
DRAFT STATUTORY INSTRUMENTS

2015 No.

The Welfare Reform (Northern Ireland) Order 2015

PART 3

Working-age benefits

CHAPTER 2

Employment and support allowance

Claimant responsibilities for interim period

Claimant commitment for employment and support allowance

- 60.**—(1) The Welfare Reform Act (Northern Ireland) 2007 is amended as follows.
- (2) In section 1(3) (employment and support allowance) after paragraph (a) insert—
- “(aa) has accepted a claimant commitment.”
- (3) After section 1B (as inserted by Article 58) insert—

“Claimant commitment

1C.—(1) For the purposes of this Part a “claimant commitment” is a record of the claimant’s responsibilities in relation to an award of an employment and support allowance.

(2) A claimant commitment is to be prepared by the Department or the Department for Employment and Learning and may be reviewed and updated as that department thinks fit.

(3) A claimant commitment is to be in such form as the Department thinks fit.

(4) A claimant commitment is to include—

- (a) any prescribed information, and
- (b) any other information the Department or the Department for Employment and Learning considers it appropriate to include.

(5) For the purposes of this Part a claimant accepts a claimant commitment if, and only if, the claimant accepts the most up-to-date version of it in such manner as may be prescribed.

(6) Regulations may provide that, in prescribed circumstances, a claimant is to be treated as having satisfied the condition mentioned in section 1(3)(aa).”

(4) In section 15(2)(b) (directions about work-related activity) for the words from “by” to “14” substitute “in such manner as the Department or the Department for Employment and Learning thinks fit”.

(5) In section 16(1) (contracting out) before paragraph (a) insert—

“(za) any function under section 1C in relation to a claimant commitment;”.

(6) In Schedule 2 (supplementary provisions) after paragraph 4 insert—

“Exemption

4A. Regulations may prescribe circumstances in which a person may be entitled to employment and support allowance without having accepted a claimant commitment.”

(7) In section 25(2) of the Welfare Reform Act (Northern Ireland) 2010 (action plans: well-being of children), in subsection (5) inserted into section 14 of the Welfare Reform Act (Northern Ireland) 2007—

- (a) after “preparing any” insert “claimant commitment or”;
- (b) after “action plan,” insert “the Department or”.

Work experience etc.

61. In section 13 of the Welfare Reform Act (Northern Ireland) 2007 (work-related activity), after subsection (7) insert—

“(8) The reference to activity in subsection (7) includes work experience or a work placement.”

Hardship payments

62. After section 16 of the Welfare Reform Act (Northern Ireland) 2007 insert—

“Hardship payments

16A.—(1) Regulations may make provision for the making of payments (“hardship payments”) by way of an employment and support allowance to a person where—

- (a) the amount otherwise payable to the person in respect of an employment and support allowance is reduced by virtue of regulations under section 11(3), 12(3) or 13(3), and
 - (b) the person is or will be in hardship.
- (2) Regulations under this section may in particular make provision as to—
- (a) circumstances in which a person is to be treated as being or not being in hardship;
 - (b) matters to be taken into account in determining whether a person is or will be in hardship;
 - (c) requirements or conditions to be met by a person in order to receive hardship payments;
 - (d) the amount or rate of hardship payments;
 - (e) the period for which hardship payments may be made.”