

ADM Chapter S6: JSA Medium-level sanctions

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Introduction S6001 - S6009

S6001 This chapter gives guidance in respect of medium-level sanctions relating to new style JSA (hereafter referred to as JSA) and should be read with ADM Chapter S4 (JSA sanctions - general principles). ADM Chapter S4 gives guidance on the meaning of terms, what considerations apply when determining what reduction period applies and the amounts of a reduction period.

Note: ADM Chapter M1 (UC pathfinder) provides guidance on the meaning of new style JSA.

S6002 A medium-level sanction is a reduction of JSA for a sanctionable failure by a claimant who fails for no good reason to comply with¹

- 1.** a work search requirement, but **only** in relation to the requirement to take all reasonable action to obtain paid work, more paid work or better paid work² **or**
- 2.** a work availability requirement.

See ADM Chapter R4 for guidance on work-related requirements. See ADM Chapter S4 (Sanctions - general principles) for the meaning of a sanctionable failure and current sanctionable failure.

1 JS Act 95, s 6K; [JSA Regs 13, reg 17](#); 2 JS Act 95, s 6D(1)(a); 3 s 6E(1)

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What is the reduction period S6010 - S6999

S6010 The reduction period for a medium-level sanction is¹

1. 28 days where there has not been a previous medium-level sanctionable failure within 365 days of the current failure **or**

2. 91 days if, within 365 days of the date of the current sanctionable failure, there was

2.1 another medium-level sanctionable failure for which a 28 or 91 day reduction applies **or**

2.2 a UC medium-level sanctionable failure for which a 28 or 91 day reduction applies.

Note: See ADM Chapter S4 for guidance on UC medium-level sanctions.

[1 JSA Regs 13, reg 20](#)

S6011 This means a failure **must** be within 365 days of the most recent previous sanctionable failure in order to escalate to the next penalty. The DM considers whether there has been another sanctionable failure within 365 days of the current sanctionable failure.

Example 1

Brenda is awarded JSA from 13.3.14 after she is made redundant when the call centre she works in relocates. She is subject to all work-related requirements. This includes a requirement to take all reasonable action to search for paid work for her expected hours of work a week, which she agreed with her personal adviser is 35 hours a week. This is recorded on her claimant commitment.

At an interview with her adviser, Brenda gives evidence that in the week ending 26.3.14 she only spent four hours looking for work, by drafting a CV and looking at job vacancies in the Jobcentre. The rest of the time she spent with her friends or watching TV. The DM determines that Brenda had no good reason for not searching for the agreed period. Brenda is treated as not complying with a work search requirement, and a 28 day reduction of JSA is imposed.

Example 2

At another interview with her adviser on 26.8.14 Brenda provides no evidence of work search activity. The DM decides that there was no good reason for the failure and a 91 day reduction period of JSA is imposed as this sanctionable failure is within 365 days of the most recent previous medium-level

sanctionable failure.

Example 3

Dave was previously entitled to UC. His award of UC was reduced for 28 days on 15.7.14 as he had been treated as not complying with a work search requirement. Dave is now entitled to JSA and he is required to be available for work, and no limitations have been set on that requirement to be available. Dave notifies his adviser that he is going on a cycling holiday for a fortnight from 15.10.14. He will not be contactable while on holiday as it will be in a remote rural area. The advisor considers that there is a doubt as to whether Dave is complying with his work availability requirement. The DM determines that there is no good reason for Dave not to comply with his work availability requirement and imposes a 91 day reduction, as this sanctionable failure is within 365 days of the previous most recent medium-level sanctionable failure.

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