

## **Claimant Commitment not accepted**

### **Contents**

Claimant Commitment not accepted

Cooling-off period

Second opinion

Claimant refuses to accept their Claimant Commitment

Claimant fails to book their First Commitments Meeting

### **Claimant Commitment not accepted**

All claimants must accept their Claimant Commitment. In a couple claim, both partners must accept their individual commitments in order for the household to qualify for Universal Credit.

Whenever commitments are updated, they must be accepted by the claimant.

For auto-generated Claimant Commitments, the claimant is reminded to accept these within 7 days of receiving the prompt. For tailored Claimant Commitments, the claimant is required to accept them within 7 days of their Commitments Meeting.

If the commitments are not accepted within this time and the claimant does not have complex needs, their claim must be closed the day after. The termination date is the date of declaration and the claimant will be notified that their claim has been closed.

If a reviewed Claimant Commitment is not accepted within the allowed time, the claim is closed from the beginning of the assessment period in which it was reviewed.

If a claimant refuses to accept their Claimant Commitment, the following options are available to them:

- a 'cooling-off' period
- a second opinion
- refusal to accept their Claimant Commitments

### **Cooling-off period**

If a claimant refuses to accept their Claimant Commitment, they have a 'reasonable' amount of time to re-consider it. This is currently set at 5 working days or 7 calendar days and is also known as the 'cooling-off' period. The

claimant is informed that failure to accept their commitments within 7 calendar days will result in their claim being closed.

If they have not accepted their commitments or requested a second opinion by the end of any cooling-off period, this means they have failed a condition of entitlement and their Universal Credit claim will close from either the:

- date of claim, or
- beginning of the assessment period in which the Claimant Commitment was reviewed

If a claimant accepts their commitments during the cooling-off period, the claim continues from either the original date of claim or the date of the review.

## **Second opinion**

A claimant who disagrees with their work search or availability requirements and is refusing to accept their Claimant Commitment, can ask for these to be reviewed (second opinion). If the second opinion is requested within the cooling-off period, the cooling-off period ends.

Before requesting (and during the second opinion), the claimant must be informed of the consequences of not accepting their Claimant Commitment. In a couple claim, both partners must also be informed that if the commitments are found to be reasonable, their claim will be closed.

Only one request for a second opinion is allowed for every new or updated Claimant Commitment.

## **Initial commitments**

If the second opinion agrees that the original requirements are reasonable, the original Claimant Commitment remain unchanged. If the claimant now chooses to accept this, the original date of claim must be used. If they refuse to accept it, the claim is closed.

If the requirements are considered unreasonable, the claimant must be offered a new Commitment and asked to accept this. They cannot ask for a further second opinion and there is no further cooling-off period. If the claimant now chooses to accept this new Claimant Commitment, the original date of claim must be used. If they refuse to accept it, the claim is closed.

## **Ongoing commitments**

If the second opinion agrees that the original requirements are reasonable, and the claimant does not accept the Claimant Commitment, the claim is closed from

the start of the assessment period in which the change was generated. The claimant must then submit a new claim.

If the requirements are considered unreasonable, the claimant must be offered a new Claimant Commitment and asked to accept this. If the claimant refuses to accept this (either the revised one or the original) the claim will be closed.

If they accept their Claimant Commitment, the claim continues.

### **Claimant refuses to accept a Claimant Commitment**

If a claimant refuses to accept their Claimant Commitment without a second opinion, the claim will close from the beginning of the assessment period in which it was generated.

The claimant must be notified of all decisions by an Outcome Decision Notification which sets out their rights to a Mandatory Reconsideration and appeal.

If the claimant does not accept a reasonable Claimant Commitment, they are not entitled to receive Universal Credit.

### **Claimant fails to book their First Commitments Meeting**

A claimant has 1 month from the date of claim to book an Initial Commitment Meeting.

If this is not booked and the claimant does not have complex needs, the claim is closed following the same process for failing to book their Initial Evidence Meeting.

See Claim closure.