

If you have complex needs, in addition to any easements the law allows in your circumstances, your Work Coach has a discretion to suspend your conditionality requirements if it is unreasonable to expect you to complete these for a certain period of time.⁶ If this is appropriate in your case, the easement begins on the date you tell the DWP your needs, and continues as long as you provide evidence of your needs.⁷

What should you do if you don't want to sign the Claimant Commitment?

You should be offered a seven day 'cooling off' period. You need to sign a Claimant Commitment to get paid Universal Credit even if you cannot work or look for work. There are exceptions if you lack capacity or in exceptional circumstances where it would be unreasonable to expect you to sign. You may want to consider signing the Claimant Commitment and then asking for it to be changed as soon as possible afterwards. Seek specialist advice from a welfare rights adviser or solicitor before refusing to sign your Claimant Commitment.

What if you want to change what is on your Claimant Commitment?

You can ask your Work Coach to change your Claimant Commitment at any time, you may want to do this if your circumstances change, or if the conditions are not suitable for you.⁸ Each time your Claimant Commitment changes, you will need to agree and accept a new one. If the DWP will not change your claimant commitment; seek advice from a welfare rights adviser or a public law solicitor.

¹ Equality Act 2010

² Reg 88 (2)(c) Universal Credit Regulations

³ PLP has published other information sheets on these issues. These are available on our website: <https://publiclawproject.org.uk/what-we-do/current-projects-and-activities/benefit-sanctions>

⁴ ADM J3253

⁵ ADM J3254

⁶ ADM J3250

⁷ ADM 3255

⁸ Section 14, Welfare Reform Act 2012.

Universal Credit: Care leavers

How to get the right claimant commitment for you

You can get more information on our website
www.claimantcommitments.org.uk

This information leaflet has been produced by the Public Law Project as part of our Benefit Sanctioning Project in order to assist claimants to understand how to negotiate their claimant commitments. It should not be taken as legal advice. More information about our work on this project, including details of how to refer a case to our casework service, is available on our website at <https://publiclawproject.org.uk/what-we-do/current-projects-and-activities/benefit-sanctions>. PLP's Benefit Sanctions project is supported by a grant from the Baring Foundation and the Matrix Causes Fund.



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Claimant Commitment

Your Claimant Commitment should help you to understand what the DWP expect of you to receive Universal Credit. If you have a sanction imposed on you, your Claimant Commitment should also help you to understand what it is the DWP think has gone wrong. It is important that everyone who claims Universal Credit can agree a Claimant Commitment that properly reflects their personal circumstances. This leaflet aims to help you explain your situation to your work coach so that your Claimant Commitment can be adapted to your needs and circumstances. Your work coach has a wide discretion to tailor your Claimant Commitment to your needs. There are other leaflets available with information for people who have childcare responsibilities, mental health problems or who have experienced domestic violence or homelessness, and for refugees. You can take this leaflet with you to show your work coach.

Your Claimant Commitment interview

Once your Universal Credit claim has been received by the DWP, they will contact you to arrange an interview. This is when your Claimant Commitment is drawn up with your Work Coach. At this stage your Work Coach may not have much information about you, so make sure s/he knows about your circumstances, what you can and can't manage to do, and any particular needs you have so that s/he can support you. You can bring a social worker or support worker with you to your appointment if you wish.

If you are handing in fit notes, remember that the first interview will usually be before you have a work capability assessment to determine whether you have limited capability for work, and you may be required to comply with conditions such as looking for jobs or attending training courses at this stage. There are legal requirements for conditions to be reduced if you have a physical or mental impairment, and in other circumstances and see further below.

Reasonable adjustments for health or disability

The DWP has a duty to make reasonable adjustments if you need these because you have a disability.¹ Let the DWP know if you need help, and the reasons why you need it. Tell them in advance if you are bringing someone to the interview and the reasons why. If they still won't help, seek advice from a welfare rights adviser or a public law solicitor.

Youth Obligation Programme

If you are aged 18-21 and you are in the all work-related requirements conditionality group (you don't have any health issues that limit whether you can work, and you do not care for a disabled person or a child under three), you are put on the Youth Obligation Programme. You should be told at your initial interview at the Jobcentre if this applies to you. From the date you accept a Claimant Commitment, you undergo an Intensive Activity Programme. This is a staged programme of activities designed to help you find work. You will be required to attend extra sessions at the Jobcentre. You could be sanctioned if you do not attend without a good reason. If you are not in work at the end of the six months you should be offered an apprenticeship or traineeship, or work experience. Work-related requirements, including the Youth Obligation Programme, can be suspended in some circumstances, for instance where you are handing in fit notes or have experienced domestic violence.

Easements to work search requirements

Work search requirements can be limited to less than 35 hours a week, and you can limit the kind of work you will look for, if you have a physical or mental impairment and the DWP think it is reasonable to make a reduction.² Your work search requirements can also be reduced in other circumstances, for example if you have caring responsibilities, including childcare, if you have experienced recent domestic violence, or domestic emergencies including homelessness.³ Work search requirements can be suspended for up to two periods of up to 14 days if you are unfit for work; you may have to provide evidence of this.

If you have complex needs

The DWP says you have "complex needs" if you are experiencing a difficult life event or personal circumstances that mean it would be unreasonable to expect you to meet your work-related requirements. This would include a mental health problem, such as low self-confidence and self-esteem, anxiety state or depression, or if you have said you are at risk of suicide or self-harm.⁴ The DWP may want to see evidence of your needs from someone acting in an official capacity, such as a health worker, housing association, support worker or someone from a support service. Your needs should be discussed at an interview. It is important to tell your work coach about any complex needs you have. The DWP should treat your situation individually and think about what you can reasonably be expected to do to meet your conditionality requirements, and how to tailor those requirements to your circumstances.⁵