

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations impose a requirement on persons 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 prescribes the time when the interview is to take place. 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 and regulation 7 specifies that an interview can be deferred. Regulation 8 prescribes circumstances when a person is exempted from the requirement to take part in an interview. Regulation 9 specifies when a requirement to take part in two or more interviews is satisfied by the person taking part in a single interview.

Regulation 10 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 11 prescribes circumstances as to when a person is to be regarded as having taken part in an interview and regulation 12 details the consequences of a failure to take part in an interview. Regulation 13 specifies the circumstances where those consequences do not apply and regulation 14 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 15 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 16 and Schedule 1 revoke previous regulations, with savings and a transitional provision, which imposed requirements on persons in certain areas to take part in interviews.

Regulation 17 and Schedule 2 make amendments to other regulations which are consequential both on these Regulations and the revocation and transitional effect of the regulations referred to in Schedule 1.

These Regulations do not impose a charge on business.

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Jobcentre Plus Interviews) Regulations 2002.