



## **JSA AND UC: CORONAVIRUS FURTHER MEASURES**

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### **[See Memo ADM 05/20 and Memo ADM 15/20]**

#### **INTRODUCTION**

1. This memo gives guidance on the Social Security (Coronavirus) (Further Measures) Regulations<sup>1</sup> which came into force on 30.3.20.

**Note:** The regulations cease to have effect on 12.11.20 for those provisions included in the guidance at paragraphs 3 – 5 and 11 – 17<sup>2</sup>.

*1 SS (Coronavirus) (Further Measures) Regs SI 2020 No. 371; 2 reg 10*

2. The regulations

1. give the Secretary of State discretion to apply a number of measures in relation to the minimum income floor (MIF) for self-employed UC claimants
2. modify the amount of the standard allowance in UC for the 2020-21 tax year
3. modify the application of work-related requirements



4. dis-apply the application of periods of sickness in JSA for those affected by Coronavirus disease.

### **UC: Minimum income floor (MIF)**

3. The MIF normally applies from the start of the award or at the end of the start-up period to UC 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 MIF, and [Chapter J2](#) (Work related groups) for guidance on work-related requirements.

*1 UC Regs, reg 62*

4. From 30.3.20 the DM has discretion to apply a number of measures in relation to the MIF for self-employed claimants as a consequence of the outbreak of Coronavirus disease.
5. The measures allow the DM 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 it has already been determined that the claimant is in gainful self-employment, 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, reg 2; 2 UC Regs, reg 62(4) and 90(2) & (3); 3 reg 64; 4 reg 63;*

*5 WR Act 12, s 22; 6 s 17; 7 s 18*



## UC: STANDARD ALLOWANCE AMOUNTS

6. Guidance on the UC 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> – see Memo ADM 03/20 for details and where to find the amounts.

*1 SI 2020 No. 234*

7. The amounts for the purpose of any case affected by these further measures are to be read as if they were<sup>1</sup>:

Standard allowance	Amount
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, reg 3(1)*

8. These amounts

1. apply to awards of UC 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, reg 3(2)*

## Transitional element

9. Chapter M7 (Managed migration pilot and Transitional protection) gives guidance on the

1. calculation of the indicative UC amount for the purposes of determining any entitlement to the transitional element<sup>1</sup> **and**
2. initial amount of the transitional element<sup>2</sup> **and**
3. reduction of the initial amount by relevant increases<sup>3</sup>.

*1 UC (TP) Regs, reg 54; 2 reg 55(1) & (2)(a); 3 reg 55(2)(b), (c) & (4)*



10. When calculating any of the amounts in paragraph 9, the modified amounts in paragraph 7 are disregarded. The amounts referred to in E2173 and the updated amounts referred to in Memo ADM 03/20 apply instead<sup>1</sup>.

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

## UC AND JSA: WORK-RELATED REQUIREMENTS

11. 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 JSA or UC

1. the Secretary of State 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, reg 6(1)*

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

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

## JSA: PERIODS OF SICKNESS

13. Where a JSA claimant

1. is affected by Coronavirus disease as in paragraph 15 below and
2. satisfies the JSA conditions of entitlement apart from the condition that they do not have LCW<sup>1</sup>

they are treated as not having LCW<sup>2</sup>.

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

*1 JS Act 95 s1(2); 2 SS (Coronavirus) (Further Measures) Regs, reg 8(1)*

14. Any period where paragraph 13 applies is disregarded for the purposes of calculating short periods and extended period of sickness<sup>1</sup>.

*1 JSA Regs 13, reg 46(3) & 46A(5); SS (Coronavirus) (Further Measures) Regs, reg 8(2)*



15. 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 16 – 17 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, reg 8(2); 2 SS C&B Act 92, s. 142*

### **Meaning of “isolation”**

16. 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>. DMs 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, reg 1(2)*

17. 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 **or**
3. is following UK Government advice on social distancing.



## UC: OTHER CHANGES

18. The guidance in Memo ADM 02/20 at

1. paragraphs 8-15 insofar as they relate to UC (treating a claimant as having LCW) **and**
2. paragraphs 16-18 (suspension of the MIF)

should no longer be followed from 30.3.20<sup>1</sup>. They are replaced by the guidance at paragraphs 3 – 5 and 11 – 12 of this memo.

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

## ANNOTATIONS

Please annotate the number of this memo (ADM Memo 04/20) against the following ADM paragraphs and memos

E2173, H4020 main heading, H4060 main heading, H4100 main heading, J3050 main heading, J3160 main heading, M7470, M7500 heading; R2942, R2957

Memo ADM 02/20, Memo ADM 03/20

## CONTACTS

If you have any queries about this memo, please write to Decision Making and Appeals (DMA) Leeds, 3E zone E, Quarry House, Leeds. Existing arrangements for such referrals should be followed, as set out in – Memo [7/19](#) Requesting case guidance from DMA Leeds for all benefits.

**DMA Leeds: April 2020**

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