

What if there's a crisis or emergency that means I can't meet my work-related requirements?

Work search requirements must be suspended if you have a 'domestic emergency' and it would not be reasonable for you to meet work related requirements.¹⁵ This can include when you become homeless.¹⁶ Your work coach can suspend your work related requirements if it is unreasonable for you to be expected to meet these due to complex personal issues. This begins on the date you tell the DWP your needs, and continues as long as you provide evidence of your needs.¹⁷ Tell your Work Coach as soon as you can if you need your requirements to be switched off. Seek advice from a welfare rights adviser or a solicitor if your request is refused.

What if I am receiving treatment for substance or alcohol abuse?

Work availability and work search requirements must be switched off for up to 6 months if you are having 'structured treatment' for drug or alcohol dependency.¹⁸ 'Structured treatment' means treatment in the community, with attendance at regular sessions as part of a care plan, or structured day programmes and psychosocial interventions (such as counselling or therapy).¹⁹

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

You should be offered a seven day 'cooling off' period. You normally must sign a Claimant Commitment to receive payments, even if you cannot work or look for work. 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 I want to change what is on my Claimant Commitment?

You can ask for your Claimant Commitment to be changed at any time, including if you become homeless whilst you are in receipt of Universal Credit.²⁰ 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 to reflect your circumstances, you cannot appeal. You should seek advice from a welfare rights adviser or a public law solicitor.

¹ Advice to Decision Makers (ADM) K2091

² ADM J3253

³ ADM K2093

⁴ ADM 3072

⁵ ADM K2091

⁶ ADM J3254

⁷ ADM J3250

⁸ ADM J3095

⁹ ADM J3042.

¹⁰ ADM J3096

¹¹ ADM J3097

¹² ADM K2091 note 2

¹³ ADM J3226 Example 2

¹⁴ ADM J3072.

¹⁵ Reg. 99(5)(b) Universal Credit Regulations 2013/376.

¹⁶ ADM J3226.

¹⁷ ADM J3255

¹⁸ Reg. 99(3)(e) Universal Credit Regulations 2013/376.

¹⁹ House of Commons deposited papers, DEP2018-0759, 'Drug and alcohol dependency'.

²⁰ Section 14, Welfare Reform Act 2012.

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.



Universal Credit: Homelessness

How to get the right claimant commitment for you

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 Universal Credit. If you have a sanction imposed on you, your Claimant Commitment should also help you to understand what 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 information sheet is designed to help you to work out what to tell the DWP about your personal circumstances so that your Claimant Commitment can be adapted for you.

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

Once your Universal Credit claim has been received by the DWP, they will contact you to arrange an interview to draw up your Claimant Commitment. Depending on your circumstances, to get Universal Credit, you may be expected to; **attend interviews, do work preparation, do work search, and/or be available for work.** There are legal requirements for these conditions to be reduced if **you have recently experienced homelessness**, and for other reasons, for instance if you are sick or disabled, have caring responsibilities for a child or disabled adult, or if you have recently experienced domestic violence. In addition, your work coach has a wide discretion to tailor your Claimant Commitment to your needs, including considering your housing situation.¹ It is important to tell your Work Coach what you can and cannot do, and provide evidence of your situation if you can. You can take this leaflet with you to show your work coach.

What if I am homeless?

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, including temporary homelessness.² Homelessness includes sleeping rough, sleeping in friends’ homes, and staying in temporary or supported accommodation.³ Temporary homelessness is more than just “a one-off event”, so if you are sleeping rough and then you get a hostel place this can still count.⁴

The DWP recognises that “many homeless people face multiple issues that can add up to form complex barriers to work, for instance; mental health issues, significant medical health problems, substance abuse, exclusion and trauma.”⁵ The DWP should treat your situation individually, think about what you can reasonably be expected to do to meet your conditionality requirements, and how to tailor those requirements to your circumstances.⁶ 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.⁷

Being homeless makes it hard to look for work. What can I do?

In considering what it is reasonable to expect you to do in a week, account can be taken of lack of access to telephones and the internet, problems with being contacted by employers, agencies or people that can help you find work, time you have to spend looking for accommodation, and lack of washing and laundry facilities.⁸ The DWP can also decide to record the steps taken to address your housing situation as meeting your ‘work preparation requirement’.⁹ You may be expected to make arrangements with friends and relations for them to receive your post, if this is reasonable.¹⁰ You may also be expected to look for work by reading adverts, making personal calls on employers and using services in libraries and Jobcentres.¹¹ If there are reasons why you cannot do these things, tell your Work Coach.

What happens while I look for housing?

If you are facing homelessness your work coach should consider ‘turning off’ your conditionality requirements for a period of time to help you focus on finding or securing accommodation.¹² If you become homeless and are sleeping in a temporary place in a hostel, no work search requirement should be imposed.¹³ If you cannot find more long-term accommodation, the Work Coach should consider extending the period of time that you are not required to do work search. DWP guidance says that “a temporary circumstance, such as sudden homelessness, is not always a one-off event and the fact that a person has gone from rough sleeping to staying in a hostel does not mean that their temporary circumstances have come to an end.”¹⁴