

[See ADM Memo 5/20, ADM Memo 17/20, ADM Memo 7/21 & ADM Memo 15/21]

## JOBSEEKER'S ALLOWANCE AND UNIVERSAL CREDIT: CORONAVIRUS FURTHER MEASURES

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### INTRODUCTION

- 1 This memo gives guidance on the Social Security (Coronavirus) (Further Measures) Regulations (Northern Ireland) 2020<sup>1</sup>, which came into operation on 30.3.20.

**Note:** The regulations cease to have effect on 12.11.20<sup>2</sup> for those provisions included in the guidance at paragraphs 3 - 5 and 9 - 15.

*1 SR 2020 No. 53, SS(Coronavirus) (Further Measures) Regs (NI) 2020; 2 reg 10(2)*

- 2 The regulations
  1. give the Department discretion to apply a number of measures in relation to the minimum income floor for self-employed Universal Credit claimants **and**

2. modify the amount of the standard allowance in Universal Credit for the 2020-21 tax year **and**
3. modify the application of work-related requirements **and**
4. disapply the application of periods of sickness in Jobseeker's Allowance for those affected by Coronavirus disease.

### **UNIVERSAL CREDIT: MINIMUM INCOME FLOOR**

- 3 The minimum income floor normally applies from the start of the award or at the end of the start-up period to Universal Credit claimants who<sup>1</sup>
  1. are gainfully self-employed **and**
  2. would otherwise fall within the all work-related requirements group.

**Note:** See Chapter H4 (Earned income – self-employed earnings) for detailed guidance on the minimum income floor, and Chapter J2 (Work related groups) for guidance on work-related requirements.

*1 UC Regs (NI)16, reg 63*

- 4 From 30.3.20 the decision maker has discretion to apply a number of measures in relation to the minimum income floor for self-employed claimants as a consequence of Coronavirus disease.
- 5 The measures allow the decision maker to<sup>1</sup>
  1. treat the amount of the individual or couple threshold<sup>2</sup> as if it were a lesser amount (including nil)
  2. delay making a determination as to whether a claimant is in gainful self-employment<sup>3</sup>
  3. where a determination as in **2.** has already been made, treat the claimant as not being in gainful self-employment
  4. where a claimant is in a start-up period<sup>4</sup>, extend that period for as long as considered appropriate
  5. where a self-employed claimant would otherwise fall within the all work-related requirements group<sup>5</sup>, except the claimant from a work search requirement<sup>6</sup> or a work availability requirement<sup>7</sup>.

*1 SS (Coronavirus) (Further Measures) Regs (NI), reg 2; 2 UC Regs (NI) 16, reg 63(4) and 89(2) & (3); 3 reg 65; 4 reg 64; 5 WR (NI) Order 15, art 27; 6 art 22; 7 art 23*

## UNIVERSAL CREDIT: STANDARD ALLOWANCE AMOUNTS

- 6 Guidance on the Universal Credit standard allowance amounts for the purpose of the maximum amount is at E2173. The amounts are increased from the first day of the first assessment period which commences on or after 6.4.20<sup>1</sup>.

*1 SR 2020 No. 40, SS Benefits Up-rating Order (NI) 2020*

- 7 The amounts are to be read as if they were<sup>1</sup>:

<b>Standard allowance</b>	<b>Amount</b>
Single claimant under 25	£342.72
Single claimant 25 or over	£409.89
Joint claimants both under 25	£488.59
Joint claimants where either is 25 or over	£594.04

*1 SS (Coronavirus) (Further Measures) Regs (NI), reg 3(1)*

- 8 These amounts

1. apply to awards of Universal Credit from the first day of the first assessment period which commences on or after 6.4.20 **and**
2. continue to apply for the remainder of the tax year beginning on 6.4.20<sup>1</sup>.

