

*Draft Regulations laid before Parliament under section 8(3) of the Welfare Reform Act 2009, for approval by resolution of each House of Parliament.*

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DRAFT STATUTORY INSTRUMENTS

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**2014 No.**

**SOCIAL SECURITY**

**The Income Support (Work-Related Activity) and  
Miscellaneous Amendments Regulations 2014**

*Made - - - - 2014  
Coming into force in accordance with regulation 1(1)*

In accordance with section 8(3) of the Welfare Reform Act 2009(1) a draft of these Regulations was laid before Parliament and approved by a resolution of each House of Parliament.

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 2A(1), (3), (6) and (8), 2D(1), (4)(a), (b), (d), (f) and (h), and (5) to (9) (c), 2E(3)(a) and (b), (4), and (5)(a) and (d), 2G(2)(a) and (4), 2H, 189(1) and (4) to (6) and 191 of the Social Security Administration Act 1992(2) (“the 1992 Act”), sections 9(1), 10(3) and (6) and 84 of the Social Security Act 1998(3), sections 11E(1)(a), 13(2)(a), 24(1) and 25(2) and (3) of the Welfare Reform Act 2007(4) and sections 20(1)(a), 21(1)(b) and (5), 40 and 42(2) and (3) of the Welfare Reform Act 2012(5).

In accordance with section 172(1) of the 1992 Act the Secretary of State has referred the proposals for these Regulations to the Social Security Advisory Committee.

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- (1) 2009 c.24 (“the 2009 Act”). Section 8 is repealed by Part 5 of Schedule 14 to the Welfare Reform Act 2012 (c.5) (“the 2012 Act”) and article 7(1)(f) of S.I.2013/983 but by virtue of that article, remains in force until certain other provisions come into force.
  - (2) 1992 c. 5. Section 2A is inserted by section 57 of the Welfare Reform and Pensions Act 1999 (c. 30) and amended by sections 3 and 35 of, and Schedule 7 to, the 2009 Act and paragraphs 44 and 45 of Schedule 1 to the Education and Skills Act 2008 (c. 25). Section 2D is inserted by section 2(2) of the 2009 Act and amended by paragraph 5 of Schedule 1 to the Pensions Act 2011 (c. 19). Sections 2E and 2G are inserted by section 2(2) of the 2009 Act. Section 2H was inserted by section 2 of the 2009 Act. Section 189 (1) of the 1992 Act was amended by paragraph 57(1) and (2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2). Section 189(5A) and (5B) were inserted by section 104(1) of the 2012 Act. Section 2D(9)(c) and section 191 is an interpretation provision and is cited for the meaning it gives to “prescribed”
  - (3) 1998 c. 14. Section 84 is an interpretation provision and is cited for the meaning it gives to “prescribe”.
  - (4) 2007 c. 5. Section 11E is inserted by section 57(2) of the 2012 Act. Section 24(1) is cited for the meaning it gives to “prescribed” and “regulations”.
  - (5) 2012 c. 5. Section 40 is an interpretation provision and is cited for the meaning it gives to “prescribed”.

## PART 1

### General

#### Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Income Support (Work-Related Activity) and Miscellaneous Amendments Regulations 2014 and come into force on the day after the day on which they are made.

(2) In these Regulations—

“action plan” means an action plan given in accordance with regulation 3;

“working day” means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971<sup>(6)</sup>.

## PART 2

### Work-Related Activity

#### Requirement to undertake work-related activity

2.—(1) The Secretary of State may require a person who satisfies the conditions in paragraph (2) to undertake work-related activity<sup>(7)</sup> as a condition of continuing to be entitled to the full amount of income support payable apart from these Regulations.

(2) The conditions referred to in paragraph (1) are that the person—

(a) is entitled to income support;

(b) is subject to a requirement imposed under section 2A of the Social Security Administration Act 1992;

(c) is not a lone parent<sup>(8)</sup> of a child under the age of 3; and

(d) falls within paragraph 1(1) of Schedule 1B to the Income Support (General) Regulations 1987<sup>(9)</sup> and no other paragraph within that Schedule.

