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STATUTORY INSTRUMENTS

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**2005 No. 2727**

**The Social Security (Work-focused Interviews) Amendment Regulations 2005**

**Amendment of the Jobcentre Plus Regulations 2002**

2.—(1) The Jobcentre Plus Regulations 2002 shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 2(1) (interpretation and application)—

(a) for the definition of “specified benefit”(1) there shall be substituted “ “specified benefit” means income support, incapacity benefit and severe disablement allowance;”;

(b) at the appropriate places there shall be inserted—

“ “lone parent” has the meaning it bears in regulation 2(1) of the Income Support (General) Regulations 1987(2);”;

“ “relevant benefit” means income support other than income support where one of the following paragraphs of Schedule 1B to the Income Support (General) Regulations 1987 applies—

(a) paragraph 7 (persons incapable of work), or

(b) paragraph 24 or 25 (persons appealing against a decision which embodies a determination that they are not incapable of work);”;

“ “specified person” means—

(a) a lone parent, or

(b) a person who claims—

(i) incapacity benefit,

(ii) income support where paragraph 7 (persons incapable of work) of Schedule 1B to the Income Support (General) Regulations 1987(3) applies,

(iii) income support where paragraph 24 or 25 (persons appealing against a decision which embodies a determination that they are not incapable of work) of Schedule 1B to the Income Support (General) Regulations 1987(4) applies, or

(iv) severe disablement allowance.”.

(3) In regulation 3(1) (requirement for person claiming a specified benefit to take part in an interview)—

(a) for paragraph (a) there shall be substituted—

“(a) either—

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(1) Relevant amending instrument is S.I.2002/2497.

(2) S.I. 1987/1967.

(3) Part III was amended by S.I. 1995/987, 1996/3207, 1999/3109 and 2000/590.

(4) Paragraphs 24 and 25 were amended by S.I. 1999/2422 (c.61) and paragraph 25 was amended by S.I. 1999/3109 and 2005/337.

- (i) makes a claim for a relevant benefit, or
  - (ii) is entitled to a specified benefit other than a relevant benefit;” and
- (b) in paragraph (b), for “makes that claim” there shall be substituted “claims a specified benefit”.
- (4) In regulation 4(4)(b) (continuing entitlement to specified benefit dependent on an interview)(5), for “another” there shall be substituted “a”.
- (5) For paragraph (a) of regulation 5 (time when interview is to take place), there shall be substituted—
  - “(a) the expiry of eight weeks after the date the claim for a specified benefit, other than a relevant benefit, is made;
  - (aa) the claim for a relevant benefit is made;”.
- (6) In regulation 8(3) (exemptions)(6), after “Regulations 2003” there shall be inserted “or regulation 2A of the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000”.
- (7) For regulation 11(2) (the interview), there shall be substituted—
  - “(2) A person who has not taken part in an interview under these Regulations before 31st October 2005 shall be regarded as having taken part in his first interview under these Regulations if—
    - (a) he attends for the interview at the place and time notified to him by the officer;
    - (b) where he is a specified person, he participates in discussions with the officer in relation to the specified person’s employability, including any action the specified person and the officer agree is reasonable and they are willing to take in order to help the specified person enhance his employment prospects;
    - (c) 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;
      - (vii) any caring or childcare responsibilities he has;
      - (viii) his aspirations for future employment;
      - (ix) any vocational training or skills which he wishes to undertake or acquire; and
      - (x) his work related abilities; and
    - (d) where he is a specified person, he assists the officer in the completion of an action plan which records the matters discussed in relation to sub-paragraph (b) above.
  - (2A) A person who has taken part in an interview under these Regulations before 31st October 2005 shall be regarded as having taken part in his first interview under these Regulations after 30th October 2005 if—

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(5) Relevant amending instrument is S.I. [2002/2497](#).

(6) Regulation 8(3) was inserted by S.I. [2003/2439](#).

- (a) he attends for the interview at the place and time notified to him by the officer;
  - (b) where he is a specified person, he participates in discussions with the officer in relation to the specified person's employability, including any action the specified person and the officer agree is reasonable and they are willing to take in order to help the specified person enhance his employment prospects;
  - (c) he participates in discussions with the officer—
    - (i) in relation to the person's employability or any progress he might have made towards obtaining employment; and
    - (ii) in order to consider any of the programmes and support available to help the person obtain employment;
  - (d) he provides answers (where asked) to questions and appropriate information about—
    - (i) the content of any report made following his personal capability assessment, insofar as that report relates to the person's capabilities and employability; and
    - (ii) his opinion as to the extent to which his medical condition restricts his ability to obtain employment; and
  - (e) where he is a specified person, he assists the officer in the completion of an action plan which records the matters discussed in relation to sub-paragraph (b) above.
- (2B) A person shall be regarded as having taken part in any subsequent interview under these Regulations if—
- (a) he attends for the interview at the place and time notified to him by the officer;
  - (b) he participates in discussions with the officer—
    - (i) in relation to the person's employability or any progress he might have made towards obtaining employment; and
    - (ii) in order to consider any of the programmes and support available to help the person obtain employment;
  - (c) where he is a specified person, he participates in discussions with the officer—
    - (i) about any action the specified person or the officer might have taken as a result of the matters discussed in relation to paragraphs (2)(b) or (2A)(b) above; and
    - (ii) about how, if at all, the action plan referred to in paragraphs (2)(d) or (2A)(e) above should be amended;
  - (d) he provides answers (where asked) to questions and appropriate information about—
    - (i) the content of any report made following his personal capability assessment, insofar as that report relates to the person's capabilities and employability; and
    - (ii) his opinion as to the extent to which his medical condition restricts his ability to obtain employment; and
  - (e) where he is a specified person, he assists the officer in the completion of any amendment of the action plan referred to in paragraphs (2)(d) or (2A)(e) above in light of the matters discussed in relation to sub-paragraphs (b) and (c) above and the information provided in relation to sub-paragraph (d) above.”.
- (8) In regulation 12 (failure to take part in an interview)—

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (a) in paragraph (2)(a) and (b), for the words “specified benefit” in all three places they appear, there shall be substituted the words “relevant benefit”; and
  - (b) in paragraph (2)(c), after “under regulation 4” there shall be inserted “or by virtue of the claimant falling within regulation 3(1)(a)(ii)”.
- (9) In regulation 14(g) (good cause), for “a chronic condition” there shall be substituted “a physical or mental health condition”.
- (10) There shall be omitted—
- (a) in regulation 2(1) (interpretation and application), the definition of “bereavement benefit”,
  - (b) regulation 4(6) (continuing entitlement to specified benefit dependent on an interview), and
  - (c) regulation 12(4)(c) and (d) (failure to take part in an interview)(7).

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(7) Relevant amending instrument is S.I. [2002/2497](#).