

Jobseeker's Allowance and Employment and Support Allowance Hardship Provision

Claim form and notes about how to claim

Please read the notes before you fill in this form.

Do not be put off because the form looks long. It will not take you as long as you think to fill in. You will not usually have to answer all the questions.

You may not get Jobseeker's Allowance or Employment and Support Allowance, hardship provision if you do not

- answer all the questions on the form that apply to you and your partner, if you have one, and
- bring us all the documents we ask for.

If you need any help to fill in this form, get in touch with Jobcentre Plus. This form is available in Welsh.

For our use: Office code Office name Issue date / /

jobcentreplus

Department for
Work and Pensions

JSA/ESA10JP 06/13

Notes

What is a hardship payment?

A hardship payment is a payment of income-based Jobseeker's Allowance or Employment and Support Allowance to someone who does not qualify under the normal rules but would suffer if Jobseeker's or Employment and Support Allowance is not paid.

Only people who would usually get income-based Jobseeker's Allowance or Employment Support Allowance can get a hardship payment.

If you usually get contribution-based Jobseeker's Allowance or Employment and Support Allowance you can still apply for a hardship payment by using this claim form – **JSA/ESA10JP**. If you claim Jobseeker's Allowance you must fill in form **JSA3** as well, if you claim Employment and Support Allowance you must fill in form **ESA3** as well so we can find out if you are entitled to income-based Jobseeker's or Employment and Support Allowance.

You can get forms JSA3 or ESA3 from any Jobcentre.

Payments to prevent hardship

Jobseeker's Allowance may be paid at a reduced rate to prevent hardship if:

- you cannot be paid under the normal rules because you
 - are not available for work
 - are not actively seeking work, or
 - do not have a Jobseeker's Agreement

or

- you cannot be paid under the normal rules because there is a doubt about whether you meet these conditions

or

- a sanction has been imposed.

A sanction is imposed if you have unreasonably

- made yourself unemployed by, for example, leaving a job voluntarily

or

- turned down a job offer

or

- lengthened your period of unemployment.

A sanction can last from one week to 3 years and some sanctions may be followed by a fixed period penalty.

or

- a fraud penalty has been imposed.

A penalty can be imposed if you commit benefit fraud. A penalty can last from 4 weeks to 3 years.

You **cannot** get a hardship payment immediately if you are not in one of the vulnerable groups listed opposite, and:

- you are not available for work
- you are not actively seeking work, or
- you do not have a Jobseeker's Agreement.

Employment and Support Allowance may be paid at a reduced rate to prevent hardship if:

- you cannot be paid under the normal rules because you
 - are in a work related activity group, and you
 - did not attend or take part in a work focused interview, or
 - did not carry out an activity as requested by the Employment Adviser, and a sanction has been imposed.

or

- a fraud penalty has been imposed.

A penalty can be imposed if you commit benefit fraud. A penalty can last from 4 weeks to 3 years.

For Employment and Support Allowance claimants a sanction is open ended until you attend or participate in a Work Focused Interview or agree to undertake or do a work activity with a further one, two or four weeks once you have done so.

A sanction can last from one to four weeks.

Employment and Support Allowance claimants are able to claim for a hardship payment immediately.

More information

If you need more information about the normal rules for getting Jobseeker's Allowance or Employment and Support Allowance contact your Jobcentre.

Notes: Vulnerable groups – Employment and Support Allowance claimants are all treated as being in the vulnerable group

People in vulnerable groups are more at risk of hardship. But this does not mean they will automatically get a hardship payment.

You are considered to be in a vulnerable group if you or your partner

- are pregnant
- are a couple looking after children or qualifying young persons
- have a disability
- have a long term physical medical condition
- spend a lot of time during the week caring for someone who is getting or has claimed
 - Disability Living Allowance
 - Attendance Allowance
 - Personal Independence Payment,
 - a similar benefit,

or

you or your partner are

- a qualifying young person, in some circumstances
- a qualifying young person who has left local authority care in the last 3 years, or
- single and looking after children or qualifying young persons.

