
STATUTORY INSTRUMENTS

2011 No. 2428

The Social Security (Work-focused Interviews for Lone Parents and Partners) (Amendment) Regulations 2011

Amendment of the Social Security (Jobcentre Plus Interviews) Regulations 2002

3.—(1) The Social Security (Jobcentre Plus Interviews) Regulations 2002⁽¹⁾ are amended as follows.

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

(a) in paragraph (1), after the definition of “relevant benefit”, insert—

““relevant interview” means an interview under these Regulations in relation to the claimant’s current award of a specified benefit;”; and

(b) after paragraph (2), insert—

“(2A) For the purposes of section 2A(2A)(b) of the Social Security Administration Act 1992⁽³⁾ and these Regulations, a lone parent is to be treated as responsible for, and a member of the same household as, a child under the age of one only where the lone parent would be treated as being responsible for, and a member of the same household as, such a child under regulations 15 and 16 of the Income Support (General) Regulations 1987⁽⁴⁾, if references in those Regulations to income support were to a specified benefit.”.

(3) In regulation 3 (requirement for a person claiming a specified benefit to take part in an interview)⁽⁵⁾—

(a) at the end of paragraph (1)(b), omit “and”; and

(b) at the end of paragraph (1)(c) insert—

“; and

(d) is not a lone parent who—

(i) makes a claim for or is entitled to income support; and

(ii) falls within paragraph 1 (lone parents) of Schedule 1B (prescribed categories of person) to the Income Support (General) Regulations 1987.”.

(4) For regulation 4 (continuing entitlement to specified benefit dependent on an interview)⁽⁶⁾, substitute—

“Continuing entitlement to full amount of specified benefit dependent on an interview

4.—(1) This paragraph applies to a person who—

(1) [S.I. 2002/1703](#)

(2) Regulation 2(1) was amended in a number of ways not relevant to these Regulations. The definition of “lone parent” was inserted by [S.I. 2005/2727](#), regulations 2(1), (2)(b).

(3) 1992. c.5.

(4) [S.I. 1987/1967](#).

(5) Regulation 3(1) was amended by regulations 1(1), 2(1) and (3)(a) of by [S.I. 2005/2727](#), regulations 1(1) and 2(1) and (3)(a) and by [S.I. 2010/563](#), regulation 6(1) and (3).

(6) Regulation 4 was amended in numerous ways not relevant to these regulations.

- (a) is not a lone parent who is entitled to income support who falls within paragraph 1 (lone parents) of Schedule 1B (prescribed categories of person) to the Income Support (General) Regulations 1987;
- (b) has not attained pensionable age; and
- (c) is entitled to a specified benefit.

(2) Subject to regulations 6 to 9, a person to whom paragraph (1) applies is required to take part in an interview as a condition of continuing to be entitled to the full amount of benefit which is payable apart from these Regulations where paragraph (3) and either paragraph (4) or (5) apply.

(3) This paragraph applies to a person who has taken part in a relevant interview or who would have taken part in such an interview but for—

- (a) the requirement being waived in accordance with regulation 6; or
- (b) the requirement being deferred in accordance with regulation 7.

(4) This paragraph applies to a person when any of the following circumstances arise—

- (a) the person's entitlement to carer's allowance ceases whilst entitlement to a specified benefit continues;
- (b) the person becomes engaged or ceases to be engaged in part-time work;
- (c) the person has been undergoing education or training arranged by the officer and that education or training comes to an end; or
- (d) the person attains the age of 18 and has not previously taken part in a relevant interview.

(5) This paragraph applies where a person has not been required to take part in a relevant interview for at least 36 months.”.

(5) After regulation 4(7), insert—

“Continuing entitlement to full amount of income support dependent on an interview: lone parents who fall within paragraph 1 of Schedule 1B to the Income Support (General) Regulations 1987

4ZA.—(1) Subject to regulations 4A and 6 to 9, this regulation applies to a lone parent who—

- (a) is entitled to income support;
- (b) falls within paragraph 1 (lone parents) of Schedule 1B (prescribed categories of person) to the Income Support (General) Regulations 1987; and
- (c) has not attained pensionable age.

