

2010 No. 696

SOCIAL SECURITY

The Jobseeker's Allowance (Skills Training Conditionality Pilot) Regulations 2010

Made - - - - - 8th March 2010

Coming into force - - - - - 26th April 2010

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 19(8)(b) and (10)(c), 20A(9), 29, 35(1) and 36(2) and (4) of the Jobseekers Act 1995(a).

These Regulations are made with a view to ascertaining whether their provisions will, or will be likely to, encourage persons to obtain or remain in work or will, or will be likely to, make it more likely that persons will obtain or remain in work or be able to do so(b).

The Secretary of State referred the proposals for these Regulations to the Social Security Advisory Committee(c).

A draft of this instrument was laid before Parliament in accordance with section 37(2) of the Jobseekers Act 1995 and approved by a resolution of each House of Parliament.

Citation, commencement and duration

1.—(1) These Regulations may be cited as the Jobseeker's Allowance (Skills Training Conditionality Pilot) Regulations 2010.

(2) They come into force on 26th April 2010.

(3) They cease to have effect on 25th October 2011.

Interpretation

2. In these Regulations—

“action plan” means a document which is completed by the Secretary of State in relation to a claimant which contains a record of any activity that the Secretary of State considers will, or will be likely to, improve that person's prospects of obtaining employment;

“appropriate office” means an office of the Department for Work and Pensions which is identified in the Schedule by reference to its district and name on 26th April 2010 (and where such an office closes, a reference in the Schedule to that office shall be construed in relation to any person as a reference to the office at which that person is required to attend instead of that office);

“claimant” means a person claiming a jobseeker's allowance who is aged 18 or over;

(a) 1995 c. 18. Section 20A was inserted by paragraphs 1 and 13 of Schedule 7 to the Welfare Reform and Pensions Act 1999 (c. 30). Section 29 was amended by section 28(1) of the Welfare Reform Act 2009 (c. 24). Sections 35(1) and 36(4) were amended by paragraphs 62 and 63 respectively of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2). Section 35(1) is an interpretation provision and is cited because of the meaning it gives to the word “prescribed”.

(b) See section 29(8) of the Jobseekers Act 1995, as amended by section 28 of the Welfare Reform Act 2009.

(c) See section 172(1) of the Social Security Administration Act 1992 (c. 5).

JOBSEEKER'S ALLOWANCE (SKILLS TRAINING CONDITIONALITY PILOT) REGULATIONS 2010

“Jobseeker’s Regime and Flexible New Deal Stage 3” means an arrangement known by that name, being a programme of up to 6 months duration provided by the Secretary of State and which consists of the provision to claimants of advice, support, assistance with job search activity and the development of job search skills;

“training” is to be construed as including attendance by a claimant who has been selected to take part in the Skills Training Conditionality Pilot at a pre-entry interview conducted by a training provider;

“employment officer” has the meaning given in section 19(10)(a) of the Jobseekers Act 1995;

“the Skills Training Conditionality Pilot” means a scheme known by that name for the provision to claimants of training—

- (a) secured by the Learning and Skills Council for England,
- (b) secured by Ufi Limited^(a) (operating as “learndirect”),
- (c) which is provided by, or provided pursuant to other arrangements made by, the Secretary of State, or
- (d) which is approved by the Secretary of State in relation to particular claimants;

“the Jobseeker’s Allowance Regulations” means the Jobseeker’s Allowance Regulations 1996^(b).

Application

3.—(1) Subject to regulation 5, these Regulations apply to a claimant who meets the following conditions and who is selected by an employment officer on a sampling basis.

(2) The first condition is that on or after 26th April 2010 the claimant attends an appropriate office pursuant to a notification given or sent under regulation 23 (attendance)^(c) or 23A (attendance by members of a joint-claim couple)^(d) of the Jobseeker’s Allowance Regulations.

(3) The second condition is that the claimant is taking part in Jobseeker’s Regime and Flexible New Deal Stage 3.

(4) The third condition is that, as the result of an assessment by an employment officer that the claimant’s skills place the claimant at significant disadvantage in obtaining employment (including in a particular geographical area), the claimant’s action plan consists of, or includes, undertaking training.

(5) The fourth condition is that an employment officer has given or sent a notice in writing to the claimant stating that, if the claimant fails to participate in the Skills Training Conditionality Pilot, the claimant’s jobseeker’s allowance could cease to be payable or could be payable at a lower rate.

Modification of the Jobseeker’s Allowance Regulations

4. The Jobseeker’s Allowance Regulations have effect in relation to a claimant to whom these Regulations apply as if—

- (a) in regulation 73(2A)(a) (good cause for the purposes of section 19(5)(b))^(e) after “75(1)(b)(ii)” there were inserted “or (iv)”;

(a) Ufi Limited is a not for profit company (no. 03980770), which provides training courses for persons aged 16 or over.

(b) S.I. 1996/207.

(c) Regulation 23 was substituted by S.I. 2000/2194.

(d) Regulation 23A was inserted by S.I. 2000/1978.

(e) Paragraph (2A) was inserted by S.I. 1997/2863. Relevant amending instruments are S.I. 2000/1978, 2001/1029 and 2009/480.

(b) in regulation 75(1)(b) (interpretation)(a), at the end there were added—
 “(iv) the Skills Training Conditionality Pilot (which has the meaning given in regulation 2 of the Jobseeker’s Allowance (Skills Training Conditionality Pilot) Regulations 2010).”.

