

JC JSA

Joint claims for Jobseeker's Allowance

(when some of the conditions do not apply)



S O C I A L
S E C U R I T Y
A G E N C Y



What should I know?

Joint claims for Jobseeker's Allowance means that both members of certain couples have to look for a job and meet the rules for getting JSA.

Joint claims make sure that both you and your partner are directly involved in the workforce and are given the opportunity to receive all available help and advice to find work. You and your partner will have equal rights and responsibilities within the claim. You are both responsible for telling us about changes in your circumstances, and we can give information relevant to the joint claim to both of you.

Who should make a joint claim?

You may have to make a joint claim for Jobseeker's Allowance if:

- you are part of a couple claiming, or applying for, income-based Jobseeker's Allowance
- you (or your partner) are aged at least 18 and were born after 28 October 1947, and
- neither of you are responsible for children.

Situations when you don't need to meet all the conditions for claiming Jobseeker's Allowance

Joint claims

We understand that it may not always be possible for both members of a couple to meet all the Jobseeker's Allowance (JSA) rules all the time. So, in certain circumstances, one member of the couple may be excused from (not have to meet) some of the rules for a period of time. Both members of the couple cannot be excused at the same time.

How can I apply to be excused?

You can apply to be excused from meeting certain JSA rules at any time while you have a joint claim. You should discuss your circumstances with a Work Focused Adviser, including whether the type of work or hours that you are looking for can be adapted to fit in with your situation. For example, it may be possible to fit in caring duties with some jobs.

Here are some situations when you might not have to meet all the Jobseeker's Allowance rules.

You are a carer

You may be excused from meeting certain Jobseeker's Allowance rules if you care for another person and you are entitled to (and are receiving) Carer's Allowance, or you are regularly involved in caring for someone and at least one of the following applies.

- The person you are caring for is getting Attendance Allowance or the care component of Disability Living Allowance at the middle or highest rate.
- The person you are caring for has claimed Attendance Allowance (AA) or Disability Living Allowance (DLA) within the last 26 weeks but has not yet received a decision. However, you will not be excused from meeting the rules if the claim for AA or DLA is turned down.

Also, if you did meet one of the conditions above, but no longer do so, you will have to meet all the Jobseeker's Allowance rules from eight weeks after you stop meeting the conditions.

We will accept the following as proof of your circumstances as a carer.

- Proof from the person you are caring for that they have either made a claim for (or are getting) Attendance Allowance or Disability Living Allowance.
- Your Carer's Allowance award notice.
- A letter confirming the date that Carer's Allowance, Attendance Allowance or Disability Living Allowance stopped being paid.

You are State Pension age or over

You can be excused from certain Jobseeker's Allowance conditions (see the section 'What rules can I be excused from?') if you:

- are State Pension age or over, or
- are under pensionable age, and
- do not want to look for work.

You do not need to provide any evidence, as your local Social Security or Jobs & Benefits office will have information about your age. The rules about State Pension age are complicated. For more details contact your local Social Security or Jobs & Benefits office.

You are a refugee and are on a course to improve your English

You can be excused from certain Jobseeker's Allowance conditions (see the section 'What rules can I be excused from?') for up to 9 months if:

- the Home Office has confirmed that you are a refugee
- you are on a course for more than 15 hours a week to improve your English so that you can find work, and
- you started the course within 12 months of arriving in the UK.

This does not apply if you have been given exceptional leave to stay in or enter the country.

You will need to provide the following information to support your application.

- A letter from the Home Office to confirm your refugee status (for example, an NAS538, a GEN22 or a GEN23).
- Your standard acknowledgement letter to confirm the date you arrived in the UK.
- A letter or document confirming that you are on a course to improve your English, and details of the length and weekly hours of the course.

You have to go to court

You will not have to meet the Jobseeker's Allowance rules for the period you have to go to court, if you have to go to court for more than one day:

- as a Justice of the Peace
- in connection with any proceedings (this does not apply if you are a defendant being held in custody)
- as a witness, or
- as a juror.

You will need to supply either of the following as proof.

- Your court papers with the dates you must go to court.
- A copy of your summons to go to court.

You are working and living in a residential home

You can be excused from certain Jobseeker's Allowance conditions (see the section 'What rules can I be excused from?') if you have a job and are living in a residential care home, nursing home or other residential care accommodation and need personal care for certain reasons. In these circumstances, we do not treat you as being in work.

You will need to provide the following information to support your application.

- Proof of your address.
- Proof of your work (for example, wage slips, evidence of Disabled Person's Tax Credit or a letter from your employer).

You are involved in a trade dispute

You can be excused from meeting Jobseeker's Allowance rules if you are affected by, or involved in, a trade dispute.

You do not have to provide any evidence, as this will be confirmed by your local Social Security or Jobs & Benefits office.

What else should I know?

What rules can I be excused from?

You can be excused from meeting the following Jobseeker's Allowance rules. However, if you are making a joint claim, only one of you can be excused at a time.

- Being capable of work.
- Being available for work for at least 40 hours a week (although there are some exceptions to this condition).
- Actively looking for work.
- Filling in a jobseeker's agreement.
- Living in the UK.
- Not being in full-time education.

How long will I be excused from meeting these Jobseeker's Allowance rules?

Your local Social Security or Jobs & Benefits office will tell you when this will start. The length of time you do not have to meet the rules depends on your situation. For example, if you are a full-time student, we may excuse you until the date your course ends.

We will regularly check to see if you can still be excused from meeting Jobseeker's Allowance rules. We will either write to you, or we will ask you to come into your local office. For example, if you have provided a medical certificate, we will review your circumstances from the date the certificate ends.

What about National Insurance (NI) credits?

You will not get NI credits for the period you are excused from meeting certain Jobseeker's Allowance rules. There are a few circumstances where you may be able to get NI credits through other benefits (for example, Carer's Allowance, Incapacity Benefit or Employment and Support Allowance).

Your local Social Security or Jobs & Benefits office can give you more information about NI credits.

What do I need to do next?

If you think that you fit one of the situations described and do not feel you can meet all the Jobseeker's Allowance rules, you will need to complete form JSA6A ('Application to be excused from meeting certain JSA conditions for joint claims'). Ask at your local Social Security or Jobs & Benefits office.

You must fill in the claim form and return it to us, with any proof we ask you for, within 7 days. Please let your local office know if you cannot provide this information within 7 days, as this could delay your Jobseeker's Allowance payment.

The contact details for your local office are in the phone book and on our website at www.dsdni.gov.uk.

This leaflet is available in large print, in Braille and on audio tape.
Contact your local Social Security or Jobs & Benefits office for more details.

Remember this leaflet is only a general guide and not a full statement of the law. We have made every effort to make sure that the information in this leaflet is correct at the date shown below. However, changes in the law make the leaflet become gradually less accurate. For up-to-date information please contact your local Social Security or Jobs & Benefits office.

www.dsdni.gov.uk

We are committed to applying the principles of equal opportunities in our programmes and services.

