

2001 No. 3210

SOCIAL SECURITY

**The Social Security (Jobcentre Plus Interviews)
Regulations 2001**

<i>Made - - - - -</i>	<i>21st September 2001</i>
<i>Laid before Parliament</i>	<i>26th September 2001</i>
<i>Coming into force - -</i>	<i>22nd October 2001</i>

The Secretary of State for Work and Pensions, in exercise of the powers conferred upon him by sections 2A(1), (3) to (6) and (8), 2B(6) and (7), 5(1)(a) and (b), 189(1), (4) to (7A) and 191 of the Social Security Administration Act 1992(a) 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(b) and after agreement by the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it(c), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Social Security (Jobcentre Plus Interviews) Regulations 2001 and shall come into force on 22nd October 2001.

Interpretation

- 2.—(1) In these Regulations, unless the context otherwise requires—
- “the 1998 Act” means the Social Security Act 1998(d);
 - “the Contributions and Benefits Act” means the Social Security Contributions and Benefits Act 1992(e);
 - “benefit week” means any period of seven days corresponding to the week in respect of which the relevant specified benefit is due to be paid;
 - “bereavement benefit” means any benefit, other than a bereavement payment, falling within section 20(1)(ea) of the Contributions and Benefits Act(f);

(a) 1992 c. 5; sections 2A, 2B and 189(7A) were inserted by the Welfare Reform and Pensions Act 1999 (c. 30), section 57 and paragraph 83 of Schedule 12; section 191 is an interpretation provision and is cited because of the meaning ascribed to the word “prescribed”. Section 2A(8) is cited because of the meaning ascribed to the word “specified”.

(b) 1992 c. 53.

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

(d) 1998 c. 14.

(e) 1992 c. 4.

(f) Section 20(1)(ea) was inserted by the Welfare Reform and Pensions Act 1999, section 70.

“the Careers Service” means—

- (a) In England and Wales, a person with whom the Secretary of State or, as the case may be, the National Assembly for Wales, have made arrangements under section 10(1) of the Employment and Training Act 1973(a) or a local education authority to whom a direction has been given by the Secretary of State or the National Assembly for Wales under section 10(2) of that Act;
- (b) in Scotland, a person with whom the Scottish Ministers have made arrangements under section 10(1) of the Employment and Training Act 1973 or any education authority to whom a direction has been given by the Scottish Ministers under section 10(2) of that Act;

“the Connexions Service” means a person of any description with whom the Secretary of State has made an arrangement under section 114(2)(a) of the Learning and Skills Act 2000(b) and section 10(1) of the Employment and Training Act 1973 and any person to whom he has given a direction under section 114(2)(b) of the Learning and Skills Act 2000 and section 10(2) of the Employment and Training Act 1973;

“interview” means a work-focused interview with a relevant person who has claimed a specified benefit at an office designated by the Secretary of State as a Jobcentre Plus office(c) and which is 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;

“officer” means an officer of, or providing services to, the Secretary of State;

“specified benefit” means income support, incapacity benefit, invalid care allowance, severe disablement allowance and any bereavement benefit.

(2) In these Regulations, a “relevant person” means a person who resides in an area identified in Schedule 1.

(3) For the purposes of these Regulations—

- (a) a person shall be deemed to be in remunerative work where he is in remunerative work within the meaning prescribed in regulation 4 of the Housing Benefit (General) Regulations 1987(d); and
- (b) a person shall be treated as engaged in part-time work where he is engaged in work for which payment is made but he is not engaged or treated as engaged in remunerative work.

(4) These Regulations apply in respect of a specified benefit claimed on or after 22nd October 2001 by a relevant person who, on that date, resides in an area specified in Schedule 1.

(5) Where a claim for benefit is made by a person (“the appointee”) on behalf of another, references in these Regulations to a person claiming benefit shall be treated as a reference to the person on whose behalf the claim is made and not to the appointee.

(6) 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.

(a) 1973 c. 50; section 10 was inserted by section 45 of the Trade Union Reform and Employment Rights Act 1993 (c. 19). The Secretary of State functions under that Act in relation to Wales were transferred to the National Assembly for Wales by S.I. 1999/672.

(b) 2000 c. 21.

(c) Offices designated as Jobcentre Plus offices are identified in two lists entitled “Jobcentre Plus Pathfinder Offices” and “Jobcentre Plus Work-focused Interview Extension Sites” available from the Department for Work and Pensions, W2W1, 4S25, Quarry House, Quarry Hill, Leeds, LS2 7UB.

