**For carers receiving Income Support who are also lone parents of children under 5 years old who have been asked to attend WFIs more than every six months**

**Note:** Please note this document is an illustrative guide only and is not legal advice.

*Name*

*Address*

*National Insurance Number*

*Dear Madam/Sir (or name if known),*

**Re: Requirement to take part in a work focused interview**

I am in receipt of Income Support as a carer. I am also the lone parent of a child under 5 years old.

You have asked me to attend a work focused interview *(by letter dated the…/ by telephone call on the…) to be held on the…*

The regulations which state that a person who is a lone parent has to attend a work focused interview whenever they are requested to do so, do not apply to me, as I am also a carer.

These circumstances are provided for in both the Social Security (Jobcentre Plus Interviews) Regulations 2002 and the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000.

The Social Security (Jobcentre Plus Interviews) Regulations 2002 can be accessed here: <http://www.legislation.gov.uk/uksi/2002/1703/pdfs/uksi_20021703_301114_en.pdf>.

*“4A(1) This regulation applies to a lone parent who –*

1. *Is aged 18 or over and 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; and*
2. *Does not fall within any other paragraph of that Schedule.”*

**Note:** The above is from the Social Security (Jobcentre Plus Interviews) Regulations 2002 however regulation 2ZA of the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000 also says the same: *“Does not fall within any other paragraph of that Schedule”*. The Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000 can be accessed here: <http://www.legislation.gov.uk/uksi/2000/1926/pdfs/uksi_20001926_301114_en.pdf>.

I do fall within paragraph 1 (lone parents) of Schedule 1B to the Income Support (General) Regulations 1987, however I do also fall within another paragraph of that Schedule. The paragraph I also fall within is paragraph 4 of Schedule 1B as *I am in receipt of Carer’s Allowance / I am regularly and substantially engaged in caring for another person who receives the middle or the higher rate of the care component of Disability Living Allowance, the daily living component of Personal Independence Payment, Attendance Allowance or Armed Forces Independence Payment / I am regularly and substantially engaged in caring for another person who is awaiting the outcome of their claim for Disability Living Allowance, Personal Independence Payment, Attendance Allowance or Armed Forces Independence Payment and 26 weeks have not passed since the date of their claim (delete as applicable)*

Schedule 1B of the Income Support (General) Regulations 1987 can be accessed here: <http://www.legislation.gov.uk/uksi/1987/1967/pdfs/uksi_19871967_310515_en.pdf>.

This means that regulation 4A of the Social Security (Jobcentre Plus Interviews) Regulations 2002 / regulation 2ZA of the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000 does not apply to me.

This means that instead regulation 4ZA of the Social Security (Jobcentre Plus Interviews) Regulations 2002 and regulation 2 of the Social Security (Work-focused Interviews for Lone Parents) and Miscellaneous Amendments Regulations 2000 apply to me. These regulations state that a person who is a lone parent and also a carer has to attend a work focused interview only once every six months:

*“4ZA(4) Where a lone parent falls within paragraph (3) the requirement to take part in an*

 *interview arises every six months after the date on which the lone parent:*

1. *last took part,*
2. *last failed to take part, or*
3. *was last treated as having taken part,*

*In a relevant interview.”*

As I last attended a work focused interview less than six months ago on the *(give date),* please be notified that *I will not be attending / I will be attending but on a voluntary basis only, and can decide not to attend if I see fit (delete as applicable).*

I further understand that no sanction will be applied to my benefit if I do not attend this or any subsequent interview outside of the regulations.

If you feel this is incorrect I request that you send to me the guidance and regulations that you are acting under. Please send these without delay and before the date of the proposed interview has lapsed.

*(You may want to add here any details of the letter/call that you feel are relevant – for example if the adviser implied that your benefits would stop if you didn’t attend, or made statements you feel were unnecessary)*

I look forward to your reply.

*Signature Date*

*(You must sign and date this)*