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STATUTORY INSTRUMENTS

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**2000 No. 1926**

**SOCIAL SECURITY**

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

*Made* - - - - *18th July 2000*  
*Laid before Parliament* *21st July 2000*  
*Coming into force in accordance with regulation 1*

The Secretary of State for Social Security, in exercise of the powers conferred upon him by sections 123(1)(d) and (e) and 137(1) of the Social Security Contributions and Benefits Act 1992<sup>(1)</sup> and sections 2A(1), (3)(b) to (f), (4), (5)(a) and (b), (6), (7) and (8), 2B(2), (6) and (7), 2C, 189(4) to (7A) and 191 of the Social Security Administration Act 1992<sup>(2)</sup> and of all other powers enabling him in that behalf, after consultation with the Council on Tribunals in accordance with section 8(1) of the Tribunals and Inquiries Act 1992<sup>(3)</sup> and in respect of provisions in these Regulations relating to housing benefit and council tax benefit with organisations appearing to him to be representative of the authorities concerned<sup>(4)</sup> and after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it<sup>(5)</sup>, hereby makes the following Regulations:

**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

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(1) 1992 c. 4; section 123(1)(e) was substituted by the Local Government Finance Act 1992 (c. 14), section 103 and Schedule 9, paragraph 1(1); section 137(1) is an interpretation provision and is cited because of the meaning ascribed to the word “prescribed”.

(2) 1992 c. 5; sections 2A, 2B and 7A were inserted by the Welfare Reform and Pensions Act 1999 (c. 30), sections 57 and 71; section 191 is an interpretation provision and is cited because of the meaning ascribed to the word “prescribed”.

(3) 1992 c. 53.

(4) See section 176(1)(b) of the Social Security Administration Act 1992 (c. 5).

(5) See section 173(1)(b) of the Social Security Administration Act 1992.

- (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(6);
  - “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(7);
  - “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;

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(6) 1998 c. 14.  
(7) S.I. 1987/1967.

- (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,
        - (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(8).

#### **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<sup>(9)</sup>) 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
- (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>(10)</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.

<sup>(9)</sup> S.I. 1987/1967; the relevant amending instrument is S.I. 2000/440.

<sup>(10)</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”).

(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 **(11)** (appeal to appeal tribunal) to an appeal tribunal.

### **Amendments to Regulations**

**10.** The Social Security (Claims and Payments) Regulations 1987**(12)**, the Housing Benefit (General) Regulations 1987**(13)**, the Council Tax Benefit (General) Regulations 1992**(14)**, the Social Security (Claims and Information) Regulations 1999**(15)** and the Social Security (Work-focused Interviews) Regulations 2000**(16)** 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

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**(11)** Section 12 was amended by paragraph 25 of Schedule 7 to the Transfer Act.

**(12)** S.I. [1987/1968](#); the relevant amending instrument is S.I. [2000/897](#).

**(13)** S.I. [1987/1971](#).

**(14)** S.I. [1992/1814](#); the relevant amending instrument is S.I. [2000/897](#).

**(15)** S.I. [1999/3108](#).

**(16)** S.I. [2000/897](#).

SCHEDULE 1

Regulation 1(3)(a)

AREAS WHERE THESE REGULATIONS COME INTO FORCE ON 30TH OCTOBER 2000  
IN RESPECT OF LONE PARENTS WHO ARE NOT ENTITLED TO INCOME SUPPORT

For the purposes of regulation 1(3)(a), the areas are—

- (a) the areas of Shropshire County Council and Telford and Wrekin District Council; and
- (b) the following postcode districts—

DH2 1AA to DH2 1BO

DH2 1XA to DH2 1XQ

DH3 1 and DH3 2

NE8 and NE9

NE10 0

NE10 8 and NE10 9

NE11

NE16 3 to NE16 5

NE16 6NX to NE16 6PE

NE16 8

NE17 7AA to NE17 7HE

NE17 7HG to NE17 7LM

NE17 7TA to NE17 7ZZ

NE21 1

NE21 4 to NE21 6

NE31 1 to NE31 5

NE32 2 to NE32 4

NE33

NE34 0

NE34 6 to NE34 9

NE35 1 and NE35 9

NE36 0 and NE36 1

NE39

NE40 3 to NE40 4

NE42 5 to NE42 6

NE43 7

SR6 7.

- (c) The area of Fife Council excluding the following postcode districts—

DD 6 8 and DD 6 9

KY 14 6

KY 16 0

KY 16 9.



