

## What are the consequences of not signing a Claimant Commitment?

Accepting a Claimant Commitment is a 'basic condition' of claiming Universal Credit.<sup>10</sup> This means that you normally must accept a Claimant Commitment in order to receive payments. If you don't sign your Claimant Commitment you might not be paid any Universal Credit. You should seek specialist advice from a welfare rights advisor or solicitor before refusing to sign your Claimant Commitment.

## What if I want to change what is on my Claimant Commitment?

If you want your Claimant Commitment to be reviewed, you can ask for this at any time.<sup>11</sup> Each time your Claimant Commitment changes, you will need to agree and accept a new one. Seek advice from a welfare rights adviser or a solicitor if the DWP have refused to review your Claimant Commitment, or if you feel they have failed to take into account your circumstances. Some DWP decisions have a right of appeal or review. Others may be challenged by a type of legal challenge called judicial review.<sup>12</sup>

## Where can I get further information?

PLP has leaflets with further information on

- Care leavers
- Mental health
- Childcare
- Domestic abuse
- Homelessness
- Refugees

You can get these on our website

[www.claimantcommitments.org.uk](http://www.claimantcommitments.org.uk)

<sup>1</sup> Section 19, Welfare Reform Act 2012.

<sup>2</sup> Reg. 90, Universal Credit Regulations 2013.

<sup>3</sup> Reg. 96(1) Universal Credit Regulations 2013.

<sup>4</sup> Reg. 88(1) Universal Credit Regulations 2013.

<sup>5</sup> Reg. 95(1) Universal Credit Regulations 2013.

<sup>6</sup> DWP Advice for Decision-Makers, J3, para. J3162; Reg. 97(3) Universal Credit Regulations 2013.

<sup>7</sup> Reg. 97(4) Universal Credit Regulations 2013.

<sup>8</sup> House of Commons deposited papers, DEP2018-0759, 'Building the Claimant Commitment', 28th June 2018.

<sup>9</sup> DWP Advice for Decision-Makers, J1, paras. J1010 and J1011.

<sup>10</sup> Section 4, Welfare Reform Act 2012.

<sup>11</sup> Section 14, Welfare Reform Act 2012.

<sup>12</sup> There are some resources and guidance on judicial review on PLP's website [www.publiclawproject.org.uk](http://www.publiclawproject.org.uk)

# Universal Credit: Claimant commitments

## How to get the right claimant commitment for you

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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## **What is a Universal Credit Claimant Commitment?**

Your Claimant Commitment should help you to understand what the DWP expect of you in order to receive your Universal Credit money. If you ever have a sanction imposed on your claim, your Claimant Commitment should also help you to understand what it is that the DWP think has gone wrong. This is why it is important that everyone who claims Universal Credit is able to agree a Claimant Commitment that properly reflects their personal circumstances.

## **How do I go about agreeing my Claimant Commitment?**

Once your Universal Credit claim has been received by the DWP, they will contact you to arrange an interview. It is at this interview that your Claimant Commitment will first be drawn up with your Work Coach.

## **What will I have to do in order to get paid Universal Credit?**

There are different categories of requirements or 'conditionality' that you will have to meet.

Some people will have no work-related requirements.<sup>1</sup> This could be because they are already earning enough money from work,<sup>2</sup> or because of an illness, disability or impairment, or because they have caring responsibilities for a disabled person or a child under 1 year old.

Others will only have interview requirements, or this may be combined with work preparation requirements. Which one applies to you will depend on your circumstances, such as childcare responsibilities or whether you have limited capability for work.

Some people will have all work-related requirements as a condition of claim. This means that as a general rule, the DWP will impose a work search requirement and a work availability requirement on all claimants in this group, and may also impose interview and/or preparation requirements too.

## **What does 'work availability' mean?**

'Available for work' means able and willing immediately to take up paid work (or more paid work or better- paid work). This includes being able to immediately attend a job interview.<sup>3</sup> Allowances are made if you have caring responsibilities or if you are doing voluntary work.

## **How much time will I have to spend applying for jobs?**

The default number of 'expected hours' of work search for those who are required to look for work in order to receive Universal Credit is 35 hours a week – this is before any deductions that might be relevant to you are applied.<sup>4</sup> If you don't do the number of expected hours of work search set out in your Claimant Commitment each week, you might be sanctioned – unless your Work Coach agrees that you have taken all reasonable action to find work, and that action gives you the best prospects of finding work.<sup>5</sup>

## **What sort of jobs will I have to apply for?**

Your work search requirement and a work availability requirement must be limited to work that is in a location which would normally take you a maximum of 90 minutes each way to travel, using your normal method of transport and considering the availability of public transport to you.<sup>6</sup> If you have previously carried out work of a particular nature, or at a particular level of pay, this should be taken into account too.<sup>7</sup>

## **How do I make sure that my Claimant Commitment is suitable for me?**

Your Claimant Commitment can be tailored to your circumstances, and can also be reviewed and changed if needed at any time. Work Coaches have a broad discretion to customise your Claimant Commitment to meet your needs.<sup>8</sup> You can take this leaflet with you to show your work coach.

## **What circumstances should be taken into account?**

Anything at all that affects your ability to do what would otherwise be expected of you in your Claimant Commitment. For example, if you have childcare responsibilities, if you or anyone in your household has an illness or disability, or if you have recently experienced homelessness or domestic violence. If you also have caring responsibilities for someone else, such as a disabled relative, you should also tell your Work Coach about this.

## **What should I do if I don't want to sign the Claimant Commitment that my Work Coach offers me?**

If you want to refuse to sign a Claimant Commitment, you should be offered a 'cooling off' period to think about this. DWP guidance suggests that the cooling off period can be a maximum of seven calendar days. Your Work Coach should explain to you the consequences of not signing a claimant commitment.<sup>9</sup>

An alternative option to refusing to sign your Claimant Commitment would be to sign and accept one so that your Universal Credit claim is able to progress, but to request a review or amendment as soon as possible afterwards.