*1 SS (Coronavirus) (Further Measures) Regs (NI), reg 3(2)*

## UNIVERSAL CREDIT AND JOBSEEKER'S ALLOWANCE: WORK-RELATED REQUIREMENTS

- 9 As a result of the Coronavirus disease outbreak for a period of 3 months from 30.3.20, where a person has an award of Jobseeker's Allowance or Universal Credit

1. the Department must not impose a work search requirement
2. where a person already has an existing work search requirement it will cease to have effect from 30.3.20
3. the requirement to be able and willing to take up work or attend an interview is lifted<sup>1</sup>.

*1 SS (Coronavirus) (Further Measures) Regs (NI), reg 6(1)*

- 10 This 3 months' period may be extended by the Department if there is a continuation of the outbreak of Coronavirus<sup>1</sup>.

*1 SS (Coronavirus) (Further Measures) Regs (NI), reg 6(2)*

## JOBSEEKER'S ALLOWANCE: PERIODS OF SICKNESS

- 11 Where a Jobseeker's Allowance claimant

1. is affected by Coronavirus disease as in paragraph 13 below **and**
2. satisfies the Jobseeker's Allowance conditions of entitlement apart from the condition that they do not have limited capability for work<sup>1</sup>

they are treated as not having limited capability for work<sup>2</sup>.

**Note:** See DMG Chapter R2 for guidance on short and extended periods of sickness.

*1 JS (NI) Order 95, art 3(2); 2 SS (Coronavirus) (Further Measures) Regs (NI), reg 8(1)*

- 12 Any period where paragraph 11 applies is disregarded for the purposes of calculating short periods and extended period of sickness<sup>1</sup>.

*1 JSA Regs (NI) 16, reg 45(3) & 46(5); SS (Coronavirus) (Further Measures) Regs (NI), reg 8(2)*

- 13 A person is affected by Coronavirus disease if they are<sup>1</sup>

1. infected or contaminated with Coronavirus disease (also known as COVID-19) **or**
2. in isolation (see paragraphs 14 - 15 below) **or**
3. caring for a child or qualifying young person<sup>2</sup> who is a member of the person's household and who is

**3.1** in isolation **or**

**3.2** infected or contaminated with Coronavirus disease.

**Note:** For the purposes of **3.**, a child or qualifying young person is a member of the person's household if they live with the person caring for them.

*1 SS (Coronavirus) (Further Measures) Regs (NI), reg 8(1); 2 SS C&B (NI) Act 92, sec 138*

### **Meaning of "isolation"**

- 14 A person is in isolation if they are separate from any other person so as to prevent infection or contamination with Coronavirus disease<sup>1</sup>. Decision makers should have regard to the latest UK Government advice to the public on when they should self-isolate on a case by case basis.

**Note:** A person can be in isolation when they live with other people such as family members or in multiple occupancy dwellings.

*1 SS (Coronavirus) (Further Measures) Regs (NI), reg 1(2)*

- 15 This does not include where a person

1. has not been advised to isolate **or**

2. is looking after a child or qualifying young person whose school or nursery has been closed as a precautionary measure, and the child or qualifying young person has not been advised to isolate.

## **UNIVERSAL CREDIT: OTHER CHANGES**

16 The guidance in ADM Memo 3/20 at

1. paragraphs 8-15 insofar as they relate to Universal Credit (treating a claimant as having limited capability for work) **and**
2. paragraphs 16-18 (suspension of the minimum income floor) should no longer be followed from 30.3.20<sup>1</sup>. They are replaced by the guidance at paragraphs 3 - 5 and 9 - 10 of this memo.

*1 ESA & UC (CD) Regs (NI), reg 3 & 4; SS (Coronavirus) (Further Measures) Regs (NI), reg 10(3)*

## **ANNOTATIONS**

Please annotate the number of this memo (ADM Memo 4/20) against the following ADM paragraphs and memo:

E2173, H4020 main heading, H4060 main heading, H4100 main heading, J3050 main heading, J3160 main heading, R2957, ADM Memo 3/20

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