
STATUTORY INSTRUMENTS

2013 No. 276

The Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013

PART 1

Schemes for Assisting Persons to Obtain Employment

Citation and commencement

1. These Regulations may be cited as the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013 and come into force on 12th February 2013 at 6.45pm.

Interpretation

2.—(1) In these Regulations—

“the Act” means the Jobseekers Act 1995;

“claimant” means a person who claims a jobseeker's allowance, except that in relation to a joint-claim couple⁽¹⁾ claiming a joint-claim jobseeker's allowance, it means either or both of the members of the couple;

“the Council Tax Benefit Regulations” means the Council Tax Benefit Regulations 2006⁽²⁾;

“the Housing Benefit Regulations” means the Housing Benefit Regulations 2006⁽³⁾;

“the Housing Renewal Grants Regulations” means the Housing Renewal Grants Regulations 1996⁽⁴⁾;

“the Jobseeker's Allowance Regulations” means the Jobseeker's Allowance Regulations 1996⁽⁵⁾;

“working day” means any day except for a Saturday, Sunday, Christmas Day, Good Friday or bank holiday under the Banking and Financial Dealings Act 1971⁽⁶⁾ in England and Wales or in Scotland.

(2) For the purpose of these Regulations where a written notice is given by sending it by post it is taken to have been received on the second working day after posting.

(1) “Joint-claim couple” is defined in section 1 of the Jobseekers Act 1995 as inserted by paragraphs 1 and 2(1) and (4)(b) of the Welfare Reform and Pensions Act 1999 (c 30).

(2) S.I. 2006/215; relevant amending instruments are S.I. 2006/588, 2008/698 and 2767, 2009/480, 2010/641 and 2011/688 and 2425.

(3) S.I. 2006/213; relevant amending instruments are S.I. 2006/588, 2008/698 and 2767, 2009/480, 2010/641 and 2011/688 and 2425.

(4) S.I. 1996/2890; relevant amending instruments are S.I. 1998/808 and 1523, 2000/531 and 973, 2001/2073, 2002/530 and 2798 and 2011/688.

(5) S.I. 1996/207; relevant amending instruments are 1998/2117 and 2640, 1999/2640, 2000/2910, 2001/1029, 2003/455, 2004/2308, 2005/2929, 2006/588, 2008/698 and 2767, 2009/480, 2010/509 and 641, 2011/688 and 2425 and 2012/397.

(6) 1971 c. 80.

Schemes for Assisting Persons to Obtain Employment

3.—(1) The schemes described in the following paragraphs are prescribed for the purposes of section 17A(1) (schemes for assisting persons to obtain employment: “work for your benefit” schemes etc) of the Act.

(2) Day One Support for Young People is a scheme comprising up to 30 hours per week in a work placement for the benefit of the community and up to 10 hours per week of supported work search over a period of 13 weeks, for any claimant aged between 18 and 24 years who has less than 6 months work history since leaving full-time education.

(3) The Derbyshire Mandatory Youth Activity Programme is a scheme delivered in the Derbyshire Jobcentre Plus District comprising up to 30 hours per week of work-related activity(7) for the benefit of the community and up to 6 hours per week of supported work search over a period of 8 weeks, for any claimant aged between 18 and 34 years.

(4) Full-time Training Flexibility is a scheme comprising training of 16 to 30 hours per week, for any claimant who has been receiving jobseeker’s allowance for a continuous period of not less than 26 weeks ending on the first required entry date to the scheme.

(5) New Enterprise Allowance is a scheme designed to assist a claimant into self-employed earner’s employment comprising guidance and support provided by a business mentor, access to a loan to help with start-up costs (subject to status) and a weekly allowance for a period of 26 weeks once the claimant starts trading.

(6) The sector-based work academy is a scheme which provides, for a period of up to 6 weeks, training to enable a claimant to gain the skills needed in the work place and a work experience placement for a period to be agreed with the claimant, and either a job interview with an employer or support to help participants through an employer’s application process.

