
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations impose a requirement on persons who live in certain areas (regulation 2(2) and Schedule 1) who claim, or are entitled to, certain benefits (specified in regulation 2(1)) to take part in a work-focused interview (“an interview”).

Regulation 3 specifies those persons who are required to take part in an interview when claiming a specified benefit and regulation 4 prescribes when persons are required to take part in an interview as a condition of their continuing entitlement to those benefits.

Regulation 5 specifies that an interview can be deferred and regulation 6 provides that the requirement to take part in an interview can be waived where an interview would not be of assistance to the person or it would not be appropriate in the circumstances of the case. Regulation 7 prescribes circumstances when a person is exempted from the requirement to take part in an interview. Regulation 8 specifies when a requirement to take part in two or more interviews is satisfied by the person taking part in a single interview.

Regulation 9 provides for the person to be advised of the time and place of the interview and provides that an interview can take place in the person’s home if the interviewer considers that it would be unreasonable to require that person to attend elsewhere.

Regulation 10 prescribes circumstances as to when a person is to be regarded as having taken part in an interview and regulation 11 details the consequences of a failure to take part in an interview. Regulation 12 specifies the circumstances where those consequences do not apply and regulation 13 specifies the matters to be taken into account in determining whether a person had good cause for his failure to take part in an interview.

Regulation 14 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 15 and Schedule 2 amend the Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968), the Social Security (Work-focused Interviews) Regulations 2000 (S.I. 2000/897) (“the 2000 Regulations”) and the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000 (S.I. 2000/1926) (“the Lone Parents Regulations”).

In particular, the 2000 Regulations, which impose a requirement to take part in an interview on claimants for certain benefits and on those continuing to be entitled to those benefits in areas not covered by these Regulations, are amended to align the repeat interview requirements in those regulations with those prescribed in these Regulations and to prescribe that only those lone parents residing in specified areas shall be subject to the six month repeat interview requirement. The Lone Parents Regulations do the same in respect of certain lone parents and the amendment ensures that where these Regulations require a lone parent to take part in an interview, any requirement to take part in an interview under the Lone Parents Regulations will not apply.

These Regulations do not impose a charge on business.

An Explanatory Memorandum has been placed in the House Libraries.

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Jobcentre Plus Interviews) Regulations 2001.