

Draft Regulations laid before Parliament under section 37(2) of the Jobseekers Act 1995, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2006 No. []

SOCIAL SECURITY

**The Employment Zones (Allocation
to Contractors) Pilot Regulations 2006**

Made - - - - []
Coming into force - - 24th April 2006

These Regulations are made in exercise of the powers conferred by sections 60(1) to (3) and (9) and 83(4), (6) and (9) of the Welfare Reform and Pensions Act 1999(1) and sections 19(10)(c), 29(1), (3) and (5) and 36(2) and (4) of the Jobseekers Act 1995(2).

These Regulations, so far as section 29(1) of the Jobseekers Act 1995 applies to them, are made with a view to ascertaining whether their provisions will, or will be likely to, encourage persons to obtain work or will, or will be likely to, facilitate the obtaining by persons of work(3).

The Social Security Advisory Committee has agreed that proposals in respect of these Regulations should not be referred to it(4).

A draft of this instrument was laid before Parliament in accordance with section 37(2) of the Jobseekers Act 1995 and approved by a resolution of each House of Parliament.

Accordingly the Secretary of State for Work and Pensions makes the following Regulations:

Citation, commencement and duration

1.—(1) These Regulations may be cited as the Employment Zones (Allocation to Contractors) Pilot Regulations 2006 and shall come into force on 24th April 2006.

(2) These Regulations shall cease to have effect on 23rd April 2007 unless revoked with effect from an earlier date.

(1) 1999 c.30; subsection (9) is an interpretation provision cited for the meaning given to the words “employment” and “prescribed”.
(2) 1995 c.18.
(3) See section 29(8) of the Jobseekers Act 1995.
(4) See sections 170 and 173(1)(b) of the Social Security Administration Act 1992; section 41(4) of and Schedule 2 (paragraph 67(a)) to the Jobseekers Act 1995 inserted the provisions of the Jobseekers Act 1995 into the list of “relevant enactments” in respect of which regulations must normally be referred to the Committee; section 84(1) of and Schedule 12 Part II (paragraphs 79 and 81(a)) to the Welfare Reform and Pensions Act 1999 added section 60 of that Act to that list.

Interpretation

2.—(1) In these Regulations—

“the 1995 Act” means the Jobseekers Act 1995⁽⁵⁾;

“the 1999 Act” means the Welfare Reform and Pensions Act 1999⁽⁶⁾;

“claimant” means a claimant for a jobseeker’s allowance⁽⁷⁾;

“employment officer” means an officer of the Secretary of State or such other person as may be designated for the purposes of sections 8 and 19 of the 1995 Act by an order made by the Secretary of State;

“employment zone” means an area within Great Britain listed in the Schedule as an area designated by the Secretary of State pursuant to section 60 of the 1999 Act as an area in which an employment zone programme subject to these Regulations is established;

“employment zone contractor” means a person who is providing an employment zone programme on behalf of the Secretary of State;

“employment zone programme” means a programme which is designed to assist claimants to obtain sustainable employment and which is established by the Secretary of State pursuant to section 60 of the 1999 Act for an employment zone;

“Employment Zones Regulations” means the Employment Zones Regulations 2003⁽⁸⁾, the Employment Zones (Allocation to Contractors) Pilot Regulations 2004⁽⁹⁾ or the Employment Zones (Allocation to Contractors) Pilot Regulations 2005⁽¹⁰⁾;

“New Deal for Young People programme” means a programme provided in pursuance of arrangements made by the Secretary of State under section 2 of the Employment and Training Act 1973⁽¹¹⁾ and specified in regulation 75(1)(a)(i)(bb) (Gateway to Work), 75(1)(a)(ii) (the Self-Employed Employment Option, the Voluntary Sector Option or the Environment Task Force Option of New Deal) or 75(1)(b)(ii) (the Full-Time Education and Training Option of New Deal) of the Jobseeker’s Allowance Regulations 1996⁽¹²⁾.

(2) An employment programme for the purposes of section 19(5) of the 1995 Act⁽¹³⁾ includes an employment zone programme in which a claimant is required to participate under regulation 3, 4, 5 or 9 of these Regulations.

