



Public
Law
Project

Universal Credit - Refugees

MAY 2024

What is a Universal Credit Claimant Commitment?

Your Claimant Commitment should help you to understand what the DWP (the Government department which manages welfare benefits) 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 abuse or homelessness, and for care leavers.

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 they know about your circumstances, what you can and can't manage to do, and any particular needs you have so that they can support you.

How to get the right claimant commitment for you

The DWP may want to see evidence of your needs from someone acting in an official capacity, such as a health 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.¹ If you have complex needs, 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.² If this is appropriate in your case, the changes should begin on the date you tell the DWP your needs, and continue as long as you provide evidence of your needs.³

Childcare

If you are a parent or carer for a child, your Claimant Commitment should be compatible with your caring responsibilities. You should tell your work coach about your children's school hours, how long it takes you to take them to school, and anything else about looking after your children that affects your ability to look for work.

¹ ADM J3254

² ADM J3250

³ ADM J3255

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 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.⁴ 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 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.⁵ You can show your work coach this leaflet. 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.

Reasonable adjustments for health or disability

The DWP has a duty to make reasonable adjustments if you need these because you have a disability.⁶ Let the DWP know if you need help, and the reasons why you need it, and tell them in advance if you are bringing someone to the interview and the reasons why. If they refuse to help and you are not satisfied with the reason you are given, ask to speak to a supervisor or the customer services manager. If they still won't help, seek advice from a welfare rights adviser or a public law or discrimination law solicitor.

English Language Classes

Before the introduction of Universal Credit, refugees who had arrived in the UK within the last year, and who were studying English on a course lasting more than 15 weeks were able to claim Income Support, which has no conditionality requirements. Under Universal Credit, there is no specific exemption for refugees who are studying English. However, if you are taking an English class, you should tell your work coach. Studying English is a reasonable step for the purpose of finding paid work, and work-related requirements should be amended to take this into account.

⁴ Reg. 16, Universal Credit Regulations 2013/376

⁵ Section 14 Welfare Reform Act 2012

⁶ Equality Act 2010

Other amendments 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.⁷ 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. 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.

Other amendments to work search requirements

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. Complex needs could include a mental health problem, such as, anxiety, depression or PTSD, or a temporary situation like homelessness, which can include if you are staying with friends, or in temporary accommodation.⁸

Having recently been granted refugee status could amount to a difficult life event, particularly if you also have health needs, are living in uncertain accommodation, or are experiencing other difficult circumstances as a result of the upheaval resulting from obtaining refugee status. For example, if you have recently moved into new accommodation, but lack basic essentials like furniture or laundry facilities, the DWP should take into account the steps that you need to take to address these problems before you can look for work.

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.

⁷ Reg. 88(2)(c) Universal Credit Regulations 2013

⁸ ADM J3253



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