

Delivering services in relation to young benefit claimants from April 2011: benefits liaison

April 2011

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Claims for benefits and payments procedures must conform to a standard model. Local authority provider staff must be familiar with the benefits that may be available to young people through Jobcentre Plus, and the associated processes.

This document describes the three most commonly claimed benefits:

- Jobseeker's Allowance
- Income Support
- Employment Support Allowance.

Each benefit has its own set of rules, regulations and entitlement conditions, which can often seem confusing and complex. For a user-friendly, yet detailed, explanation of those rules, regulations and entitlement conditions we strongly recommend that local authority offices obtain a copy of the 'Welfare benefits and tax credit handbook'. This annual publication by the Child Poverty Action Group can be purchased via their website (www.cpag.org.uk)

Jobseeker's Allowance (JSA)

JSA is a benefit for people who are unemployed or who work for less than 16 hours a week and who are looking for full-time work. People claiming JSA must satisfy the 'labour market conditions' – they must be available for work and actively looking for work.

There are two types of JSA – contribution based and income based. Contribution based JSA is based on the National Insurance contributions paid or credited in the two tax years preceding the calendar year in which a claim is made. For this reason, 16/17 year olds rarely qualify for contribution based JSA. However, they can get income based JSA if they qualify under certain circumstances. These are described further below.

People claiming JSA must sign up to a Jobseeker's Agreement which sets out the type of work they are looking for, the days and times they are willing to work and the steps they will take to find work. JSA customers then attend the

Jobcentre, at least every two weeks, to review their jobsearch position and sign a declaration that says they have been actively seeking work, are still available for work and that there has been no change in their circumstances which might affect entitlement to JSA.

To claim JSA, adults (aged 18 and over) must telephone Jobcentre Plus on 0800 055 6688 (lines are open 8am – 6pm Monday to Friday) or apply on-line via the Jobcentre Plus website. Jobcentre Plus recognises that 16 and 17 year olds can find navigating the benefit system difficult and offers other contact routes for making their claim. As well as making contact with Jobcentre Plus that is available to over 18s, they may instead contact Jobcentre Plus or the local authority service directly. Whichever contact route is chosen, under 18s will be offered support by the Jobcentre's 16/17 year olds adviser.

Jobseeker's Allowance for under-18s

Unemployed 16 and 17 year olds are not usually able to claim JSA but, in some circumstances they may. For example:

- if they are in the Child Benefit Extension Period and of necessity living away from their parents (or a person acting in place of their parents) because they are estranged or in physical or moral danger, or there is a serious risk to their physical or mental health;
- if they are part of a couple responsible for a child; or
- if they will suffer severe hardship if they cannot get JSA.

The 16/17 year olds adviser at the Jobcentre will be able to provide more information about those 16/17 year olds who are eligible to claim JSA.

16 and 17 year olds also have to meet certain labour market conditions:

- be registered with local authority services for employment and training*;
- be out of work, or working less than 16 hours a week;
- be available for work (usually for at least 40 hours per week);
- be actively looking for work and/or training;
- agree to and sign a Jobseeker's Agreement.

* Some 16/17 year olds are exempt from registering with local authority services – those who are entitled to contribution based benefit; those who have a confirmed armed forces enlistment date within 8 weeks of their claim date; those temporarily stopped from work i.e. on short term working from an employer and Guaranteed Payments are made by the employer.

Whether they ring the contact centre or visit a Jobcentre Plus office or visit a local authority services office the customer should be immediately directed to the Jobcentre Plus 16/17 year olds adviser who will conduct a diagnostic

interview to assess their entitlement to JSA. The diagnostic interview can be done over the telephone if the young person is in the local authority services office and the 16/17 year olds adviser is available.

Once entitlement to JSA is established, the 16/17 year olds adviser will briefly explain to the young person the labour market conditions attached to claiming JSA. These include the requirement to attend a New Jobseeker Interview (NJI) with Jobcentre Plus and, where appropriate, the requirement to register with local authority services for work or training.

Following their NJI with Jobcentre Plus the young person will attend the Jobcentre fortnightly to evidence their compliance with their Jobseeker's Agreement which will include some of the steps they agreed to take with local authority services towards finding work or training.

Young people who fail to comply with the conditions for receipt of JSA may find that their benefit is suspended, reduced, or disallowed entirely, depending on the circumstances. Advisers in both Jobcentre Plus and local authority services have a key role to play in ensuring that 16 and 17 year olds engage with the benefits system promptly and correctly at all stages of the claim.

