

*Draft Regulations laid before Parliament under section 37(2) of the Jobseekers Act 1995, for approval by resolution of each House of Parliament.*

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STATUTORY INSTRUMENTS

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**2008 No.**

**SOCIAL SECURITY**

**The Social Security (Lone Parents and Miscellaneous Amendments) Regulations 2008**

*Made* - - - - **\*\*\***

*Laid before Parliament* **\*\*\***

*Coming into force in accordance with regulation 1(2) to (15)*

A draft of these Regulations was laid before Parliament in accordance with section 37(2) of the Jobseekers Act 1995(a) and approved by a resolution of each House of Parliament.

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 123(1)(a), 124(1)(e), 137(1), and 175(1) to (4) of the Social Security Contributions and Benefits Act 1992(b), sections 6(2) and (4), 7(4), 8(2)(d)(ii), 19(8)(a), 20(4), 21, 35(1), 36(2) and (4) of, and paragraphs 8, 10(1)(a) and (2)(a) of Schedule 1 to, the Jobseekers Act 1995(c), sections 2A, 2B, 189(1), (4) to (6) and (7A) and 191 of the Social Security Administration Act 1992(d), sections 2(4)(a), 4(6)(a) and 24(1) of the Welfare Reform Act 2007(e) [and after consultation with the Social Security Advisory Committee (f).]

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- (a) 1995 c. 18.
  - (b) 1992 c. 4. Section 124(1)(e) was inserted by the Jobseekers Act 1995, section 41(4), Schedule 2, and was amended by the State Pension Credit Act 2002 (c. 16), section 21, Schedule 3; section 137(1) is an interpretation provision and is cited because of the meaning given to the word “prescribed”; section 175(1) and (4) was amended by section 2 of, and paragraph 29(1) and (2) of Schedule 3 to, the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2).
  - (c) Section 20(4) was amended by the Welfare Reform and Pensions Act 1999 (c. 30), section 70, Sch 8, Pt V, para 29(1), (5); section 36(4) was amended by the Social Security Contributions (Transfer of Functions) Act 1999 (c. 2), section 2, Schedule 3, paragraph 63; section 35(1) is an interpretation provision and is cited because of the meaning it gives to the word “prescribed”.
  - (d) 1992 c.5 (“the 1992 Act”). Sections 2A and 2B were inserted by section 57 of the Welfare Reform and Pensions Act 1999 (c.30) (“the 1999 Act”). Section 2A(2) was amended by S.I. 2002/1457; section 189(1) and (4) to (6) was amended by paragraph 109 of Schedule 7 to the Social Security Act 1998 (c.14); section 189(1) was amended by paragraph 57(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c.2) and Schedule 6 to the Tax Credits Act 2002 (c.21); section 189(7A) was inserted by paragraph 82 of Schedule 12 to the 1999 Act; section 191 is cited because of the meaning it gives to the word “prescribe”.
  - (e) 2007 c. 5. Section 24(1) is cited for the meaning of “prescribed” and “regulations”.
  - (f) See section 173(1)(b) of the 1992 Act.

## **Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Social Security (Lone Parents and Miscellaneous Amendments) Regulations 2008.

(2) These Regulations shall come into force as follows.

(3) This regulation, regulations 2(1), 3, 4(1), 4(2)(a), (b) and (3), 5(1), (2), (5) to (8), 6, 7 and, subject to paragraph (5) and to regulation 7(2) and (5), regulation 2(2), shall come into force on the day after the day on which these Regulations are made.

(4) Paragraph (5) applies in relation to a lone parent if —

- (a) immediately before the relevant day he was a lone parent and was entitled to income support;
- (b) he has since remained continuously entitled to that benefit;
- (c) paragraphs 2 to 28 of Schedule 1B of the Income Support Regulations (prescribed categories of person) do not apply to him; and
- (d) he is responsible for and living in the same household as—
  - (i) a single child whose 12th birthday occurs before 9th February 2009, or
  - (ii) more than one child where the 12th birthday of the youngest child occurs before that date.