## SCHEDULE 2

Regulation 10

### AMENDMENTS TO REGULATIONS

1. For paragraph (1) of regulation 6A of the Social Security (Claims and Payments) Regulations 1987(17) (claims by persons subject to work-focused interviews) there shall be substituted the following paragraph—

“(1) This regulation applies to any person who is required to take part in a work-focused interview in accordance with—

- (a) regulation 4 of the Social Security (Work-focused Interviews) Regulations 2000(18) (“the Work-focused Interviews Regulations”); or
- (b) regulation 2 of the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000.”.

2. In the Housing Benefit (General) Regulations 1987(19), in regulation 68A(3)(20) (date of change of circumstances following decision as to whether person took part in a work-focused interview), for the words “the decision was made or the circumstance occurred” there shall be substituted the words “that change occurred”.

3. In the Council Tax Benefit (General) Regulations 1992(21), in regulation 59A(3) (date of change of circumstances following decision as to whether a person took part in a work-focused interview), for the words “the decision was made or the circumstance occurs” there shall be substituted the words “that change occurred”.

4. In the Social Security (Claims and Information) Regulations 1999(22)—

- (a) in regulation 4(6) (additional functions of local authorities), sub-paragraph (e) shall be omitted; and
- (b) in regulation 6(1) (war pensions and child support), after the words “to any office” there shall be inserted the words “of a relevant authority”.

5. In the Social Security (Work-focused Interviews) Regulations 2000(23)—

- (a) for sub-paragraph (a) of regulation 6(4) (continuing entitlement dependent upon an interview) there shall be substituted the following sub-paragraph—

“(a) it is determined in accordance with a personal capability assessment that a person is incapable of work;”;

- (b) In Schedule 1 (areas in which “relevant persons” reside)—

- (i) after paragraph (c) there shall be added the following paragraphs—

“(ca) the following postcode districts—

GL15 and GL16

HR2 and HR9

LS1 to LS29

NP1, NP4 to NP11, NP15, NP16, NP18, NP19, NP20, NP25, NP26 and NP44

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(17) S.I. 1987/1968; regulation 6A was inserted by S.I. 2000/897.

(18) S.I. 2000/897.

(19) S.I. 1987/1971.

(20) Regulation 68A was inserted by S.I. 2000/897.

(21) S.I. 1992/1814; regulation 59A was inserted by S.I. 2000/897.

(22) S.I. 1999/3108.

(23) S.I. 2000/897.

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in so far as they lie within the areas of Leeds City Council, Monmouthshire County Council, Newport County Borough Council or Torfaen County Borough Council.”; and

(ii) in paragraph (d)—

(aa) there shall be omitted the following postcode districts—

BD3, BD4 6 to BD4 9, CF3, CF8, GL15, GL16, HR2, HR9, LS1 to LS19, LS21, LS22, LS26 to LS28, NP1, NP4 to NP11, NP15, NP16, NP18, NP20, NP25, NP26 and NP44;

(bb) at the appropriate place there shall be added postcode districts HX1 to HX8;

(cc) for postcode district BD11 there shall be substituted postcode district BD11 2; and

(dd) for postcode districts PA1-PA5 and PA7 to PA27 there shall be substituted postcode districts PA1 to PA27.

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## EXPLANATORY NOTE

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

These Regulations impose a requirement on lone parents who claim, or are entitled to, income support to take part in a work-focused interview (“an interview”). An interview can take place in the lone parent’s home if the interviewer considers that it would be unreasonable to require the lone parent to attend elsewhere. Lone parents are required to take part in further interviews at yearly intervals for so long as they remain on income support (regulation 2).

Regulation 3 prescribes circumstances as to when a lone parent is to be regarded as having taken part in an interview and regulation 4 specifies the circumstances where the requirement to take part in an interview is not to apply.

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 lone parent or it would not be appropriate in the circumstances of the case.

Regulations 7 and 8 set out the sanctions imposed on lone parents who fail to take part in an interview without good cause.

Regulation 9 provides that a decision that a lone parent 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 10 and Schedule 2 make minor and consequential amendments to the Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968), the Housing Benefit (General) Regulations 1987 (S.I. 1987/1971), the Council Tax Benefit (General) Regulations 1992 (S.I. 1992/1814), the Social Security (Claims and Information) Regulations 1999 (S.I. 1999/3108) and the Social Security (Work-focused Interviews) Regulations 2000 (S.I. 2000/897).

These Regulations do not impose a charge on business.

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