

2007 No. 1034

SOCIAL SECURITY

**The Social Security (Work-focused Interviews for Lone Parents)
Amendment Regulations 2007**

Made - - - - - *26th March 2007*

Laid before Parliament *30th March 2007*

Coming into force in accordance with regulation 1(2)

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 2A, 2B, 189(1), (4) to (6) and (7A) and 191 of the Social Security Administration Act 1992(a).

The Social Security Advisory Committee has agreed that proposals in respect of these Regulations should not be referred to it(b).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Work-focused Interviews for Lone Parents) Amendment Regulations 2007.

(2) These Regulations shall come into force on 30th April 2007 except for regulations 3 and 5 which shall come into force on 28th April 2008.

(3) In these Regulations—

“the Lone Parents Regulations” means the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000(c);

“the Jobcentre Plus Regulations” means the Social Security (Jobcentre Plus Interviews) Regulations 2002(d).

Amendment of the Lone Parents Regulations from 30th April 2007

2.—(1) The Lone Parents Regulations shall be amended in accordance with this regulation.

(2) For regulation 2 (requirement for lone parents claiming or entitled to income support to take part in an interview)(e), substitute—

(a) 1992 c.5. Sections 2A and 2B were inserted by section 57 of the Welfare Reform and Pensions Act 1999 (c.30). Section 2A(2) was amended by S.I. 2002/1457. Section 189(1) and (4) to (6) was amended by paragraph 109 of Schedule 7 to the Social Security Act 1998 (c.14); section 189(1) was amended by paragraph 57(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c.2) and Schedule 6 to the Tax Credits Act 2002 (c.21); section 189(7A) was inserted by paragraph 82 of Schedule 12 to the Welfare Reform and Pensions Act 1999. Section 191 is cited because of the meaning it gives to the word “prescribe”.

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

(c) S.I. 2000/1926.

(d) S.I. 2002/1703.

(e) Regulation 2 was amended by S.I.s 2002/670, 2004/959 and 2005/2727.

“General requirement for lone parents claiming or entitled to income support to take part in an interview

2.—(1) Subject to this regulation and regulations 2A, 2B and 4 to 6, a lone parent is required to take part in an interview if he falls within any of paragraphs (2) to (4).

(2) A lone parent falls within this paragraph if he makes a claim for income support in respect of himself.

(3) A lone parent falls within this paragraph if he is entitled to income support and has not taken part or been required to take part in a relevant interview.

(4) A lone parent falls within this paragraph if he is entitled to income support and has—

- (a) taken part,
- (b) failed to take part, or
- (c) been treated as having taken part,

in a relevant interview.

(5) Where a lone parent falls within paragraph (4) the requirement to take part in an interview arises at the times set out in paragraph (6), except where the young child condition is satisfied (see paragraph (9)) in which case the requirement arises at the times set out in paragraph (7).

(6) The requirement arises (where the young child condition is not satisfied)—

(a) where the lone parent—

- (i) last took part,
- (ii) last failed to take part, or
- (iii) was last treated as having taken part,

in a relevant interview on a date on or after 30th April 2006 but before 30th October 2006, one year after that date, and it arises again every six months after it first arises; or

(b) where the lone parent does not fall within sub-paragraph (a), every six months after the date on which he—

- (i) last took part,
- (ii) last failed to take part, or
- (iii) was last treated as having taken part,

in a relevant interview.

(7) The requirement arises (where the young child condition is satisfied)—

(a) where the interview that the lone parent—

- (i) last took part in,
- (ii) last failed to take part in, or
- (iii) was last treated as having taken part in,

was the first relevant interview, six months after the date of that first interview, and it arises again upon each anniversary of that date;

(b) where the interview that the lone parent—

- (i) last took part in,
- (ii) last failed to take part in, or
- (iii) was last treated as having taken part in,

was the second relevant interview, six months after the date of that second interview, and it arises again upon each anniversary of the day on which it first arises;