(5) In the case of a lone parent to whom this paragraph applies, regulation 2(2) shall come into force on the first day of the benefit week for that claimant which ends immediately before the first day of the benefit week in which a requirement to take part in an interview would apart from this paragraph have next arisen in relation to him on or after 9th February 2009.

(6) Regulations 4(2)(c), 5(3), and subject to paragraph (8), regulation 2(3), shall come into force on 26th October 2009.

(7) Paragraph (8) applies in relation to a lone parent if—

- (a) immediately before 26th October 2009 he was a lone parent and was entitled to income support;
- (b) he has since remained continuously entitled to that benefit;
- (c) paragraphs 2 to 28 of Schedule 1B of the Income Support Regulations do not apply to him; and
- (d) he is responsible for and living in the same household—
  - (i) as a single child whose 10th birthday occurs before 26th October 2009, or
  - (ii) more than one child where the 10th birthday of the youngest child occurs before that date.

(8) In the case of a lone parent to whom this paragraph applies, unless regulation 7(5) applies to his case, regulation 2(3) shall come into force at the times set out in paragraphs (9) and (10).

(9) It comes into force on the first day of the benefit week to commence for that claimant 13 weeks after the first day of the benefit week in which he—

- (a) last took part,
- (b) last failed to take part, or
- (c) was last treated as having taken part

in an interview before 26th October 2009.

(10) Where a lone parent does not fall within paragraph (9), it comes into force on the first day of the benefit week to commence for that claimant 13 weeks after the first day of the benefit week in which he—

- (a) last took part,
- (b) last failed to take part, or
- (c) was last treated as having taken part

in a first interview on or after 26th October 2009.

(11) Regulations 4(2)(d), 5(4), and subject to paragraph (13), regulation 2(4) shall come into force on 25th October 2010.

(12) Paragraph (13) applies in relation to a lone parent if —

- (a) immediately before 25th October 2010 he was a lone parent and was entitled to income support;
- (b) he has since remained continuously entitled to that benefit;
- (c) paragraphs 2 to 28 of Schedule 1B of the Income Support Regulations do not apply to him; and
- (d) he is responsible for and living in the same household as—
  - (i) a single child whose 7th birthday occurs before 25th October 2010, or
  - (ii) more than one child where the 7th birthday of the youngest child occurs before that date.

(13) In the case of a lone parent to whom this paragraph applies, unless regulation 7(5) applies to his case, regulation 2(4) shall come into force at the times set out in paragraphs (14) and (15).

(14) It comes into force on the first day of the benefit week to commence for that claimant 13 weeks after the first day of the benefit week in which he—

- (a) last took part,
- (b) last failed to take part, or
- (c) was last treated as having taken part

in an interview before 25th October 2010.

(15) Where a lone parent does not fall within paragraph (14), it comes into force on the first day of the benefit week to commence for that claimant 13 weeks after the first day of the benefit week in which he first—

- (a) took part,
- (b) failed to take part, or
- (c) was last treated as having taken part

in an interview.

(16) In these Regulations—

for the purposes of this regulation and regulation 7, “benefit week”, “claimant” and “lone parent” each have the same meaning as in regulation 2(1) of the Income Support Regulations; “child” means a person under the age of 16.

“the Income Support Regulations” means the Income Support (General) Regulations 1987(a);

“interview” means a work-focused interview conducted in accordance with regulations made under section 2A(1)(a) of the Social Security Administration Act 1992.

“the Jobseeker’s Allowance Regulations” means the Jobseeker’s Allowance Regulations 1996(b);

“the Jobcentre Plus Regulations” means the Social Security (Jobcentre Plus Interviews) Regulations 2002(c);

“the Lone Parents Regulations” means the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000(d);

“the relevant day” means the day after the day on which these Regulations are made.

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(a) S.I. 1987/1967.  
(b) S.I. 1996/207.  
(c) S.I. 2002/1703.  
(d) S.I. 2000/1926.

## **Amendment of the Income Support Regulations**

2.—(1) Schedule 1B (prescribed categories of person)(a) to the Income Support Regulations is amended as follows.

