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STATUTORY INSTRUMENTS

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**2004 No. 959**

**SOCIAL SECURITY**

**The Social Security (Working  
Neighbourhoods) Regulations 2004**

<i>Made</i>	- - - -	<i>29th March 2004</i>
<i>Laid before Parliament</i>		<i>5th April 2004</i>
<i>Coming into force</i>	- -	<i>26th April 2004</i>

The Secretary of State for Work and Pensions, in exercise of the powers conferred upon him by sections 2A(1), (3) to (6) and (8), 2AA(1) and (4) to (7), 2B(6), 189(1), (4), (5) and (7A) and 191 of the Social Security Administration Act 1992 <sup>M1</sup>, sections 60(1) to (4) and (9) and 83(4) and (6) of the Welfare Reform and Pensions Act 1999 <sup>M2</sup> and section 19(10) of the Jobseekers Act 1995 <sup>M3</sup>, and of all other powers enabling him in that behalf, after consultation with the Council on Tribunals in accordance with section 8(1) of the Tribunals and Inquiries Act 1992 <sup>M4</sup>, and after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations need not be referred to it <sup>M5</sup>, hereby makes the following Regulations:

**Marginal Citations**

- M1** 1992 c. 5. Sections 2A and 2B were inserted by section 57 of the [Welfare Reform and Pensions Act 1999 \(c. 30\)](#). Section 2AA was inserted by section 49 of the [Employment Act 2002 \(c. 22\)](#). Section 189(1), (4) and (5) were amended by paragraph 109 of Schedule 7 to the [Social Security Act 1998 \(c. 14\)](#). Section 189(1) was further amended by paragraph 57 of Schedule 3 to the [Social Security Contributions \(Transfer of Functions, etc.\) Act 1999 \(c. 2\)](#) and by Schedule 6 to the [Tax Credits Act 2002 \(c. 21\)](#). Section 189(7A) was inserted by paragraph 82 of Schedule 12 to the Welfare Reform and Pensions Act 1999. Section 191 is an interpretation provision and is cited because of the meaning ascribed to the word “prescribe”. Section 2A(8) is cited because of the meaning ascribed to the word “specified” and section 2AA(7) is cited because of the meaning ascribed to the words “specified” and “work-focused interview”.
- M2** 1999 c. 30. Section 60(9) is an interpretation provision and is cited because of the meaning ascribed to the words “designated”, “employment” and “prescribed”.
- M3** 1995 c. 18.
- M4** 1992 c. 53.
- M5** See sections 170 and 173(1)(b) of the [Social Security Administration Act 1992 \(c. 5\)](#); paragraph 67(a) of Schedule 2 to the [Jobseekers Act 1995 \(c. 18\)](#) added that Act, and paragraphs 79 and 81(a) of Schedule 12 Part II to the [Welfare Reform and Pensions Act 1999 \(c. 30\)](#) added section 60 of that Act,

*Changes to legislation:* There are currently no known outstanding effects for the The Social Security (Working Neighbourhoods) Regulations 2004. (See end of Document for details)

to the list of “relevant enactments” in section 170(5) in respect of which regulations must normally be referred to the Committee.

**Citation and commencement**

<sup>F1</sup>1. ....

**F1** Regs. 1-21 revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), **3** (with reg. 4)

**Interpretation and application**

<sup>F1</sup>2. ....

**F1** Regs. 1-21 revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), **3** (with reg. 4)

**Requirement for a relevant person claiming certain benefits to take part in an interview**

<sup>F1</sup>3. ....

**F1** Regs. 1-21 revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), **3** (with reg. 4)

**Continuing entitlement to payment of full amount of a specified benefit dependent upon an interview**

<sup>F1</sup>4. ....

**F1** Regs. 1-21 revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), **3** (with reg. 4)

**Time when interview is to take place**

<sup>F1</sup>5. ....

**F1** Regs. 1-21 revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), **3** (with reg. 4)

**Waiver of requirement to take part in an interview**

<sup>F1</sup>6. ....

