

## JSA Sanctions

A sanction is the reduction or removal of JSA payments for a fixed period due to some breach of JSA rules, for example:

- Leaving a job voluntarily
- Losing a job because of misconduct
- Failing to apply for or accept a job
- Failing to take up a job opportunity
- Failing to participate in Mandatory Work Activity
- Failing to participate in interviews
- Failing to participate in a specified scheme for helping you to obtain employment
- Failing to carry out a jobseeker's direction
- Giving up a place on a training scheme or employment programme or failing to attend it if given a place
- Failing to apply for or accept a place on a training scheme or employment programme
- Neglecting to take up the opportunity of a place on a training scheme or employment programme
- Losing a place on a training scheme or employment programme because of misconduct
- Ceasing to be available for or actively seeking work

Sanctions may be for 4, 13, 26 or 156 weeks depending on the breach. Once it has begun it continues for an unbroken period until it comes to an end. Taking a job or training for a short period during a sanction and then re-claiming JSA will not bring the sanction to an end, it will continue once you re-claim.

The rules about different types of sanction vary but the following applies to all sanctions:

1. You can ask for a mandatory reconsideration of a sanction decision - this should be done straight away. You will need to show that you had a good reason for the breach.
2. If the decision is still upheld after reconsideration you can appeal to Tribunal using SSCA1 form (this can be downloaded from [www.tribunals.gov.uk](http://www.tribunals.gov.uk)). If your appeal/mandatory reconsideration is successful, you will be paid back any benefit you missed during the sanction period (less any Hardship Payments received).
3. You may qualify for Hardship Payments – see below. In some situations you may need to reclaim JSA in order to get a hardship payment; you can check whether this is the case by calling the local JSA helpline or asking a benefits adviser. If you are found to be not available for, or actively seeking work, your JSA may be terminated immediately and the sanction may run on future claims.
4. The days in your sanction period count towards your 182 days of entitlement to 'contribution-based' JSA, even if you are not paid any benefit.
5. You are still treated as being on 'income-based' JSA during the sanction period so your Housing Benefit/council tax reduction should not be affected.

6. Check whether you or your partner are entitled to any other benefit instead of JSA, for example Income Support, Income-related Employment and Support Allowance or Pension Credit.

#### Hardship Payments

If you or your partner or children are experiencing hardship, you may be able to get hardship payments which are reduced-rate payments of JSA. This will not be the case if you or your partner are entitled to IS, ESA or PC.

Hardship Payments are payable from the start of the sanction period if you are in a **vulnerable group**:

- You or your partner are pregnant and would experience hardship if no payment were made
- You or your partner are responsible for a child under 16 or a qualifying young person who would experience hardship if no payment were made
- Your income-based JSA includes a disability premium and the person for whom the premium is paid would experience hardship if no payment were made
- You or your partner have a chronic medical condition which means you/your partner's functional capacity is 'limited or restricted by physical impairment' and it has lasted/is likely to last for 26 weeks and the health of the affected person will decline further in the next two weeks, and they would experience hardship if no payment were made
- You/your partner are caring for someone who is getting Attendance Allowance, middle or higher rate of DLA, or either rate of the daily living component of PIP and you would not be able to go on caring if no hardship payment were made
- You/your partner are a 16 or 17 year old who can claim I-B JSA and would experience hardship if no payment were made or you are claiming JSA on the basis of a 'severe hardship direction'.
- Some care leavers under 21

If you are in a vulnerable group you can get hardship payments from the first day of the period when JSA is not paid.

If you are not in a vulnerable group, you cannot get hardship payments until the 15<sup>th</sup> day. You must continue to satisfy the other conditions for getting I-B JSA.

Hardship payment are normally reduced by 40% of the appropriate personal allowance for a person of your age, or by 20% if you, your partner, or a child included in your claim is pregnant or 'seriously ill'.

#### Other Support

- You may be eligible for a Crisis and Support Grant from the council – to make a claim you can apply online at [www.towerhamlets.gov.uk/crisisandsupport](http://www.towerhamlets.gov.uk/crisisandsupport) or phone the hotline 020 7364 5052.
- You may be eligible for help from Foodbank – ask your adviser or support worker about this.