(2) For paragraph 1, substitute—

### **“Lone Parents**

1. A person who is a lone parent and who is responsible for and living in the same household as—

(a) a single child aged under 12, or

(b) more than one child where the youngest is aged under 12.”.

(3) In paragraph 1, as substituted by paragraph (2) of this regulation for “12” in both places substitute “10”.

(4) For paragraph 1, as amended by paragraph (3) of this regulation for “10” in both places substitute “7”.

## **Amendment of the Jobseeker’s Allowance Regulations**

3.—(1) The Jobseeker’s Allowance Regulations 1996 are amended as follows.

(2) In regulation 5 (exception to requirement for certain people to be available immediately)—

(a) in paragraph (1)(b) after “caring responsibilities”, insert “other than in relation to a child”.

(b) after paragraph (1), insert—

“(1A) In order to be regarded as available for employment, a person who has caring responsibilities in relation to a child is not required to take up employment or attend for interview within the periods referred to in paragraph (1) if those responsibilities make it unreasonable for him to do so, providing he is willing and able—

(a) to take up employment on being given 28 days notice; and

(b) to attend for interview in connection with the opportunity of any such employment on being given 7 days notice.

(1B) For the purposes of paragraph (1A), it is for the claimant to show that it is unreasonable for him to take up employment or attend for interview within the periods referred to in paragraph (1). ”.

(c) in paragraph (5)—

(i) for “(1) or (2)” substitute “(1), (1A) or (2)”; and

(ii) omit “one week, 48 hour and 24 hour”.

(3) In regulation 6 (employment of at least 40 hours per week) for “(3) or (4)” in both places, substitute “(3), (3A) or (4)”.

(4) In regulation 8 (other restrictions on availability) for “13(2), (3), or (4)”, substitute “13(2), (3), (3A) or (4)”.

(5) In regulation 11(1) (part-time students)—

(a) in sub-paragraph (b) for “13(3) or (4)” substitute “13(3), (3A) or (4)”;

(b) for (1), (2) or (3) substitute (1), (1A), (2) or (3)”.

(6) In regulation 12(1)(a) (volunteers) for “13(3) or (4)”, substitute “13(3), (3A) or (4)”.

(7) In regulation 13 (additional restrictions on availability for certain groups)—

(a) in paragraph (2), for “(3) or (4)” substitute “(3), (3A) or (4)”;

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(a) Schedule 1B was inserted by S.I. 2006/1996, regulation 22, Schedule 1.

- (b) after paragraph (3) insert—
- “(3A) A person who has caring responsibilities in relation to a child and who—
- (a) is the subject of a parenting order concerning that child made under section 8 of the Crime and Disorder Act 1998(a), or
  - (b) has entered into a parenting contract concerning that child made under section 19 of the Anti-social Behaviour Act 2003(b)
- may restrict his availability in any way providing the restrictions are reasonable in the light of the terms of the order or contract.”;
- (c) after paragraph (5), insert—
- “(6) A person with caring responsibilities in relation to a child falls within this paragraph if an employment officer determines that due to the type and number of employment vacancies within daily travelling distance of the person’s home he would not satisfy the condition in paragraph (4)(b).
- (7) Paragraph (4) shall have effect in relation to a person to whom paragraph (6) applies as if sub-paragraph (b) were omitted. ”.
- (8) In regulation 14 (circumstances in which a person is to be treated as available)—
- (a) after sub-paragraph (1)(s), add—
 

“(t) he is looking after a child for whom he has caring responsibilities during the child’s school holidays or another similar vacation period and it would be unreasonable for him to make other arrangements for the care of that child;

(u) he is looking after a child for whom he has caring responsibilities at a time when the child—

    - (i) is excluded from school or another educational establishment, and
    - (ii) is not receiving education pursuant to arrangements made by a local education authority or (in Scotland) an education authority, and

there are no other arrangements for the care of that child it would be reasonable for him to make”;
  - (b) in paragraph (2) at the beginning, insert “subject to paragraph (2ZA)”;
  - (c) after paragraph (2), insert—
 

“(2ZA) A person who has caring responsibilities in relation to a child may be treated as available for employment for more than one week, but for no more than 8 weeks, on the occurrence of any of the circumstances set out in paragraph (2)(a) or (b), or any combination of those circumstances, but on no more than one occasion in any 12 month period.

