

JSA Hardship Awards

Guidance Queries and Help

1. If you are unable to find an answer to a particular question regarding policy within this guide you must contact the Jobcentre Plus Live Support Advice Line. Do not give the Advice Line number to claimants or outside bodies under any circumstances, it is for the use of Jobcentre Plus staff only. Details of how to contact them can be found by clicking on the following hyperlink, Advice Line Home Page.
2. Please do not use the 'E-mail page owner' and 'Page information' links at the bottom of each page of guidance to raise policy queries. These should only be used to report broken hyperlinks.

Introduction

3. A Jobseeker's Allowance (JSA) hardship payment is an award of Income Based JSA (JSA (IB)) made at a reduced rate to give a minimum level of financial support.
4. JSA Hardship payments can be made to certain people who:
 - do not qualify for JSA under normal rules; **and**
 - would suffer hardship if JSA is not paid.

Note: Hardship is not defined in the regulations. It should be given its normal everyday meaning of "severe suffering or privation". Privation means a lack of the necessities of life.

5. If contribution-based JSA only has been claimed, the claimant must complete a JSA3 as well as the JSA ESA10JP.

Conditions for receiving a JSA hardship award

6. Three conditions must be satisfied before a JSA hardship award can be made. The claimant must: :
 - apply for the hardship award in the appropriate manner; **and**
 - be in one of the prescribed circumstances for receiving an award; **and**
 - show that they, or a specified member of their family, would suffer hardship if an award was not made.

Appropriate manner of application

7. The appropriate manner of application is for the claimant:
 - to complete and sign the JSA hardship application form JSA ESA10JP; and
 - to attend an interview with the JSA Hardship Officer in the Jobcentre.

Prescribed circumstances

8. A JSA hardship award can only be made if one of the following prescribed circumstances applies:

- the claimant has received an adverse decision on labour market entitlement conditions, but all other conditions of entitlement to JSA(IB) are satisfied;
- a sanction has been imposed on the claimant, but all other conditions of entitlement to JSA(IB) are satisfied;
- a Fraud Loss of Benefit (LOB) (under section 6B or 7 of the Social Security Fraud Act 2001) has been imposed on the claimant, but all other conditions of entitlement to JSA(IB) are satisfied;
- the claimant is waiting for a decision about whether they satisfy certain labour market entitlement conditions at the start of their claim to JSA; or
- the claimant's JSA is suspended, but all other conditions of entitlement to JSA(IB) are satisfied.

From what date are hardship payments payable

9. The actual date that JSA hardship is payable to a claimant depends upon whether the claimant is in a vulnerable group or not.

At the beginning of a claim

10. Any questions about whether the claimant meets one or more of the labour market entitlement conditions must be resolved before JSA is awarded.

11. In these cases, JSA cannot be paid until the doubt is resolved. However payments can be made under the JSA Hardship Provision if the claimant successfully applies for a hardship award.

Vulnerable group

12. Vulnerable group is the term used to describe claimants and/or their partners who are more likely to suffer hardship if JSA is not paid.

13. A person or couple in hardship who are members of a vulnerable group are entitled to a hardship payment from the latest of either:

- the date the claimant becomes a person in hardship; **or**
- the fourth day of the Jobseeking Period, if waiting days have to be served;
or
- the date of claim if the claimant does not have to serve waiting days.

14. However, hardship payments can be awarded for a period before the date that the JSA ESA10JP is returned, if the Hardship Officer is satisfied that the claimant suffered hardship in that period.

People who are members of a vulnerable group

15. Treat claimants or partners as in a vulnerable group if they are;

- pregnant women **or**
- lone parents responsible for a young person **or**
- members of couples or polygamous marriages responsible for children or young people **or**
- people who qualify for DP **or**
- certain people with long-term medical conditions **or**

- certain people who provide care for disabled people **or**
- certain people aged 16 or 17 **or**
- certain people under the age of 21

Non Vulnerable group

16. A person or couple in hardship who are not members of a vulnerable group are entitled to a hardship payment from the latest of either:

- The date the claimant provided their statement of circumstances (on a completed JSA 10 **or**
- The date the claimant becomes a person in hardship **or**
- The 19th day of the claim if waiting days have to be served **or**
- The 16th day of the claim if the claimant does not have to serve waiting days.