**F1** Regs. 1-21 revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), **3** (with reg. 4)

## Deferment of requirement to take part in an interview

**F17.** .....

**F1** Regs. 1-21 revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), **3** (with reg. 4)

## Exemptions

**F18.** .....

**F1** Regs. 1-21 revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), **3** (with reg. 4)

## Claims for two or more specified benefits

**F19.** .....

**F1** Regs. 1-21 revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), **3** (with reg. 4)

## The interview

**F110.** .....

**F1** Regs. 1-21 revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), **3** (with reg. 4)

## Taking part in an interview

**F111.** .....

**F1** Regs. 1-21 revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), **3** (with reg. 4)

## Failure to take part in an interview

**F112.** .....

**F1** Regs. 1-21 revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), **3** (with reg. 4)

## Circumstances where regulation 12 ceases to apply

**F113.** .....

**F1** Regs. 1-21 revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), **3** (with reg. 4)

**Good cause**

<sup>F1</sup>14. ....

**F1** Regs. 1-21 revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), **3** (with reg. 4)

**Appeals**

<sup>F1</sup>15. ....

**F1** Regs. 1-21 revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), **3** (with reg. 4)

**Areas designated as employment zones**

<sup>F1</sup>16. ....

**F1** Regs. 1-21 revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), **3** (with reg. 4)

**Referral to an employment zone programme**

<sup>F1</sup>17. ....

**F1** Regs. 1-21 revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), **3** (with reg. 4)

**Early entry to an employment zone programme**

<sup>F1</sup>18. ....

**F1** Regs. 1-21 revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), **3** (with reg. 4)

**Stages of employment zone programme**

<sup>F1</sup>19. ....

**F1** Regs. 1-21 revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), **3** (with reg. 4)

**Suspension of the requirements of the Jobseekers Act 1995**

<sup>F1</sup>20. ....

**F1** Regs. 1-21 revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), **3** (with reg. 4)

## Cessation and consequential provision

**F1**21. ....

**F1** Regs. 1-21 revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), 3 (with reg. 4)

## Amendment of the Social Security (Claims and Payments) Regulations 1987

22.—(1) The Social Security (Claims and Payments) Regulations 1987 <sup>M6</sup> shall be amended in accordance with this regulation.

(2) In paragraph (5) of regulation 6A (claims by persons subject to work-focused interviews) for the words “a person is required to take part in under the Social Security (Jobcentre Plus Interviews) Regulations 2002” there shall be substituted “ is conducted for such purposes connected with employment or training as are specified in regulations made under section 2A of the Social Security Administration Act 1992 <sup>M7</sup> ”.

### Marginal Citations

**M6** S.I. 1987/1968. Regulation 6A was inserted by S.I. 2000/897; the relevant amending instrument is S.I. 2002/1703.

**M7** 1992 c. 5. Section 2A was inserted by section 57 of the Welfare Reform and Pensions Act 1999 (c. 30).

## Amendment of the Jobseeker’s Allowance Regulations 1996

**F2**23. ....

**F2** Reg. 23 revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), 3 (with reg. 4)

## Amendment of the Social Security and Child Support (Decisions and Appeals) Regulations 1999

24.—(1) The Social Security and Child Support (Decisions and Appeals) Regulations 1999 <sup>M8</sup> shall be amended in accordance with this regulation.

(2) In paragraph (3) of regulation 1 (citation, commencement and interpretation) for the definition of “work-focused interview”<sup>M9</sup> there shall be substituted the following definition—

““work-focused interview” means an interview in which a person is required to take part in accordance with regulations made under section 2A or 2AA of the Administration Act;”.