(d) S.I. 1987/1971.

Requirement for relevant persons to take part in an interview

- 3.—(1) Subject to regulations 5 to 8, a relevant person who—
- (a) makes a claim for a specified benefit;
 - (b) has attained the age of 16 but has not attained the age of 60 as at the date on which he makes that claim; and
 - (c) is not in remunerative work,
- is required to take part in an interview.
- (2) An officer shall, except where paragraph (3) applies, conduct the interview.
- (3) The Secretary of State may, if he considers it appropriate in all the circumstances, arrange for a person who has not attained the age of 18 to have an interview with an officer of the Careers Service or with an officer of the Connexions Service.

Continuing entitlement dependent on an interview

- 4.—(1) Subject to regulations 5 to 7, a relevant person who has not attained the age of 60 and who is entitled to a specified benefit, shall be required to take part in an interview as a condition of his continuing to be entitled to the full amount of benefit which is payable apart from these Regulations where paragraph (2) applies and—
- (a) in the case of a lone parent who has attained the age of 18 and who has not made a claim for either incapacity benefit or severe disablement allowance, paragraph (3) applies; or
 - (b) in any other case, any of the circumstances specified in paragraph (4) apply or where paragraph (5) applies.
- (2) This paragraph applies in the case of a person who has taken part in an interview under regulation 3 or who would have taken part in such an interview but for the requirement being waived in accordance with regulation 5 or deferred in accordance with regulation 6.
- (3) A lone parent to whom paragraph (1)(a) applies shall be required to take part in an interview—
- (a) after the expiry of six months from the date on which—
 - (i) he took part in an interview under regulation 3; or
 - (ii) a determination was made under regulation 5(1) that he was to be treated as having taken part in an interview under regulation 3;
 - (b) where the lone parent took part, failed to take part, or was treated as having taken part, in an interview pursuant to the requirement arising in sub-paragraph (a), after the expiry of six months from the date on which—
 - (i) he took part in that interview;
 - (ii) he failed to take part in that interview; or
 - (iii) a determination was made under regulation 5(1) that he was to be treated as having taken part in that interview; and
 - (c) where the lone parent took part, failed to take part or was treated as having taken part, in an interview pursuant to the requirement arising in sub-paragraph (b), after the expiry of twelve months from the date on which—
 - (i) he last took part in an interview;
 - (ii) he last failed to take part in an interview; or
 - (iii) a determination was last made under regulation 5(1) that he was treated as having taken part in an interview.
- (4) The circumstances specified in this paragraph are those where—
- (a) it is determined in accordance with a personal capability assessment that a person is incapable of work and therefore, continues to be entitled to a specified benefit;
 - (b) a person's entitlement to an invalid care allowance ceases whilst entitlement to another specified benefit continues;
 - (c) a person becomes engaged or ceases to be engaged in part-time work;

- (d) a person has been undergoing education or training arranged by an officer and that education or training comes to an end; and
- (e) a person who has not attained the age of 18 and who has previously undertaken an interview, attains the age of 18.

(5) A requirement to take part in an interview arises under this paragraph where a person has not been required to take part in an interview by virtue of paragraph (4) for at least 36 months.

(6) In this regulation “lone parent” has the meaning it bears in regulation 2(1) of the Income Support (General) Regulations 1987(a).

Waiver

5.—(1) A requirement imposed by these Regulations to take part in an interview shall not apply if the Secretary of State determines that an interview would not—

- (a) be of assistance to the relevant person; or
- (b) be 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 3 or 4; and
- (b) any claim for, or entitlement to, a specified benefit,

as having complied with that requirement.

Deferment of requirement to take part in an interview

6.—(1) Except in a case to which paragraph (2) applies, an officer shall arrange for an interview to take place as soon as reasonably practicable after the claim is made or the requirement, under regulation 4(3) to (5), arises.

(2) This paragraph applies where an officer determines, in the case of any particular person, that the requirement to take part in an interview shall not apply at the time the claim is made or the event occurs because an interview would not at that time—

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

(3) An officer who determines in accordance with paragraph (2) that the requirement to take part in an interview shall not apply, shall also determine when that determination is made, the time when the requirement to take part in an interview is to apply in the claimant’s case.

