

2010 No. 354

SOCIAL SECURITY

The Social Security (Community Task Force) Regulations 2010

Made - - - - *17th February 2010*

Laid before Parliament *22nd February 2010*

Coming into force - - *26th April 2010*

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 19(2) and (10)(c), 20A(3), 35(1) and 36(2) and (4) of the Jobseekers Act 1995(a).

The Social Security Advisory Committee has agreed that the proposals in respect of these Regulations should not be referred to it(b).

Citation and commencement

1.—(1) These Regulations may be cited as the Social Security (Community Task Force) Regulations 2010.

(2) They come into force on 26th April 2010.

Amendment of the Jobseeker's Allowance Regulations

2.—(1) The Jobseeker's Allowance Regulations 1996(c) are amended as follows.

(2) In regulation 69 (prescribed period for the purposes of section 19(2))(d)—

- (a) at the beginning of paragraph (1) insert “Subject to paragraph (1ZA),”;
- (b) in paragraph (1)(a), after “(b),” insert “(ba),”;
- (c) in paragraph (1)(b)(ii)(bb), after “the New Deal options” insert “(other than a case where a jobseeker's allowance is determined not to be payable in circumstances relating to the Community Task Force)”;
- (d) after paragraph (1)(b)(ii)(bb), insert—

“(bba) where the determination in (i) above relates to the Community Task Force, on a previous occasion the jobseeker's allowance was

(a) 1995 c. 18. Section 19 was amended by section 86 of, and Schedule 7 to, the Social Security Act 1998 (c.14), section 59 of and Schedule 7 to, the Welfare Reform and Pensions Act 1999 (c. 24) (“the 1999 Act”) and is substituted section 4 of, and Schedule 1 to, the Welfare Reform Act 2009 (c. 24) (“the 2009 Act”) on a day to be appointed; section 20A was inserted by section 59 of, and paragraph 13 of Schedule 7 to, the 1999 Act and is substituted by section 4 of, and Schedule 1 to, the 2009 Act on a day to be appointed; sections 35(1) and 36(4) were amended by section 2 of, and paragraphs 62 and 63 of Schedule 3 to, the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2). Section 35(1) is an interpretation provision and is cited because of the meaning it gives to the word “prescribed”.

(b) See sections 172(1) and 173(1)(b) of the Social Security Administration Act 1992 (c. 5).

(c) S.I. 1996/207.

(d) Regulation 69 was substituted by S.I. 2000/239. Relevant amending instruments are S.Is. 2000/1370, 2000/1978, 2001/1029, 2009/480 and 2009/2710.

determined not to be payable to him in circumstances falling within section 19(5) or section 20A(2)(a) to (c) that relates to the Community Task Force; or”

(e) after paragraph (b) insert—

“(ba) 13 weeks in any case in which—

- (i) a jobseeker’s allowance is determined not to be payable to the claimant in circumstances falling within section 19(5) or section 20A(2)(a) to (c) and the determination relates to an act or omission arising on or after 26th April 2010 in respect of the Community Task Force; and
- (ii) on two previous occasions a jobseeker’s allowance has been determined not to be payable to the claimant in circumstances falling within section 19(5) or section 20A(2)(a) to (c) and each such determination relates to the Community Task Force; and
- (iii) no more than 12 months have elapsed between the beginning of the day on which the determination mentioned in (ba)(i) above is made and the beginning of the first day on which a jobseeker’s allowance was not payable to the claimant as a result of the determination which most recently preceded it falling within sub-paragraph (b)(i) and relating to the Community Task Force;”.

(f) in paragraph (1)(c) after “75(1)(a)(i)(bb)” insert “or the Community Task Force”;

(g) after paragraph (1) insert —

“(1ZA) Where, in a case relating to the Community Task Force falling within a provision made by paragraph (1)(a), (1)(b)(ii)(bba) or (1)(ba), the Secretary of State notifies the claimant in writing that he is no longer required to participate in the Community Task Force with effect from a day specified in the notice which falls within the period referred to in the provision concerned, that provision shall apply as if the prescribed period referred to were a reference to either—

- (a) one week, or
- (b) the period beginning on the day specified in paragraph (2) and ending on the last day of the first benefit week to end on or after the day specified in the notice as the day on which the claimant is no longer required to participate in the Community Task Force,

whichever is the longer.”.

(3) After regulation 75(1)(a)(ii)(cc) (interpretation)(a) insert “; and” and the following head—

“(dd) the Community Task Force, being a programme which lasts for a total of at least 13 weeks and up to 26 weeks for any individual who must be under the age of 25 on the first entry date to the programme and which includes for that individual work experience and job search, except that where an individual participates in the Community Task Force after the 13th week, it is not, in respect of that individual’s participation after that week, to be regarded as an employment programme for the purposes of section 19 or 20A .”.

Signed by authority of the Secretary of State for Work and Pensions.

17th February 2010

Jim Knight
Minister of State,
Department for Work and Pensions

(a) Regulation 75 was substituted by S.I. 1997/2863. Relevant amending instruments are S.Is. 2000/721, 2001/1029, 2006/909, 2007/1316 and 2009/480.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Jobseeker's Allowance Regulations 1996 ("the Jobseeker's Allowance Regulations") on account of the introduction of the employment programme established under section 2 of the Employment and Training Act 1973 (c. 50) known as the Community Task Force.

The Community Task Force is an employment programme in which jobseeker's allowance claimants aged over 18 years and less than 25 years are required to participate for up to 13 weeks. It combines work experience and job search activity.

In particular, the Regulations amend regulation 75 of the Jobseeker's Allowance Regulations so as to designate the Community Task Force as an employment programme for the purposes of sections 19 and 20A of the Jobseekers Act 1995 and the Jobseeker's Allowance Regulations (see regulation 2(3) of these Regulations). The effect is that if a person, without good cause, refuses or fails to participate in the programme, or loses their place on the programme due to misconduct, that person will receive a sanction under section 19 or 20A of the 1995 Act.

These Regulations also amend regulation 69 of the Jobseeker's Allowance Regulations to provide for the sanction period for an act or omission relating to the Community Task Force. A sanction may be of 2, 4 or 13 weeks duration (see regulation 2(2)). Where the Secretary of State notifies a person that they are no longer required to participate in the Community Task Force, the sanction can be lifted, subject to a minimum sanction period of one week (regulation 2(2)(g)).

A full impact assessment has not been produced for this instrument as it has no impact on the private or voluntary sectors.

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STATUTORY INSTRUMENTS

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