

---

STATUTORY INSTRUMENTS

---

**2000 No. 1926**

**The Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000**

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000.

(2) This regulation and paragraphs 2 to 5 of Schedule 2 and regulation 10 in so far as it relates to those paragraphs shall come into force on 14th August 2000.

(3) Regulations 2 to 9, paragraph 1 of Schedule 2 and regulation 10 in so far as it relates to that paragraph shall—

- (a) come into force on 30th October 2000 in respect of lone parents who on that date—
  - (i) live in an area identified in Schedule 1; and
  - (ii) are not entitled to income support;
- (b) subject to sub-paragraph (a), come into force on 30th April 2001 in respect of lone parents who on that date—
  - (i) are not entitled to income support; or
  - (ii) are entitled to income support and are not—
    - (aa) responsible for; and
    - (bb) living in the same household as,  
a child under the age of 13;
- (c) subject to the preceding sub-paragraphs, come into force on 1st April 2002 in respect of lone parents who on that date are entitled to income support and are not—
  - (i) responsible for; and
  - (ii) living in the same household as,  
a child under the age of 9;
- (d) subject to the preceding sub-paragraphs, where a lone parent—
  - (i) is responsible for and living in the same household as a child whose 13th birthday occurs in the period beginning on 1st May 2001 and ending on 31st March 2002; and
  - (ii) is not on the date of the 13th birthday responsible for and living in the same household as a younger child,  
come into force in respect of that lone parent on the date of that child's 13th birthday;
- (e) subject to the preceding sub-paragraphs, where a lone parent—
  - (i) is responsible for and living in the same household as a child whose 9th birthday occurs in the period beginning on 2nd April 2002 and ending on 6th April 2003; and
  - (ii) is not on the date of the 9th birthday responsible for and living in the same household as a younger child,

- come into force in respect of that lone parent on the date of that child's 9th birthday; and
- (f) subject to the preceding sub-paragraphs, come into force on 7th April 2003.
- (4) In these Regulations, unless the context otherwise requires—
- “the 1998 Act” means the Social Security Act 1998(1);
- “benefit week” means any period of seven days corresponding to the week in respect of which income support is due to be paid;
- “lone parent” has the meaning it bears in regulation 2(1) of the Income Support (General) Regulations 1987(2);
- “interview” means a work-focused interview with a lone parent conducted for any or all of the following purposes—
- (a) assessing that person's prospects for existing or future employment (whether paid or voluntary);
  - (b) assisting or encouraging that person to enhance his prospects of such employment;
  - (c) identifying activities which that person may undertake to strengthen his existing or future prospects of employment;
  - (d) identifying current or future employment or training opportunities suitable to that person's needs; and
  - (e) identifying educational opportunities connected with the existing or future employment prospects or needs of that person; and
- “officer” means an officer of, or providing services to, the Secretary of State.
- (5) In these Regulations, unless the context otherwise requires, a reference—
- (a) to a numbered regulation is to a regulation in these Regulations bearing that number;
  - (b) in a regulation to a numbered paragraph or sub-paragraph is to the paragraph or sub-paragraph in that regulation bearing that number;
  - (c) to a numbered Schedule is to the Schedule to these Regulations bearing that number.

**Requirement for lone parents claiming or entitled to income support to take part in an interview**

- 2.—(1) Subject to paragraph (2) and regulations 4 to 6, a lone parent who—
- (a) makes a claim for income support in respect of himself is required to take part in an interview; or
  - (b) is entitled to income support and—
    - (i) has not—
      - (aa) previously taken part; or
      - (bb) failed to take part in an interview,
 is required to take part in an interview; or
    - (ii) has previously taken part or failed to take part in an interview is required to take part in an interview after the expiry of one year from the date on which—
      - (aa) he last took part in an interview;
      - (bb) a determination was last made under regulation 6(2) that he is to be treated as having taken part in that interview; or, as the case may be,

(1) 1998 c. 14.

(2) S.I.1987/1967.

(cc) he last failed to take part in an interview,  
whichever is latest.

(2) Subject to paragraph (3), an officer shall inform the lone parent of the place and time of the interview and the time of the interview shall in a case to which paragraph (1)(a) or (b)(ii) applies be as soon as is reasonably practicable after the date on which the requirement to take part in an interview arises.