(3) In paragraph (2)(h)(ii) of regulation 6 (supersession of decisions) <sup>M10</sup> for the words “under the Social Security (Jobcentre Plus Interviews for Partners) Regulations 2003, ceased to be a partner for the purposes of those Regulations or is no longer a partner to whom those Regulations apply” there shall be substituted the words “ in accordance with regulations made under section 2AA of the Administration Act, ceased to be a partner for the purposes of those regulations or is no longer a partner to whom the requirement to take part in a work-focused interview under those regulations applies ”.

(4) In paragraph (25)(b) of regulation 7 (date from which a decision superseded under section 10 takes effect) <sup>M11</sup>—

- (a) for the words “under the Social Security (Jobcentre Plus Interviews for Partners) Regulations 2003” there shall be substituted the words “ in accordance with regulations made under section 2AA of the Administration Act <sup>M12</sup> ”;
- (b) at head (i) for the words “(as defined in regulation 2(1) of those Regulations)” there shall be substituted the words “ (meaning the person who has been awarded a benefit within section 2AA(2) of the Administration Act at a higher rate referable to that partner) ”.

**Marginal Citations**

- M8** [S.I. 1999/991](#).
- M9** The definition of “work-focused interview” was inserted in regulation 1(3) by [S.I. 2000/897](#) and was amended by [S.I. 2002/1703](#) and 2003/1886.
- M10** Paragraph (2)(h) of regulation 6 was inserted by [S.I. 2000/897](#) and amended by [S.I. 2003/1886](#).
- M11** Paragraph (25) of regulation 7 was inserted by [S.I. 2000/897](#) and substituted by [S.I. 2003/1886](#).
- M12** [1992 c. 5](#). Section 2AA was inserted by section 49 of the [Employment Act 2002 \(c. 22\)](#).

**Amendment of the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000**

25.—(1) The Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000 <sup>M13</sup> shall be amended in accordance with this regulation.

(2) In regulation 2 (requirement for lone parents claiming or entitled to income support to take part in an interview)—

- (a) in paragraph (1)(b) before the words “is entitled to income support and” there shall be inserted the words “ except where sub-paragraph (c) applies, ”;
- (b) in paragraph (1) there shall be added the following sub-paragraph—

“(c) is entitled to income support, and has been subject to at least one requirement to take part in an interview under the Social Security (Working Neighbourhoods) Regulations 2004 in relation to that claim, is required to take part in an interview—

- (i) after the expiry of six months, and
- (ii) after the expiry of one year, and
- (iii) at intervals of one year thereafter,

from the date on which he took part in, or was treated as having taken part in, an interview as a condition of the claim for income support, except that a requirement to take part in an interview shall not arise by virtue of heads (i), (ii) or (iii) if the period specified in those provisions has already expired when the lone parent becomes subject to these Regulations.”;

- (c) in paragraph (2) there shall be substituted for the words “or (b)(ii)” the words “ ,(b)(ii) or (c) ”.

<sup>F3</sup>(3) .....

(4) In paragraph (3)(b) of regulation 7 (consequence of failure to take part in an interview) after the words “regulation 2(1)(b)” there shall be inserted the words “ or (c) ”.

**F3** [Reg. 25\(3\)](#) revoked (24.4.2006) by [Social Security \(Working Neighbourhoods\) Miscellaneous Amendments Regulations 2006 \(S.I. 2006/909\)](#), regs. 1(1), 3 (with reg. 4)

**Marginal Citations**

**M13** [S.I. 2000/1926](#) as amended by [S.I. 2001/1189](#), [2001/3210](#), [2002/670](#), [2002/1703](#), [2003/400](#), [2003/492](#) and [2004/565](#).

**Amendment of the Social Security (Jobcentre Plus Interviews) Regulations 2002**

**26.**—(1) The Social Security (Jobcentre Plus Interviews) Regulations 2002 <sup>M14</sup> shall be amended in accordance with this regulation.

<sup>F4</sup>(2) .....