(3) A requirement imposed under paragraph (1)—

(a) must be reasonable in the view of the Secretary of State, having regard to the person’s circumstances; and

(b) may not require the person to apply for a job or undertake work, whether as an employee or otherwise.

#### Notification of work-related activity

3.—(1) The Secretary of State must notify a person of a requirement to undertake work-related activity by including the requirement in a written action plan which is given to the person.

(2) The action plan must contain—

(a) particulars of the work-related activity which the person is to undertake; and

(b) any other information that the Secretary of State considers appropriate.

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<sup>(6)</sup> 1971 c. 80.

<sup>(7)</sup> ‘work-related activity’ has the meaning given in section 2D(9)(d) of the 1992 Act.

<sup>(8)</sup> ‘lone parent’ has the meaning given in section 2D(9)(b) of the 1992 Act.

<sup>(9)</sup> S.I. 1987/1967; relevant amending instrument S.I. 2012/874.

### **Requirement to undertake work-related activity at a certain time not to apply**

4. The Secretary of State may determine that a requirement as to the time at, or by, which work-related activity is to be undertaken is not to apply, or is to be treated as not having applied, if in the view of the Secretary of State it would be, or would have been, unreasonable to require the person to undertake the activity at or by that time.

### **Reconsideration of action plans**

5.—(1) A person may request the reconsideration of an action plan.

(2) On receipt of a request the Secretary of State must reconsider the action plan.

(3) A decision of the Secretary of State following a request must be in writing and given to the person.

### **Failure to undertake work-related activity**

6.—(1) A person who is required to undertake work-related activity but fails to do so must show good cause for the failure before the end of five working days beginning with the date on which the Secretary of State gives notice to the person of the failure.

(2) The Secretary of State must determine whether a person who is required to undertake work-related activity has failed to do so and, if so, whether the person has shown good cause for the failure.

(3) In a case where within one month of the date on which the Secretary of State gave notice to a person of their failure to undertake work-related activity—

(a) the person brings new facts to the attention of the Secretary of State which could not reasonably have been brought to the attention of the Secretary of State within the period specified in paragraph (1); and

(b) those facts show that the person had good cause for failing to undertake work-related activity,

paragraph (1) applies with the modification that for the words “five working days” there is substituted “one month”.

(4) Where a notice under paragraph (1) is sent by post it is taken to have been received on the second working day after it is sent.

### **Good cause**

7. Matters to be taken into account by the Secretary of State in determining whether a person has shown good cause for failing to undertake work-related activity for the purposes of regulation 6(2) include that—

(a) the person misunderstood the requirement to undertake work-related activity due to any learning, language or literacy difficulties of the person or any misleading information given to the person by the Secretary of State;

(b) the person was attending a medical or dental appointment, or accompanying someone for whom they have caring responsibilities to such an appointment, and that it would have been unreasonable, in the circumstances, for the person to undertake work-related activity;

(c) the person had difficulties with their normal mode of transport and that no reasonable alternative was available;

(d) the established customs and practices of the religion to which the person belongs prevented the person undertaking work-related activity on that day or at that time;

- (e) the person was attending an interview with an employer with a view to obtaining employment;
- (f) the person was pursuing employment opportunities as a self-employed earner;
- (g) the person, a dependant of the person or someone for whom the person provides care suffered an accident, sudden illness or relapse of a physical or mental health condition;
- (h) the person was attending the funeral of a close friend or relative on the day fixed for the work-related activity;
- (i) a disability from which the person suffers made it impracticable to attend at the time fixed for the work-related activity;
- (j) the availability of childcare.

### **Reduction of income support**

**8.—**(1) Subject to paragraph (4), where the Secretary of State has determined that a person who was required to undertake work-related activity has failed to do so and has not shown good cause for that failure in accordance with regulation 6 (failure to undertake work-related activity) the amount of income support payable to the person is to be reduced in accordance with paragraph (2).

(2) Subject to paragraphs (3) and (4), the amount of the reduction of income support in relation to each failure is 20 per cent. of the amount applicable in respect of a single claimant for income support aged not less than 25 as prescribed in paragraph 1(1)(e) of Schedule 2 to the Income Support (General) Regulations 1987(**10**).