From a Jobcentre Plus perspective, 16/17 year olds adviser will manage all aspects of the young persons claim, this includes:

- liaising with local authority services to arrange registration for work and training;
- notifying local authority services whether JSA is to be paid or not;
- notifying local authority services of further information relevant to the claim;
- supporting local authority services advisers in discharging their responsibilities in relation to the young person's claim.

JSA for 16/17 year olds: local authority services role and responsibilities

If the 16/17 year old has not already had a diagnostic interview with the Jobcentre Plus 16/17 year olds adviser this must be arranged following locally agreed procedures. In appropriate cases the local authority services adviser may also need to book the young person a New Jobseeker Interview (NJI) with the 16/17 year olds adviser.

Registration with local authority services is a condition of receipt of JSA for 16/17 year olds. Local authority services advisers must conduct a registration interview with the young person and record their activity on CCIS as NEET. The date that the young person became NEET must also be recorded. Where possible this interview should take place before the young person attends their NJI. At the end of the interview the local authority services adviser should issue the young person a completed JSA Registration and Referral form (ES9) and instruct them to take it to the Jobcentre for their NJI. The ES9 includes registration details, employment and training goals and the actions

the young person will take, in conjunction with the local authority services adviser, to find education, employment or training – these actions will be reflected in the Jobseeker's Agreement the young person must enter into at their NJI.

Central to the Jobseeker's Agreement will be the requirement for the young person to maintain regular contact with their local authority services adviser and Jobcentre Plus expects that such contact will be at least fortnightly. The young person's CCIS record, and current activity, should be updated following each contact.

If it is not possible for a local authority services adviser to conduct a full registration interview with the young person before their NJI, an interview must be booked at the earliest possible opportunity and the young person issued with Confirmation of Registration form (ES11) and instructed to take it to their NJI. The ES11 must include the date on which the full registration interview will take place.

When the young person attends the full registration interview the local authority services adviser must then complete an ES9 and send it by post or fax to the 16/17 year olds adviser in Jobcentre Plus. This should be done immediately; any delay in making this notification can affect benefit payments to the young person.

Should the young person fail to attend the arranged full registration interview the local authority services adviser must immediately inform the Jobcentre Plus 16/17 year olds adviser by phone and, as confirmation, send them a completed change of circumstances form (ES22). Because registration with local authority services is a condition for receipt of JSA, failure to attend this interview will certainly lead to the suspension of any payments and perhaps claim closure.

Once JSA is in payment the local authority services adviser has a responsibility to notify the Jobcentre Plus 16/17 year olds adviser immediately of anything which might impact upon that claim. It is impossible to provide an exhaustive list of events or changes in circumstance that might affect JSA payments, local authority services advisers are therefore advised to consult the Jobcentre Plus 16/17 year olds adviser.

The following events/changes must always be notified immediately by phone and confirmed with the appropriate form:

- customer fails to follow agreed steps to find education/training/work (ES22)
- customer fails to pursue or turns down an education/training/work opportunity offered to them(ES22);
- customer changes their job/training goal (ES9).

JSA delivery standards for 16/17 year olds

- Jobcentre Plus will conduct diagnostic interviews as soon as possible and certainly within 4 hours of initial contact.
- Local authority services will conduct full registration interviews as soon as possible and certainly within 5 days of a claim being made.

Income Support (IS)

IS is a means tested (income-based) benefit. To be entitled to IS the customer has to:

- be aged between 16 and the age they can get [Pension Credit](#)
- be resident in Great Britain
- work less than 16 hours a week (or whose partner is working less than 24 hours a week)
- have capital of no more than £16,000
- be in a [defined client group](#).

The main client groups which qualify for IS are lone parents, carers and certain sick or disabled people.

IS can be paid on its own or may be paid as a top-up to other benefits such as Incapacity Benefit or earnings from part-time work.

Once IS has been awarded, the customer must inform Jobcentre Plus of any changes in circumstances which will affect their entitlement to IS, e.g. changes in income or going into hospital.

At the beginning of a claim, and then periodically throughout the life of the claim, customers aged 18 and over are expected to attend Work Focused Interviews (WFI) with a Jobcentre Plus personal adviser. These interviews aim to help customers become more independent by moving into or closer to the labour market and failure to attend a WFI can lead to benefit not being processed or a benefit sanction being imposed. There may be occasions where it is not appropriate for customers to attend a WFI and Jobcentre Plus advisers are able to waive or defer the requirement in certain specific circumstances.