JSA claim has been established

A decision is made that LM conditions are not met

17. If an adverse decision on labour market entitlement conditions is made, the claimant is disallowed from receiving JSA. An award of JSA under the hardship provision may be made if the claimant is:

- in a vulnerable group; **and**
- the adverse decision was issued because they:
 - are not available for work; **or**
 - are not actively seeking work; **or**
 - will not agree a Jobseeker's Agreement.

18. Claimants who receive an adverse decision on labour market entitlement conditions but are not in a vulnerable group are disallowed from receiving JSA. This means they cannot be entitled to JSA under the normal rules or under the JSA Hardship Provision.

NOTE If the claimant has been treated as unavailable for work see the LMCG for further guidance and information.

19. A Claimant who receives an adverse decision on availability or actively seeking work, a sanction is applied.

Jobseekers Allowance is suspended

20. If a doubt arises about whether a claimant meets one or more of the labour market entitlement conditions after their JSA is awarded, their benefit is suspended until a decision is made.

21. In these cases, JSA is not paid for the suspension period, however payments can be made under the JSA Hardship Provision if the claimant successfully applies for a hardship award.

Vulnerable group, what date is hardship is paid from

22. Once a suspension is imposed on a JSA claim, hardship can be paid from the latest of;

- The date the claimant provided their statement of circumstances (on a completed JSA 10 **or**
- the claimant becomes a person in hardship; **or**
- the date of claim if the claimant does not have to serve waiting days.

Non Vulnerable group, what date is hardship paid from

23. Once a suspension is imposed on a JSA claim, hardship can be paid from the later of

- 15th day of the period of suspension or
- the date the claimant becomes a person in hardship

24. See DMG Chapter 35 Hardship for further information.

JSA is not paid because of a sanction

25. If a sanction is imposed, JSA is not paid for the sanction period. However, payments can be made under the JSA Hardship Provision if the claimant successfully applies for a hardship award.

26. From 22 October 2012 a revised Sanction Regime was introduced for Jobseeker's Allowance (JSA) claimants.

27. Depending on the reason for the failure to comply, one of the following sanctions applies;

- Higher;
- Intermediate;
- Lower Level.

28. See the LMCG, Sanctions and DMA Guidance for further information.

Intermediate Level Sanction applied

29. Intermediate level sanctions usually apply when JSA is reclaimed within a specified period of being disentitled for not being available or not actively seeking work. See the LMCG, Sanctions and DMA Guidance for further information.

30. Intermediate level sanctions usually follow a period of disallowance. The period of disallowance counts towards the waiting period for hardship for non-vulnerable claimants, e.g. claimant is disallowed for two weeks for not being available, hardship would be payable from the fifteenth day.

31. A claim for hardship may be payable if applied for, subject to the hardship rules.

Date hardship payable for vulnerable and non vulnerable groups

32. Hardship payments can be awarded when a sanction has been imposed. The rules depend whether the claimant is in a vulnerable or non vulnerable group.

Loss of Benefit

33. If a Fraud LOB penalty is imposed, JSA is not paid for the LOB disqualification period under the normal rules.

When hardship is payable for vulnerable and non vulnerable groups

34. Hardship payments can be awarded when a LOB penalty has been imposed. The rules depend whether the claimant is in a vulnerable or non vulnerable group.

Enquiries from claimants

35. A claimant may ask about applying for a JSA hardship award:

- in person;
- by telephone; or
- by post.

Claimant attends in person or enquires by telephone

36. If the claimant attends the jobcentre in person or telephones to ask about a JSA hardship award, explain to them the general conditions for getting a JSA hardship award.