(4) Where an interview has been deferred in accordance with this regulation, then until both—

- (a) a determination has been made that the claimant is to take part in an interview; and
- (b) a determination has been made as to whether the claimant in fact took part in an interview,

he shall be treated for the purposes of any claim for, or entitlement to, a specified benefit as having complied with any requirement to take part in an interview.

Exemptions

7.—(1) Subject to paragraph (2), persons who, as at the date on which the claim for a specified benefit is made or the requirement to take part in an interview under regulation 4 arises—

- (a) are engaged in remunerative work; or
- (b) are claiming, or are entitled to, a jobseeker’s allowance,

shall be exempt from the requirement to take part in an interview in accordance with regulation 3 or 4.

(2) Paragraph (1)(b) shall not apply where—

- (a) a joint-claim couple (as defined for the purposes of section 1(4) of the Jobseekers Act 1995(b)) have claimed a jobseeker’s allowance; and

(a) S.I. 1987/1967.

(b) 1995 c. 18; the definition of “joint-claim couple” was inserted by the Welfare Reform and Pensions Act 1999, section 59 and Schedule 7, paragraph 2(4)(b).

- (b) a member of that couple is a person to whom regulation 3D(1)(c) of the Jobseeker's Allowance Regulations 1996(a) (further circumstances in which a joint-claim couple may be entitled to a joint-claim jobseeker's allowance) applies.

Claims for two or more specified benefits

8. A person who would otherwise be required under these Regulations to take part in interviews relating to more than one specified benefit—

- (a) is only required to take part in one interview; and
- (b) that interview counts for the purposes of all those benefits.

The interview

9.—(1) An officer shall inform the relevant person of the place and time of the interview.

(2) An officer may determine that an interview is to take place in the home of a relevant person 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

10.—(1) An officer shall determine whether a relevant person has taken part in an interview.

(2) A relevant person 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 his opinion, puts him at a disadvantage in obtaining employment; and
 - (vii) any caring or childcare responsibilities he has.

(3) A relevant person who has not attained the age of 18 shall also be regarded as having taken part in an interview if he attends an interview with the Careers Service or the Connexions Service at the place and time notified to him by an officer.

Failure to take part in an interview

11.—(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 five 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 6(4), that 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 4, 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

(a) S.I. 1996/207; regulation 3D was inserted by S.I. 2000/1978 and amended by S.I. 2001/518.

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 10 pence per week.

(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) any bereavement benefit;
- (d) invalid care allowance;
- (e) severe disablement allowance.

(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), 10 pence 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 10 pence 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 an interview shall be required to make a new claim in order to establish entitlement to any specified 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 officer within one month of the date on which the decision was notified and—

- (a) those facts could not reasonably have been brought to the 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.

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

Circumstances where regulation 11 does not apply

12. The consequences of a failure to take part in an interview set out in regulation 11 shall not apply where the person—

- (a) ceases to reside in an area specified in Schedule 1; or
- (b) attains the age of 60.

Good cause

13. 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 person misunderstood the requirement to take part in the interview due to any learning, language or literacy difficulties of the person or any misleading information given to the person by an officer;
- (b) that the person was attending a medical or dental appointment, or accompanying a person for whom the claimant has caring responsibilities to such an appointment, and that it would have been unreasonable, in the circumstances, to rearrange the appointment;
- (c) that the person 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 the person belongs prevented him attending on that day or at that time;
- (e) that the person was attending an interview with an employer with a view to obtaining employment;
- (f) that the person was actually pursuing employment opportunities as a self-employed earner;
- (g) that the person or a dependant of his or a person for whom he provides care suffered an accident, sudden illness or relapse of a chronic condition;
- (h) that he was attending the funeral of a close friend or relative on the day fixed for the interview;
- (i) that a disability from which the person suffers made it impracticable for him to attend at the time fixed for the interview.

Appeals

14.—(1) This regulation applies to any relevant decision of the Secretary of State made under these Regulations or any decision under section 10 of the 1998 Act 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; 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 to an appeal tribunal.

Amendments to Regulations

15. The Social Security (Claims and Payments) Regulations 1987(a), the Social Security (Work-focused Interviews) Regulations 2000(b) and the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000(c) shall be amended in accordance with Schedule 2.

Signed by authority of the Secretary of State for Work and Pensions.