(3) In any benefit week, the amount of income support payable to a person is not, by virtue of paragraph (1), to be reduced below 10 pence.

(4) The amount of income support payable to a person is not to be reduced in accordance with paragraph (1) if that amount —

- (a) is, at the time a determination falls to be made in respect of the current failure, being paid at a reduced rate in accordance with paragraphs (1) and (2), regulations 7(3) (b) and 8 of the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000(**11**) or regulation 12(2)(c) of the Social Security (Jobcentre Plus Interviews) Regulations 2002(**12**); and
- (b) was last reduced not more than two weeks before the date of the current failure.

(5) In this regulation—

“benefit week” means any period of seven days corresponding to the week in respect of which income support is due to be paid;

“current failure” means a failure which, in relation to a person, may lead to a reduction in income support under paragraph (1) in relation to which the Secretary of State has not yet determined whether the amount of income support payable to the person is to be reduced in accordance with those paragraphs.

### **Circumstances where reduction under regulation 8(1) and (2) ceases to have effect**

**9.—**(1) The reduction in income support set out in regulation 8(1) in respect of a failure to undertake work-related activity ceases to have effect in respect of a person from whichever is the earlier of—

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(10) The relevant amending instruments are [S.I. 1990/1168](#), [1996/206](#), [2007/719](#) and [2013/574](#).

(11) [S.I. 2000/1926](#); relevant amending instrument is [S.I. 2011/2428](#).

(12) [S.I. 2002/1703](#); relevant amending instruments are [S.I. 2005/2727](#), [S.I. 2011/2425](#) and [S.I. 2011/2428](#).

- (a) the date on which the person is no longer required to take part in a work-related activity as a condition of continuing to be entitled to the full amount of benefit which is payable apart from these Regulations; or
  - (b) the first day of the benefit week in which the person satisfies a compliance condition.
- (2) In paragraph (1)(b), “compliance condition” means a requirement to—
- (a) undertake work-related activity; or
  - (b) take part in a work-focused interview.

### **Restrictions on availability**

**10.**—(1) Subject to paragraph (2), a person to whom regulation 2 applies may restrict the times at which they are required to undertake work-related activity.

(2) A person may not restrict the times at which they are required to undertake work-related activity by virtue of paragraph (1) to exclude—

- (a) their child’s normal school hours; or
- (b) any period during which the person entrusts temporary supervision of their child to a person over the age of 18, not including any form of health care for the child.

### **Contracting out**

**11.**—(1) Any function of the Secretary of State under this Part specified in paragraph (2) may be exercised by, or by employees of, such person (if any) as the Secretary of State may authorise for that purpose.

(2) The functions are any function under—

- (a) regulation 2 (requirement to undertake work-related activity);
- (b) regulation 3 (notification of work-related activity);
- (c) regulation 4 (requirement to undertake work-related activity at a certain time not to apply);
- (d) regulation 5 (reconsideration of action plans).

## **PART 3**

### **Miscellaneous Amendments**

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

**12.**—(1) The Social Security and Child Support (Decisions and Appeals) Regulations 1999(13) are amended as follows.

(2) In regulation 1(3) (citation, commencement, application and interpretation) in the appropriate place insert the following definition—

““Income Support Work-Related Activity Regulations” means the Income Support (Work-Related Activity) and Miscellaneous Amendments Regulations 2014;”.

(3) After regulation 3(7CC) (revision of decisions) insert—

“(7CD) A decision of the Secretary of State under section 10 of the Act made in consequence of a determination under regulation 6(2) of the Income Support Work-Related

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(13) [S.I. 1999/991](#) to which there are amendments not relevant to these Regulations

Activity Regulations that a claimant has failed to satisfy a requirement of regulation 2 of those Regulations (requirement to undertake work-related activity) may be revised at any time if it contained an error to which the claimant did not materially contribute.”.

