</p>	<p>Switching-off requirements if they are receiving medically approved treatment abroad or accompanying a partner or child.</p>
<p>Bereavement of a partner or child</p>	<p>6 months.</p>	<p>Mandatory work-related requirements must be switched off for all claimant's subject to them and sanctions must not be applied.</p> <p>Claimants should be exempt from conditionality for the first 3 payment periods following the loss of a partner or child. After the initial 3 months, optional</p>

		support, such as re-introduction of Work Focused Interviews, may apply for a further 3 months without sanctions.
Domestic abuse	13 weeks initially, extended for a further 13 weeks, up to a maximum of 26 weeks, if the claimant is the main carer of a child and is in the All Work Related Requirements group.	<p>Where claimants meet the criteria, the requirements must be switched off.</p> <p>Those in the Intensive Work Search and Light Touch regimes will be offered voluntary Work Focused Interviews after the first 13 weeks, where they have children and are eligible for the 26 week switching-off requirements, easements.</p> <p>If the claimant remains in the same household as the person who inflicted or threatened the domestic abuse, they are not eligible for the domestic abuse switching-off requirements, easements. In these circumstance, if the claimant has provided relevant evidence of the domestic abuse, the Domestic Emergency switching off requirements, easements can be used where it is appropriate to switch off all requirements for a period of time.</p> <p>Refer to Switching-off work availability and work related activities for more information.</p>
Responsible carer for a child in	Up to one month in any 6-month period for a	Must switch off requirements if there is a need to provide

considerable distress	maximum of 2 years.	<p>additional support to a child:</p> <ul style="list-style-type: none"> • following the death of a parent, sibling, previous responsible carer or a person living in the same household as the child, excluding lodgers • if the child witnessed or experienced abuse or violence, switching-off requirements, easements, can be applied once every six months for a total period of 2 years
Drug/alcohol dependency	Up to 6 months but needs to be reviewed regularly to encourage engagement and to confirm attendance.	<p>Work related requirements must be switched off as long as the claimant remains in a structured recovery orientated treatment for drug or alcohol dependency. A claimant may only have one such period in any rolling 12 month period, calculated from the last day of any previous drug or alcohol related switch off.</p>
Carrying out a public duty	Period covered by the circumstances.	<p>Examples of public duty include:</p> <ul style="list-style-type: none"> • volunteer fire fighter • lifeboat crew member • volunteer coastguard • councillor • Armed Forces reservist • attending jury service • core participants in a public inquiry, see Switching-off work availability and work-related activities for more

		<p>information</p> <ul style="list-style-type: none"> • attending court or a tribunal as a party to any proceedings or as a witness • where the claimant is undertaking an Open University course and is attending a residential camp as a requirement of that course
Witness protection	Up to 3 months.	For claimants for whom arrangements have been made under section 82, of the, Serious Organised Crime and Police Act 2005, external link .
Prisoners	for up to 6 months following imprisonment if the claimant received housing costs within their Universal Credit award.	Any work search and work-related requirements are switched off whilst a claimant is in prison and in receipt of housing costs.

Discretionary switching-off of requirements (easements)

The table below shows the discretionary switch off requirement, duration and information by column:

Switching-off requirements	Duration	Information
Domestic Emergency	<p>No defined duration but normally up to 1 month.</p> <p>Cases must be reviewed monthly to consider whether to extend the switching-off period or offer alternative support.</p>	<p>This covers a wide range of circumstances not defined in legislation allowing us to respond appropriately on a case by case basis, such as:</p> <ul style="list-style-type: none"> • a domestic emergency, for example: <ul style="list-style-type: none"> • when a claimant becomes homeless or is at risk of

		<p>homelessness</p> <ul style="list-style-type: none"> • when a claimant has suffered domestic abuse but is still living with the abuser • where a claimant's child is not in school, either because they are excluded or is awaiting a school place and the claimant cannot reasonably be expected to make childcare arrangements • where a close relative of the claimant is ill in hospital • attending the funeral of a relative or close friend • organising a funeral • is undertaking an agreed work preparation requirement or voluntary work preparation requirement, and it would be unreasonable to impose work search or availability requirements, this is likely to apply only in exceptional circumstances • other temporary circumstances where staff are satisfied that it would be unreasonable to require the claimant to comply with those requirements
Homeless, classed as a domestic emergency	Normally up to 1 month.	Staff to determine if it is unreasonable to apply work related requirements. If so, requirements are switched off temporarily but reviewed regularly to check that the claimant is resolving their accommodation issues. This might be when a claimant has a

		house fire and becomes homeless, or is at risk of homelessness, and needs time to sort out alternative .
Temporary childcare responsibilities	Period covered by the duration of the circumstances.	Examples include: <ul style="list-style-type: none">• usual carer is unavailable• paternity leave• legal order to provide care for a child. Switching-off is reviewed monthly to establish that claimant is taking steps to resolve issues.