37. It is important that the claimant is not discouraged from making an application for a JSA hardship award, however depending upon the circumstances, tell the claimant:

- when they can expect a payment of JSA under the normal rules again if their JSA is sanctioned; or
- that, if they have received an adverse decision on labour market entitlement conditions, but they are not in a vulnerable group, they can claim JSA again when they have addressed the question which was decided against them.
- when they can expect a payment of JSA under the normal rules again if a LOB penalty is applied.

38. If the claimant decides not to pursue their application for a JSA hardship award, make a note in JA110: Maintain Notepad and take no further action.

39. If the claimant wants to continue with their application for a JSA hardship award:

- explain the JSA hardship procedures to the claimant;
- make the claimant an appointment for a JSA hardship interview at the Jobcentre; and
- issue them with a JSA hardship interview appointment letter (JSA ESA10A) and a JSA hardship application form (JSA ESA10JP);
- if the claimant is receiving contribution-based JSA only, a JSA3 must be sent to the claimant. They must complete and return it when they attend the hardship interview.

Claimant enquires by post

40. If the claimant enquires about claiming JSA hardship by post, a Hardship interview must be arranged for the claimant to see the JSA Hardship Officer in the Jobcentre to make their application.

41. If the claimant has a contact number, ring them to arrange the appointment with the JSA Hardship Officer. If the appointment is not within two

days of contacting them, send the claimant a JSA hardship interview appointment letter (JSA ESA10A) and a JSA hardship application form (JSA ESA10JP). A flexible appointment reminder by SMS text may also be sent.

42. If the claimant does not have a telephone, arrange an appointment with the JSA Hardship Officer. Send the claimant a JSA hardship interview appointment letter (JSA ESA10A) and a JSA hardship application form (JSA ESA10JP).

Note: remember to allow time for the post when arranging the appointment.

The JSA Hardship interview

43. The decision about whether or not to make a JSA hardship award is usually made by a JSA Hardship Officer in the Jobcentre.
44. Information is gathered to establish what resources would be available to the family if JSA is not paid. See DMG Chapter 35 for further details.
45. The JSA Hardship Officer conducts the hardship interview with the claimant, during which they decide:
- if the claimant, and their circumstances, satisfies the conditions to receive a JSA hardship award; **and**
 - whether the claimant or a member of their family would suffer hardship if a JSA hardship award is not made

JSA Hardship Officer action

46. When the claimant attends the Jobcentre for their hardship interview take the following action:

Step	Action
1	check if claimant is in one of the prescribed circumstances for receiving a JSA hardship award; <ul style="list-style-type: none"> • If they are, follow steps 2 – 6; • If they are not, please see Claimant is not in one of the prescribed circumstances
2	explain the JSA hardship procedures;
3	check the JSA hardship application form (JSA ESA10JP) is correctly completed and signed and obtain any missing information;
4	compare the information on the JSA ESA10JP to that on JSAPS to ensure no change of circumstances have occurred;
5	if the claimant was previously receiving JSA(C) only, check that form JSA3 has been completed and returned.
6	check if claimant is in a <u>vulnerable group</u> .

Claimant is not in one of the prescribed circumstances

47. If the claimant is not in one of the prescribed circumstances, they cannot be entitled to a JSA Hardship award. The JSA Hardship Officer must:

Step	Action
1	record the decision on hardship decision form JSA ESA11;
2	complete form JSA ESA11D showing the reason why a JSA hardship award cannot be made and issue it to the claimant;
3	explain to the claimant the reasons why they are not entitled to a JSA hardship award, and tell them that they can go through the disputes process if they wish.
4	attach form JSA ESA11 to the JSA ESA10JP (and JSA3 if required) and forward both to the Benefit Centre
5	access dialogue JA110: Maintain Notepad and record the details of the Hardship application and the decision.