(4) After regulation 6(2)(s) (supersession of decisions) insert—

“(t) is a decision awarding income support where there has been a determination by the Secretary of State under regulation 6(2) of the Income Support Work-Related Activity Regulations that a person has failed to undertake work-related activity;

(u) is a decision made in consequence of a determination by the Secretary of State that a person has failed to undertake work-related activity where a reduction under regulation 8(1) of the Income Support Work-Related Activity Regulations ceases to have effect by virtue of regulation 9 of those Regulations.”.

(5) After regulation 7(40) (date from which a decision superseded under section 10 takes effect) add—

“(41) A decision made in accordance with regulation 6(2)(t) shall take effect from the first day of the next benefit week following the day on which the determination mentioned in that sub-paragraph was made.

(42) A decision made in accordance with regulation 6(2)(u) shall take effect from the first day of the benefit week in which the reduction mentioned in that sub-paragraph ceased to have effect.”.

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

**13.**—(1) The Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Regulations 2000(**14**) are amended as follows.

(2) In regulation 2ZA (requirement for certain lone parents to take part in an interview)—

(a) in paragraph (1)—

(i) after sub-paragraph (a) insert “and”;

(ii) omit sub-paragraph (c) and the “and” that precedes it;

(b) for paragraph (2) substitute—

“(2) Subject to regulations 4 and 5, a lone parent to whom this regulation applies is required to take part in one or more interviews as a condition of continuing to be entitled to the full amount of benefit which is payable to him apart from these Regulations.”;

(c) in paragraph (3)(b) omit “waived or”.

(3) For regulation 2C(1) (the interview) substitute—

“(1) An interview under these Regulations shall take place—

(a) where regulation 2ZA applies, on such date as may be determined by an officer;

(b) in any other case, as soon as is reasonably practicable after the date on which the requirement to take part in the interview arises.”.

(4) In regulation 4 (circumstances where requirement to take part in an interview does not apply)

(a) in paragraph (1), after “Regulations 2”, insert “, 2ZA”;

(b) in paragraph (1A) for “Regulation 2” substitute “Regulations 2 and 2ZA”; and

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(14) S.I. 2000/1926; relevant amending instruments are S.I. 2005/2727, 2007/1034, 2008/3051, .2010/563, 2011/674 and 2428, and 2012/874.

- (c) omit paragraph (3).
- (5) In regulation 6 (waiver)—
  - (a) in paragraph (1) for “these Regulations” substitute “regulations 2(1) and 2ZB(2)”; and
  - (b) in paragraph (2)(a) omit “, 2ZA”.
- (6) In regulation 7 (consequence of failure to take part in an interview)—
  - (a) in paragraph (1)—
    - (i) for “(2) and (5)” substitute “(2), (5) and (5A)”; and
    - (ii) in sub-paragraph (b) for “day on which the interview was to take place” substitute “date on which the person was notified of his failure to take part in the interview”;
  - (b) after paragraph (1) insert—

“(1A) Where a notice under paragraph (1)(b) is sent by post it is taken to have been received on the second working day after it is sent.”
  - (c) in paragraph (2)(a) for “day on which the interview was to take place” substitute “date on which the person was notified of his failure to take part in the interview”;
  - (d) after paragraph (5) insert—

“(5A) The amount of income support payable to a person is not to be reduced in accordance with paragraph (3)(b) if that amount —

    - (a) is, at the time a decision falls to be made in respect of the current failure, being paid at a reduced rate in accordance with paragraph (3)(b) and regulation 8, regulation 12(2)(c) of the Social Security (Jobcentre Plus Interviews) Regulations 2002<sup>(15)</sup> or regulation 8(1) and (2) of the Income Support (Work-Related Activity) and Miscellaneous Amendments Regulations 2014; and
    - (b) was last reduced not more than two weeks before the date of the current failure.

(5B) In paragraph (5A), “current failure” means a failure which may, in the case of a claimant who has an award of income support, lead to a reduction in income support under paragraph (3)(b) and regulation 8 in relation to which the Secretary of State has not yet determined whether the amount of income support payable to the person is to be reduced in accordance with that paragraph and regulation.”
- (7) In regulation 8—
  - (a) in paragraph (3)(c) for “meets the requirement to take part in an interview” substitute “satisfies a compliance condition”; and
  - (b) after paragraph (3)(d) insert—

“(4) In paragraph (3)(c), “compliance condition” means a requirement to—

    - (a) take part in an interview; or
    - (b) undertake work-related activity”.