Referral to an employment zone programme

3.—(1) An employment officer may, on a sampling basis, select a claimant who is aged 25 years or over to participate in an employment zone programme with a particular employment zone contractor where—

- (a) the claimant is ordinarily resident within an employment zone or his address for payment of his jobseeker’s allowance is located within an employment zone; and
- (b) in the period immediately preceding the date on which the selection is made the claimant—
 - (i) was entitled to a jobseeker’s allowance for a continuous period of at least 18 months;

⁽⁵⁾ 1995 c.18.

⁽⁶⁾ 1999 c.30.

⁽⁷⁾ Jobseeker’s allowance is a social security benefit paid in accordance with the provisions of the Jobseekers Act 1995 and the Jobseeker’s Allowance Regulations 1996 (S.I. 1996/207) as amended.

⁽⁸⁾ S.I. 2003/2438 as amended by S.I. 2004/1043 and S.I. 2005/1744.

⁽⁹⁾ S.I. 2004/934.

⁽¹⁰⁾ S.I. 2005/1125.

⁽¹¹⁾ 1973 c.50; section 2 was substituted by section 25(1) of the Employment Act 1988 (c.19).

⁽¹²⁾ S.I. 1996/207 as amended.

⁽¹³⁾ Section 19(5) of the Jobseekers Act 1995 provides grounds for precluding payment of a jobseeker’s allowance for a claimant’s refusal of an employment programme opportunity without good cause.

- (ii) was entitled to a jobseeker's allowance for a cumulative total of at least 18 months out of the previous 21 months; or
- (iii) had participated in an employment zone programme pursuant to the Employment Zones Regulations or these Regulations in the previous twelve months but did not complete the programme.

(2) An employment officer may, on a sampling basis, select a claimant who is aged 18 years or over but less than 25 years to participate in an employment zone programme with a particular employment zone contractor where—

- (a) the claimant is ordinarily resident within an employment zone or his address for payment of his jobseeker's allowance is located within an employment zone; and
- (b) in the period immediately preceding the date on which the selection is made the claimant—
 - (i) was entitled to a jobseeker's allowance for a continuous period of at least six months after participating in a New Deal for Young People programme or an employment zone programme pursuant to the Employment Zones Regulations or these Regulations;
 - (ii) was entitled to a jobseeker's allowance for a cumulative period of at least six months after participating in a New Deal for Young People programme or an employment zone programme pursuant to the Employment Zones Regulations or these Regulations without any break in that period of entitlement exceeding a period of 28 days in total; or
 - (iii) had participated in an employment zone programme pursuant to the Employment Zones Regulations or these Regulations in the previous twelve months but did not complete the programme.

(3) The employment officer shall notify the claimant in writing that he is required to participate in the employment zone programme provided by that employment zone contractor.

(4) A claimant to whom paragraph (1)(b)(iii) or (2)(b)(iii) applies shall be treated as having completed so much of an employment zone programme for the purposes of regulations 6 and 7 as is equal to the period of his previous participation in the employment zone programme.

Early entry to an employment zone programme

4.—(1) An employment officer may, on a sampling basis, select a claimant who is aged 25 years or over to participate in an employment zone programme with a particular employment zone contractor where—

- (a) the claimant has asked to participate in an employment zone programme;
- (b) his personal circumstances place him at a significant disadvantage in obtaining employment; and
- (c) he is ordinarily resident within an employment zone or his address for payment of his jobseeker's allowance is located within an employment zone.

(2) An employment officer may, on a sampling basis, select a claimant who is aged 18 years or over but less than 25 years to participate in an employment zone programme with a particular employment zone contractor where—

- (a) the claimant has asked to participate in an employment zone programme;
- (b) his personal circumstances place him at a significant disadvantage in obtaining employment;
- (c) he has participated in a New Deal for Young People programme; and

(d) he is ordinarily resident within an employment zone or his address for payment of his jobseeker's allowance is located within an employment zone.

(3) The employment officer shall notify the claimant in writing that he is required to participate in the employment zone programme provided by that employment zone contractor.

Requirement to complete an employment zone programme

5.—(1) This regulation applies where a claimant—

- (a) has participated in an employment zone programme under the Employment Zones Regulations or these Regulations in the twelve months immediately preceding the date on which he is notified by an employment officer that he is required to complete an employment zone programme;
- (b) he is ordinarily resident within an employment zone or his address for payment of his jobseeker's allowance is located within an employment zone;
- (c) he did not complete the previous employment zone programme; and
- (d) the same employment zone contractor provides an employment zone programme in the employment zone.