Note: do not record the claimant's application in dialogue JA060: Register claim/event. Only hardship applications from claimants who are in the prescribed circumstances must be recorded

Deciding the hardship condition

48. After checking the JSA hardship application form (JSA ESA10JP) to ensure that it has been correctly completed and signed by the claimant, the JSA Hardship Officer must decide:

- if the claimant satisfies the first two conditions for receiving a JSA hardship award; and
- if the claimant or a specified member of their family will suffer hardship if a JSA hardship award is not made.

49. After considering all the available evidence, take the appropriate action depending on whether the claimant:

- does not satisfy the hardship conditions; or
- satisfies the hardship conditions.

Claimant does not satisfy the JSA Hardship conditions

50. If the claimant does not satisfy the JSA hardship conditions:

Step	Action
1	record the decision on hardship decision form JSA ESA11;
2	complete form JSA ESA11D showing the reason why a JSA hardship award cannot be made and issue it to the claimant;
3	explain to the claimant the reasons why they are not entitled to a JSA hardship award, and tell them that they can go through the disputes process if they wish.
4	attach form JSA ESA11 to the JSA ESA10JP (and JSA3 if required) and forward both to the Benefit Centre
5	Within JSAPS, access dialogue JA060: Register claim/event, REGISTER CLAIM/EVENT screen JA060062 and complete the following fields: <ul style="list-style-type: none"> • 'Event type' input [04];

	<ul style="list-style-type: none"> • ‘Event sub type’ input: <ul style="list-style-type: none"> ○ [01] for a suspension; ○ [02]] for a disallowance; ○ [03] for a sanction or LOB; or ○ [04] if the claim has not been decided; • ‘Receipt date’ input the date of the JSA hardship interview;
6	<p>Access JSAPS dialogue JA120: Event maintenance, select the hardship event and complete the following fields:</p> <ul style="list-style-type: none"> • ‘Outcome’ input [02] adverse decision to show that the hardship application has not been successful; • ‘Completed date’ input the date of the JSA hardship interview;

Claimant satisfies the Jobseeker's Allowance hardship conditions

51. If the claimant satisfies the JSA hardship conditions:

Step	Action
1	explain to the claimant that they are entitled to a JSA hardship award and when they can expect to receive a payment
2	explain to the claimant about the <u>arrangements for the future</u> ;
3	decide whether a 20% or 40% reduction in the claimant's applicable amount applies;
4	record the decision on hardship decision form JSA ESA11;
5	attach form JSA ESA11 to the JSA ESA10JP (and JSA3 if required) and forward both to the Benefit Centre.
6	complete form JSA ESA11A and issue it to the claimant;
7	access dialogue JA110: Maintain Notepad and record the details of the Hardship application and the decision.

Deciding the amount of a hardship payment

52. The weekly amount of JSA hardship awarded depends on the claimants needs. All personal allowances, premiums, housing costs and disregards for income and capital are calculated as for JSA (IB) under the normal rules. The special rules reduce the applicable amount by 20% or 40% of specified personal allowances.

53. Further information about determining the amount of JSA Hardship is in Chapter 35 of the Decision Makers Guide.

When does the 20% reduction apply

54. The personal allowance is reduced by 20% if the claimant or a member of the family or a member of a joint-claim couple is pregnant or seriously ill.

When does the 40% reduction apply

55. The personal allowance is reduced by 40% if the claimant or a member of the family or a member of a joint-claim couple is not pregnant or seriously ill.