(2ZB) Where a claimant is treated as available for employment under paragraph (2ZA), that period shall count towards the maximum number of periods allowable under paragraph (2). ”; and
  - (d) in paragraph (2A) in both places it appears for “13(3) or (4)”, substitute “13(3), (3A) or (4).
- (9) In regulation 17(1) (laid-off and short-time workers) for “(1) and (2)” substitute (1), (1A) or (2)”.
- (10) In regulation 19(1)(o) (circumstances in which a person is to be treated as actively seeking employment) for “14(2)”, substitute “14(2) or (2ZA)”.
- (11) In regulation 30 (circumstances in which a claimant is to be regarded as having good cause under regulation 23 or 23A)—
- (a) after paragraph (a) insert—

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(a) 1998 c. 37.  
 (b) 2003 c.38.

- “(aa) where, if regulation 5(1A) applies in his case, he was required to attend at a time less than 7 days from receipt by him of the notification.”;
  - (b) in sub-paragraph (c) for after “(r) or (s) or 14(2)” substitute “(r) to (u) or 14(2) or (2ZA)”.
- (12) In regulation 72 (good cause for the purposes of section 19(5)(a) and 6(c) and (d))—
- (a) at the end of paragraph (2)(f) insert—
    - “(g) any child care expenses which were, or would be, necessarily incurred by the person as a result of his being in the employment or of carrying out the jobseeker's direction if those expenses did, or would, represent an unreasonably high proportion of—
      - (i) in the case of employment, the remuneration which it is reasonable to expect that he would derive from that employment; or
      - (ii) in any other case, the income which he received, or would receive, while carrying out the jobseeker's direction.”.
  - (b) in paragraph (3), after “(2)(f)” insert “and (g)”;
  - (c) in paragraph (6)(a), after “(2)(f)” insert “or (g)”;
  - (d) after paragraph (2) insert—
    - “(2A) For the purposes of paragraph (2)(d), where the person has caring responsibilities in relation to a child, in considering whether those responsibilities would, or did, make it unreasonable for him to undertake a particular employment or carry out the jobseeker's direction, regard shall be had, in particular, to the following matters—
      - (i) child care would not be, or was not, reasonably available to him or,
      - (ii) if it would be, or it was, available, it would be, or was, unsuitable due to his particular needs or those of the child.” .
- (13) After regulation 73 (good cause for the purposes of section 19(5)(b)) insert—

**“Just cause for the purpose of sections 19(6)(b) and 20A(2)(e)**

**73A.—**(1) This regulation applies for the purposes of section 19 (circumstances in which a jobseeker's allowance is not payable) and section 20A (denial or reduction of joint-claim jobseeker's allowance).

(2) In determining whether a person has just cause for any act or omission for the purposes of section 19(6)(b) and section 20A(2)(e) the matters which are to be taken into account shall include the following—

- (a) any caring responsibilities for a child which made it unreasonable for the person to remain in his employment;
- (b) any child care expenses which were necessarily incurred by the person as a result of his being in the employment if those expenses represented an unreasonably high proportion of the remuneration which he derived from the employment.

(3) For the purposes of paragraph (2)(a), in considering whether the caring responsibilities would, or did, make it unreasonable for the person to undertake a particular employment or carry out the jobseeker's direction, regard shall be had, in particular, to the following matters—

- (a) child care would not be, or was not, reasonably available to him or,
- (b) if it would be, or it was, available, it would be, or was, unsuitable due to his particular needs or those of the child.

(4) For the purposes of paragraph (2)(b), in considering whether child care costs did represent an unreasonably high proportion of remuneration, the principle shall apply that the greater the level of remuneration or income the higher the proportion thereof which it is reasonable should be represented by such costs.”.

(14) In regulation 140(1)(b) (meaning of “person in hardship”) for “young person” in both places it appears, substitute “child or young person”.