- (c) in any other case, on each anniversary of the date of the interview that the lone parent—
 - (i) last took part in,
 - (ii) last failed to take part in, or
 - (iii) was last treated as having taken part in.
- (8) In this regulation, “relevant interview” means an interview under—
 - (a) the Social Security (Working Neighbourhoods) Regulations 2004(a),
 - (b) the Social Security (Quarterly Work-focused Interviews for Certain Lone Parents) Regulations 2004(b), or
 - (c) these Regulations,
 in relation to the lone parent’s current claim.
- (9) For the purposes of this regulation, the young child condition is satisfied where the lone parent is responsible for and living in the same household as—
 - (a) a single child aged under 5, or
 - (b) more than one child where the youngest is aged under 5.
- (10) Where a determination has been made in relation to a lone parent under regulation 6(1) (waiver) or (as the case may be) under a corresponding provision of the Regulations referred to in paragraph (8)(a) or (b), he is to be treated for the purposes of paragraph (3) as if he has not taken part or been required to take part in a relevant interview.”.
- (3) In regulation 2A (requirement for specified lone parents to take part in an interview)—
 - (a) in paragraph (3), after “regulation 2” insert “or 2B”; and
 - (b) omit paragraph (5).
- (4) After regulation 2A, insert—

“Requirement for certain lone parents in certain areas to take part in an interview

- 2B.**—(1) This regulation applies to a lone parent who—
- (a) is responsible for and living in the same household as—
 - (i) a single child aged 11, 12 or 13, or
 - (ii) more than one child where the youngest is aged 11, 12 or 13;
 - (b) has been continuously entitled to income support for at least 12 months; and
 - (c) resides in an area specified in Schedule 3 to these Regulations.
- (2) Subject to regulations 4 to 6, a lone parent to whom this regulation applies is required to take part in an interview every 13 weeks after he—
- (a) last took part in an interview,
 - (b) last failed to take part in an interview, or
 - (c) was last treated as having taken part in an interview.
- (3) A lone parent who—
- (a) is required to take part in an interview under this regulation, or
 - (b) has had a requirement to take part in an interview under this regulation waived or deferred,

is not required to take part in an interview under regulation 2 unless he ceases to fall within this regulation.

(a) S.I. 2004/959.
 (b) S.I. 2004/2244.

The interview

2C.—(1) An interview under these Regulations shall take place as soon as is reasonably practicable after the date on which the requirement to take part in the interview arises.

(2) An officer shall inform the lone parent of the place and time of the interview.

(3) An officer may determine that an interview is to take place in the lone parent's home where it would, in the opinion of the officer, be unreasonable to expect that lone parent to attend elsewhere because that lone parent's personal circumstances are such that attending elsewhere would—

- (a) cause him undue inconvenience, or
- (b) endanger his health.”.

(5) In regulation 4 (circumstances where requirement to take part in an interview does not apply)(a)—

(a) in paragraph (1)(c), for the words after “Regulations 2002” substitute “or the Social Security (Incapacity Benefit Work-focused Interviews) Regulations 2003(b).”, and

(b) after paragraph (1), insert—

“(3) Regulations 2A and 2B shall not apply where the lone parent—

- (a) has attained the age of 60, or
- (b) has not attained the age of 18.

(4) Regulation 2B shall not apply where the lone parent is—

- (a) required to take part in an interview, or
- (b) not required to take part in an interview by virtue of—
 - (i) a waiver of a requirement, or
 - (ii) a deferment of an interview,

under the Social Security (Incapacity Benefit Work-focused Interviews) Regulations 2003.”.

(6) In regulations 5(2) (deferment of requirement to take part in an interview) and 6(2)(a) (waiver)(c), for “2 and 2A” substitute “2, 2A and 2B”.

(7) In regulation 7(3) (consequence of failure to take part in an interview)(d)—

- (a) in sub-paragraph (a), for “2(1)(a)” substitute “2(2)”; and
- (b) in sub-paragraph (b), for “2(1)(b) or (c) or 2A” substitute “2(3) or (4), 2A or 2B”.

(8) After Schedule 2, there is inserted as Schedule 3 the Schedule set out in the Schedule to these Regulations.

Amendment of the Lone Parents Regulations from 28th April 2008

3.—(1) The Lone Parents Regulations shall be amended in accordance with this regulation.

(2) In regulation 2, as substituted by regulation 2 of these Regulations,—

- (a) in paragraph (5), omit the words from “, except where the young child condition is satisfied” to “set out in paragraph (7)”;
- (b) in paragraph (6), omit “(where the young child condition is not satisfied)”;
- (c) in paragraph (6)(a), for “30th April 2006 but before 30th October 2006” substitute “28th April 2007 but before 30th October 2007”; and
- (d) omit paragraphs (7) and (9).