If you are in a vulnerable group

You may get a hardship payment from the date you would have had a payment under the normal rules if:

- you cannot be paid under the normal rules because you
 - are not available for work
 - are not actively seeking work, **or**
 - do not have a Jobseeker's Agreement

or

- you cannot be paid under the normal rules because there is a doubt whether you meet these conditions.

or

- a sanction has been imposed

or

- a fraud penalty has been imposed

and

- we consider that a payment is necessary to avoid hardship.

If you are not in a vulnerable group

You may get a hardship payment from 2 weeks after the date you would have had a payment under the normal rules if:

- we consider that a payment is necessary to avoid hardship

and

- you cannot be paid under the normal rules because there is a doubt whether you
 - are available for work
 - are actively seeking work or
 - do have a Jobseeker's agreement

or

- a sanction has been imposed

or

- a fraud penalty has been imposed.

- We use *partner* to mean
 - a person you are married to or a person you live with as if you are married to them, or
 - a civil partner or a person you live with as if you are civil partners.
- We use *child* to mean a person aged under 16 who you are getting Child Benefit for.
- We use *qualifying young person* to mean a person aged 16, 17, 18 or 19 who you are getting Child Benefit for.

Notes

How to apply

Fill in **all** the parts of this form that apply to you and your partner, if you have one.

If you tick **Yes** to a question make sure you answer any other questions that come after it.

Please make sure that you sign the **Declaration** at **Part 9**.

Please make sure that you take the **JSA/ESA10JP** claim form that comes after these notes to your interview with the Hardship Officer.

Evidence you must provide

Please make sure that you give us as much evidence of your circumstances as you can to help us to make our decision.

For example:

- **Children or qualifying young persons**
birth certificates
- **Health**
medical condition, note from a doctor or repeat prescription
- **Caring**
details of someone you care for, award notices
- **Money**
bank statements or building society books
- **Other benefits**
claimed by members of your family, or award notices

Please note that any decision about a hardship payment may be delayed if we have to ask for more information.

After interview

After your interview the Hardship Officer will decide if you can get a hardship payment. The Hardship Officer will explain the reasons for the decision.

If the Hardship Officer decides you can get a hardship payment, they will tell you how much you will get and when you will get it.

Notes: Other information

Do I need to fill in any other forms?

If you usually get income-based Jobseeker's Allowance or Employment and Support Allowance you **do not** need to fill in any other forms.

If you usually get contribution-based Jobseeker's Allowance you must fill in form **JSA3 Application for re-assessment** as well.

If you usually get contribution based Employment and Support Allowance you must fill in form **ESA3 Application for reassessment** as well.

You can get form **JSA3** or **ESA3** from Jobcentre Plus.

How much could I get?

- If you can be paid under the hardship provision, you will get income-based Jobseeker's Allowance or Employment and Support Allowance at a reduced rate.
- Hardship payments are less than normal Jobseeker's or Employment and Support Allowance.
- The amount you could get depends on your circumstances and on your family's circumstances.
- The reduced rate is the amount of benefit you would be entitled to under the normal rules, less 40% of the basic amount payable to a single person.

Only applicable if you get Jobseeker's Allowance

- If you or a member of your family are seriously ill or pregnant, the reduction is 20% of the basic amount payable to a single person.

When will I be paid?

- Some people get paid straight away but others must wait for 2 weeks.
- The date you could get payment depends on your circumstances and on your family's circumstances, if you have one.

What happens next

After a payment is made

What happens after a hardship payment is made depends on the reason for the payment. In all cases you must tell your Jobcentre Plus office if your circumstances change.

Not entitled under normal rules

Hardship payments, made because you are in a vulnerable group and are not entitled under normal rules, may continue for as long as the risk of hardship remains.

Doubt about entitlement if you are claiming Jobseeker's Allowance

- If you get a hardship payment because there is a doubt about your entitlement under the normal rules, a decision maker will resolve the doubt.
- If they decide that you **are** entitled under the normal rules, you will be paid at the full rate. Payments made under the hardship provision will be deducted from any arrears due to you.
- If they decide that you **are not** entitled under the normal rules **and** you are in a vulnerable group, you may still be able to get a hardship payment.