56. If both members of a Joint claim are sanctioned, the couple receive a 40% reduction of the personal allowance.

Arrangements for the future

57. The arrangements for the future depend on the reason why the claimant has been awarded hardship:

The claimant has received an adverse decision on labour market entitlement conditions and is in a vulnerable group

58. If the claimant has received an adverse decision on labour market entitlement conditions and is in a vulnerable group, tell them that:

- payments made under a JSA hardship award are usually paid two weeks in arrears;
- they may be eligible to get JSA under the normal rules if they address the labour market question on entitlement;
- the JSA hardship award is open ended following the imposition of any waiting days, so long as the claimant attends Jobsearch Reviews and advisory interviews and satisfies the other JSA(IB) entitlement conditions; and
- any payments made under a JSA hardship award count towards the 182 days JSA(C) entitlement.
- NI Credits are NOT awarded during the period of the Suspension, Sanction or Disallowance even if JSA hardship is in payment

The claimant has been sanctioned and is in a vulnerable group

59. If the claimant has been sanctioned and is in a vulnerable group, tell them that:

- payments made under a JSA hardship award are usually paid two weeks in arrears; and
- JSA hardship payments can be made throughout the sanction period, so long as the claimant:
 - attends Jobsearch Reviews and advisory interviews; and
 - satisfies the labour market entitlement conditions and the other JSA(IB) entitlement conditions.

The claimant has been sanctioned but is not in a vulnerable group

60. If the claimant has been sanctioned but is not in a vulnerable group, tell them that:

- they will get their JSA hardship payment from the 15th day after any waiting days have been served;
- payments made under a JSA hardship award are usually paid two weeks in arrears;
- JSA hardship payments can be made throughout the sanction period, so long as the claimant:
 - attends Jobsearch Reviews and advisory interviews; and
 - satisfies the labour market entitlement conditions and the other JSA(IB) entitlement conditions.

The claimant has a Fraud LOB penalty applied and is in a vulnerable group

61. If the claimant has a LOB penalty applied and is in a vulnerable group, tell them that:

- payments made under a JSA hardship award are usually paid two weeks in arrears; and
- JSA hardship payments can be made throughout the LOB penalty period, so long as the claimant:
 - attends Jobsearch Reviews and advisory interviews; and
 - satisfies the labour market entitlement conditions and the other JSA(IB) entitlement conditions.

The claimant has a Fraud LOB penalty applied but is not in a vulnerable group

62. If the claimant has a LOB penalty but is not in a vulnerable group, tell them that:

- they will get their JSA hardship payment from the 15th day after any waiting days have been served;
- payments made under a JSA hardship award are usually paid two weeks in arrears;
- JSA hardship payments can be made throughout the LOB penalty period, so long as the claimant:
 - attends Jobsearch Reviews and advisory interviews; and
 - satisfies the labour market entitlement conditions and the other JSA(IB) entitlement conditions.

The claimant is waiting for a decision at the start of a claim and is in a vulnerable group

63. If the claimant is waiting for a decision at the start of a claim and is in a vulnerable group, tell them that:

- payments made under a JSA hardship award are usually paid two weeks in arrears;
- the JSA hardship award is open ended following the imposition of any waiting days, so long as the claimant attends Jobsearch Reviews and advisory interviews and satisfies the other JSA(IB) entitlement conditions; and
- if the decision goes against them, an adverse decision on labour market entitlement conditions will be imposed.

The claimant is waiting for a decision at the start of a claim but is not in a vulnerable group

64. If the claimant is waiting for a decision at the start of a claim but is not in a vulnerable group, tell them that:

- they will get their JSA hardship payment from the 16th day after any waiting days have been served;
- the JSA hardship award is open ended following the imposition of any waiting days, so long as the claimant attends Jobsearch Reviews and advisory interviews and satisfies the other JSA(IB) entitlement conditions.

- payments made under a JSA hardship award are usually paid two weeks in arrears;
- if the decision goes against them, the claimant's JSA claim will be disallowed and there will be no entitlement to JSA at all.

The claimant has been suspended and is in a vulnerable group

65. If the claimant has been suspended and is in a vulnerable group, tell them that:

- payments made under a JSA hardship award are usually paid two weeks in arrears;
- the JSA hardship award is open ended following the imposition of any waiting days, so long as the claimant attends Jobsearch Reviews and advisory interviews and satisfies the other JSA(IB) entitlement conditions.
- if the decision goes against them, an adverse decision on labour market entitlement conditions will be imposed.

