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STATUTORY INSTRUMENTS

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**2000 No. 897**

**The Social Security (Work-focused  
Interviews) Regulations 2000**

**PART II**

**WORK-FOCUSED INTERVIEWS**

**Failure to take part in an interview**

**12.**—(1) A person who—

- (a) has been notified of any interview in accordance with these Regulations;
- (b) fails to take part in that interview; and
- (c) fails to show before the end of 5 working days following the day on which the interview was to take place good cause for his failure to take part in the interview,

shall, subject to paragraph (12), suffer the consequences set out below.

(2) Those consequences are—

- (a) where the interview arose in connection with a claim for a specified benefit, that the person to whom the claim relates is to be regarded as not having made a claim for a specified benefit;
- (b) where an interview which arose in connection with a claim for a specified benefit was deferred and benefit became payable in accordance with regulation 8(4), the person's entitlement to that benefit shall terminate as from the first day of the next benefit week following the date the decision was made;
- (c) where the claimant has an award of benefit and the requirement for the interview arose under regulation 6, the claimant's benefit shall be reduced as from the first day of the next benefit week following the day the decision was made, by a sum equal (but subject to paragraphs (3) and (4)) to 20 per cent. of the amount applicable on the date the deduction commences in respect of a single claimant for income support aged not less than 25.

(3) Benefit reduced in accordance with paragraph (2)(c) shall not be reduced below—

- (a) 50 pence per week in the case of housing benefit; or
- (b) 10 pence per week in the case of any other specified benefit.

(4) Where two or more specified benefits are in payment to a claimant, a deduction made in accordance with this regulation shall be applied, except in a case to which paragraph (5) applies, to the specified benefits in the following order of priority—

- (a) income support;
- (b) incapacity benefit;
- (c) widow's benefits;
- (d) invalid care allowance;

- (e) severe disablement allowance;
- (f) council tax benefit;
- (g) housing benefit.

(5) Where the amount of the reduction is greater than some (but not all) of the specified benefits listed in paragraph (4), the reduction shall be made against the first benefit in that list which is the same as or greater than the amount of the reduction.

(6) For the purpose of determining whether a specified benefit is the same as or greater than the amount of the reduction for the purposes of paragraph (5), the amount set out in paragraph 3(a) or as the case may be (b) shall be added to the amount of the reduction.

(7) In a case where the whole of the reduction cannot be applied against any one specified benefit because no one benefit is the same as or greater than the amount of the reduction, the reduction shall be applied against the first benefit in payment in the list of priorities at paragraph (4) and so on against each benefit in turn until the whole of the reduction is exhausted or, if this is not possible, the whole of the specified benefits are exhausted, subject in each case to the minimum sums specified in paragraph (3) remaining in payment.

(8) Where the rate of any specified benefit payable to a claimant changes, the rules set out above for a reduction in the benefit payable shall be applied to the new rates and any adjustments to the benefits against which the reductions are made shall take effect from the beginning of the first benefit week to commence for that claimant following the change.

(9) Where a claimant whose benefit has been reduced in accordance with this regulation subsequently takes part in an interview, the reduction shall cease to have effect on the first day of the benefit week in which the requirement to take part in an interview was met.

(10) For the avoidance of doubt, a person who is regarded as not having made a claim for any benefit because he failed to take part in a work-focused interview shall be required to make a new claim in order to establish entitlement to any benefit.

(11) For the purposes of determining the amount of any benefit payable, a claimant shall be treated as receiving the amount of any specified benefit which would have been payable but for a reduction made in accordance with this regulation.

(12) The consequences set out in this regulation shall not apply in the case of a person who brings new facts to the notice of the personal adviser within 1 month of the date on which the decision was notified and—

- (a) those facts could not reasonably have been brought to the personal adviser's notice within 5 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.

(13) In paragraphs (2) and (12), the “decision” means the decision that the person failed without good cause to take part in an interview.