(2) Where this regulation applies, an employment officer may notify the claimant that he is required to attend and complete an employment zone programme with the same employment zone contractor.

(3) That claimant shall be treated as having completed so much of an employment zone programme for the purposes of regulations 6 and 7 as is equal to the period of his previous participation in the employment zone programme.

Stages of an employment zone programme

6.—(1) An employment zone programme shall consist of two stages—

- (a) the first stage shall last for a maximum period of 28 days excluding any public holidays;
- (b) the second stage shall last for a maximum period of 26 weeks.

(2) A claimant begins to participate in the first stage of an employment zone programme on the day when he attends an initial interview with a programme adviser following a written notification of his selection for participation given under regulation 3 or 4.

(3) A claimant shall cease to participate in the first stage on the day specified by an employment officer in a written notification to the claimant.

(4) A claimant begins to participate in the second stage of an employment zone programme on the day specified by an employment officer in a written notification to the claimant.

(5) A claimant shall cease to participate in the second stage on the day specified by an employment officer in a written notification to the claimant.

(6) In this regulation—

“public holiday” means Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971(14) in any part of Great Britain;

“programme adviser” means an employment officer designated by the Secretary of State as an employment zone programme adviser.

Suspension of the requirements of the Jobseekers Act 1995

7.—(1) During the claimant’s participation in the first stage of an employment zone programme the condition for receipt of a jobseeker’s allowance specified in section 1(2)(b) of the 1995 Act that the claimant has entered into a jobseeker’s agreement which remains in force is suspended.

(2) During the claimant’s participation in the second stage of an employment zone programme the conditions for receipt of a jobseeker’s allowance specified in section 1(2) of the 1995 Act shall apply with the suspension of the conditions in section 1(2)(a) to (c) of that Act that the claimant—

- (a) is available for employment;
- (b) has entered into a jobseeker’s agreement which remains in force; and
- (c) is actively seeking employment.

Amendment of the Jobseeker’s Allowance Regulations 1996

8.—(1) In the case of a person who is selected to participate in an employment zone programme with a particular employment zone contractor under regulation 3 or 4 or who is required to attend and complete an employment zone programme under regulation 5, regulation 75(1)(a)(iii) of the Jobseeker’s Allowance Regulations 1996 shall apply with the addition of the words “, or the Employment Zones (Allocation to Contractors) Pilot Regulations 2006” after the words “the Social Security (Working Neighbourhoods) Regulations 2004”**(15)**.

(2) Where the Secretary of State is satisfied that a person to whom paragraph (1) would otherwise apply is neither—

- (a) ordinarily resident within an employment zone, nor
- (b) someone whose address for payment of his jobseeker’s allowance is within an employment zone,

then any relevant sanction incurred by that person shall end and these Regulations shall cease to apply.

(3) However, where that person asks to complete an employment zone programme in which he is participating, these Regulations, other than paragraph (1) of this regulation, shall continue to apply.

(4) In paragraph (2) “relevant sanction” means a sanction incurred by that person under section 19 or 20A**(16)** of the 1995 Act as a result of his refusing or failing to participate in, or giving up a place on an employment zone programme as specified in regulation 75(1)(a)(iii) of the Jobseeker’s Allowance Regulations 1996 (as modified by paragraph (1)).

Transitional Arrangements

9.—(1) This regulation applies to a claimant—

- (a) who—
 - (i) was selected to participate in an employment zone programme under regulation 3 or 4 of the Employment Zones (Allocation to Contractors) Pilot Regulations 2005**(17)** before the 24th April 2006; or
 - (ii) was required by virtue of regulation 8 of those Regulations, to participate in an employment zone programme; and

(15) [S.I. 1996/207](#). The definition of an employment zone in regulation 75(1)(a)(iii) of the Jobseeker’s Allowance Regulations 1996 was inserted by regulation 6 of the Employment Zones Regulations 2003 ([S.I. 2003/2438](#)) and amended by the Social Security (Working Neighbourhoods) Regulations 2004 ([S.I. 2004/959](#)).