- (3) In regulation 4 (continuing entitlement to specified benefit dependent on an interview)—
  - (a) in paragraph (1)(a) for the words “paragraph (3)” there shall be substituted the words “either paragraph (3) or (3A) ”;
  - (b) in paragraph (2) for the words “but for the requirement being waived in accordance with regulation 6 or deferred in accordance with regulation 7” there shall be substituted the words—

“but for the requirement—

- (i) being waived in accordance with regulation 6;
- (ii) being deferred in accordance with regulation 7; or
- (iii) not arising because the person was at the time of the claim for the specified benefit subject to provisions within the Social Security (Working Neighbourhoods) Regulations 2004 by virtue of regulation 2(3) of those Regulations.”;
- (c) at the beginning of paragraph (3) there shall be inserted the words “ Except where paragraph (3A) applies, ”;
- (d) there shall be inserted as paragraph (3A) the following paragraph—

“(3A) Where a lone parent to whom paragraph (1)(a) applies was not required to take part in an interview under regulation 3 or under this regulation because at the time that the requirement would have arisen he was subject to provisions within the Social Security (Working Neighbourhoods) Regulations 2004 by virtue of regulation 2(3) of those Regulations, the lone parent shall be required to take part in an interview—

- (a) after the expiry of six months, and
- (b) after the expiry of one year, and
- (c) at intervals of one year thereafter,

from the date on which he took part in, or was treated as having taken part in, an interview as a condition of his claim for income support, except that a requirement to take part in an interview shall not arise by virtue of sub-paragraphs (a), (b) or (c) if the period specified in those provisions has already expired when the lone parent becomes subject to these Regulations.”.

<sup>F4</sup>(4) .....

**F4** [Reg. 26\(2\)\(4\)](#) revoked (24.4.2006) by [Social Security \(Working Neighbourhoods\) Miscellaneous Amendments Regulations 2006 \(S.I. 2006/909\)](#), regs. 1(1), 3 (with reg. 4)

**Marginal Citations**

**M14** [S.I. 2002/1703](#), as amended by [S.I. 2002/2497](#), [2003/492](#) and [2003/2439](#).

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**Changes to legislation:** There are currently no known outstanding effects for the The Social Security (Working Neighbourhoods) Regulations 2004. (See end of Document for details)

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## Amendment of the Social Security (Jobcentre Plus Interviews for Partners) Regulations 2003

<sup>F5</sup>27. ....

<p><b>F5</b> <a href="#">Reg. 27</a> revoked (24.4.2006) by <a href="#">Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909)</a>, regs. 1(1), <b>3</b> (with reg. 4)</p>
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Signed by authority of the Secretary of State for Work and Pensions.

29th March 2004

*Des Browne*  
Minister of State,  
Department for Work and Pensions

F6 SCHEDULE

Regulation 2

F6 Sch. revoked (24.4.2006) by Social Security (Working Neighbourhoods) Miscellaneous Amendments Regulations 2006 (S.I. 2006/909), regs. 1(1), 3 (with reg. 4)

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations impose requirements to take part in work-focused interviews (“interviews”) on certain persons who reside in specified areas. The requirements apply to those who make a claim for income support or incapacity benefit or, as at the date that these Regulations come into force, are already entitled to income support except where paragraph 7 (persons incapable of work) of Schedule 1B to the Income Support (General) Regulations 1987 (S.I. 1987/1967) applies. They also apply to the partners of certain recipients of income support, incapacity benefit, severe disablement allowance or income-based jobseeker’s allowance (other than a joint-claim jobseeker’s allowance) where the recipient is entitled to the benefit at a higher rate in respect of the partner.

These Regulations also make provision for claimants of a jobseeker’s allowance to participate in an employment zone programme established by the Secretary of State under section 60 of the Welfare Reform and Pensions Act 1999 (c. 30) to assist them to obtain sustainable employment where those jobseekers reside in areas designated as “employment zones”.

Regulation 1 provides for citation and commencement, and regulation 2 provides for interpretation and application. In particular it provides for these Regulations to apply only to certain persons who reside in areas of the country which are identified in the Schedule.

