Draft Regulations laid before Parliament under section 37(2) of the Jobseekers Act 1995, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2010 No.

SOCIAL SECURITY

The Jobseeker's Allowance (Skills Training Conditionality Pilot) Regulations 2010

Made - - - -	*April 2010*
Coming into force - -	*26th April 2010*

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 19(8)(b) and (10)(c), 20A(9), 29, 35(1) and 36(2) and (4) of the Jobseekers Act 1995(**a**).

These Regulations are made with a view to ascertaining whether their provisions will, or will be likely to, encourage persons to obtain work or will, or will be likely to, make it more likely that persons will obtain or remain in work or be able to do so(**b**).

The Secretary of State referred the proposals for these Regulations to the Social Security Advisory Committee(**c**).

A draft of this instrument was laid before Parliament in accordance with section 37(2) of the Jobseekers Act 1995 and approved by a resolution of each House of Parliament.

Citation, commencement and duration

1.—(1) These Regulations may be cited as the Jobseeker's Allowance (Skills Training Conditionality Pilot) Regulations 2010.

(2) They come into force on 26th April 2010.

(3) They cease to have effect on 25th October 2011.

Interpretation

2.—(1) In these Regulations—

(**a**) 1995 c. 18. Section 20A was inserted by paragraphs 1 and 13 of Schedule 7 to the Welfare Reform and Pensions Act 1999 (c. 30). Section 29 was amended by section 28(1) of the Welfare Reform Act 2009 (c. 24). Sections 35(1) and 36(4) were amended by paragraphs 62 and 63 respectively of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2). Section 35(1) is an interpretation provision and is cited because of the meaning it gives to the word "prescribed".

(**b**) *See* section 29(8) of the Jobseekers Act 1995, as amended by section 28 of the Welfare Reform Act 2009.

(**c**) *See* section 172(1) of the Social Security Administration Act 1992 (c. 5).

"action plan" means a document which is completed by the Secretary of State in relation to a claimant which contains a record of any activity that the Secretary of State considers will, or will be likely to, improve that person's prospects of obtaining employment;

"appropriate office" means an office of the Department for Work and Pensions which is identified in the Schedule by reference to its district and name on 26th April 2010 (and where such an office closes, a reference in the Schedule to that office shall be construed in relation to any person as a reference to the office at which that person is required to attend instead of that office);

"claimant" means a person claiming a jobseeker's allowance who is aged 18 or over;

"Jobseeker's Regime and Flexible New Deal Stage 3" means an arrangement known by that name, being a programme of up to 6 months duration provided by the Secretary of State and which consists of the provision to claimants of advice, support, assistance with job search activity and the development of job search skills;

"training" is to be construed as including attendance by a claimant who has been selected to take part in the Skills Training Conditionality Pilot at a pre-entry interview conducted by a training provider;

"employment officer" has the meaning given in section 19(10)(a) of the Jobseekers Act 1995;

"the Skills Training Conditionality Pilot" means a scheme known by that name for the provision to claimants of training—

(a) secured by the Learning and Skills Council for England,

(b) secured by Ufi Limited (operating as "learndirect"),

(c) which is provided by, or provided pursuant to other arrangements made by, the Secretary of State, or

(d) which is approved by the Secretary of State in relation to particular claimants;

"the Jobseeker's Allowance Regulations" means the Jobseeker's Allowance Regulations 1996(**a**).

Application

3.—(1) Subject to regulation 5, these Regulations apply to a claimant who meets the following conditions and who is selected by an employment officer on a sampling basis.

(2) The first condition is that on or after 26th April 2010 the claimant attends an appropriate office pursuant to a notification given or sent under regulation 23 (attendance)(**b**) or 23A (attendance by members of a joint-claim couple)(**c**) of the Jobseeker's Allowance Regulations.

(3) The second condition is that the claimant is taking part in Jobseeker's Regime and Flexible New Deal Stage 3.

(4) The third condition is that, as the result of an assessment by an employment officer that the claimant's skills place the claimant at significant disadvantage in obtaining employment (including in a particular geographical area), the claimant's action plan consists of, or includes, undertaking training.

(5) The fourth condition is that an employment officer has given or sent a notice in writing to the claimant stating that, if the claimant fails to participate in the Skills Training Conditionality Pilot, the claimant's jobseeker's allowance could cease to be payable or could be payable at a lower rate.

(**a**) S.I. 1996/207.
(**b**) Regulation 23 was substituted by S.I. 2000/2194.
(**c**) Regulation 23A was inserted by S.I. 2000/1978.

Modification of the Jobseeker's Allowance Regulations

4. The Jobseeker's Allowance Regulations have effect in relation to a claimant to whom these Regulations apply as if—

(a) in regulation 73(2A)(a) (good cause for the purposes of section 19(5)(b))(**a**) after "75(1)(b)(ii)" there were inserted "or (iv)";

(b) in regulation 75(1)(b) (interpretation)(**b**), at the end there were added—

"(iv) the Skills Training Conditionality Pilot (which has the meaning given in regulation 2 of the Jobseeker's Allowance (Skills Training Conditionality Pilot) Regulations 2010).".

Change of claimant's address

5.—(1) These Regulations cease to apply to a claimant from the date on which the claimant changes address if, as a consequence of changing address, the claimant is notified under regulation 23 (attendance) or 23A (attendance by members of a joint-clam couple) of the Jobseeker's Allowance Regulations that the claimant should attend at an office of the Department for Work and Pensions which is not an appropriate office for the purposes of these Regulations.

(2) However, in a case where these Regulations cease to apply to a claimant from a particular date by virtue of paragraph (1), any relevant determination made before that date in relation to that person shall continue to have effect.

