

Factsheet

For single parents in England and Wales February 2015

Freephone

0808 802 0925

Gingerbread Single Parent Helpline

Sanctions

This factsheet explains what happens if you receive a sanction when you're claiming jobseeker's allowance. It explains what a sanction is, why you might get one and what you can do to challenge the decision.

For information on sanctions if you are claiming income support see the Gingerbread factsheet *Claiming income support and other benefits*. If you're claiming employment and support allowance there is information on sanctions in the factsheet *Benefits and tax credits for ill health or disability*.

There are special rules that apply to single parents claiming jobseeker's allowance. See the Gingerbread factsheet *Jobseeker's allowance – Special rules for single parents*.

There is a list of other Gingerbread information that you may find helpful at the end of this factsheet. Further advice on all of the topics covered is available from the Gingerbread Single Parent Helpline on 0808 802 0925. Calls are free from landlines and most mobiles. The information in this factsheet is correct as of February 2015.

Universal credit is a new benefit system that will replace many of the current benefits and tax credits. From December 2014 some families with children who are claiming benefits for the first time in selected jobcentres may claim universal credit. For more information on universal credit and how it may affect your family you can visit the Gingerbread website.

What is a sanction?

A sanction is when your jobseeker's allowance is stopped for a period of time because the jobcentre has decided that you haven't complied with the rules. The length of the sanction can vary between four weeks and three years depending on the reason you have been given the sanction.

Which benefits are stopped?

Only your jobseeker's allowance should stop. If you're claiming housing benefit and a council tax reduction, this might stop automatically because your local council is told that you're not getting jobseeker's allowance anymore.

You're still entitled to housing benefit and council tax reduction, but you will need to contact your local council to let them know what's happened. If you don't contact them you might get into arrears with your rent and council tax.

What could lead to a sanction?

You can be given a sanction for a number of reasons, for example if you leave a job without a good reason, if you don't apply for a job that your adviser has asked you to or if you don't participate in a training scheme. There are many other reasons why you might be sanctioned whilst claiming jobseeker's allowance or when you're on the Work Programme or other scheme.

There are different levels of sanction, which mean your benefit will stop for different amounts of time.

Sanctions when you claim jobseeker's allowance

Lower level sanctions

You could receive a lower level sanction if you're asked to do something to prepare for work, or that would improve your chances of getting into work, and you don't do it.

You can get a lower level sanction for:

- Refusal or failure to attend an adviser interview
- Refusal or failure to comply with a jobseeker direction.

If you receive a lower level sanction your jobseeker's allowance will be stopped for:

- Four weeks if it's your first sanction
- 13 weeks if you have already received a lower level sanction within the last year.

Intermediate level sanctions

You could receive an intermediate level sanction if you were entitled to jobseeker's allowance within the last 13 weeks, but it stopped because you were not actively seeking work, or you weren't available for work. If you re-claim jobseeker's allowance you can be sanctioned (and won't receive jobseeker's allowance) for:

- Four weeks if your entitlement has only ended once for this reason
- 13 weeks if your entitlement has ended twice or more for this reason in the past year.

Higher level sanctions

You could receive a higher level sanction if you:

- Leave a job voluntarily and without a good reason
- Lose a job through misconduct
- Refuse or fail to apply for or accept a job that was offered to you, without a good reason
- Refuse or fail to participate in Mandatory Work Activity, without a good reason.

If you receive a higher level sanction your jobseeker's allowance will be stopped for:

- 13 weeks if it's your first sanction
- 26 weeks if you have received a higher level sanction once in the last year
- 156 weeks (three years) if you have received a higher level sanction twice or more in the last year.

Sanctions under the Work Programme and other schemes

If you don't participate in a scheme which is intended to help you get into work, you can be sanctioned. For all schemes other than Mandatory Work Activity, you can receive a lower level sanction. If you don't participate in Mandatory Work Activity you can receive a higher level sanction.

You could receive a sanction if you:

- Lose your place on the scheme because of misconduct
- Give up or don't attend the scheme without a good reason
- Are told about a place on a scheme and refuse it, or don't apply for it, without a good reason.

For example, you could receive a sanction if you frequently turn up late or miss days without a good reason, or lose your place on a scheme due to your behaviour.

All schemes except Mandatory Work Activity

If you receive a sanction your jobseeker's allowance will be stopped for:

- Four weeks if it's your first sanction
- 13 weeks if you have already received a sanction within the last year.

Mandatory Work Activity

If you receive a sanction your jobseeker's allowance will be stopped for:

- 13 weeks if it's your first sanction
- 26 weeks if you have received a higher level sanction once in the last year
- 156 weeks (three years) if you have received a higher level sanction twice or more in the last year.