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

**14.**—(1) The Social Security (Jobcentre Plus Interviews) Regulations 2002<sup>(16)</sup> are amended as follows.

- (2) In regulation 4A (requirement for certain lone parents to take part in an interview)—
  - (a) in paragraph (1)—

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<sup>(15)</sup> S.I. 2002/1703; relevant amending instruments are S.I. 2005/2727, S.I. 2011/2425 and S.I. 2011/2428.

<sup>(16)</sup> S.I. 2002/1703; relevant amending instruments are S.I. 2008/3051, 2011/2425 and 2428, and 2012/874.

- (i) after sub-paragraph (a) insert “and”;
- (ii) omit sub-paragraph (c) and the “and” that precedes it;
- (b) for paragraph (2) substitute—
  - “(2) Subject to regulations 7 to 9, a lone parent to whom this regulation applies is required to take part in one or more interviews as a condition of continuing to be entitled to the full amount of benefit which is payable to him apart from these Regulations.”;
- (c) in paragraph (3)(b) omit “waived or”.
- (3) In regulation 5 (time when an interview is to take place)—
  - (a) in paragraph (2), omit “as soon as reasonably practicable after”;
  - (b) in paragraph (2)(a) before “the requirement to take part” insert “as soon as reasonably practicable after”;
  - (c) after paragraph (2)(a) insert—
    - “(aa) in a case where regulation 4A(2) applies, on such a date as may be determined by the officer; or”;
  - (d) in paragraph (2)(b)—
    - (i) after “in any other case” insert “, as soon as reasonably practicable after”;
    - (ii) omit paragraph (i);
    - (iii) in paragraph (ii) omit “but regulation 4A(1) does not apply,”; and
    - (iv) in paragraph (iii) omit “either” and “or regulation 4A(2)”.
- (4) In regulation 6 (waiver of requirement to take part in an interview)—
  - (a) at the beginning of paragraph (1), insert “Except in a case where a requirement is imposed by virtue of regulation 4A(2),”;
  - (b) in paragraph (2)(a), for “4A” substitute “4ZA”.
- (5) In regulation 8 (exemptions) in paragraph (4) after “4ZA” insert “, 4A”.
- (6) In regulation 11 (taking part in an interview)—
  - (a) in paragraph (4) for “day on which the interview was to take place” substitute “date on which the person was notified of his failure to take part in the interview”; and
  - (b) after paragraph (4) insert—
    - “(5) Where a notice under paragraph (4) is sent by post it is taken to have been received on the second working day after it is sent.”.
- (7) In regulation 12 (failure to take part in an interview)—
  - (a) in paragraph (9) for “takes part in an interview” substitute “satisfies a compliance condition” and for “requirement to take part in an interview was met” substitute “compliance condition was satisfied”;
- (8) after paragraph (9) insert—
  - “(9A) In paragraph (9) “compliance condition” means a requirement to—
    - (a) take part in an interview; or
    - (b) undertake work-related activity”.
- (9) in paragraph (12)(a) for “day on which the interview was to take place” substitute “date on which the person was notified of his failure to take part in the interview”;
- (10) After regulation 12 (failure to take part in an interview) insert—



**“Circumstances where the amount of benefit payable to a claimant is not to be reduced in accordance with regulation 12(2)(c)**

**12A.**—(1) The amount of benefit payable to a claimant is not to be reduced in accordance with regulation 12(2)(c) if that amount—

- (a) is at the time the relevant decision falls to be made in respect of the current failure, being paid at a reduced rate in accordance with regulation 12(2)(c), regulations 7(3)(b) and 8 of the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000 or regulation 8(1) and (2) of the Income Support (Work-Related Activity) and Miscellaneous Amendments Regulations 2014; and
- (b) was last reduced not more than two weeks before the date of the current failure.

