



## JSA AND CA: CORONAVIRUS FURTHER MEASURES

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[SEE MEMO DMG 07/20]

### 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 31.8.21<sup>2</sup>.

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

2. The regulations
  1. dis-apply the application of periods of sickness in JSA for those affected by Coronavirus disease – see paragraphs 6 – 7 **and**
  2. enable CA claimants who are temporarily unable to care for the severely disabled person where either of them is affected by Coronavirus disease to retain entitlement to CA – see paragraph 8.
3. A person is affected by Coronavirus disease (also known as COVID-19)<sup>1</sup> if they are
  1. infected or contaminated with Coronavirus disease **or**
  2. in isolation (see paragraphs 4-5) **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 1(2) & 8(2); 2 SS C&B Act 92, s. 142*

### Meaning of “isolation”

4. 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)*

5. 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.

### JSA: PERIODS OF SICKNESS

6. Where a JSA claimant
  1. is affected by Coronavirus disease as in paragraph 3 **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 20 for guidance on short and extended periods of sickness.

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

7. Any period where paragraph 6 applies is disregarded for the purposes of calculating short periods and extended period of sickness<sup>1</sup>.

*1 JSA Regs, reg 55(3) & 55ZA(5); SS (Coronavirus) (Further Measures) Regs, reg 8(2)*

## **CA: TREATED AS CARING**

8. DMG 60045 – 60049 gives guidance on the effect of temporary breaks in caring for the severely disabled person<sup>1</sup>. From 30.3.20 where the CA claimant is temporarily unable to care for the severely disabled person because the

1. CA claimant **or**
2. severely disabled person for whom CA is paid

is affected by Coronavirus disease as in paragraph 3, the conditions in DMG 60045 **2.** and **3.** are modified so that they do not apply<sup>2</sup>. This means that the CA claimant can continue to be treated as caring for the severely disabled person, and remain entitled to CA, for more than the four or twelve weeks periods in DMG 60046.

*1 SS (ICA) Regs, reg 4(2); 2 SS (Coronavirus) (Further Measures) Regs, reg 9*

## **ANNOTATIONS**

Please annotate the number of this memo (Memo DMG 06/20) against the following DMG paragraphs:

20961 heading, 20972 heading, 60045 heading.

## **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 [4/19](#) Requesting case guidance from DMA Leeds for all benefits.

**DMA Leeds: May 2021**

**The content of the examples in this document (including use of imagery) is for illustrative purposes only**