(3) An officer may determine that an interview is to take place in the home of a lone parent where it would in the opinion of the officer be unreasonable to expect that person to attend elsewhere because that person's personal circumstances are such that attending elsewhere would cause him undue inconvenience or endanger his health.

### **Taking part in an interview**

**3.—**(1) An officer shall determine whether a lone parent has taken part in an interview.

(2) Subject to regulations 5(2) and 6(2), for the purposes of these Regulations, a lone parent shall be regarded as having taken part in an interview if and only if—

- (a) he attends for the interview at the place and time notified to him by an officer; and
- (b) he provides answers (where asked) to questions and appropriate information about—
  - (i) the level to which he has pursued any educational qualifications;
  - (ii) his employment history;
  - (iii) any vocational training he has undertaken;
  - (iv) any skills he has acquired which fit him for employment;
  - (v) any paid or unpaid employment he is engaged in;
  - (vi) any medical condition which in the opinion of that person puts him at a disadvantage in obtaining employment; and
  - (vii) any caring or childcare responsibilities he has.

### **Circumstances where requirement to take part in an interview does not apply**

**4.** Regulation 2 shall not apply where the lone parent—

- (a) is responsible for and living in the same household as a child who has not attained the age of 5 years and 3 months;
  - (b) has attained the age of 60;
  - (c) has not attained the age of 18; or
  - (d) is—
    - (i) required to take part in an interview; or
    - (ii) not required to take part in an interview by virtue of—
      - (aa) a waiver of a requirement; or
      - (bb) a deferment of an interview,
- under the Social Security (Work-focused Interviews) Regulations 2000(3).

**Deferment of requirement to take part in an interview**

5.—(1) A requirement by virtue of these Regulations to take part in an interview shall not apply to a person until a date determined by an officer where he determines that an interview would not at that time be—

- (a) of assistance to that person; or
- (b) appropriate in the circumstances.

(2) Except for the purpose of regulation 2, where an officer has made a decision under paragraph (1), the person to whom that decision relates shall be treated for the purposes of any claim for, or entitlement to, income support as having complied with the requirement to take part in an interview until an officer decides whether that person took part in the interview which had been deferred under paragraph (1).

**Waiver**

6.—(1) A requirement imposed by these Regulations to take part in an interview shall not apply if an officer determines that an interview would not be—

- (a) of assistance to the lone parent; or
- (b) appropriate in the circumstances.

(2) A person in relation to whom a requirement to take part in an interview has been waived under paragraph (1) shall be treated for the purposes of—

- (a) regulation 2; and
- (b) any claim for, or entitlement to, income support,

as having complied with that requirement.

**Consequence of failure to take part in an interview**

7.—(1) Subject to paragraphs (2) and (5) and regulations 5 and 6, the consequences specified in paragraphs (3) and (4) ensue if a person does not—

- (a) take part in any interview when required to do so; and
- (b) show good cause for not taking part in an interview before the end of five working days following the day on which the interview was to take place.

(2) In a case where within one month of the date on which the decision was notified to a lone parent that he failed without good cause to take part in an interview—

- (a) he brings new facts to the notice of an officer which could not reasonably have been brought to an officer's notice within five working days of the day on which the interview was to take place; and
- (b) those facts show that he had good cause for his failure to take part in the interview

paragraph (1)(b) shall apply with the modification that for the words “five working days following” there were substituted the words “one month of”.

(3) A person to whom paragraph (1) and—

- (a) regulation 2(1)(a) applies shall be regarded as not having made a claim for income support; or
- (b) regulation 2(1)(b) applies shall have his income support reduced in accordance with regulation 8.

(4) Where an interview which arose in connection with a claim was deferred and benefit became payable in accordance with regulation 5(2), the person's entitlement to income support shall

terminate as from the first day of the next benefit week following the date the decision was made that the person failed without good cause to take part in an interview.

