



Welfare Reform Act 2009

2009 CHAPTER 24

PART 1

SOCIAL SECURITY

“Work for your benefit” schemes etc.

1 Schemes for assisting persons to obtain employment: “work for your benefit” schemes etc.

- (1) The Jobseekers Act 1995 (c. 18) is amended as follows.
- (2) After section 17 insert—

“ “Work for your benefit” schemes etc.

17A Schemes for assisting persons to obtain employment: “work for your benefit” schemes etc.

- (1) Regulations may make provision for or in connection with imposing on claimants in prescribed circumstances a requirement to participate in schemes of any prescribed description that are designed to assist them to obtain employment.
- (2) Regulations under this section may, in particular, require participants to undertake work, or work-related activity, during any prescribed period with a view to improving their prospects of obtaining employment.
- (3) In subsection (2) “work-related activity”, in relation to any person, means activity which makes it more likely that the person will obtain or remain in work or be able to do so.

Status: Point in time view as at 12/11/2009. This version of this provision has been superseded.

Changes to legislation: Welfare Reform Act 2009, Section 1 is up to date with all changes known to be in force on or before 26 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (4) Regulations under this section may not require a person to participate in a scheme unless the person would (apart from the regulations) be required to meet the jobseeking conditions.
- (5) Regulations under this section may, in particular, make provision—
- (a) for notifying participants of the requirement to participate in a scheme within subsection (1);
 - (b) for securing that participants are not required to meet the jobseeking conditions or are not required to meet such of those conditions as are specified in the regulations;
 - (c) for suspending any jobseeker's agreement to which a person is a party for any period during which the person is a participant;
 - (d) for securing that the appropriate consequence follows if a participant has failed to comply with the regulations and it is not shown, within a prescribed period, that the participant had good cause for the failure;
 - (e) prescribing matters which are, or are not, to be taken into account in determining whether a participant has good cause for any failure to comply with the regulations;
 - (f) prescribing circumstances in which a participant is, or is not, to be regarded as having good cause for any failure to comply with the regulations.
- (6) In the case of a jobseeker's allowance other than a joint-claim jobseeker's allowance, the appropriate consequence for the purposes of subsection (5)(d) is that the allowance is not payable for such period (of at least one week but not more than 26 weeks) as may be prescribed.
- (7) In the case of a joint-claim jobseeker's allowance, the appropriate consequence for the purposes of subsection (5)(d) is that the participant is to be treated as subject to sanctions for the purposes of section 20A for such period (of at least one week but not more than 26 weeks) as may be prescribed.
- (8) Regulations under this section may make provision for an income-based jobseeker's allowance to be payable in prescribed circumstances even though other provision made by the regulations would prevent payment of it.
- This subsection does not apply in the case of a joint-claim jobseeker's allowance (corresponding provision for which is made by section 20B(4)).
- (9) The provision that may be made by the regulations by virtue of subsection (8) includes, in particular, provision for the allowance to be—
- (a) payable only if prescribed requirements as to the provision of information are complied with;
 - (b) payable at a prescribed rate;
 - (c) payable for a prescribed period (which may differ from any period mentioned in subsection (6)).

- (10) In this section—

“claimant”, in relation to a joint-claim couple claiming a joint-claim jobseeker's allowance, means either or both of the members of the couple;

“the jobseeking conditions” means the conditions set out in section 1(2)(a) to (c);

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“participant”, in relation to any time, means any person who is required at that time to participate in a scheme within subsection (1).

17B Section 17A: supplemental

- (1) For the purposes of, or in connection with, any scheme within section 17A(1) the Secretary of State may—
 - (a) make arrangements (whether or not with other persons) for the provision of facilities;
 - (b) provide support (by whatever means) for arrangements made by other persons for the provision of facilities;
 - (c) make payments (by way of fees, grants, loans or otherwise) to persons undertaking the provision of facilities under arrangements within paragraph (a) or (b);
 - (d) make payments (by way of grants, loans or otherwise) to persons participating in the scheme;
 - (e) make payments in respect of incidental expenses.
 - (2) For the purposes of, or in connection with, any scheme within section 17A(1)
—
 - (a) the Scottish Ministers, and
 - (b) the Welsh Ministers,may make payments (by way of fees, grants, loans or otherwise) to persons (including the Secretary of State) undertaking the provision of facilities under arrangements within subsection (1)(a) or (b) if the following condition is met.
 - (3) The condition is that the Scottish Ministers or the Welsh Ministers consider that the facilities are capable of supporting the training in Scotland or Wales of persons for employment.
 - (4) Unless the Scottish Ministers or Welsh Ministers otherwise specify, the payments may be used by the person to whom they are made for the provision of any of the facilities provided under the arrangements.
 - (5) In subsections (1) to (4) “facilities” includes services, and any reference to the provision of facilities includes the making of payments to persons participating in the scheme.
 - (6) The power of the Secretary of State to make an order under section 26 of the Employment Act 1988 (status of trainees etc) includes power to make, in relation to—
 - (a) persons participating in any scheme within section 17A(1), and
 - (b) payments received by them by virtue of subsection (1) above,provision corresponding to any provision which (by virtue of section 26(1) or (2) of that Act) may be made in relation to persons using such facilities, and to such payments received by them, as are mentioned in section 26(1) of that Act.”
- (3) In section 36 (regulations and orders), after subsection (4) insert—
- “(4A) Without prejudice to the generality of the provisions of this section—
- (a) regulations under section 17A may make different provision for different areas;

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- (b) regulations under section 17A may make provision which applies only in relation to an area or areas specified in the regulations.”
- (4) In paragraph 3 of Schedule 3 to the Social Security Act 1998 (c. 14) (decisions against which an appeal lies: payability of benefit), after paragraph (d) insert—
 - “(da) regulations made under section 17A of the Jobseekers Act;”.
- (5) In section 8(2)(b)(i) of the Social Security Fraud Act 2001 (c. 11) (effect of offence on joint-claim jobseeker's allowance), after “is” insert “ (or is treated as being) ”.

Status:

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