Regulation 3 specifies those persons who are required to take part in an interview as a condition of a claim for income support or incapacity benefit.

Regulation 4 prescribes that certain persons are required to take part in interviews as a condition of their or, where they are a partner, of the benefit recipient continuing to be paid the full amount of any of the specified benefits to which they are entitled. It also specifies when requirements to take part in interviews will arise.

Regulation 5 prescribes the time when an interview is to take place.

Regulation 6 provides that a requirement to take part in an interview can be waived where it would not be of assistance to the person, or it would not be appropriate in the circumstances of the case, and regulation 7 provides that an interview can be deferred.

Regulation 8 prescribes circumstances when a person is exempted from a requirement to take part in an interview. Regulation 9 prescribes that where a person is in receipt of two or more specified benefits concurrently requirements to take part in interviews will not arise in relation to each benefit separately. It also specifies when the next requirement will arise where a person in receipt of at least one specified benefit makes a claim for either income support or incapacity benefit.

Regulation 10 provides for a person to be advised of the date, place and time of the interview and provides that an interview can take place in the person’s home if it is considered that it would be unreasonable to require the person to attend elsewhere.

Regulation 11 prescribes the circumstances where a person is to be regarded as having taken part in an interview. Regulation 12 sets out the consequences of a failure to take part in an interview,

including how benefit can be reduced for such a failure. Regulation 13 specifies the circumstances where those consequences cease to apply, and regulation 14 specifies examples of matters to be taken into account in determining whether a person had good cause for his failure to take part in an interview.

Regulation 15 provides that a decision that a person has failed to take part in an interview without good cause can be appealed to an appeal tribunal under section 12 of the Social Security Act 1998 (c. 14).

Regulation 16 designates certain areas as employment zones by reference to the postcodes set out in Part 2 of the Schedule.

In conjunction with the provision in regulation 2(4), regulation 17 specifies those jobseekers who may be directed to participate in an employment zone programme and regulation 18 specifies those jobseekers who may request early entry and then be directed to participate in an employment zone programme.

Regulation 19 sets out the two stages of the employment zone programme.

Regulation 20 makes provision for certain requirements of the Jobseekers Act 1995 (c. 18) to be suspended in the case of a jobseeker who is participating in an employment zone programme.

Regulation 21 provides for the employment zone provisions in these Regulations to cease to apply to a jobseeker who informs the Secretary of State that he is no longer ordinarily resident within one of the areas set out in Part 2 of the Schedule, unless he asks to complete an employment zone programme which he has already begun. The regulation also provides for any sanction incurred by that jobseeker under section 19 or 20A of the Jobseekers Act 1995 in relation to his participation (including a failure to participate) in an employment zone programme to end and for no further such sanctions to be imposed on a jobseeker who asks to continue the employment zone programme under this provision.

Regulation 22 makes a consequential amendment to the Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968) which relates to claims made by persons subject to work-focused interviews.

Regulation 23 amends the definition of “employment zone programme” in regulation 75(1)(a)(iii) of the Jobseeker’s Allowance Regulations 1996 (S.I. 1996/207) which has the effect of enabling sanction provisions under the Jobseekers Act 1995 to apply to defaults by jobseekers in connection with an employment zone programme operated under these Regulations.

Regulation 24 makes consequential amendments to provisions in the Social Security and Child Support (Decisions and Appeals) Regulations 1999 (S.I. 1999/991) which relate to work-focused interviews.

Regulations 25, 26 and 27 make consequential amendments to the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000 (S.I. 2000/1926), the Social Security (Jobcentre Plus Interviews) Regulations 2002 (S.I. 2002/1703) and the Social Security (Jobcentre Plus Interviews for Partners) Regulations 2003 (S.I. 2003/1886). These are required so that while persons are subject to these Regulations they will not be called in for interviews under any of those regulations, but they may be called in for such interviews when they are no longer subject to these Regulations.

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

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security (Working Neighbourhoods) Regulations 2004.