To claim IS, adults (aged 18 and over) must telephone Jobcentre Plus on 0800 055 6688 (lines are open 8am – 6pm Monday to Friday) or apply on-line via the Jobcentre Plus website.

Income Support for under-18s

The Income Support rules are the same for 16/17 year olds as they are for those aged 18 and over.

Importantly, young people can sometimes claim IS if they are still in relevant education. An eligible person is a qualifying young person who may be entitled to IS if they satisfy one of the following conditions:

- is a parent who is responsible or treated as responsible for a child
- is a person with limited leave to enter or remain
- is an orphan and there is no one acting in place of the parents
- of necessity is living away from the parents and anyone acting in their place because:
 - they are estranged from them
 - they are in physical or moral danger
 - there is a serious risk to their physical or mental health
- is no longer living in accommodation provided by a Local Authority and is of necessity living away from their parents and any person acting in their place
- is living away from their parents or anyone acting in their place and that person is unable to support them financially because they are:
 - chronically sick or mentally or physically disabled
 - detained in custody
 - prohibited from entering Great Britain
- is a refugee learning English for more than 15 hours a week who has been in Great Britain for no more than 12 months. This criterion will only apply for a maximum period of nine months.
- a disabled student – in certain circumstances.

The 16/17 year olds adviser at the Jobcentre will be able to provide more information about those 16/17 year olds who are able to claim IS.

Just as customers aged 18 and over are expected to attend an initial Work Focused Interview, 16/17 year olds are expected to attend an initial Learning Focused Interview (LFI). This will be conducted by a local authority service adviser. As with adults, there are certain prescribed circumstances in which the requirement to attend a LFI can be waived or deferred – that decision rests solely with the 16/17 year old adviser in Jobcentre Plus.

16/17 year olds calling the contact centre or visiting a Jobcentre Plus or local authority service office should immediately be referred to the Jobcentre Plus 16/17 year olds adviser who will conduct a diagnostic interview to decide upon benefit entitlement and whether a LFI is required.

If there is a requirement to attend a LFI the 16/17 year olds adviser will arrange an appointment with a local authority service adviser and inform the customer that their benefit claim will not be processed until they have taken part in the LFI.

Once established, the 16/17 year olds adviser will manage all aspects of the young persons claim. This includes deciding on the appropriateness of further LFIs with local authority services when certain trigger points occur.

Income support for 16/17 year olds: Local authority services role and responsibilities

If the 16/17 year old has not already had a diagnostic interview with the 16/17 year olds adviser in Jobcentre Plus this must be arranged following locally agreed procedures.

Where the 16/17 year olds adviser has determined that a Learning Focused Interview is required this will be arranged with, and conducted by, a local authority service adviser. The content of the LFI is detailed in Annex 1.

Once the LFI has been conducted, the local authority service must complete form JCP2YP and send it to the 16/17 year olds adviser in Jobcentre Plus as soon as possible. Any delay in making this notification will delay payment of benefit as the claim is not processed until it is confirmed that the young person has attended the LFI.

Should the young person fail to attend the LFI, the local authority service adviser must immediately inform the 16/17 year olds adviser by phone and, as confirmation, send them a completed JCP2YP. In these circumstances the 16/17 year olds adviser will contact the young person, remind them of the requirement to attend a LFI and liaise with the local authority service adviser to book another appointment.

In addition to the initial LFI young people may be required to attend further LFIs if certain 'life events' occur, these are:

- When entitlement to Carer's Allowance ceases but entitlement to Income Support continues;
- When a 16/17 year old becomes engaged or ceases to be engaged in part time work;
- When a 16/17 year old has been undergoing education or training arranged by an officer and that education or training comes to an end.

If a 'life event trigger' occurs and the 16/17 year olds adviser determines that a LFI is required this will be arranged with, and conducted by, a local authority service adviser. Once the 'life event trigger' LFI has been conducted, the local authority service adviser must complete form JCP2YP and send it to the 16/17 year olds adviser in Jobcentre Plus.

Should the young person fail to attend the 'life event trigger' LFI, the local authority service adviser must immediately inform the 16/17 year olds adviser by phone and, as confirmation, send them a completed JCP2YP. In these circumstances the 16/17 year olds adviser will contact the young person,

remind them of the requirement to attend a LFI and liaise with the local authority service adviser to book another appointment.

The young person has three chances to attend a LFI. If the young person fails to attend a 'life event trigger' LFI on three occasions the 16/17 year olds adviser will consider whether a sanction should be applied to the young person's benefit.