The claimant has been suspended but is not in a vulnerable group

66. If the claimant has been suspended but is not in a vulnerable group, tell them that:

- they will get their JSA hardship payment from the 15th day after any waiting days have been served;
- payments made under a JSA hardship award are usually paid two weeks in arrears;
- if the decision goes against them, the claimant's JSA claim will be disallowed and there will be no entitlement to JSA at all.

67. Advise the claimant that they must inform their Jobcentre of any change of circumstances whilst they are receiving JSA hardship payments.

Processing a Jobseeker's Allowance hardship award on JSAPS

68. To process a Jobseeker's Allowance hardship award on JSAPS, input the JSA(IB) claim as normal unless this has already been done, then:

Step	Action
1	access dialogue JA120: Event maintenance to check if there is an open New Claim or Change of Circumstances event;
2	access dialogue JA060: Register claim/event, REGISTER CLAIM/EVENT screen JA060062 and complete the following fields: <ul style="list-style-type: none"> • 'Event type' input [04] hardship; • 'Event sub type' input: <ul style="list-style-type: none"> ○ [01] for a suspension; ○ [02] for a disallowance; ○ [03] for a sanction or LOB penalty ○ [04] if the claim has not been decided; • 'Receipt date' input the date the claimant applied for a JSA hardship award; then:

	<ul style="list-style-type: none"> • if there is an open New Claim or Change of Circumstances event, go to Step 4; • if there is no open New Claim or Change of Circumstances event, go to Step 3;
3	re-access dialogue JA060: Register claim/event, EVENT MAINTENANCE REGISTER CLAIM/EVENT screen JA060062 and complete the following fields: <ul style="list-style-type: none"> • 'Event type' input [02] change of circumstances; • 'Event sub type' input [10]; • 'Receipt date' input the date the claimant applied for a JSA hardship award;
4	press [F1] to go to dialogue JA091: Maintain claim details, CLAIM DETAILS PICKLIST screen JA091002 and complete the following fields under Change of circumstances: <ul style="list-style-type: none"> • 'Effective date' input the date JSA hardship payments have been awarded from; • 'Exceptional conditions' input [Y];
5	press [ENTER] to display the EXCEPTIONAL CONDITIONS screen JA091019 and complete the following fields: <ul style="list-style-type: none"> • 'Person no' input [01] customer; • 'Reason code' input code: <ul style="list-style-type: none"> ○ [15] to show an adjustment to the claimant's applicable amount; ○ [27] if the claimant is subject to the 20% reduction; ○ [28] if the claimant is subject to the 40% reduction; • 'D/Start' input the date the hardship payments have been awarded from; • 'D/End', JSAPS will accept a date of up to 52 weeks, input a date which is within this period of the start date of the hardship award, even if the JSA hardship award is open ended;
6	press [F1] to go to dialogue JA200: Award and Decision, EVIDENCE SUMMARY screen JA200201;
7	press [ENTER] or [F12] to go to the AWARD SUMMARY screen JA200202;
8	press [F5] to access the CLERICAL COMPONENTS screen JA200203 and complete the 'Amount' field to show the reduced applicable amount payable for the claimant;
9	press [ENTER] to prompt JSAPS to: <ul style="list-style-type: none"> • recalculate the claimant's JSA(IB) using the clerical components input; and • display the AWARD SUMMARY screen JA200202 and use function key [F24] to make a decision
10	if the claimant has an eligible home loan, access <u>dialogue JA301: Maintain Mortgage Direct</u> and input/update the information as

	appropriate;
11	access dialogue JA405: Compute payment to display the payment profile calculated by the system and to produce a JSA hardship payment if one is due;
13	JSAPS issues the relevant notifications to the claimant which explains that they are entitled to a JSA hardship payment.

