

Conditionality: Conditionality Groups

Every Universal Credit claimant (for couples there are two claimants) is placed into one of four Conditionality Groups.

The work related activities they have to undertake to continue to receive benefit will depend on which group they are placed in.

There are four groups - these are:

- **No work related requirements**
- **Work focused interview requirement only**
- **Work preparation requirement and work focused interview**
- **All work related requirements**

The activities/work search that the claimant is required to undertake will be outlined in the claimant's Claimant Commitment which the claimant/s has to accept as a condition of entitlement at the beginning of their claim (couples will each have their own personal Claimant Commitment).

Failure to comply with the availability and job search requirements linked to their claim, without good reason, will result in sanctions

No work related requirements – who falls into this group?

The following claimants should be put into the 'no work related activities' group:

- Those who because of health or disability have a Limited Capability for work-ie the equivalent of the support group for ESA.
- Lone parents, and the lead carer of a child in a couple, with a child under one (the other member of the couple will also be placed into a group depending on their circumstances). This includes foster children under one year old.
- Carers who have the Carer Element included in their assessment for Universal Credit# ie with regular and substantial caring responsibilities ie 35 hours or more a week, for a severely disabled person* (this does not apply to claimants in full-time education).
- Claimants who are pregnant and there are 11 weeks or less before the baby is due.
- Claimants who have given birth and it is less then 15 weeks since the baby was born (including still births).
- Those who have adopted a child less than 12 months ago (unless previously fostering the child / relative of the child).
- Those who have experienced domestic violence in previous the 6 months - these will be in this group for 13 weeks in any 12 month period -
- Some students - click
- Those who are PCredit age
- Some people on a drug / alcohol programme
- Those who are earning above their 'earning threshold' (no hours they must work x national min wage)'. This includes those who are gainfully self-employed and earning above their minimum income threshold.
- Full time apprentice - even if earnings below their 'earnings threshold'
- A young person in non-advanced education who is 'without parental support'.
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Work focused interview requirement only - who falls into this group?

he claimants who fall into this group are those who the DWP cannot reasonably expect to work or prepare for work but who can be expected to keep in touch with the labour market so that they are ready to start preparing for the move into / back into work when ready.

This group are expected to attend periodic interviews - called work-focused interviews - to discuss their plans for returning to the labour market.

For these claimants no work search, work preparation or work availability requirements at all can be imposed on them.

The following Universal Credit claimants will fall into the work-focused interview only requirement group:

- Lone parents, and the lead carer in a couple, with a child age from one year up to the day before their second birthday.
- Single foster parents, or the 'responsible foster parent' in a couple, with a foster child age between one and 16, or the foster child is age 16 or over and the work coach feels that due to the care needs of that young person it would be inappropriate for the foster parent to have to prepare for/look for work.
- A foster parent but not the nominated 'responsible foster parent' and the work coach feels that due to the care needs of that young person it would be inappropriate for the foster parent to have to prepare for/look for work.
- A foster parent who fell into one of the two categories above during the previous eight weeks and they intend to continue fostering.
- They are a 'friend or family carer', ie they have become responsible for a child under 16, but who is not their child or step-child, and they are looking after the child because:
 - the child has no parent/s, or their parent/s are unable to look after them, or
 - it is likely that they would otherwise be taken into care as there are concerns about the child's welfare.

The claimant will be the 'responsible carer' of the child and will fall into the work focused interview only group for the 12 month period after they took on this responsibility.

Work Preparation and focused interview requirement only - who falls into this group?

The Universal Credit claimants that fall into this group are:

- Those who because of health or disability have
- Lone parents or in a couple, the responsible parent, whose youngest child is aged 2.

What is work preparation?

The purposes of a work preparation requirement will depend on the conditionality group the claimant is in. In addition to those claimants placed in the work preparation requirement group, those claimants in the all work requirement group can also be requested to undertake work preparation.

The claimant's Work Coach can require the claimant to take a particular action for the purpose of making it more likely that the claimant will obtain paid work, more paid work or better paid work.

They can also specify how much time should be spent on a particular activity.

The kind of actions that the Work Coach may ask them to do includes:

- Attending a skills assessment,
- Improving personal presentation,
- To take part in training,
- To take part in an employment programme,
- Undertake work experience* or a work placement,
- Developing a business plan,
- Any other prescribed action.

* taking part in work experience under a work-related requirement is voluntary - but where the claimant has agreed to work experience as a work preparation requirement then they will be expected to comply and if they fail to do so a sanction can be applied.

Who falls into the all work requirements group?

Claimants placed in this group will be those who have no personal circumstances limiting their availability for work / work preparation, and who do not have earnings above their Conditionality Earning Threshold. These claimants are subject to a full work search and work availability requirements.

What are they expected to do?

The work search requirement is that the claimant takes

- All reasonable action, and
- Any particular action that their Work Coach asks them to do, to obtain paid work or more paid work or better paid work.

How many hours must they spend looking for work?

Normally they must demonstrate to the work coach's satisfaction that they have spent 35 hours a week looking for work - though this depends if they are already doing some work and can be limited in some situations-

The default position is that claimants with work search requirements are required to look for and be available immediately for any work:

- Regardless of the type or the salary, as long as it pays at least the Living Wage (or National Minimum Wage for those age under 25).
- For the number of hours they are expected to work - normally* 35 hours a week,
- Which is within 90 minutes of their home.

*Those with a child under 5 can limit their hours to fit in with caring responsibilities; those with a child aged 5 to 12 can limit their hours to be compatible with normal school hours (including traveling there and back); those with a physical or mental impairment can limit their hours to what is reasonable.

(UC Reg 88).

Temporary change in circumstances

Some people in this group may have their work search requirements lifted for a period of time, for example:

- They are a prisoner,
- Their partner or child dies (lifted for 6 months),
- They are participating in a structured recovery-orientated course of alcohol or drug dependency treatment (for six months),
- They are engaged in a public duty - approved by the DWP,
- They have a period of 'sickness' - up to 14 days where they have declared themselves as unfit for work - but no more than two such periods are allowed during any 12 months.
- Has temporary child care responsibilities or dealing with a domestic emergency
- They are the primary carer of a child, and there has been a significant disruption to their normal child care responsibilities due to the death of: the person who was previously the primary carer of that child, or a parent of that child, or a brother or sister of that child, or another person who had lived with that child.
- They are the primary carer of a child, and there has been a significant disruption to their normal child care responsibilities due to that child having been the victim of, witness to, an incident of violence or abuse and the claimant is not the perpetrator of that violence or abuse.

Is there any flexibility?

The DWP have said that work related requirements are tailored according to the claimant's capability and circumstances, and recorded on the Claimant which sets out what is expected. In addition to this, the legislation is intended to provide for flexibility in how work requirements are applied. For example, the Regulations do not specify how frequently claimants should attend interviews.

Claimants in the all work related requirements group may be temporarily exempt from work search and availability requirements in light of a temporary change of circumstances. For example, sickness, a bereavement, or temporary child care responsibilities.