(16) Section 20A was inserted by section 59 of and Schedule 7 to the Welfare Reform and Pensions Act 1999.

(17) [S.I. 2005/1125](#). The Regulations expire on 24th April 2006.

(b) who has not completed the employment zone programme before those Regulations expired.

(2) The references to regulation 3 or 4 in regulation 6(2) and 8(1) of these Regulations shall be read in relation to a claimant to whom this regulation applies as references to regulation 3 or 4 of the Employment Zones (Allocation to Contractors) Pilot Regulations 2004⁽¹⁸⁾ or, as the case may be, the Employment Zones (Allocation to Contractors) Pilot Regulations 2005.

(3) A claimant to whom this regulation applies shall be treated as completing so much of an employment zone programme for the purposes of regulations 6 and 7 as is equal to the period of his participation in the employment zone programme under the Employment Zones (Allocation to Contractors) Pilot Regulations 2005.

Signed by authority of the Secretary of State for Work and Pensions.

[Date]

Name
Minister of State,
Department for Work and Pensions

SCHEDULE

Regulation 2

AREAS DESIGNATED BY THE SECRETARY OF STATE

The Birmingham Employment Zone

1. The area designated as the Birmingham Employment Zone consists of:

the following wards within the City of Birmingham:

Acocks Green, Aston, Bordesley Green, Edgbaston, Handsworth Wood, Harborne, Hodge Hill, Kingstanding, Ladywood, Lozells and East Handsworth, Nechells, Oscott, Perry Barr, Quinton, Shard End, Sheldon, Soho, South Yardley, Stechford and Yardley North, Stockland Green, Tyburn, Washwood Heath;

the ward of Bartley Green except the following postcodes:

B29 4HD	B29 4HE	B29 5RN	B29 5RP	B29 5RR	B29 5RS
B29 5RT	B29 5RU	B29 5TY	B29 5UA	B29 5UF	B29 5UG
B29 5UT	B29 5UW	B29 5UY	B29 5XA	B29 5XB	B29 5XD
B29 5XE	B29 5XG	B29 5XP	B29 5XR	B29 5XS	B29 5XY
B29 5XZ	B29 5ZE	B31 1DE	B31 1DF	B31 1DR	B31 1DS
B31 1DT	B31 1DW	B31 1DX	B31 1DZ	B31 1EF	B31 1EP
B31 1ER	B31 1ES	B31 1ET	B31 1EU	B31 1EW	B31 1EX
B31 1EY	B31 1EZ	B31 1HA	B31 1HB	B31 1HD	B31 1HF
B31 1HG	B31 1HY	B31 1PN	B31 1TT	B32 3DU	B32 3DX
B32 3DY	B32 3DZ	B32 3EA	B32 3XL		

the ward of Erdington except the following postcodes:

B23 5JX	B23 5JY	B23 5LB	B23 5LD	B23 5QQ	B23 5QY
B24 0HD	B72 1AG	B72 1AJ	B73 5JR		

the ward of Sparkbrook except the following postcodes:

B12 9LX	B12 9LY	B12 9LZ	B12 9NA	B12 9NB	B12 9ND
B12 9NE	B12 9NG	B12 9NH	B12 9NJ	B12 9NL	B12 9NN
B12 9NQ	B12 9NR	B12 9NS	B12 9NT	B12 9NU	B12 9NW
B12 9NX	B12 9PE	B12 9PG	B12 9PH	B12 9PL	B12 9PN
B12 9PQ	B12 9PR	B12 9PS	B12 9PT	B12 9PU	B12 9PW
B12 9PX	B12 9PY	B12 9QA	B12 9QB	B12 9QD	B12 9QE
B12 9QF	B12 9RN	B12 9RP	B12 9RR	B12 9RS	B12 9RW

B12 9SE	B12 9ZA				
---------	---------	--	--	--	--

the ward of Springfield except the following postcodes:

B13 0AG	B13 0AH	B13 0AJ	B13 0AL	B13 0AN	B13 0AP
B13 0AQ	B13 0AR	B13 0AS	B13 0AT	B13 0AU	B13 0AW
B13 0AX	B13 0AY	B13 0BA	B13 0BB	B13 0BG	B13 0BH
B13 0BJ	B13 0BL	B13 0BN	B13 0TA	B13 0TB	B13 0TF
B13 0TG	B13 0TH	B13 0TJ	B13 0TQ	B13 0TT	B13 0TU
B13 0TX	B13 0TY	B13 0UA	B13 0UB	B13 9JN	B13 9JP
B13 9JQ	B13 9JR	B13 9JS	B13 9JW	B13 9JX	B13 9LE
B13 9LF	B13 9LG	B13 9LQ	B13 9LS	B13 9LT	B13 9LU
B13 9LX	B13 9LY	B13 9LZ	B13 9NA	B13 9ND	B13 9NG
B13 9NH	B13 9NJ	B13 9NL	B13 9NN	B13 9NR	B13 9NS
B13 9NT	B13 9NU	B13 9NX	B13 9PX	B13 9PY	B13 9PZ
B13 9QD	B13 9QE	B13 9QF	B13 9QG	B13 9QH	B13 9QJ
B13 9QL	B13 9QN	B13 9QP	B13 9QR	B13 9QW	B13 9XA
B13 9XB	B13 9XD	B13 9XE	B13 9XG	B13 9XH	B13 9XJ
B13 9XL	B13 9YD	B13 9YE	B13 9YF	B13 9YP	B13 9YQ
B13 9YR	B13 9YS				

the following postcodes within the ward of Moseley and Kings Heath:

B12 8QD	B12 9AA	B13 8AT	B13 8AY	B13 8AZ	B13 8BA
B13 8BB	B13 8BD	B13 8BE	B13 8BH	B13 8BJ	B13 8BL
B13 8BN	B13 8BQ	B13 8BS	B13 8BT	B13 8BU	B13 8BW
B13 8BX	B13 8DG	B13 8DQ	B13 8ED	B13 8EE	B13 8EF
B13 8EG	B13 8EH	B13 8EJ	B13 8EL	B13 8EN	B13 8HR
B13 8HS	B13 8HT	B13 8HW	B13 9AA	B13 9AB	B13 9AD
B13 9AE	B13 9AF	B13 9AG	B13 9AH	B13 9AJ	B13 9AN
B13 9AP	B13 9AR	B13 9AS	B13 9AU	B13 9AW	B13 9AX
B13 9AY	B13 9BA	B13 9BE	B13 9BN	B13 9BP	B13 9BS
B13 9BT	B13 9BU	B13 9BX	B13 9BY	B13 9BZ	B13 9DA
B13 9DB	B13 9DE	B13 9DF	B13 9DH	B13 9DL	B13 9DN
B13 9DP	B13 9DQ	B13 9DS	B13 9DT	B13 9DU	B13 9DX
B13 9DY	B13 9DZ	B13 9EA	B13 9EB	B13 9ED	B13 9EX

B13 9FE	B13 9FF	B13 9HB	B13 9HD	B13 9HE	B13 9HF
B13 9HH	B13 9HJ	B13 9HL	B13 9HN	B13 9HP	B13 9HR
B13 9HS	B13 9HT	B13 9HU	B13 9JF	B13 9JG	B13 9JT
B13 9XN	B13 9XP	B13 9XR	B13 9XS	B13 9XT	B13 9XU
B13 9XW	B13 9XX	B13 9XY	B13 9XZ	B13 9YA	B13 9YB
B13 9YJ	B13 9YL	B13 9YN	B13 9YW		

the following postcodes within the ward of Selly Oak:

B29 5SL	B29 6SS	B29 6ST	B29 6SU	B29 6SX	B29 6SY
B29 6TA	B29 6TB	B29 6TD	B29 6TE	B29 6TF	B29 6TG
B29 6TR	B29 6TS				

The Brent and Haringey Employment Zone

2. The area designated as the Brent and Haringey Employment Zone consists of:

all the wards within the London Borough of Brent;

all the wards within the London Borough of Haringey;

the following areas within the London Borough of Camden:

those areas within the wards of Fortune Green, West Hampstead or Kilburn with a postcode beginning NW6;

the following areas within the London Borough of Westminster:

those areas within the wards of Queen’s Park, Harrow Road, Maida Vale, Little Venice, Abbey Road or Westbourne with a postcode beginning NW6, W9 2 or W9 3.