#### **Amendment of the Lone Parents Regulations**

**4.**—(1) Subject to regulation 7(4) and (7), the Lone Parents Regulations are amended as follows.

(2) In regulation 2A (requirement for specified lone parents to take part in an interview)(a)—

(a) for paragraph (1), substitute—

“(1) In this regulation, “specified lone parent” means a lone parent who falls within paragraph (1A) or (1B).”.

(b) after paragraph (1) insert—

“(1A) A lone parent falls within this paragraph if—

- (a) he is entitled to income support and is a person to whom paragraph 1 (lone parents) of Schedule 1B to the Income Support (General) Regulations 1987 applies;
- (b) no other paragraph of that Schedule applies to him; and
- (c) he is responsible for and living in the same household as—
  - (i) a single child aged 9, 10 or 11, or
  - (ii) more than one child where the youngest is aged 9, 10 or 11.

(1B) A lone parent falls within this paragraph if—

- (a) he is responsible for and living in the same household as—
  - (i) a single child aged 14 or 15, or
  - (ii) more than one child where the youngest child is aged 14 or 15, and
- (b) has been continuously entitled for at least 12 months to income support other than—
  - (i) income support where paragraph 7 (persons incapable of work) of Schedule 1B to the Income Support (General) Regulations 1987 applies, or
  - (ii) income support where paragraph 24 or 25 (persons appealing against a decision which embodies a determination that they are not incapable of work) of Schedule 1B to the Income Support (General) Regulations 1987 applies.”.
- (c) in paragraph (1A)(b), as inserted by paragraph (2)(b) of this regulation, for “9, 10 or 11” in both places it appears, substitute “6, 7, 8, or 9”; and
- (d) in paragraph (1A)(b), as amended by paragraph (2)(c) of this regulation, for “6, 7 8 or 9” in both places it appears, substitute “6”.

(3) In regulation 2B(3) (requirement for certain lone parents in certain areas to take part in an interview)(b), after “regulation 2” insert “or 2A”.

#### **Amendment of the Jobcentre Plus Regulations**

**5.**—(1) Subject to regulation 7(4) and (7), the Jobcentre Plus Regulations are amended as follows.

(2) After regulation 4 (continuing entitlement to specified benefit dependent on an interview), insert—

#### **“Requirement for certain lone parents to take part in an interview**

**4A.**—(1) This regulation applies to a lone parent who—

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(a) Regulation 2A was inserted by S.I. 2005/2727.  
(b) Regulation 2B was inserted by S.I. 2007/1034.

- (a) is entitled to income support and is a person to whom paragraph 1 (lone parents) of Schedule 1B to the Income Support (General) Regulations 1987 applies;
  - (b) does not fall within any other paragraph of that Schedule; and
  - (c) is responsible for and living in the same household as—
    - (i) a single child aged 9, 10 or 11, or
    - (ii) more than one child where the youngest is aged 9, 10 or 11.
- (2) Subject to regulations 6 to 9, a lone parent to whom this regulation applies is required to take part in an interview every 13 weeks after he—
- (a) last took part,
  - (b) last failed to take part, or
  - (c) was last treated as having taken part
- in an interview.
- (3) A lone parent who—
- (a) is required to take part in an interview under this regulation, or
  - (b) has had a requirement to take part in an interview under this regulation waived or deferred,
- is not required to take part in an interview under regulation 4 unless he ceases to fall within this regulation.”.
- (3) In regulation 4A, as inserted by paragraph (2) of this regulation for “9, 10 or 11” in both places it appears, substitute “6, 7, 8 or 9”.
- (4) In regulation 4A, as amended by paragraph (3) of this regulation for “6, 7, 8 or 9” in both places it appears substitute “6”.
- (5) In regulation 5(b)(time when interview is to take place), after “4(1)” insert “or 4A(2)”.
- (6) In regulation 6(2)(a)(waiver of a requirement to take part in an interview) for “3 or 4” substitute “3, 4 or 4A”.
- (7) In regulation 8 (exemptions), in both places it appears for “4 or 7(2)” substitute “4, 4A or 7(2)”.
- (8) In regulation 12(2)(c)(failure to take part in an interview) for “4”, substitute “4, 4A”.

