

## Sanctions

A sanction is a reduction of benefit which can be applied if a JSA or ESA claimant does not keep to their Jobseekers agreement. This can happen if you do not attend appointments at the jobcentre, fail to accept a job without good reason, fail to attend a training or employment course or follow an instruction given by your work adviser. A sanction can also be applied if you left a job without good reason or was fired because of misconduct.

Benefit payments will not be made for 4, 13 or 26 weeks ( or longer) depending on what you may have failed to do or how many times you have breached your agreement. This decision is made by a Decision Maker following a report from a jobcentre adviser.

### **What do I do if I am claiming JSA and am sanctioned?**

Firstly, you must not stop attending your signing appointments and you must continue to look for work, if you do your claim could be cancelled altogether.

If you feel that the sanction is unfair, you can challenge it. You must do this in writing within a month of the sanction being applied. You can ask for a 'dispute form' at the Jobcentre and some advisers will help you to complete it. You must be able to show good reasons why you disagree with the sanction and provide evidence if appropriate. The Decision Maker will look at the sanction decision again and decide whether to reverse it or not.

### **How do I pay my bills if I am sanctioned?**

If you are claiming help with your rent and Council Tax Support from your local council, you must also inform their benefit office that you have been sanctioned and have no other income, otherwise your Housing Benefit and Council Tax Support may stop.

You can claim Hardship Payments if you cannot afford rent, food or essential payments such as gas & electricity or medical supplies.

You will need to wait two weeks before you can get Hardship Payments and demonstrate that you are in financial difficulties unless you are a vulnerable person.

A vulnerable person is someone who is:

- Pregnant
- Looking after children
- Single and looking after a 16 or 17 year old child.
- Has a disability or a long-term medical condition or caring for a person who is disabled or long-term sick
- Is a young person who left local authority care within the last 3 years.

### **What do I do if I am claiming ESA and am sanctioned?**

If you are awarded ESA and placed in the WRAG Group, you will be expected to attend your Jobcentre to meet with an adviser to discuss what steps you need to take to find work. It could be that you undertake some training to try a different job, or that you look for work that is different from what you did before you became ill.

If you fail to attend these appointments or look for some kind of work, without 'good reason', you may incur a Sanction. You can't be sanctioned for not taking a job but you can be sanctioned for not taking part in work focused training or courses designed to help you get back into work.

'Good reasons' are:

- Transport problems
- Your health issues made it difficult for you to attend the appointment
- You have language, learning or literacy difficulties
- You had a medical appointment that could not reasonably be rearranged

If you are sanctioned you can apply for Hardship Payments and can also challenge the decision in the same way as you would challenge a JSA sanction.

**How much money will I lose if I am sanctioned?**

You will lose the amount paid under the basic assessment phase (currently £72.40 per week). This will continue until you attend a Work Focused interview or start to follow an instruction from your work adviser.

**You should always seek advice and support to challenge a benefit decision, particularly an ESA decision.**