Malcolm Wicks
Parliamentary Under-Secretary of State,
Department for Work and Pensions

21st September 2001

(a) S.I. 1987/1968.
(b) S.I. 2000/897.
(c) S.I. 2000/1926.

AREAS IN WHICH RELEVANT PERSONS RESIDE

For the purposes of regulation 2(2), the areas are—

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

AB10, AB11, AB12, AB13, AB14, AB15, AB16, AB21, AB22, AB23, AB24, AB25, AB30, AB31, AB32, AB33, AB34, AB35, AB36, AB39, AB41, AB42 0, AB42 1, AB42 2, AB42 3, AB 42 4, AB42 5, AB43, AB44 1, AB45 1, AB45 2, AB45 3, AB51 to AB53 8, AB54 6, AB54 7.

B31, B45.

BB1 1, BB1 2, BB1 3, BB1 5, BB1 6, BB1 7, BB1 8, BB1 9, BB2 1, BB2 2, BB2 3, BB2 4, BB2 5, BB2 6, BB2 7, BB3 0, BB3 1, BB3 2, BB3 3,

BR9 5, BR9 6, BR9 7, BR9 8, BR9 9.

CF15 7, CF31, CF32, CF33, CF34, CF35, CF36, CF37, CF38, CF39, CF40, CF41, CF42, CF43, CF44, CF45, CF72.

CH41, CH42, CH43, CH44, CH45, CH46, CH47, CH48, CH49, CH60, CH61, CH62, CH63.

CM7 1, CM7 2, CM7 3, CM7 4, CM7 5, CM7 6, CM7 7, CM7 8, CM7 9,

CO1 1, CO1 2, CO2 0, CO2 7, CO2 8, CO2 9, CO3 3, CO3 4, CO3 5, CO4 3, CO4 4, CO4 5, CO5 0, CO5 7, CO5 8, CO5 9, CO6 1, CO6 2, CO6 3, CO6 4, CO7 0, CO7 7, CO7 8, CO7 9, CO9 1, CO9 2, CO9 3, CO11 1, CO11 2, CO11 3, CO12 3, CO12 4, CO12 5, CO13 0, CO13 9, CO14 8, CO15 1, CO15 2, CO15 3, CO15 4, CO15 5, CO15 6, CO16 0, CO16 7, CO16 8, CO16 9.

DE1, DE3, DE5 0, DE5 1, DE5 2, DE5 8, DE6, DE7 2, DE7 3, DE7 4, DE7 5, DE7 6, DE7 7, DE7 8, DE7 9, DE11 0, DE11 7, DE11 8, DE11 9, DE12 6, DE12 8, DE21, DE22, DE23, DE24, DE56 0, DE56 1, DE56 2, DE65, DE72, DE73, DE74 2, DE75 7.

DH3 1, DH3 2.

DT6, DT7.

EH27, EH28, EH29, EH47, EH48, EH52, EH53, EH54, EH55.

EX8 1, EX8 2, EX8 3, EX8 4, EX8 5, EX9 6, EX9 7, EX10 0, EX10 8, EX10 9, EX11 1, EX12 2, EX12 3, EX12 4, EX13 5, EX13 7, EX13 8, EX14 0, EX14 1, EX14 2, EX14 3, EX14 4, EX14 9, EX15 1, EX15 2, EX15 3, EX16 4, EX16 5, EX16 6, EX16 7, EX16 8, EX16 9, EX17, EX18, EX24.

HA9, HA10.

M11, M12, M13, M18, M19, M43.

NE8, NE9, NE10, NE11, NE16, NE17, NE21, NE31, NE32, NE33, NE34, NE35, NE36, NE39, NE40. NG10 1, NG10 2, NG10 3, NG10 4, NG10 5, NG16 1, NG16 2, NG16 3, NG16 4, NG16 5.

NW2, NW6, NW10.

SE27.

SO20 6, SO20 7, SO20 8, SO20 9, SO21, SO22, SO24, SO25.

SR6 7, SR6 8.