(2) A lone parent to whom this regulation applies is required to take part in an interview if the lone parent has not taken part in or been required to take part in a relevant interview.

(3) This paragraph applies to a lone parent to whom this regulation applies who is aged 18 or over and has—

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

in a relevant interview.

(7) Regulation 4 has been amended a number of times but not in ways that are material to these Regulations.

(4) A lone parent to whom paragraph (3) applies is required to take part in an interview every six months after the date on which 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.

(5) An officer shall, except where paragraph (6) applies, conduct the interview.

(6) An officer may, if he considers it appropriate in all the circumstances, arrange for a person who has not attained the age of 18 to attend an interview with such person as the Secretary of State may specify.”.

(6) In regulation 4A(3) (requirement for certain lone parents to take part in an interview)(8), for “regulation 4” substitute “regulation 4ZA”.

(7) For regulation 5 (time when interview is to take place)(9), substitute—

“Time when interview is to take place

5.—(1) Where the claimant is not a lone parent entitled to income support who falls within paragraph 1 (lone parents) of Schedule 1B (prescribed categories of person) to the Income Support (General) Regulations 1987, an officer shall arrange for an interview to take place as soon as reasonably practicable after—

- (a) the expiry of eight weeks after the date the claim for a specified benefit, other than a relevant benefit, is made;
- (b) the claim for a relevant benefit is made;
- (c) the requirement under regulation 4(2) arises;
- (d) in a case where regulation 7(1) applies, the time when that requirement is to apply by virtue of regulation 7(2); or
- (e) the requirement to take part in a relevant interview arises, in a case where the requirement to take part in an interview arises because the youngest child a lone parent is responsible for, and a member of the same household as, has attained the age of one.

(2) Where the claimant is a lone parent entitled to income support who falls within paragraph 1 of Schedule 1B to the Income Support (General) Regulations 1987, an officer shall arrange for an interview to take place as soon as reasonably practicable after—

- (a) the requirement to take part in a relevant interview arises, in a case where the requirement to take part in an interview arises because the youngest child a lone parent is responsible for, and a member of the same household as, has attained the age of one;
- (b) in any other case—
 - (i) where regulations 4ZA(2) (first interview) and 4A(1) apply, the expiry of 13 weeks beginning on the date on which the requirement to attend an interview arises;
 - (ii) where regulation 4ZA(2) (first interview) applies but regulation 4A(1) does not apply, the expiry of 6 months beginning on the date on which the requirement to attend an interview arises;

(8) Regulation 4A was inserted by [S.I.2008/3051](#), regulation 8(1), (3).

(9) Regulation 5 was amended by [S.I. 2005/2727](#), regulation 2(1), (5), and by [S.I. 2008/3051](#), regulation 8(1) and (4).

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- (iii) where either regulation 4ZA(3) or regulation 4A(2) (subsequent interviews) applies, the requirement to attend an interview arises; or
 - (iv) in a case where regulation 7(1) applies, the time when that requirement is to apply by virtue of regulation 7(2).”
- (8) In regulation 7 (deferment of requirement to take part in an interview), at the beginning of paragraph (2), insert “Subject to regulation 8(4),”.
- (9) In regulation 8 (exemptions)(10)—
- (a) in paragraph (3)(11), omit “or regulation 2A or 2B of the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000”; and
 - (b) after paragraph (3) insert—
 - “(4) The requirement to take part in an interview under regulations 3, 4, 4ZA or 7(2) does not apply to a lone parent who is responsible for, and a member of the same household as, a child under the age of one.”
- (10) In regulation 12(2) (failure to take part in an interview), in subparagraph (c), for “4 or 4A”, substitute “4, 4ZA or 4A”.

(10) Regulation 8(3) was inserted by S.I. 2003/2439, regulation 17 and was amended by S.I. 2005/2727, S.I. 2007/1034 and S.I. 2008/2928.

(11) Regulation 8(3) was inserted by S.I. 2003/2439, regulation 17 and amended by S.I. 2005/2727, regulations 1(1) and 2(1) and (6), by S.I. 2007/0134 regulation 4(1) and (3) and by S.I. 2008/2928, regulation 12(3).