(2) In paragraph (1) “current failure” means a failure which may, in the case of a claimant who has an award of benefit, lead to a reduction in benefit under regulation 12(2)(c) in relation to which the Secretary of State has not yet determined whether the amount of benefit payable to the claimant is to be reduced in accordance with that regulation.”

**Amendment to the Employment and Support Allowance (Work-Related Activity) Regulations 2011**

**15.** In regulation 3(2)(b) of the Employment and Support Allowance (Work-Related Activity) Regulations 2011<sup>(17)</sup> (requirement to undertake a work-related activity), for “5” substitute “3”.

**Amendment of the Universal Credit Regulations 2013**

**16.**—(1) The Universal Credit Regulations 2013<sup>(18)</sup> are amended as follows.

(2) In regulation 91(1) (claimants subject to work-focused interview requirement only), for “5” substitute “3”.

(3) After regulation 91, insert—

**“Claimants subject to work preparation requirement**

**91A.** For the purposes of section 21(1)(b) of the Act (claimants subject to work preparation requirement), the claimant is of a prescribed description if the claimant is the responsible carer for a child aged 3 or 4.”.

**Amendment of the Employment and Support Allowance Regulations 2013**

**17.** In regulation 48(1) of the Employment and Support Allowance Regulations 2013<sup>(19)</sup> (claimants subject to work-focused interview requirement only), for “five” substitute “three”.

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<sup>(17)</sup> S.I. 2011/1349

<sup>(18)</sup> S.I. 2013/376.

<sup>(19)</sup> S.I. 2013/379.

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**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument:  
*The Income Support (Work-Related Activity) and Miscellaneous Amendments Regulations 2014 No. 1097*

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

Date

*Name*  
Minister of State  
Department for Work and Pensions

## EXPLANATORY NOTE

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

These Regulations provide that lone parents of children over the age of 3 but under the age of 5 who are entitled to income support may be required to undertake work-related activity as a condition of entitlement to the full amount of benefit. “Work-related activity” is defined in section 2D(9)(d) of the Social Security Administration Act 1992 (c.5).

Further, these Regulations also amend provisions relating to work-focused interviews for certain lone parents contained in the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000 (S.I. 2000/1926) and the Social Security (Jobcentre Plus Interviews) Regulations 2002 (S.I. 2002/1703).

Regulation 2 provides that persons who are lone parents aged over 18, who have a youngest child aged older than 3 but younger than 5 and who are entitled to income support solely on the basis of being a lone parent may be required to undertake work-related activity as a condition of entitlement to the full amount of benefit. Regulation 2(3) provides that the requirement to undertake work-related activity must be reasonable in the opinion of the Secretary of State and that a person may not be required to apply for a job or undertake work.

Regulation 3 provides that the Secretary of State must notify persons of their requirement to undertake work-related activity under these Regulations by including the requirement in a written action plan which is given to the person. Action plans may also contain any other information that the Secretary of State considers appropriate. Regulation 5 provides that a person may request the reconsideration of an action plan and that on receipt of such a request the Secretary of State must reconsider the action plan and give his decision in writing to the person.

Regulation 4 enables the Secretary of State to determine that the time at or by which work-related activity is not to apply, or is to be treated as not having applied, if he considers it is or would be unreasonable to require the person to undertake work-related activity at or by that time.

Regulation 6 provides that the Secretary of State is to determine whether a person has failed to undertake work-related activity and if so whether the person had good cause for that failure. A person has five working days beginning with the date on which they were notified by the Secretary of State of their failure to undertake work-related activity. The period within which good cause must be provided is extended to one month if it is not reasonably possible for the claimant to have provided good cause within five working days. This regulation also provides that notices sent under this regulation are deemed served two working days after they are sent.

Regulation 7 specifies the matters to be taken into account by the Secretary of State in determining whether a person has good cause for failing to undertake work-related activity under regulation 6(2).