(a) Regulation 4(1) was substituted by S.I. 2005/2727 and amended by S.I. 2006/909.

(b) S.I. 2003/2439. Relevant amending instruments are S.I.s 2005/3 and 2604 and 2006/536 and 3088.

(c) Regulations 5(2) and 6(2)(a) were amended by S.I. 2005/2727.

(d) Regulation 7 was amended by S.I.s 2004/959 and 2005/2727.

Amendment of the Jobcentre Plus Regulations from 30th April 2007

- 4.—(1) The Jobcentre Plus Regulations shall be amended in accordance with this regulation.
- (2) In regulation 4 (continuing entitlement to specified benefit dependent on an interview)(a)—
- (a) in paragraph (1)(a), for “either paragraph (3) or (3A)” substitute “paragraph (3), (3B), (3D), (3F) or (3H)”;
 - (b) in paragraph (2), for the words after “such an interview”, substitute—
 - “but for—
 - (i) the requirement being waived in accordance with regulation 6;
 - (ii) the requirement being deferred in accordance with regulation 7;
 - (iii) the requirement not arising because the person was at the time of the claim for the specified benefit subject to provisions within the Social Security (Working Neighbourhoods) Regulations 2004(b) by virtue of regulation 2(3) of those Regulations; or
 - (iv) the person being required to take part in an interview under the Social Security (Quarterly Work-focused Interviews for Certain Lone Parents) Regulations 2004(c).”.
 - (c) for paragraphs (3) and (3A), substitute—

“(3) This paragraph applies at the times specified in paragraph (3A) where the young child condition is not satisfied (see paragraph (5B)) and where the lone parent—

 - (a) last took part,
 - (b) last failed to take part, or
 - (c) was last treated as having taken part,

in a relevant interview on a date or after 30th April 2006 but before 30th October 2006.

(3A) Paragraph (3) first applies one year after that date, and it applies again every six months after the day on which it first applies.

(3B) This paragraph applies at the times specified in paragraph (3C) where the young child condition is not satisfied and where the lone parent—

 - (a) last took part,
 - (b) last failed to take part, or
 - (c) was last treated as having taken part,

in a relevant interview on a date that was not on or after 30th April 2006 but before 30th October 2006.

(3C) Paragraph (3B) first applies six months after that date, and it applies again every six months after the day on which it first applies.

(3D) This paragraph applies at the times specified in paragraph (3E) where the young child condition is satisfied and where the interview that the lone parent—

 - (a) last took part in,
 - (b) last failed to take part in, or
 - (c) was last treated as having taken part in,

was the first relevant interview.

(3E) Paragraph (3D) first applies six months after the date of that first interview, and it applies again upon each anniversary of the date of that first interview.

(a) Regulation 4 was amended by S.I.s 2002/2497, 2004/959 and 2005/2727.

(b) S.I. 2004/959.

(c) S.I. 2004/2244.

(3F) This paragraph applies at the times specified in paragraph (3G) where the young child condition is satisfied and where the interview that the lone parent—

- (a) last took part in,
- (b) last failed to take part in, or
- (c) was last treated as having taken part in,

was the second relevant interview.

(3G) Paragraph (3F) first applies six months after the date of that second interview, and it applies again upon each anniversary of the date on which it first applies.

(3H) This paragraph applies at the times specified in paragraph (3I) where the young child condition is satisfied and where the interview that the lone parent—

- (a) last took part in,
- (b) last failed to take part in, or
- (c) was last treated as having taken part in,

was not the first or second relevant interview.

(3I) Paragraph (3H) first applies one year after the date of that interview, and it applies again upon each subsequent anniversary of that date.”.

(d) after paragraph (5), insert—

“(5A) In this regulation, “relevant interview” means an interview under—

- (a) the Social Security (Working Neighbourhoods) Regulations 2004,
- (b) the Social Security (Quarterly Work-focused Interviews for Certain Lone Parents) Regulations 2004, or
- (c) these Regulations,

in relation to the lone parent’s current claim.

(5B) For the purposes of this regulation, the young child condition is satisfied where the lone parent is responsible for and living in the same household as—

- (a) a single child aged under 5, or
- (b) more than one child where the youngest is aged under 5.”.