(7) Skills Conditionality is a scheme comprising training or other activity designed to assist a claimant to obtain skills needed to obtain employment.

(8) The Work Programme is a scheme designed to assist a claimant at risk of becoming long-term unemployed in which, for a period of up to 2 years, the claimant is given such support as the provider of the Work Programme considers appropriate and reasonable in the claimant’s circumstances, subject to minimum levels of support published by the provider, to assist the claimant to obtain and sustain employment which may include work search support, provision of skills training and work placements for the benefit of the community.

(9) In this regulation—

“self-employed earner” has the same meaning as in section 2(1)(b) of the Social Security Contributions and Benefits Act 1992; and

“work history” includes employment, voluntary work, internships and work experience.

Selection for participation in a Scheme

4.—(1) The Secretary of State may select a claimant for participation in a scheme described in regulation 3.

(2) The scheme in which the claimant is selected to participate is referred to in these Regulations as “the Scheme”.

(7) “Work-related activity” is defined in section 17A(3) of the Jobseekers Act 1995.

Requirement to participate and notification

5.—(1) Subject to regulation 6, a claimant selected under regulation 4 is required to participate in the Scheme where the Secretary of State gives the claimant a notice in writing complying with paragraph (2).

(2) The notice must specify—

- (a) that the claimant is required to participate in the Scheme;
- (b) the day on which the claimant’s participation will start;
- (c) details of what the claimant is required to do by way of participation in the Scheme;
- (d) that the requirement to participate in the Scheme will continue until the claimant is given notice by the Secretary of State that the claimant’s participation is no longer required, or the claimant’s award of jobseeker’s allowance terminates, whichever is earlier; and
- (e) information about the consequences of failing to participate in the Scheme.

(3) Any changes made to the requirements mentioned in paragraph (2)(c) after the date on which the claimant’s participation starts must be notified to the claimant in writing.

Circumstances in which requirement to participate in the Scheme is suspended or ceases to apply

6.—(1) Paragraph (2) applies where a claimant is—

- (a) subject to a requirement to participate in the Scheme; and
- (b) while the claimant is subject to such a requirement, the Jobseeker’s Allowance Regulations apply so that the claimant is not required to meet the jobseeking conditions⁽⁸⁾.

(2) Where this paragraph applies the claimant’s requirement to participate in the Scheme is suspended for the period during which the claimant is not required to meet the jobseeking conditions.

(3) A requirement to participate in the Scheme ceases to apply to a claimant if—

- (a) the Secretary of State gives the claimant notice in writing that the claimant is no longer required to participate in the Scheme; or
- (b) the claimant’s award of jobseeker’s allowance terminates,

whichever is earlier.

(4) If the Secretary of State gives the claimant a notice in writing under paragraph (3)(a), the requirement to participate in the Scheme ceases to apply on the day specified in the notice.

Exemptions from requirement to meet the jobseeking conditions

7.—(1) A claimant who is participating in the New Enterprise Allowance scheme described in regulation 3(5) is not required to meet the condition set out in section 1(2)(c) of the Act (conditions for entitlement to a jobseeker’s allowance: actively seeking employment).

(2) A claimant who is participating in the Scheme is not required to meet the conditions set out in section 1(2)(a) and (c) of the Act (conditions for entitlement to a jobseeker’s allowance: available for and actively seeking employment) if the claimant is a full-time student.

(3) A claimant who is participating in the Scheme is not required to meet the conditions set out in section 1(2)(a) and (c) of the Act if the claimant has been discharged from detention in a prison, remand centre or youth custody institution, for one week commencing with the date of that discharge.

(4) In this regulation, “full-time student” has the same meaning as in regulation 1(3) of the Jobseeker’s Allowance Regulations.

(8) See section 17A(10) of the Act for the meaning of the “jobseeking conditions”.

Status: *This is the original version (as it was originally made).*