SS11 but only the following parts:

7AA, 7AB, 7AD, 7AF, 7AH, 7AP, 7AS, 7AT, 7AY, 7AZ,

7BA, 7BB, 7BD, 7BT, 7BZ,

7DD, 7DE, 7DF, 7DG, 7DH, 7DJ, 7DQ, 7DS,

7EF, 7EH, 7EJ, 7EN, 7EQ, 7EW, 7EZ,

7HG, 7HL, 7HQ, 7HR, 7HW,

7JP, 7JR, 7JT, 7JU, 7JX, 7JY, 7JZ,

7LA, 7LD, 7LE, 7LF, 7LG, 7LT,

7NE, 7NL, 7NN, 7NT, 7NY,

7PF,

7QJ, 7QL, 7QP, 7QR, 7QS, 7QU, 7QW, 7QX,

7RF, 7RG, 7RH, 7RJ, 7RN.

SW4 0, SW4 6, SW4 7, SW4 8, SW4 9, SW8 3, SW8 4, SW8 5, SW9, SW11, SW12, SW14, SW15, SW16, SW17, SW18 2, SW18 3, SW18 4, SW18 5, SW19 6.

ZE1, ZE2, ZE3.

(a) The Postcode Atlas for Great Britain and Northern Ireland and the postcode maps may be obtained from their publishers. Persons may establish the current postcode for their address by contacting the Royal Mail Postcode Enquiries office (tel no. 08457 111222 or www.royalmail.com).

AMENDMENTS TO REGULATIONS

1. For paragraph (1) of regulation 6A of the Social Security (Claims and Payments) Regulations 1987^(a) (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 regulations made under section 2A(1)(a) of the Social Security Administration Act 1992.”.

2.—(1) The Social Security (Work-focused Interviews) Regulations 2000 shall be amended in accordance with the following sub-paragraphs.

(2) For the definition of “the Careers Service” in regulation 2(1) there shall be substituted the following definition—

““the Careers Service means—

- (a) in England and Wales, a person with whom the Secretary of State or, as the case may be, the National Assembly for Wales, have made arrangements under section 10(1) of the Employment and Training Act 1973 or a local education authority to whom a direction has been given by the Secretary of State or the National Assembly for Wales under section 10(2) of that Act;
- (b) in Scotland, a person with whom the Scottish Ministers have made arrangements under section 10(1) of the Employment and Training Act 1973 or any education authority to whom a direction has been given by the Scottish Ministers under section 10(2) of that Act;”.

(3) In regulation 6 (continuing entitlement dependent upon an interview)—

(a) in paragraph (1)—

(i) in sub-paragraph (a)—

(aa) after the words “lone parent who” there shall be inserted the words “resides in an area identified in Schedule 1A and who”;

(bb) for the words “any of the circumstances specified in paragraph (3) apply” there shall be substituted the words “paragraph (3) applies”;

(ii) at the end of sub-paragraph (b), there shall be added the words “or where paragraph (4A) applies”;

(b) for paragraph (3) there shall be substituted the following paragraph—

“(3) A lone parent to whom paragraph (1)(a) applies shall be required to take part in an interview—

(a) after the expiry of six months from the date on which—

(i) he took part in an interview under regulation 4; or

(ii) a determination was made under regulation 7(1) that he was to be treated as having taken part in an interview under regulation 4;

(b) where the lone parent took part, failed to take part or was treated as having taken part, in an interview pursuant to the requirement arising in sub-paragraph (a), after the expiry of six months from the date on which—

(i) he took part in that interview;

(ii) he failed to take part in that interview; or

(iii) a determination was made under regulation 7(1) that he was to be treated as having taken part in that interview; and

(c) where the lone parent took part, failed to take part or was treated as having taken part, in an interview pursuant to the requirement arising in sub-paragraph (b), after the expiry of twelve months from the date on which—

(i) he last took part in an interview;

(ii) he last failed to take part in an interview; or

(iii) a determination was last made under regulation 7(1) that he was to be treated as having taken part in an interview.”;

(c) at the end of paragraph (4)(a)(b), there shall be added the words “and therefore, continues to be entitled to a specified benefit”;

(d) after paragraph (4) there shall be inserted the following paragraph—

“(4A) A requirement to take part in an interview arises under this paragraph where a person—

(a) resides in an area identified in Schedule 1A; and

^(a) Regulation 6A was inserted by S.I. 2000/897 and amended by S.I. 2000/1926.

^(b) Regulation 6(4)(a) was substituted by S.I. 2000/1926, regulation 10 and paragraph 5(a) of Schedule 2.

(b) has not been required to take part in an interview by virtue of paragraph (4) for at least 36 months.”.

(4) In paragraph (d) of Schedule 1 (areas in which “relevant persons” reside), for “HD1 to HD8” there shall be substituted “HD1 to HD9”.

