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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 Work-focused Interviews Regulations**

5.—(1) The Work-focused Interviews Regulations<sup>(1)</sup> shall be amended in accordance with the following provisions of this regulation.

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

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

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

“ “lone parent” means a person who has no partner and who is responsible for, and a member of the same household as, a child;”;

“ “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 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 applies, or

(iv) severe disablement allowance;”.

(3) In regulation 6 (continuing entitlement dependent on an interview)<sup>(2)</sup>—

(a) in paragraph (4)(b), for “an invalid care allowance ceases whilst entitlement to another” there shall be substituted “carer’s allowance ceases whilst entitlement to a”; and

(b) in paragraph (5), the definition of “lone parent” shall be omitted.

(4) For regulation 11(2) (taking part in an interview), there shall be substituted—

“(2) A person who has attained the age of 18 shall be regarded as having taken part in his first interview under these Regulations after 30th October 2005 if—

(a) he attends at the place and time notified to him by the personal adviser for the interview;

(b) where he is a specified person, he participates in discussions with the personal adviser in relation to the specified person’s employability, including any action the

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<sup>(1)</sup> These Regulations were revoked by S.I.2002/1703 but remain in force for certain cases by virtue of transitional provisions in regulation 16.

<sup>(2)</sup> Relevant amending instruments are S.I. 2000/1926 and 2001/3210.

specified person and the personal adviser 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 personal adviser—
  - (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) and appropriate information to questions 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 personal adviser in the completion of an action plan which records the matters discussed in relation to sub-paragraph (b) above.

(2A) A person who has attained the age of 18 shall be regarded as having taken part in any subsequent interview under these Regulations if—

- (a) he attends at the place and time notified to him by the personal adviser for the interview;
- (b) he participates in discussions with the personal adviser—
  - (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 personal adviser—
  - (i) about any action the specified person or the personal adviser might have taken as a result of the matters discussed in relation to paragraph (2)(b) above; and
  - (ii) about how, if at all, the action plan referred to in paragraph (2)(e) above should be amended;
- (d) he provides answers (where asked) and appropriate information to questions 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 personal adviser in the completion of any amendment of the action plan referred to in paragraph (2)(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.”.

(5) In regulation 12(4) (failure to take part in an interview), there shall be omitted sub-paragraphs (c) and (d).

(6) In regulation 14(g) (good cause), for “a chronic condition” there shall be substituted “a physical or mental health condition”.