Regulation 8 sets out that where a person to whom regulation 2 applies fails without good cause to undertake work-related activity, their income support is paid at a reduced rate unless and until one of the circumstances in regulation 8 applies. An exception is made in the case of persons whose benefit is already being paid at a reduced rate and where the person’s benefit was last reduced not more than two weeks before the current failure. Regulation 9 provides that the reduction set out in regulation 8(1) ceases to apply where the person is no longer required to undertake work-related activity or meets the requirement to undertake work-related activity or take part in a work-focused interview.

Regulation 10 allows a person to restrict the times at which they are required to undertake work-related activity. A person is not able to exclude their child’s normal school hours or any time during

which they temporarily entrust the supervision of their child to a person over the age of 18, not including health care for the child, from the times at which they are required to undertake work-related activity.

Regulation 11 provides for the contracting out of certain of the Secretary of State's functions under Part 2 of these Regulations.

Regulation 12 makes consequential amendments to the Social Security and Child Support (Decisions and Appeals) Regulations 1999 (S.I. 1999/991) relating to revision and supersession of decisions made under Part 2 of these Regulations and provides that a person's income support reduced under regulation 7(1) of these Regulations is to be reduced from the first day of next the benefit week following the date on which the determination was made.

Regulations 13 and 14 amend respectively the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000 (S.I. 2000/1926) and the Social Security (Jobcentre Plus Interviews) Regulations 2002 (S.I. 2002/1703).

Regulations 13(2)(a) and 14(2)(a) provide that lone parents who are over 18, have a child aged between 1 and 4 years and who are entitled to income support solely on the basis of being a lone parent are required to take part in one or more work-focused interviews as a condition of their continuing entitlement to the full amount of income support.

Regulations 13(3) and 14(3) provide for the removal of the requirement for interviews for such claimants to take place at set intervals during the course of an award and replace this with a provision allowing officers to determine at their discretion when an interview should take place.

Regulations 13(5) and 14(4) remove the provision enabling interviews to be waived for lone parents with a child aged 1 to 4 who are entitled to income support solely on the basis of being a lone parent. Officers remain able to defer interviews until a specified date.

Regulations 13(6)(a) and 14(6)(a) provide that the period within which good cause must be shown by a claimant begins on the date that the claimant was notified of their failure to take part in an interview.

Regulations 13(6)(b) and 14(6)(b) provide that where a notification to a claimant that he has failed without good cause to attend at a work-focused interview is sent by post it is deemed received on the second working day after it is sent.

Regulations 13(6)(d) and 14(8) insert an exception to the requirement that the claimant's benefit be reduced if they fail without good cause to attend at a work-focused interview if their benefit is already subject to a reduction and the current failure is within two weeks of that reduction first having effect.

Regulations 13(7) and 14(7) provide that a reduction of the claimant's benefit is to cease to apply where the claimant meets the requirement to take part in a work-focused interview or undertake work-related activity.

Regulation 15 amends the Employment and Support Allowance (Work-Related Activity) Regulations 2011 (S.I. 2011/1349) so that parents whose youngest child is aged 3 or older may be required to undertake work-related activity as a condition of entitlement to the full amount of that benefit.

Regulation 16 amends the Universal Credit Regulations 2013 (S.I. 2013/376) to change the work-related requirements that can be imposed on certain claimants for that benefit. A single person who is responsible for a child aged 3 or 4 may be required to comply with a work preparation requirement (in addition to a work-focused interview requirement). Regulation 16(3) provides that such claimants do not also have to comply with a work search requirement or a work availability requirement. Regulation 17 amends the Employment and Support Allowance Regulations 2013 (S.I. 2013/379) to make the same change for that benefit as regulation 16(2) makes for Universal Credit.

The report of the Social Security Advisory Committee dated 9th October 2013 in relation to the Secretary of State's proposal to make these Regulations, together with a statement showing the extent to which these Regulations give effect to the recommendations of the Committee and, in so far as

they do not give effect to them, the reasons why not, are contained in an Act Paper published by The Stationery Office Ltd at [www.tso.co.uk](http://www.tso.co.uk) .

An impact assessment has not been produced for this instrument as it has no impact on businesses and civil society organisations. The instrument has no impact on the public sector.