Where benefit is in payment the local authority service adviser has a responsibility to notify the 16/17 year olds adviser immediately of anything which might impact upon the claim. It is impossible to provide an exhaustive list of events or changes in circumstance that might affect payment of IS, local authority service advisers are therefore advised to consult the 16/17 year olds adviser.

When the young person reaches 18 the local authority service adviser must help ensure a managed transition from the LFI process with the local authority service to the Work Focused Interview regime with Jobcentre Plus. This requires the local authority service adviser to provide Jobcentre Plus with information about the young person's past progress with them, their future aims, needs and circumstances.

Income Support delivery standards for 16/17 year olds

- Jobcentre Plus will conduct diagnostic interviews as soon as possible and certainly within 4 hours of initial contact.
- Local authority services will conduct LFIs within 4 days of the young person making initial contact with Jobcentre Plus. In exceptional circumstances ie where the customer is in urgent need of benefit, the LFI should take place within 24 hours.
- 'Life event trigger' LFIs should be conducted within 4 days. As these events can be identified by either Jobcentre Plus or the local authority service, close liaison between the two is required.

NB – The decision on whether an initial or 'life event trigger' LFI is required rests solely with the 16/17 year olds adviser in Jobcentre Plus.

Employment Support Allowance (ESA)

Employment and Support Allowance/Incapacity Benefit is payable to people who are unable to work or look for work because of ill-health or disability. Payments are made at fixed rates dependant on circumstances such as the duration of the claim and whether they are on the assessment phase or main phase of ESA. Entitlement to ESA(C) is based on National Insurance contributions, but there is also an income related component (ESA(IR)) which is means tested in a similar way to IS. Special rules (known as 'youth' rules) apply to young people aged under 20 or under 25 for those at college or university.

No new claims are now being taken for IB; this includes IB claims which would normally fall under the linking rules. Existing IB customers are being reassessed to see whether they will qualify for ESA. Those that do will be awarded ESA. It obviously makes more sense both for customers and operationally to have all our customers claiming the one benefit rather than operating a two tier system. This will, however, take some time and in the meantime there will still be customers receiving IB.

People who claim ESA must prove that they are too sick to work which, after the first 7 days, requires them to provide a medical certificate from a doctor. If a customer is still claiming ESA after 13 weeks they will be required to attend an assessment with a Health Care Professional chosen by Jobcentre Plus, this assessment is called the 'Work Capability Assessment' (WCA) and focuses on what the customer can do rather than what they cannot do.

The outcome of WCA will determine whether the customer has 'Limited Capability for Work' (LCW) and if they do whether they have 'Limited Capability for Work Related Activity' (LCWRA). Those that have LCWRA will be placed in the Support Group and those who have LCW but not LCWRA will be placed in the 'Work Related Activity Group' (WRAG).

Once placed in the WRAG customers will be expected to undertake interviews with a Jobcentre Plus Personal Adviser. These interviews aim to help customers become more independent by moving into or closer to the labour market and failure to attend an interview can lead to a benefit sanction. It is not always appropriate for customers to attend an interview and Jobcentre Plus advisers are able to defer the requirement in certain specific circumstances.

To claim ESA, adults (aged 18 and over) must telephone Jobcentre Plus on 0800 055 6688 (lines are open 8am – 6pm Monday to Friday) or, in some cases, apply on-line via the Jobcentre Plus website.

Employment Support Allowance for under-18s

To qualify for ESA under the 'youth' rules mentioned above 16/17 year olds must:

- not be in full-time education; and
- have been incapable of work for a continuous period of at least 196 days (the qualifying period),
- have medical certificates for the whole period, unless they have met the threshold of incapacity under the WCA (see above).

The 16/17 year olds adviser at the Jobcentre will be able to provide more information about those 16/17 year olds who are able to claim ESA.

Just as customers aged 18 and over are expected to attend interviews, 16/17 year olds are expected to attend an initial Learning Focused Interviews (LFI)

conducted by a local authority service adviser. As with adults, there are certain prescribed circumstances in which the requirement to attend a LFI can be deferred – that decision rests solely with the 16/17 year olds adviser in Jobcentre Plus.

16/17 year olds who wish to claim ESA must telephone the contact centre. The customer contact centre agent will take the claim and explain that they have the option to attend a diagnostic interview with the 16/17 year olds adviser at the Jobcentre

For the 16/17 year old's ESA claim to be assessed s/he will attend a Work Capability Assessment (WCA). If the 16/17 year old is eligible for ESA s/he will be placed in either the Work Related Activity Group (WRAG) or Support Group. If the 16/17 year old is placed in the WRAG the 16/17 year olds adviser will decide whether a LFI is required or is to be deferred. An ESA LFI may not be waived.

