

E) Further draft conditionality regulations

Summary of illustrative regulations

1. This paper contains an initial, illustrative set of regulations on the content and manner of accepting the claimant commitment, the purpose of WFIs, and the age of the child for the purposes of section 20(1)(a) of the Bill. These relate to clauses 14(4)(b), 14(5), 15(2) and 20(1)(b) of the Welfare Reform Bill. They do not represent a final version of the regulations, but are intended to inform debate on these aspects of the Bill in the House of Lords.

Purpose of the regulations

2. Clause 14 of the Welfare Reform Bill establishes the claimant commitment. These regulations make clear what, in addition to the provision made on the face of the Bill, must be included in any commitment.
3. Clause 15(2) of the Welfare Reform Bill sets out the work-focused interview requirement that will be placed upon some Universal Credit claimants. These regulations define the purpose of the work-focused interview.
4. Clause 20(1) of the Welfare Reform Bill specifies those claimants who will fall in the group subject to a work-focused interview requirement only. This included responsible carers for a child who is aged at least one, and under a prescribed age. These regulations set that age.

Claimant Commitment

5. Regulation 1(a) of the draft regulations provides that the claimant commitment must specify the sanction (both the amount and the period) a claimant would receive for non-compliance with any of the requirements set out in the claimant commitment.
6. Regulation 1(b) of the draft regulations provides that the claimant commitment must include information on a claimant's right of appeal against a decision to impose a sanction.
7. Regulation 2 of the draft regulations sets out the range of ways in which the claimant commitment can be accepted, specifying that the claimant commitment may be accepted electronically (which may be online or by electronic signature), by telephone, or in writing (including both by post, or in person following a face to face discussion). The method to be used will be specified by the Secretary of State rather than the choice of the claimant. Having different channels for accepting the claimant commitment will help us ensure that the process can be conducted as efficiently as possible and where appropriate, is integrated into the normal claims process. It also ensures that for the minority who can't

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use, or be helped to use digital services, other options will be made available.

Work-focused interview

8. Regulation 3 prescribes the possible purposes of a work-focused interview. These include giving advice, identifying skills needs, and encouraging participation in work preparation or work search activities – including all manner of employment programmes and back-to-work support.

Age of the child

9. As noted at paragraph 4 above, Clause 20(1) of the Welfare Reform Bill specifies those claimants who will be placed in the group subject to a work-focused interview requirement only. Included in this group are responsible carers (either lone parents or nominated carers in a couple) with a child aged over one and below an age to be specified in regulations. Regulation 4 of the draft regulations specifies that the age is five.

ILLUSTRATIVE REGULATIONS

STATUTORY INSTRUMENTS

2011 No.

UNIVERSAL CREDIT

Draft Claimant Commitment and Work-focused Interview Regulations

<i>Made</i> - - - -	***
<i>Laid before Parliament</i>	***
<i>Coming into force</i> - -	***

Claimant commitment

1. A claimant commitment is to include—

- (a) the amount by, and period of time for, which the claimant’s award of universal credit may be reduced in accordance with section 26 or 27 in the event that the claimant fails to comply with any of the requirements recorded in their claimant commitment; and
- (b) notice of the claimant’s right of appeal against a decision to reduce the claimant’s award of universal credit in accordance with section 26 or 27.

2. A claimant must accept a claimant commitment by one of the following methods, as specified by the Secretary of State—

- (a) electronically;
- (b) by telephone; or
- (c) in writing.

Work-focused interview requirement

3. The purposes of a work-focused interview are any or all of the following—

- (a) assessing the claimant’s prospects for remaining in or obtaining work;
- (b) assisting or encouraging the claimant to remain in obtain work;
- (c) identifying activities that the claimant may undertake that will make remaining in or obtaining work more likely;
- (d) Identifying training, educational or rehabilitation opportunities for the claimant which may make it more likely that the claimant will remain in or obtain work or be able to do so;
- (e) Identifying current or future work opportunities, including self-employment opportunities, for the claimant, that are relevant to the claimant’s needs and abilities.

Claimants subject to work-focused interview requirement only: age of the child

4. For the purposes of section 20(1)(a) (a claimant is the responsible carer for a child aged at least 1, and under a prescribed age) 5 is the prescribed age.