

Jobseeker’s Allowance: overview of revised sanctions regime

| Sanction Level | Applicable to: | Description | Previous sanction regime | Revised sanction regime from October 2012: | | |
|--------------------|---|---|--|--|--|--|
| | | | | 1 st failure | 2 nd failure | 3 rd failure |
| Higher Level | JSA claimants | Failure to comply with the most important jobseeking requirements | Variable 1 to 26 weeks except MWA Fixed 13 weeks | 13 weeks | 26 weeks <i>if within 52¹ weeks but not within two weeks of previous failure</i> | 156 weeks <i>if within 52 weeks – but not within two weeks - of previous failure that resulted in 26 or 156 week sanction</i> |
| Intermediate Level | JSA claimants | Failure to be available for work | Disentitlement but no sanction ² | Disentitlement then up to 4 weeks loss of benefit | Disentitlement then up to 13 weeks loss of benefit <i>if within 52 weeks – but not two weeks -of previous entitlement ceasing</i> | |
| Lower Level | JSA claimants | Failure to attend/participate in an adviser interview/training scheme | Fixed 1, 2, 4 or 26 weeks | 4 weeks | 13 weeks <i>if within 52 weeks – but not two weeks - of previous failure which resulted in a 4 or 13 week sanction</i> | |
| | ESA claimants in the Work Related Activity Group (WRAG) | Failure to attend/participate in a mandatory interviews or failure to undertake Work Related Activity | Open-ended 50% of Work-Related Activity Component (WRAC) for first 4 weeks, then 100% of WRAC | 100% of the prescribed ESA amount open-ended until re-engagement followed by a fixed period of | | |
| | | | | 1 week | 2 weeks <i>if within 52 weeks – but not two weeks - of previous failure</i> | 4 weeks <i>if within 52 weeks – but not two weeks - of previous failure which resulted in a 2 or 4 week sanction</i> |

¹ The 52 week rolling period begins from the date the sanctionable failure took place and not the date the sanction is applied.

² Individuals able to reclaim JSA after small number of waiting days.

Notes:

- (1) 3 year sanctions will apply only in the most extreme cases where claimants have serially and deliberately breached their most important requirements, and they have not changed their behaviour after receiving previous sanctions;
- (2) Higher level sanction durations will be shorter if:
 - a. the failure relates to pre-claim employment expected to last less than the standard sanction period; or
 - b. the failure occurs before a claim and the individual doesn't claim JSA immediately.
- (3) The loss of benefit period for Intermediate level sanctions will deduct any period for which the claimant was not paid benefit or during which they were not claiming benefit. There are some exceptions to Intermediate level sanctions.
- (4) If an ESA claimant complies within one week of the failure, only the relevant fixed period element of the sanction will apply.
- (5) For all levels, if a claimant commits multiple failures within the same two weekly signing period then the sanction will not escalate to the next level. Therefore, lengthy sanctions won't accumulate over short periods.
- (6) Prior to 22nd October 2012, JSA claimants could have a 26 week sanction lifted for failing to participate in the Employment, Skills and Enterprise (ESE) scheme (i.e. Work Programme, Skills Conditionality etc) after they have served at least 4 weeks of that sanction if they re-comply. This will no longer apply from 22 October. From this date, once a sanction is imposed on a claimant for failing to participate in the ESE scheme, it will continue to run regardless of whether or not the claimant recompiles.

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² Individuals able to reclaim JSA after small number of waiting days.