Change of claimant’s address

5.—(1) These Regulations cease to apply to a claimant from the date on which the claimant changes address if, as a consequence of changing address, the claimant is notified under regulation 23 (attendance) or 23A (attendance by members of a joint-claim couple) of the Jobseeker’s Allowance Regulations that the claimant should attend at an office of the Department for Work and Pensions which is not an appropriate office for the purposes of these Regulations.

(2) However, in a case where these Regulations cease to apply to a claimant from a particular date by virtue of paragraph (1), any relevant determination made before that date in relation to that person shall continue to have effect.

(3) In paragraph (2), “relevant determination” means a determination that—

- (a) the claimant’s jobseeker’s allowance is not payable by virtue of section 19 (circumstances in which a jobseeker’s allowance is not payable) of the Jobseekers Act 1995, or
- (b) the claimant is subject to a sanction under section 20A (denial or reduction in joint-claim jobseeker’s allowance) of the Jobseekers Act 1995.

Signed by authority of the Secretary of State for Work and Pensions.

Jim Knight
 Minister of State,
 Department for Work and Pensions

8th March 2010

SCHEDULE

Regulation 2

<i>District</i>	<i>Jobcentre Plus Offices</i>
Black Country	Bayard House Walsall Bilston Bridle Court Walsall Brownhills Chapel Court Wolverhampton Molineux House Wolverhampton Dudley Halesowen Oldbury Smethwick Stourbridge Tipton West Bromwich Willenhall

(a) Substituted by S.I. 1997/2863. Relevant amending instruments are S.I. 1998/1274 and 2000/1978.

<i>District</i>	<i>Jobcentre Plus Offices</i>
Staffordshire	Burton on Trent Cannock Hanley Kidsgrove Lichfield Longton Newcastle Stafford Geyfriars Tamworth
The Marches	Bridgnorth Bromsgrove Evesham Hereford Kidderminster Leominster Madeley Malvern Market Drayton Oswestry Redditch Ross-on-Wye Shrewsbury Telford Wellington Whitchurch Worcester
Coventry and Warwickshire	Atherstone Bedworth Coventry Cofa Court Leamington Spa Nuneaton Rugby Stratford-upon-Avon Tile Hill
Birmingham and Solihull	Birmingham City Broad Street Birmingham South West Chelmsley Wood Erdington Handsworth Kings Heath Perry Barr Selly Oak Solihull Sparkhill Sutton Coldfield Washwood Heath Yardley

<i>District</i>	<i>Jobcentre Plus Offices</i>
Cambridge and Suffolk	Bury St Edmunds Beccles Cambridge Ely Felixstowe Haverhill Huntingdon Ipswich Leiston Lowestoft Mildenhall Newmarket Peterborough Stowmarket Sudbury Wisbech Woodbridge
Greater Manchester (Central)	Alexandra Park Altrincham Cheetham Hill Chorlton Didsbury Eccles Irlam Longsight Manchester Airport Newton Heath Openshaw Rusholme Salford Baskerville House Stretford Trafford Centre Worsley Wythenshaw
Central London	Barnsbury Denmark Street Finsbury Park Highgate Kentish Town North Kensington St Marylebone Westminster
Greater Manchester (East and West)	Ashton in Makerfield Ashton under Lyne Atherton Bolton Bury Farnwood Heywood Hyde Leigh

<i>District</i>	<i>Jobcentre Plus Offices</i>
	Middleton Oldham Prestwich Rochdale Stalybridge Stockport Wigan
Lambeth, Southwark and Wandsworth	Brixton Hill Brixton Camberwell Green Clapham Common Kennington Park London Bridge Peckham Stockwell Streatham Wandsworth
Norfolk	Cromer Dereham Diss Downham Market Fakenham Great Yarmouth Hunstanton Kings Lynn North Walsham Norwich Thetford

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations introduce the Skills Training Conditionality Pilot. They are made in reliance on the power to pilot regulations in section 29 of the Jobseekers Act 1995, and have effect for a period of 18 months.

The Skills Training Conditionality Pilot is a scheme for training, including training secured by the Learning and Skills Council for England and learndirect, for certain jobseeker's allowance claimants aged 18 or over.

Regulation 3 deals with the application of these Regulations. It provides that they apply to claimants who are selected on a sampling basis and who meet certain criteria. In particular, the claimants must be taking part in Jobseeker's Regime and Flexible New Deal Stage 3 and have a training need recorded in their action plan. The pilot areas are set out in the Schedule to these Regulations.

Regulation 4 modifies regulations 73 and 75 of the Jobseeker's Allowance Regulations 1996 ("the 1996 Regulations") in relation to claimants referred to in regulation 3. The modification to regulation 75 adds the Skills Training Conditionality Pilot to the list of training schemes so that claimants who fail, without good cause, to participate in or attend any part of the pilot scheme, or give up their place on the scheme, or are dismissed from the scheme due to misconduct, will be subject to a benefit sanction. The effect will be that their jobseeker's allowance could be stopped or reduced for a period of two or four weeks (see regulation 69 of the 1996 Regulations). The modification to regulation 73 adds the Skills Training Conditionality Pilot to the list of training schemes where claimants will have "good cause" if they have not been given or sent a written notice referring to the training scheme and informing them that their benefit could be stopped or reduced.

Regulation 5 provides that persons cease to be required to attend the pilot scheme if they change address and are required to attend an office of the Department for Work and Pensions which is not in a pilot area (although this will not affect a sanction imposed on that person before a change of address).

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