(5) For the purposes of this regulation and regulation 8(1), matters to be taken into account in determining whether a person has shown good cause for his failure to take part in an interview include—

- (a) that the lone parent misunderstood the requirement to take part in the interview due to any learning, language or literacy difficulties of the lone parent or any misleading information given to him by an officer;
- (b) that the lone parent was attending a medical or dental appointment, or accompanying someone for whom he has caring responsibilities to such an appointment, and that it would be unreasonable, in the circumstances, to have rearranged that appointment;
- (c) that the lone parent had difficulties with his normal mode of transport and that no reasonable alternative was available;
- (d) that the established customs and practices of the religion to which that lone parent belongs prevented him attending at the time and place for the interview notified to him by an officer;
- (e) that the lone parent was attending an interview with an employer with a view to obtaining employment;
- (f) that the lone parent was pursuing employment opportunities as a self-employed earner;
- (g) that a dependant of the lone parent or someone for whom the lone parent provides care suffered an accident, sudden illness or relapse of a chronic condition;
- (h) that the lone parent was attending a funeral of a close friend or relative on the day fixed for the interview; and
- (i) that a disability from which the lone parent suffers made it impracticable for him to attend at the time fixed for the interview.

(6) For the avoidance of doubt, a person who is regarded as not having made a claim for income support because he failed to take part in an interview shall be required to make a new claim for income support in order to establish entitlement to that benefit.

### **Reduction of income support**

8.—(1) Subject to paragraphs (2) and (3), any payment of income support which falls to be made to a person after the date on which an officer decided under these Regulations that that person had not—

- (a) taken part; and
- (b) shown good cause for not taking part,

in an interview shall be reduced as from the first day of the next benefit week following the date the decision was made, by a sum equal to 20 per cent of the amount applicable (specified in Part I of Schedule 2 to the Income Support (General) Regulations 1987(4)) on the date the deduction commences in respect of a single claimant for income support aged not less than 25.

(2) Payment shall not be reduced under paragraph (1) below 10 pence per week.

(3) A reduction under this regulation shall cease to have effect as regards a person from whichever is the earlier of—

- (a) the date on which that person attains the age of 60;
- (b) the date on which that person ceased to be a lone parent; and

---

(4) S.I. 1987/1967; the relevant amending instrument is S.I. 2000/440.

(c) the first day of the benefit week in which that person meets the requirement to take part in an interview.

(4) Where the rate of income support payable to a person changes, the rules set out above for a reduction in the benefit payable shall be applied to the new rates and any adjustment to the reduction shall take effect from the beginning of the first benefit week to commence for that person following the change.

### Appeals

9.—(1) This regulation applies to any relevant decision made under these Regulations or any decision under section 10 of the 1998 Act<sup>(5)</sup> (decisions superseding earlier decisions) superseding such a decision.

(2) This regulation applies—

- (a) whether the decision is as originally made or as revised under section 9 of the 1998 Act (revision of decisions); and
- (b) as if any decision made, superseded or revised otherwise than by the Secretary of State was a decision made, superseded or revised by him.

(3) In the case of a decision to which this regulation applies, the person in respect of whom the decision was made shall have a right of appeal under section 12 of the 1998 Act<sup>(6)</sup> (appeal to appeal tribunal) to an appeal tribunal.

### Amendments to Regulations

10. The Social Security (Claims and Payments) Regulations 1987<sup>(7)</sup>, the Housing Benefit (General) Regulations 1987<sup>(8)</sup>, the Council Tax Benefit (General) Regulations 1992<sup>(9)</sup>, the Social Security (Claims and Information) Regulations 1999<sup>(10)</sup> and the Social Security (Work-focused Interviews) Regulations 2000<sup>(11)</sup> shall be amended in accordance with Schedule 2.

Signed by authority of the Secretary of State for Social Security.

18th July 2000

*P. Hollis*  
Parliamentary Under-Secretary of State,  
Department of Social Security

<sup>(5)</sup> Section 10 was amended by paragraph 23 of Schedule 7 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2) (“the Transfer Act”).

<sup>(6)</sup> Section 12 was amended by paragraph 25 of Schedule 7 to the Transfer Act.

<sup>(7)</sup> S.I. 1987/1968; the relevant amending instrument is S.I. 2000/897.

<sup>(8)</sup> S.I. 1987/1971.

<sup>(9)</sup> S.I. 1992/1814; the relevant amending instrument is S.I. 2000/897.

<sup>(10)</sup> S.I. 1999/3108.

<sup>(11)</sup> S.I. 2000/897.