Claimants who use the postal facility to provide a labour market declaration

69. If a request is made for a JSA hardship award from a claimant who uses the postal facility, send them a JSA hardship application form (JSA ESA10JP) and a JSA3 if necessary, together with a letter giving a contact name and telephone number for enquiries.

70. When the form is returned, the application is considered in the normal way and a decision made as to whether or not to make a JSA hardship award.

71. If the decision is made to make a JSA hardship award to a claimant who usually uses the postal facility, action depends on whether or not the claimant has received an adverse decision on labour market entitlement conditions.

72. If the claimant's JSA has been suspended, sanctioned, had a LOB penalty applied or a decision is awaited at the start of their claim, they can continue to use the postal facility.

73. If the claimant has received an adverse decision on labour market entitlement conditions and the adverse decision is for two weeks or less, they can continue to use the postal facility. However, if the decision is for more than two weeks, the postal facility is withdrawn.

74. If the postal facility is withdrawn, the claimant must attend the Jobcentre for their Jobsearch Reviews and Adviser Interviews, but they can claim their fares to attend each fortnight.

Claimant sanctioned for failure to participate in the Mandatory Work Activity Scheme (MWA)

75. A claimant who is sanctioned because they have failed, without good cause, to participate in the MWA scheme; can have access to hardship payments during the period of sanction, This can either be on the basis of being:

- In a vulnerable group or;
- the claimant and/or partner are likely to suffer hardship if JSA is not paid.

76. The non-vulnerable claimant becomes eligible for JSA Hardship payments on the 15th day from the start of the sanction.

Schemes for Assisting Persons to Obtain Employment Regulations 2013 (SAPOE).

77. The regulations supporting the ESE scheme were abolished and replaced with Schemes for Assisting Persons to Obtain Employment Regulations 2013 (SAPOE) on 12.2.13 following a Judicial review.

78. A claimant who is sanctioned because they have failed, without good cause, to participate in the SAPOE scheme; can have access to hardship payments during the period of sanction, This can either be on the basis of being:

- In a vulnerable group or;
- the claimant and/or partner are likely to suffer hardship if JSA is not paid.

79. The non-vulnerable claimant becomes eligible for JSA Hardship payments on the 15th day from the start of the sanction.

Claimant receiving JSA(C) applies for a hardship award

80. Awards made under the JSA Hardship Provision are awards of Income Based JSA which are paid at a reduced rate.

81. There is no provision for awarding Contribution Based JSA (JSA(C)) under the JSA Hardship Provision. However, claimants who usually receive JSA(C) only can apply for a JSA hardship award if they provide the information required details for a JSA(IB) assessment.

82. If the details needed for the JSA(IB) assessment are already held:

- confirm whether the details are correct;
- if anything has changed, take normal change of circumstances action; and
- assess JSA(IB) using this information.

83. If the details are not already held, ask the claimant to complete a JSA application for review form (JSA3). This is needed before entitlement to a JSA hardship award can be decided.

84. Any JSA hardship payments made will continue to erode the claimant's cumulative total.

Change of circumstances

85. If a claimant receiving an award of JSA under the JSA Hardship Provision reports a change of circumstances the decision to award Hardship must be reviewed.

Claimant still satisfies the Jobseeker's Allowance hardship conditions

86. If the claimant still satisfies the JSA hardship conditions:

Step	Action
1	access dialogue JA091: Maintain claim details and record the change if appropriate;
2	continue normal action.