Unless the LFI has been deferred, the 16/17 year old adviser will arrange an appointment with a local authority services adviser.

Once established, the 16/17 year olds adviser will manage all aspects of the young persons claim. This includes deciding on the appropriateness of further LFIs with local authority services when certain trigger points occur.

ESA for 16/17year olds: local authority services roles and responsibilities

If the 16/17 year old has not already had a diagnostic interview with the 16/17 year olds adviser in Jobcentre Plus this may be arranged following locally agreed procedures.

Where the 16/17 year olds adviser has determined that a Learning Focused Interview is to be conducted this will be arranged with, and conducted by, a local authority service adviser. The content of the LFI is detailed in Annex 1.

Once the LFI has been conducted, the local authority service adviser must complete form JCP2YP and send it to the 16/17 year olds adviser in Jobcentre Plus.

Should the young person fail to attend the LFI, the local authority service adviser must immediately inform the 16/17 year olds adviser by phone and, as confirmation, send them a completed JCP2YP. In these circumstances the 16/17 year olds adviser will follow prescribed non-attendance procedures that may result in a benefit sanction being applied if good cause for non-attendance is not established.

In addition to the initial LFI young people may be required to attend further LFIs if certain 'life events' occur. These are:

- Following a repeat WCA, where the 16/17 year is placed in the WRAG;

- When a 16/17 year old becomes engaged or ceases to be engaged in part time work;
- When a 16/17 year old has been undergoing education or training arranged by an officer and that education or training comes to an end.

If a trigger occurs and the 16/17 year olds adviser determines that a LFI is required this will be arranged with, and conducted by, a local authority service adviser. Once the trigger LFI has been conducted, the local authority service adviser must complete form JCP2YP and send it to the 16/17 year olds adviser in Jobcentre Plus.

Should the young person fail to attend the 'life event trigger' LFI, the local authority service adviser must immediately inform the 16/17 year olds adviser by phone and, as confirmation, send them a completed JCP2YP. In these circumstances the 16/17 year olds adviser will follow prescribed non-attendance procedures that may result in a benefit sanction being applied if good cause for non-attendance is not established.

Where benefit is in payment the local authority service adviser has a responsibility to notify the 16/17 year olds adviser immediately of anything which might impact upon the claim. It is impossible to provide an exhaustive list of events or changes in circumstance that might affect payment of ESA, local authority service advisers are therefore advised to consult the 16/17 year olds adviser.

When the young person reaches the age of 18 the local authority service adviser must help ensure a managed transition from the LFI process with local authority services to the Work Focused Interview regime with Jobcentre Plus. This requires the local authority service adviser to provide Jobcentre Plus with information about the young person's progress with them, their future aims, needs and circumstances.

ESA delivery standards for 16/17 year olds

- Jobcentre Plus will conduct diagnostic interviews at the option of the 16/17 year old.
- local authority services will conduct initial LFIs on contact from the 16/17 year olds Adviser following the results of the WCA.
- trigger LFIs should be conducted within 4 days. As these events can be identified by either Jobcentre Plus or local authority services, close liaison between the two is required.

NB – The decision on whether an initial or 'life event trigger' LFI is required rests solely with the 16/17 year olds Adviser in Jobcentre Plus.

Annex 1: Content of the Learning Focused Interview

The local authority service adviser should:

- Explain that the purpose of the LFI is to outline the range of services and opportunities that are available to the young person and to help and encourage them to become more independent by moving into or closer to training, education or work;
- Explain that if the young person does not attend LFIs, their benefit may be affected;
- Ascertain the level to which the young person has pursued any educational qualifications;
- Ascertain the young person's employment history;
- Ascertain whether any vocational training that has been undertaken;
- Ascertain whether the young person has acquired any skills that would aid them gain employment;
- Ascertain whether the young person is doing any paid or unpaid work;
- Help the young person identify and explore possibilities, so that they can develop an idea of what they might want to do in the future and how they might get there;
- Ascertain whether the young person has any medical condition that they feel may put them at a disadvantage in the labour market. Some young people with medical conditions may perceive that work will be unattainable now or in the future. In these cases the local authority service adviser must try to get the young person to focus on what they can do rather than what they cannot;
- Ascertain whether the young person has any caring or childcare responsibilities; and
- Help the young person identify any barriers that prevent them moving into training, education or work. Discuss any assistance or support you can provide to help them overcome these barriers e.g. voluntary caseloading, specialist support.