### **Amendment of the Employment and Support Allowance Regulations 2008**

- 6.** In regulation 7(1) of the Employment and Support Allowance Regulations 2008(a)—
- (a) in paragraph (a), omit “or”; and
  - (b) after paragraph (b), insert—
    - “or
  - (c) (i) the claimant’s entitlement to an employment and support allowance commences within 12 weeks of the claimant’s entitlement to income support coming to an end;
  - (ii) in relation to that entitlement to income support, immediately before it ended the claimant’s applicable amount included the disability premium by virtue of satisfying the conditions in paragraphs 11 and 12 of Schedule 2 to the Income Support (General) Regulations 1987; and
  - (iii) that entitlement to income support ended solely by virtue of the coming into force, in relation to the claimant, of the Social Security (Lone Parents and Miscellaneous Amendments) Regulations 2008.”.

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(a) S.I. 2008/794.

## Savings and transitional provisions

7.—(1) This paragraph applies to a lone parent who no longer falls within regulation 1(4) solely because his child or youngest child reaches age 16 on or after the relevant day.

(2) Paragraph 1 of Schedule 1B to the Income Support Regulations as it had effect immediately before the relevant day shall continue to have effect in relation to a lone parent to whom paragraph 1 applies.

(3) A lone parent falls within this paragraph if —

- (a) regulation 1(4) applies to him; and
- (b) he is responsible for and living in the same household as—
  - (i) a single child whose 12th birthday occurs on or after the relevant day but before 9th February 2009, or
  - (ii) more than one child where the 12th birthday of the youngest child occurs within that period.

(4) The Lone Parents Regulations and the Jobcentre Plus Regulations shall continue to have effect in relation to a lone parent who falls within paragraph (3) as they had effect in relation to him immediately before the amendments made by regulations 4(2)(a), (b), (3), 5(2) and (5) to (8) came into force.

(5) A lone parent falls within this paragraph if —

- (a) regulation 1 (4), (7) or (12) apply to him; and
- (b) immediately before the day on which the provisions of paragraph (2), (3) or (4) of regulation 2 come into force in relation to a person who first claims income support —
  - (i) he is a person to whom regulation 4ZA(3)(b) (prescribed categories of person) of, and paragraph 1 of Schedule 1B to, the Income Support Regulations applies<sup>(a)</sup>, or
  - (ii) he is following a full-time course of training or instruction provided pursuant to arrangements made by the Secretary of State known as the New Deal for Lone Parents or pursuant to a scheme which has been approved by the Secretary of State as supporting the objectives of the New Deal for Lone Parents.

(6) Paragraph 1 of Schedule 1B to the Income Support Regulations as in force in relation to him at the beginning of —

- (a) that particular period of study shall continue to have effect in relation to a lone parent who falls within paragraph (5) during that period so long as he remains a full-time student<sup>(b)</sup>; and
- (b) that particular course of training or instruction shall continue to have effect in relation to a lone parent who falls within paragraph (5) during the period that he is following that full-time course.

(7) Any requirement to take part in an interview every 13 weeks in accordance with the amendments to the provisions of the Lone Parents Regulations and the Jobcentre Plus Regulations made by these Regulations shall continue to apply to a lone parent who falls within paragraph (5) where, apart from this paragraph, the requirement would cease to apply to him due to an increase in the age of his child or youngest child.

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

Address

*Name*  
Parliamentary Under-Secretary of State,

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(a) Regulation 4ZA was inserted by S.I. 1996/207.

(b) See Regulation 2(1) of the Income Support Regulations (interpretation) for the meaning of “full-time student” and “period of study”.

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Income Support (General) Regulations 1987 (“the Income Support Regulations”), the Jobseeker’s Allowance Regulations 1996 (“the Jobseeker’s Allowance Regulations”), the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000 (“the Lone Parents Regulations”), the Social Security (Jobcentre Plus Interviews) Regulations 2002 (“the Jobcentre Plus Regulations”) and the Employment and Support Allowance Regulations 2008.