If a sanction or penalty was imposed

If a sanction or penalty was imposed you will usually be paid at the full rate when the sanction or penalty ends and for Jobseeker's Allowance claimants you are

- available for work and
- actively seeking work and
- still attending your Jobcentre as required.

Now please fill in the claim form and make sure you sign the Declaration at **Part 9**.

Notes

How we collect and use information

The information we collect about you and how we use it depends mainly on the reason for your business with us. But we may use it for any of the Department's purposes, which include

- social security benefits and allowances
- employment and training
- private pensions policy, and
- retirement planning.

We may get information from others to check the information you give to us and to improve our services. We may give information to other organisations as the law allows, for example to protect against crime.

To find out more about how we use information, visit our website

www.dwp.gov.uk or contact any of our offices.

Our service standards

At Jobcentre Plus we aim to provide a high standard of customer service at all times. Details of the standard of service you can expect from us can be found at

www.dwp.gov.uk/about-dwp/customer-delivery

You can access our website from many libraries.

For more information please contact Jobcentre Plus.

Part 1: About you and your partner continued

	You	Your partner
Are you or your partner responsible for children or qualifying young persons who usually live with you?	No <input type="checkbox"/> Yes <input type="checkbox"/>	No <input type="checkbox"/> Yes <input type="checkbox"/>
Are you a lone parent?	No <input type="checkbox"/> Yes <input type="checkbox"/>	
	Are you responsible for someone under 16 years old who usually lives with you?	No <input type="checkbox"/> Yes <input type="checkbox"/>
Have you been in local authority care or received advice and assistance from someone in local authority in the last 3 years?	No <input type="checkbox"/> Yes <input type="checkbox"/>	
	please give details of which local authority was responsible for your support	<input type="text"/>

Part 2: About health

In part 2 Employment and Support Allowance claimants should only complete health details for their partners. Jobseeker's Allowance claimants need to complete details for themselves and their partners where relevant.

	You	Your partner
Do you or your partner have a chronic medical condition?	No <input type="checkbox"/> Yes <input type="checkbox"/>	No <input type="checkbox"/> Yes <input type="checkbox"/>
What is the name of the medical condition?	<input type="text"/>	<input type="text"/>
When did the medical condition start?	<input type="text"/> / <input type="text"/> / <input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>
How long is the medical condition expected to last?	<input type="text"/>	<input type="text"/>
Will the health of the person with the medical condition get worse in the next 2 weeks if hardship payments are not made?	No <input type="checkbox"/> Yes <input type="checkbox"/>	No <input type="checkbox"/> Yes <input type="checkbox"/>
	Please tell us why. <input type="text"/>	Please tell us why. <input type="text"/>
Doctor's phone number	Code <input type="text"/> Number <input type="text"/>	Code <input type="text"/> Number <input type="text"/>

Part 2: About health continued

Doctor's name and address

Postcode

Postcode

Please provide proof of the medical condition with this form. For example, a personal treatment or care plan, a repeat prescription or an appointment card. We will let you have the proof back.

We need to know as much about the medical condition as we can. Please tell us about anyone else who can give us information about it.

This could be someone like

- a consultant
- a hospital specialist.

Their name and address

Postcode

Their phone number

Code	Number
------	--------

Are you, your partner, or anyone you are claiming for, seriously ill?

No

Yes

Who is seriously ill?

--

What is the illness?

--

Please provide proof of the serious illness with this form. For example, a personal treatment or care plan, a repeat prescription or an appointment card. We will let you have the proof back.

Is anyone you are claiming for pregnant, who you have not already told us about on this form?

No

Yes

Who is pregnant?

--

When is the baby expected?

/ /

Part 4: About benefits

Please read this list of social security benefits and answer the questions below.

- Attendance Allowance
- Bereavement Allowance
- Carer's Allowance
- Disability Living Allowance
- Employment and Support Allowance
- Incapacity Benefit
- Income Support
- Industrial Death Benefit
- Industrial Injuries Disablement Benefit
- Maternity Allowance
- Motability or any other help with mobility problems, for example, an invalid vehicle
- Pension Credit
- Personal Independence Payment
- Reduced Earnings Allowance
- State Pension
- Severe Disablement Allowance
- Unemployability Supplement
- Universal Credit
- Widow's Benefit
- Widowed Mother's Allowance
- Widowed Parent's Allowance
- any other social security benefit.