The Glasgow Employment Zone

3. The area designated as the Glasgow Employment Zone consists of all the wards within Glasgow City.

The Liverpool and Sefton Employment Zone

4. The area designated as the Liverpool and Sefton Employment Zone consists of:

all the wards within the City of Liverpool;

the following wards within the Borough of Sefton:

Church, Derby, Ford, Linacre, Litherland, Netherton and Orrell, St Oswald;

the ward of Victoria except the following postcodes:

L23 2RA	L23 2RB	L23 2RD	L23 2RE	L23 2RJ	L23 2RL
L23 2RN	L23 2RP	L23 2RR	L23 2RS	L23 2RT	L23 2RU

L23 2RY	L23 2RZ	L23 2UF	L23 2UL	L23 2UP	L23 2UQ
L23 2UR	L23 2US	L23 2UT	L23 2UU	L23 2UX	L23 2UY
L23 2UZ	L23 2WZ	L23 2XA	L23 2XH	L23 2XN	L23 9TD
L23 9TH	L23 9TJ				

the following postcodes within the ward of Manor:

L23 0SG	L23 0SN	L23 0SQ	L23 0TF	L23 0TH	L23 9SR
L30 0RG	L30 0RL				

The Southwark Employment Zone

5. The area designated as the Southwark Employment Zone consists of:

all the wards within the London Borough of Southwark;
the following area within the London Borough of Lewisham:
the area within the ward of Evelyn with the postcode SE8 5EQ.

The Tower Hamlets and Newham Employment Zone

6. The area designated as the Tower Hamlets and Newham Employment Zone consists of:

all the wards within the London Borough of Tower Hamlets;
the following wards within the London Borough of Newham:
Royal Docks, Stratford and New Town, Forest Gate North, Forest Gate South, Green Street West, West Ham, Plaistow North, Plaistow South, Canning Town North, Canning Town South, Custom House.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for a pilot scheme for jobseeker's allowance claimants to participate in a compulsory employment zone programme with a particular employment zone contractor. The six areas of Great Britain designated as employment zones for the purpose of these Regulations are listed in the Schedule to these Regulations. The Regulations come into force on 24th April 2006 and will expire on 23rd April 2007 unless revoked earlier.

Regulation 3 specifies those people who may be selected by an employment officer to participate in an employment zone programme with a particular employment zone contractor. Subject to certain

conditions, these are jobseeker's allowance claimants who live within an area designated as an employment zone and listed in the Schedule.

Regulation 4 makes provision for certain jobseeker's allowance claimants who are at a significant disadvantage in the labour market to apply voluntarily to an employment officer for selection to participate in an employment zone programme with a particular employment zone contractor.

Regulation 5 provides for jobseeker's allowance claimants who have begun an employment zone programme in the previous twelve months but have not completed that programme to be required to complete an employment zone programme with the same employment zone contractor.

Regulation 6 sets out the two stages of an employment zone programme.

Regulation 7 makes provision for certain conditions for entitlement to a jobseeker's allowance relating to availability for work, a jobseeker's agreement and actively seeking work to be suspended whilst people are participating in an employment zone programme.

Regulation 8(1) provides that regulation 75(1)(a)(iii) of the Jobseeker's Allowance Regulations 1996 (S.I. 1996/207) shall apply to people selected to participate in an employment zone programme with a particular contractor and to people who have not completed an employment zone programme and are required to return to complete the programme with the same contractor in accordance with these Regulations. The effect is to enable a sanction to be imposed under section 19 or 20A of the Jobseekers Act 1995 if a person without good cause refuses or fails to participate in an employment zone programme with a particular employment zone contractor. Where the Secretary of State is satisfied that such a person is neither ordinarily resident within an employment zone, nor someone whose address for payment of his jobseeker's allowance is within an employment zone, paragraph (2) provides that if a sanction has been incurred it shall end and the Regulations shall cease to apply, except where a person who has already begun an employment zone programme requests to be allowed to complete that programme.

Regulation 9 requires a person who was participating in an employment zone programme under the Employment Zones (Allocation to Contractors) Pilot Regulations 2005 (S.I. 2005/1125) before 24th April 2006 to complete the programme under these Regulations.

A full regulatory impact assessment has not been produced for this instrument because it has no impact on the costs of business.