(3) In paragraph (2), "relevant determination" means a determination that—

(a) the claimant's jobseeker's allowance is not payable by virtue of section 19 (circumstances in which a jobseeker's allowance is not payable) of the Jobseekers Act 1995, or

(b) the claimant is subject to a sanction under section 20A (denial or reduction in joint-claim jobseeker's allowance) of the Jobseekers Act 1995.

Signed by authority of the Secretary of State for Work and Pensions

Name
Parliamentary Under Secretary of State
Department for Work and Pensions

Date

SCHEDULE

Regulation 2(1)

District	*Jobcentre Plus Offices*
Black Country	Bayard House Walsall
	Bilston
	Bridle Court Walsall
	Brownhills
	Chapel Court Wolverhampton
	Molineux House Wolverhampton
	Dudley
	Halesowen
	Oldbury
	Smethwick
	Stourbridge

(**a**) Paragraph (2A) was inserted by S.I. 1997/2863. Relevant amending instruments are S.I. 2000/1978, 2001/1029 and 2009/480.

(**b**) Substituted by S.I. 1997/2863. Relevant amending instruments are S.I. 1998/1274 and 2000/1978.

	Tipton
	West Bromwich
	Willenhall
Staffordshire	Burton on Trent
	Cannock
	Hanley
	Kidsgrove
	Lichfield
	Longton
	Newcastle
	Stafford Greyfriars
	Tamworth
The Marches	Bridgnorth
	Bromsgrove
	Evesham
	Hereford
	Kidderminster
	Leominster
	Madeley
	Malvern
	Market Drayton
	Oswestry
	Redditch
	Ross-on-Wye
	Shrewsbury
	Telford
	Wellington
	Whitchurch
	Worcester
Coventry and Warwickshire	Atherstone
	Bedworth
	Coventry Cofa Court
	Leamington Spa
	Nuneaton
	Rugby
	Stratford-upon-Avon
	Tile Hill
Birmingham and Solihull	Birmingham City
	Broad Street
	Birmingham South West
	Chelmsley Wood
	Erdington
	Handsworth
	King Heath
	Perry Barr
	Selly Oak
	Solihull
	Sparkhill
	Sutton Coldfield
	Washwood Heath
	Yardley
Cambridge and Suffolk	Bury St Edmunds
	Beccles

	Cambridge
	Ely
	Felixstowe
	Haverhill
	Huntingdon
	Ipswich
	Leiston
	Lowestoft
	Mildenhall
	Newmarket
	Peterborough
	Stowmarket
	Sudbury
	Wisbech
	Woodbridge
Greater Manchester (Central)	Alexandra Park
	Altrincham
	Cheetham Hill
	Chorlton
	Didsbury
	Eccles
	Irlam
	Longsight
	Manchester Airport
	Newton Heath
	Openshaw
	Rusholme
	Salford Baskerville House
	Stretford
	Trafford Centre
	Worsley
	Wythenshaw
Central London	Barnsbury
	Denmark Street
	Finsbury Park
	Highgate
	Kentish Town
	North Kensington
	St Marylebone
	Westminster
Greater Manchester (East and West)	Ashton in Makerfield
	Ashton under Lyne
	Atherton
	Bolton
	Bury
	Farnwood
	Heywood
	Hyde
	Leigh
	Middleton
	Oldham
	Prestwich
	Rochdale

	Stalybridge
	Stockport
	Wigan
Lambeth, Southwark and Wandsworth	Brixton Hill
	Brixton
	Camberwell Green
	Clapham Common
	Kennington Park
	London Bridge
	Peckham
	Stockwell
	Streatham
	Wandsworth
Norfolk	Cromer
	Dereham
	Diss
	Downham Market
	Fakenham
	Great Yarmouth
	Hunstanton
	Kings Lynn
	North Walsham
	Norwich
	Thetford

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations introduce the Skills Training Conditionality Pilot. They are made in reliance on the power to pilot regulations in section 29 of the Jobseekers Act 1995, and have effect for a period of 18 months.

The Skills Training Conditionality Pilot is a scheme for training, including training secured by the Learning and Skills Council for England and learndirect, for certain jobseeker's allowance claimants aged 18 or over.

Regulation 3 deals with the application of these Regulations. It provides that they apply to claimants who are selected on a sampling basis and who meet certain criteria. In particular, the claimants must be taking part in Jobseeker's Regime and Flexible New Deal Stage 3 and have a training need recorded in their action plan. The pilot areas are set out in the Schedule to these Regulations.

Regulation 4 modifies regulations 73 and 75 of the Jobseeker's Allowance Regulations 1996 ("the 1996 Regulations") in relation to claimants referred to in regulation 3. The modification to regulation 75 adds the Skills Training Conditionality Pilot to the list of training schemes so that, where claimants fail, without good cause, to participate in or attend any part of the pilot scheme, or give up their place on the scheme or are dismissed from the scheme due to misconduct, the person will be subject to a benefits sanction. The effect of this will be that their jobseeker's allowance could be stopped or reduced for a period of two or four weeks (see regulation 69 of the 1996 Regulations). The modification to regulation 73 adds the Skills and Training and Conditionality Pilot to the list of training schemes where claimants will have "good cause" if they have not been given or sent a written notice referring to the training scheme and informing the claimants that their benefit could be stopped or reduced.

Regulation 5 provides that persons cease to be required to attend the pilot scheme if they change address and are required to attend an office of the Department for Work and Pensions which is not in a pilot area (although this will not affect a sanction imposed on that person before a change of address).

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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