Tell us about all your social security benefits, even if they are not on this list. We will tell you if they affect your Jobseeker's Allowance or Employment and Support Allowance.

Do you, or anyone you are claiming for, get any social security benefits?

No

Yes Please tell us about this below.

If you are claiming Employment and Support Allowance you do not have to give details of this benefit, but you will need to give details if any one you are claiming for receives it.

Benefit 1

Benefit 2

Name of benefit

Who gets it?

How much is paid?

£

£

Date of last payment

/ /

/ /

Date of next payment

/ /

/ /

Benefit 3

Benefit 4

Name of benefit

Who gets it?

How much is paid?

£

£

Date of last payment

/ /

/ /

Date of next payment

/ /

/ /

Part 5: About money

Money coming in

Do you, or anyone you are claiming for, have any money coming in, apart from social security benefits?

No

Yes Please tell us about this below.

For example

- money from part-time work
- payments for board from other people who live with you
- maintenance payments
- Child Benefit
- Child Benefit – Lone Parent Rate
- Tax Credits.

Who gets this money?

Money coming in 2

Where does the money come from?

How much is paid?

£

£

Date of last payment

/ /

/ /

Date of next payment

/ /

/ /

Money owed

Are you, or anyone you are claiming for, owed any money?

No

Yes Please tell us about this below.

For example, money lent to someone.

Money owed 1

Money owed 2

Who is owed this money?

How much money are they owed?

£

£

What is this money owed for?

When do you expect the money to be paid back?

/ /

/ /

Part 6: About savings

Do you, or anyone you are claiming for, have any savings?

No

Savings include

- cash
- money in a bank, building society or Post Office® account
- shares
- money in a trust fund
- savings you hold for someone else.

These are just a few examples.

Yes Please tell us about this below.

How much are the savings?

What is the earliest date the money could be available?

How much could be available on this date?

If the money is not available immediately, please tell us why.

Part 7: About other help

Can you, or anyone you are claiming for, get any other help?

No

The help could be from friends or relatives.

It could be money or things like food, clothing, heating or somewhere to stay.

Yes Please tell us about this below.

What help is available?

When is this help available?

If the help is not available immediately, please tell us why.

Part 8: Other information

Use this space to tell us why you are applying for hardship payments.

We need to know what essential items are available to you now. We mean things like

- food
- clothing
- heating
- accommodation
- anything else you think is essential.

We need to know what will happen if you do not get hardship payments.

Please tell us how this would affect the availability of

- food
- clothing
- heating
- accommodation
- anything else you think is essential.

Part 9: Declaration

I understand that

- if I knowingly give information that is incorrect or incomplete, I may be liable to prosecution or other action
- I must promptly tell the office that pays my benefit of anything that may affect my entitlement to, or the amount of, that benefit
- any information provided in connection with this and any other claim may be used in connection with this and any other claim to social security benefits (including Housing Benefit) that I have made or may make

I agree that

- the Department for Work and Pensions
- any organisation with which the Department has a contract for the provision of medical services, or
- any doctor providing services to the Department or that organisation may ask any of the people or organisations mentioned in this form for any information which is needed to deal with this application for hardship payments.

I declare that

- the information I have given on this form is correct and complete as far as I know and believe and I have included all my income and savings.

Under sections 111A(1A) and 112(1A) of the Social Security Administration Act 1992 it is an offence to fail to notify a change of circumstances promptly. Failure to tell us about a change in your circumstances promptly may result in action being taken against you.

This is my claim for Jobseeker's Allowance under the Jobseeker's Allowance hardship provision.

Signature

Date

This is my claim for Employment and Support Allowance under the Employment and Support Allowance hardship provision.

Signature

Date

Please tick this box if someone filled in this form for you.

For our use

Declaration

The answers I have given to the questions on this form have been read back to me.

I agree they are correct and complete as far as I know and believe.

Claimant's signature

Date

Interviewing officer's signature

Interviewing officer's name