Claimant no longer satisfies the Jobseeker's Allowance hardship conditions

87. If the claimant no longer satisfies the JSA hardship conditions:

Step	Action
1	record the decision on hardship decision form JSA ESA11;

2	complete and issue form JSA ESA11D showing the reason why an award cannot be made: <ul style="list-style-type: none"> • under the normal rules; nor • under the JSA Hardship Provision;
3	explain to the claimant: <ul style="list-style-type: none"> • they are not entitled to JSA at all; and • the reasons why;
4	tell the claimant that, if they wish, they can go through the disputes process;
5	if the claimant's claim is maintained: <ul style="list-style-type: none"> • by JSAPS, go to Step 6; or • clerically, go to Step 20;
6	access dialogue JA060: Register claim/event, REGISTER CLAIM/EVENT screen JA060062 and complete the following fields: <ul style="list-style-type: none"> • 'Event type' input [02] change of circumstances; • 'Event sub type' input [10] changes to exceptional conditions; • 'Receipt date' input the date of the hardship interview;
7	press [F1] to go to dialogue JA091: Maintain claim details, CLAIM DETAILS PICKLIST screen JA091002 and complete the Change of circumstances 'Effective date' field to show the date payment under the JSA hardship award will stop;
8	press [F24] to re-display the CLAIM DETAILS PICKLIST screen <u>JA091002</u> and input [Y] in the 'Exceptional conditions' field;
9	press [ENTER] to display the EXCEPTIONAL CONDITIONS screen JA091019 and identify the exceptional conditions showing codes: <ul style="list-style-type: none"> • [27] or [28]; and • [15] with a 'D/Start' which is the same as the 'D/Start' for code [27] or [28];
10	When you have identified the correct exceptional conditions [15] and [27/28], overtype the date in the 'D/End' fields to show the date the JSA hardship award stops;
11	press [F1] to go to dialogue JA200: Award and Decision, EVIDENCE SUMMARY screen JA200201; System Reference Guide Volume 6.
12	press [ENTER] or [F12] to go to the AWARD SUMMARY screen JA200202;
13	if the change of circumstances is effective from: <ul style="list-style-type: none"> • a date between the last benefit week ending (BWE) day and the current BWE day, go to Step 14; or • the current BWE day, go to Step 18;
14	identify the Award Summary screen which includes the final JSA hardship award details and then press [F5] to access the CLERICAL COMPONENTS screen JA200203 ;
15	check whether the details displayed are correct;
16	if the details displayed: <ul style="list-style-type: none"> • are correct, go to Step 17; or

	<ul style="list-style-type: none"> • are not correct, amend them as appropriate and then go to Step 17;
17	press [ENTER] to return to the AWARD SUMMARY screen JA200202;
18	when you are satisfied with the summary of evidence and award details, press [F24] to decide;
19	after deciding, press [END];
20	attach form JSA ESA11 to the JSA hardship application form JSA ESA10JP and file both in the claimant's claim file.

88. Further information about JSA Hardship is available within Volume 6, Chapter 35 of the Decision Makers Guide.

Notifications to Local Authorities

Hardship payments allowed at start of claim

89. If hardship payments are awarded, the notifications to Local Authorities (LA) that are output will depend on the timing of the award.

90. If the decision to suspend, disallow or sanction is input:

- at the same time as the award of hardship payments, JSAPS issues an NHB(JSA) entitlement notice; or
- before the decision to award hardship payments, JSAPS issues an NHB(JSA) decision notice showing a nil award.

91. When the hardship award decision is input, JSAPS issues an NHB(JSA) notification headed 'revised entitlement dates'.

Hardship payments made during the claim

92. If the decision to suspend, disallow, sanction or LOB is input:

- at the same time as the award of hardship payments, JSAPS does not issue a notification. This is because the LA is not affected by the decisions, as the award of Housing Benefit is continuous;
- before the decision to award hardship payments, JSAPS issues NHB(JSA) end of entitlement notice with the appropriate reason.

93. When the hardship award decision is input, JSAPS issues an NHB(JSA) notification headed 'revised entitlement dates'.

Dealing with claimant enquires when hardship is refused

94. If the claimant is refused hardship they can ask for the decision to be reviewed. They should have been given a written statement of the reasons why hardship is not payable.

95. They can then ask for this decision to be reconsidered/reviewed, following the normal process for reviewing decisions.