(5) After Schedule 1 there shall be inserted the following Schedule—

“SCHEDULE 1A Regulation 6(1)(a) and (4A)

AREAS IN WHICH PERSONS WHO ARE SUBJECT TO THE REPEAT INTERVIEW REQUIREMENT IN REGULATION 6(3) OR (4A) RESIDE

CM1 to CM6.

HD1 to HD9.

HX1 to HX8.

OL14.

PA11 but only the following parts:

3QT, 3QX, 3QY, 3QZ, 3RX, 3RZ, 3SD, 3SF, 3SJ, 3SL, 3SQ, 3SW, 3SX, 3SY,

PA13 to PA16, PA18 and PA19.

SS0 to SS6,

SS11 but only the following parts:

7BE, 7BG, 7BH, 7BJ, 7BL, 7BN, 7BP, 7BQ, 7BS, 7BW,

7DA, 7DB, 7DN, 7DP, 7DR, 7DT, 7DW, 7DX, 7DY,

7EE, 7EP, 7ES, 7ET, 7EU, 7EX, 7EY,

7HA, 7HB, 7HP, 7HS, 7HT, 7HU, 7HX, 7HY, 7HZ,

7JA, 7JB, 7JE, 7JF, 7JG, 7JQ,

7LN, 7LP, 7LR, 7LS, 7LW, 7LX, 7LY, 7LZ,

7NA, 7NB, 7ND, 7NJ, 7NP, 7NR, 7NS, 7NU, 7NW, 7NX,

7PA, 7PB, 7PD, 7PE, 7PN, 7PP, 7PR, 7PS, 7PT, 7PU, 7PX, 7PY, 7PZ,

7QA, 7QB, 7QD, 7QF, 7QG, 7QH.

SS12.

WF12 to WF17.”.

3. At the end of regulation 4(d) of the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000 (circumstances where requirement to take part in an interview does not apply) there shall be added the words “or under the Social Security (Jobcentre Plus Interviews) Regulations 2001”.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations impose a requirement on persons who live in certain areas (regulation 2(2) and Schedule 1) who claim, or are entitled to, certain benefits (specified in regulation 2(1)) to take part in a work-focused interview (“an interview”).

Regulation 3 specifies those persons who are required to take part in an interview when claiming a specified benefit and regulation 4 prescribes when persons are required to take part in an interview as a condition of their continuing entitlement to those benefits.

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 person or it would not be appropriate in the circumstances of the case. Regulation 7 prescribes circumstances when a person is exempted from the requirement to take part in an interview. Regulation 8 specifies when a requirement to take part in two or more interviews is satisfied by the person taking part in a single interview.

Regulation 9 provides for the person to be advised of the time and place of the interview and provides that an interview can take place in the person’s home if the interviewer considers that it would be unreasonable to require that person to attend elsewhere.

Regulation 10 prescribes circumstances as to when a person is to be regarded as having taken part in an interview and regulation 11 details the consequences of a failure to take part in an interview. Regulation 12 specifies the circumstances where those consequences do not apply and regulation 13 specifies the matters to be taken into account in determining whether a person had good cause for his failure to take part in an interview.

Regulation 14 provides that a decision that a person 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 15 and Schedule 2 amend the Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968), the Social Security (Work-focused Interviews) Regulations 2000 (S.I. 2000/897) (“the 2000 Regulations”) and the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000 (S.I. 2000/1926) (“the Lone Parents Regulations”).

In particular, the 2000 Regulations, which impose a requirement to take part in an interview on claimants for certain benefits and on those continuing to be entitled to those benefits in areas not covered by these Regulations, are amended to align the repeat interview requirements in those regulations with those prescribed in these Regulations and to prescribe that only those lone parents residing in specified areas shall be subject to the six month repeat interview requirement. The Lone Parents Regulations do the same in respect of certain lone parents and the amendment ensures that where these Regulations require a lone parent to take part in an interview, any requirement to take part in an interview under the Lone Parents Regulations will not apply.

These Regulations do not impose a charge on business.

An Explanatory Memorandum has been placed in the House Libraries.

2001 No. 3210

SOCIAL SECURITY

**The Social Security (Jobcentre Plus Interviews)
Regulations 2001**

£2.50

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Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of
Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.
E1594 9/2001 655118 19585

ISBN 0-11-029945-0



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