



Citizens Advice Rhondda Cynon Taff (CARCT)
Cyngor y Bopeth Rhondda Cynon Taf

Registered Charity No. 1074801 Company Limited by Guarantee No. 3717793
Authorised and regulated by the Financial Conduct Authority FRN: 617707
Rhif Elusen gofrestredig: 1074801 Cwmni Cyfyngedig trwy Warant Rhif 3717793
Awdurdodedig a'i reoleiddio gan yr Awdurdod Ymddygiad Ariannol FRN: 617707

5 Gelliwastad Road/Heol Gelliwastad, Pontypridd, CF37 2BP
Admin Tel/ Ffôn admin: 01443 409284
Advice/Cyngor: 03444 77 20 20
Web/Mae gan: www.carct.org.uk



Follow us on [Twitter](#) and [Facebook](#) to keep up with our campaigns and service developments

Please let us know if you'd like this information in a different format.

With thanks and credit to:

Suffolk Law Centre

46a St Matthews Street
Ipswich
Suffolk IP1 3EP
01473 408111

Registered Charity Number: 1055386

Company Registration Number: 4616709



Making a claim for JSA?

What you need to know before signing your Jobseeker Agreement

Claiming other benefits during a reconsideration

You might be able to claim Jobseeker's Allowance (JSA) while waiting for a decision on your mandatory reconsideration. Claiming these benefits during a mandatory reconsideration shouldn't affect your ESA reconsideration request. [Get help from your nearest Citizens Advice](#) if you're not sure whether to claim other benefits.

Claiming Jobseeker's Allowance

You'll need to meet the [usual eligibility rules](#) to claim JSA, for example you'll need to be actively looking for work. You should tell the Jobcentre that you're able and willing to look for work, otherwise you won't get any JSA.

If your condition or disability means you can only work or look for work a limited number of hours each week, or if you need further reasonable adjustments, you can try to agree this with the Jobcentre.

Signing a Jobseeker Agreement when claiming Jobseekers Allowance (JSA) means you are agreeing to take certain actions in return for your benefits. If you fail to do so, the Jobcentre Plus (JCP) may stop your benefits — this is called being ‘sanctioned’ and can last up to three years.

In providing its services; the Jobcentre Plus has a legal duty to help people who have a disability (including many with a long term illness) overcome difficulties. This is known as the duty to make ‘**reasonable adjustments**’ under the Equality Act 2010. If you do have difficulties during the claiming process for JSA or meeting the requirements because of a relevant health condition, **it is very important to tell your Work Coach**. You can tell them how your long term illness or disability restricts work related activities and **have this written down in** your Agreement. You can use the examples on the next page to help you.

If the JCP fails to make reasonable adjustments, it amounts to unlawful discrimination. You may be able to bring a legal case in the County Court and you should seek legal advice. Legal Aid is still available for discrimination cases by calling the Legal Aid Gateway on 0345 345 4345 but don’t delay because there is a six month time limit. In addition, any sanction can be appealed.

Examples of Reasonable Adjustments that you could ask for, you need them because of your disability:

- Placing a ‘**vulnerable customer safeguarding marker**’* on the DWP computer system
- Altering the time or frequency of Work Focused Reviews
- Reducing the time required for job searching each week
- Help with completing forms and/or using a computer
- Availability restrictions, such as times available for work and part time work only.
- Changing the location of work, and/or travel time
- Not referring you to a Mandatory Work Activity**
- Referring you to the Access to Work programme***
- Varying or limiting types of work according to disability
- Provide an alternative contact to the Service Centre phone number e.g. transport allowance or video link
- A cap on expected earnings
- Personal Budgeting Support and Alternative Payment Arrangements

***Vulnerable customers:** people with a physical or mental disability, a learning disability or a condition affecting cognition including autism or drug/alcohol dependency.

DWP benefit safeguard s are designed to ensure that these customers are given extra consideration before any decision is taken to stop or sanction their benefits.

****Mandatory Work Activity:** a Government programme making individuals under- take work in return for their benefit payments.

*****Access to Work:** a Government scheme for disabled workers paying for certain reasonable adjustments such as equipment, support worker or travelling to work.

Please complete and give to JCP/Work Coach, make a copy to keep for yourself.

Today's Date: _____

Full Name: _____

NI Number: _____

I have been advised that, as a disabled person under the Equality Act 2010, you have a legal duty to make reasonable adjustments to my Jobseeker Agreement.

My disability/health conditions are:

The substantial problem(s) affecting my day to day activities:

I need the following reasonable adjustment(s):

- ☐ Please mark me as a vulnerable customer for DWP benefit safeguards
- ☐ Please refer me to Access to Work
- ☐ Please ensure any interview meets my access requirements

Guidance Notes for Claimants and Intermediaries:

Protection under the Equality Act 2010

This law recognises that adjustments (changes) may need to be made in certain areas to help people with disabilities overcome barriers that are not faced by people who are not disabled. This is known as the duty to make 'reasonable adjustments'.

You don't have to qualify for a disability benefit to be 'disabled'

You are treated as disabled if you have a physical or mental Impairment that has a **substantial** and **long term** negative effect on your ability to do **normal daily activities** for example diabetes or dyslexia.

Substantial — more than minor or trivial. For example, it takes much longer than usual to complete a daily task like getting dressed.

Long term — the condition has lasted or will last 12 months or more. For example, a breathing condition that develops as a result of a lung infection.

Normal daily activities — things that people do regularly. For example, shopping, reading and writing, using the phone, watching television, washing and dressing, preparing and eating food, housework, walking and travelling or taking part in social activities.

There are special rules about recurring or fluctuating conditions, for example, arthritis. In addition, you automatically meet the disability definition under the Equality Act 2010 from the day you're diagnosed with HIV infection, cancer or multiple sclerosis.

Some conditions aren't covered by the disability definition, but this does not remove vulnerability. These include addiction to non-prescribed drugs or alcohol.

This is a brief summary of the law and rules. For more information please seek specialist advice at Citizens Advice RCT or Equality & Human Rights Commission.