When you shouldn't receive a sanction

Your Jobcentre Plus adviser doesn't make the decision of whether you receive a sanction. They will refer it to a decision maker who will then decide whether you should receive one or not.

The decision maker shouldn't give you a sanction if you have a **good reason** for your actions. This isn't specifically defined, but it is up to you to show that you had good reason, and that you acted reasonably. All your circumstances should be taken into account.

Examples of what could be taken into account are:

- Any restrictions and limitations you have been allowed to place on your availability for work
- Caring responsibilities, such as if childcare wasn't available
- Transport difficulties
- Unreasonably high expenses
- Dealing with a domestic emergency

- If you or someone you care for needed to attend a medical appointment, or other important appointment that you couldn't reasonably rearrange
- If you misunderstood what you needed to do because of language, learning or literacy difficulties.

When deciding whether you should get a sanction, the decision maker should consider all the reasons you give and whether or not to take them into account.

Challenging a sanction

You can challenge the decision by asking for it to be revised, or if that fails, by appealing.

You will need to have the decision revised before putting in an appeal. Asking for a revision means that the decision will be looked at again to see if it can be changed. You can make an appeal if you're unsuccessful.

Include as much relevant information as possible about your circumstances and the incident that led to a sanction.

As part of the revision you can ask for a statement of reasons explaining how the decision to apply a sanction was reached. This could help you to understand the decision and is useful if you go on to appeal. There are strict time limits on making an appeal so make sure you don't miss the deadline.

Hardship payments

If you're a single parent caring for a child or young person in full-time education under the age of 20, you can apply for a hardship payment. If you're eligible, you can claim hardship payments throughout the time that your benefit is sanctioned. You still have to meet the conditions of jobseeker's allowance to get a hardship payment. This means you still need to be available for work and actively seeking work.

To receive hardship payments, you need to tell Jobcentre Plus about your circumstances and you have to sign a hardship statement. You will also have to complete a hardship declaration form each time you sign on, to confirm that you are still in hardship as a result of your jobseeker's allowance being stopped.

Hardship payments are 60 per cent of your usual jobseeker's allowance payment. So if you receive £73.10 a week jobseeker's allowance, your hardship payment is £43.86 a week.

If you or a member of your family is seriously ill or pregnant, you should receive 80 per cent of your usual jobseeker's allowance payment. This is £58.48 a week. There is no fixed definition of what being seriously ill means, so you may have to describe your illness and the effect it has on you to Jobcentre Plus.

Further help and information

Gingerbread Single Parent Helpline

Freephone 0808 802 0925

www.gingerbread.org.uk

Provides free, confidential advice for single parents. No matter the challenge – around your finances, contact arrangements or help you could receive – our trained advisers are here with tailored advice that works for you.

One Parent Families Scotland Lone Parent Helpline

Freephone 0808 801 0323

www.opfs.org.uk

Run by our partner organisation, One Parent Families Scotland, the Lone Parent Helpline provides free, confidential advice and information for single parents in Scotland.

Citizens Advice

www.citizensadvice.org.uk

03444 111 444 England

03444 77 20 20 Wales

Information and advice on a wide range of issues including benefits and tax credits.

Civil Legal Advice

0345 345 4345

www.gov.uk/civil-legal-advice

Telephone advice on benefits, housing, employment, debt, welfare benefits and family law for people eligible for public funding.

Family and Childcare Trust

finder.familyandchildcaretrust.org

Web search facility to find childcare or your local Family Information Service, which provides details of local childcare facilities.

National Jobcentre Enquiry Line

Telephone: 0345 604 3719

Textphone: 0345 608 8551

www.gov.uk/contact-jobcentre-plus

To change or cancel a Jobcentre Plus appointment.

Tax Credit Helpline

Telephone: 0345 300 3900

Textphone: 0345 300 3909

www.gov.uk/claim-tax-credits

Information about tax credits and to request claim forms.

Working Families

0300 012 0312

www.workingfamilies.org.uk

Advice on benefits and employment rights for working parents.

More from Gingerbread

Other related factsheets:

- > Claiming jobseeker's allowance
- > Jobseeker's allowance – Special rules
- > Claiming income support and other benefits
- > Benefits and tax credits for ill health and disability

Download them from our website or call 0808 802 0925 to request them from the helpline

Become a Gingerbread member

Membership is available to single parents in England and Wales. Join a community of thousands of single parents who benefit from the mutual support, free advice and information provided by Gingerbread.

Visit our website, call 0800 018 4318 or email membership@gingerbread.org.uk

Gingerbread
Single parents, equal families

Gingerbread, the charity for single parent families, is registered in England and Wales as a company limited by guarantee, no. 402748, and a registered charity, no. 230750. The Gingerbread Single Parent Helpline is supported by the Department for Education, HMRC, The Big Lottery and other funders and is accredited by the Helplines Partnership.

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