(3) In regulation 8(3) (exemptions), after “2A” insert “or 2B”.

Amendment of the Jobcentre Plus Regulations from 28th April 2008

5.—(1) The Jobcentre Plus Regulations shall be amended in accordance with this regulation.

(2) In regulation 4, as amended by regulation 4 of these Regulations,—

- (a) in paragraph (1)(a), for “(3), (3B), (3D), (3F) or (3H)” substitute “(3) or (3B)”;
- (b) in paragraph (3)—
 - (i) omit “where the young child condition is not satisfied (see paragraph (5B)) and”, and
 - (ii) for “30th April 2006 but before 30th October 2006” substitute “28th April 2007 but before 30th October 2007”;
- (c) in paragraph (3B)—
 - (i) omit “where the young child condition is not satisfied and”, and
 - (ii) for “30th April 2006 but before 30th October 2006” substitute “28th April 2007 but before 30th October 2007”;
- (d) omit paragraphs (3D) to (3I); and
- (e) omit paragraph (5B).

Revocation of the Social Security (Quarterly Work-focused Interviews for Certain Lone Parents) Regulations 2004

6. The Social Security (Quarterly Work-focused Interviews for Certain Lone Parents) Regulations 2004(a) are revoked.

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

26th March 2007

Jim Murphy
Minister of State,
Department for Work and Pensions

SCHEDULE

Regulation 2(8)

Insertion of Schedule 3 to the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000

“SCHEDULE 3

Regulation 2B(1)

For the purposes of regulation 2B, the areas are the areas of—

Barnet London Borough Council;
Bexley London Borough Council;
Blaby District Council;
Cardiff Council;
Charnwood Borough Council;
City of Bradford Metropolitan District Council;
Dudley Metropolitan Borough Council;
East Lothian Council;
Edinburgh City Council;
Enfield London Borough Council;
Greenwich London Borough Council;
Harborough District Council;
Hinckley and Bosworth Borough Council;
Leicester City Council;
Leicestershire County Council;
Lewisham London Borough Council;
Melton Borough Council;
Midlothian Council;
North West Leicestershire District Council;
Oadby and Wigston Borough Council;

(a) Amending instrument is S.I. 2005/2727.

Sandwell Metropolitan Borough Council;
Scottish Borders Council;
Vale of Glamorgan Council;
West Lothian Council.”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000 (S.I. 2000/1926 – “the Lone Parents Regulations”) and the Social Security (Jobcentre Plus) Regulations 2002 (S.I. 2002/1703 – “the Jobcentre Plus Regulations”) to impose additional requirements on lone parents to take part in work-focused interviews. They also revoke the Social Security (Quarterly Work-focused Interviews for Certain Lone Parents) Regulations 2004 (S.I. 2004/2244).

Regulations 2(2) and 4(2)(c) make amendments to the Lone Parents Regulations and the Jobcentre Plus Regulations respectively. They require lone parents entitled to income support to take part in a work-focused interview every six months.

The requirement to take part every six months is introduced in stages. The first stage begins on 30th April 2007 for lone parents with a youngest child aged 5 or above. Regulations 2(2) and 4(2)(c) introduce the first stage. The second stage begins on 28th April 2008 for lone parents with a youngest child aged under 5. Regulations 3 and 5 introduce the second stage.

Regulation 2(4) makes amendments which require some lone parents to take part in a work-focused interview every three months. The lone parents to whom this requirement applies are those with a youngest child aged 11, 12 or 13, who have been entitled to income support for at least 12 months and who live in certain areas of the country. Regulation 2(8) and the Schedule set out those areas.

Regulation 2(5) amends the Lone Parents Regulations to provide that lone parents cannot be required to take part in a work-focused interview under more than one set of Regulations at the same time.

Regulation 6 revokes S.I. 2004/2244.

Regulations 2(2) and (4) and 4(2)(c) make amendments for lone parents who were required to take part in work-focused interviews under S.I. 2004/2244. Such lone parents are required to take part in work-focused interviews under the Jobcentre Plus Regulations and the Lone Parents Regulations. The time and frequency of those interviews depends on a number of factors, such as the age of their youngest child and the date of their last interview.

A full Regulatory Impact Assessment has not been produced for this instrument because it has no impact on the costs of business, charities or voluntary bodies.

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SOCIAL SECURITY

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Amendment Regulations 2007**

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