Regulation 1 provides for citation, commencement, and interpretation of these Regulations.

Regulation 2 substitutes and amends paragraph 1 of Schedule 1B to the Income Support Regulations with the result that a lone parent is a prescribed person for the purposes of entitlement to income support, depending on the age of their youngest child.

The changes made by these Regulations take effect in stages, beginning on “the relevant day” (the day after these Regulations are made). Regulation 2(2) substitutes a new paragraph 1 in Schedule 1B with the result a lone parent falls within that paragraph if he is responsible for and living in the same household as a youngest child aged under 12. From 26th October 2009, paragraph 1 of that Schedule applies to a lone parent with a youngest child aged under 10 (regulation 2(3)), and on 25th October 2010 it applies to those with a youngest child aged under 7 (regulation 2(4)).

In each case, these Regulations provide for the changes made to paragraph 1 of Schedule 1B to take effect at a later date for certain existing claimants, depending on the age of the youngest child and the date that the lone parent last attended or attends a work-focused interview.

Regulation 3 makes various amendments to the Jobseeker’s Allowance Regulations so as to make additional provision concerning the circumstances in which claimants who have caring responsibilities in relation to a child are required to be available for and actively seeking employment.

It also amends regulation 72(2) of the Jobseeker’s Allowance Regulations concerning good cause for refusing or failing to carry out a jobseeker’s direction or to apply for or accept employment to which a jobseeker has been referred by an employment officer by setting out the circumstances in which child care expenses must be taken into account. Those circumstances relate to where the person necessarily incurs, or would incur, unreasonable child care expenses as the result of the employment or direction.

In addition, regulation 3 inserts a new regulation 73A into those Regulations. It provides that any caring responsibilities for a child or necessary child care expenses which represent an unreasonable amount of that person’s earnings must be taken into account in determining whether or not a person has just cause for leaving employment.

It also amends the Jobseeker’s Allowance Regulations so as to provide that a single person who is responsible for a child may be treated as a person in hardship for the purposes of Part IX of those Regulations if the child will suffer hardship unless a jobseeker’s allowance is paid to the person.

Regulations 4 and 5 amend the Lone Parents Regulations and the Jobcentre Plus Regulations concerning the frequency of work-focused interviews. They require certain lone parents who are

entitled to income support to take part in an interview every 13 weeks depending on the age of their youngest child in a particular year.

Except in the case of certain existing claimants, the requirement first applies on the relevant day for lone parents with a youngest child aged 9, 10, or 11 who only fall within paragraph 1 of Schedule 1B to the Income Support Regulations for the purposes of entitlement to income support.

On 26th October 2009 the requirement to take part in a work-focused interview every 13 weeks applies to lone parents with a youngest child aged 6, 7, 8 or 9 and on 25th October 2010 it applies to those with a youngest child aged 6.

Regulation 6 amends the Employment and Support Allowance Regulations 2008 to remove the requirement that a claimant's assessment phase must have ended before entitlement to either the support component or work-related activity component under those Regulations can arise for certain income support claimants who were in receipt of a disability premium and who lose their entitlement to that benefit by virtue of these Regulations.

Regulation 7 makes provision for savings and transitional arrangements for certain existing claimants. They include lone parents whose youngest child reaches age 16 on or after the relevant day. It also provides that lone parents who are entitled to income support immediately before the relevant day with a child or youngest child whose 12th birthday occurs after that date but before 9th February 2009 are not required to meet the requirement, imposed by these Regulations, to take part in a work-focused interview every 13 weeks.

Regulation 7 also makes provision for transitional protection to be given for a limited period to lone parents who are existing claimants and who are also full-time students or following a full-time course pursuant to the New Deal for Lone Parents or relevant scheme approved by the Secretary of State. It also provides that any requirement to take part in a work-focused interview every 13 weeks imposed by these Regulations continues to apply to a person in this group notwithstanding an increase in the age of his youngest child.

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.