



Welfare Reform Act 2007

2007 CHAPTER 5

PART 1

EMPLOYMENT AND SUPPORT ALLOWANCE

[^{F1}Conditionality]

[^{F1}Work-related requirements]

[^{F1}12 Work-focused interviews

(1) Regulations may make provision for or in connection with imposing on a person who is—

- (a) entitled to an employment and support allowance, and
- (b) not a member of the support group, [^{F2}or a lone parent of a child under the age of one]

a requirement to take part in one or more work-focused interviews as a condition of continuing to be entitled to the full amount payable to him in respect of the allowance apart from the regulations.

(2) Regulations under this section may, in particular, make provision—

- (a) prescribing circumstances in which such a person is subject to a requirement to take part in one or more work-focused interviews;
- (b) for notifying such a person of any such requirement;
- (c) prescribing the work-focused interviews in which a person who is subject to such a requirement is required to take part;
- (d) for determining, in relation to work-focused interviews under the regulations, when and how the interview is to be conducted and, if it is to be conducted face to face, where it is to take place;
- (e) for notifying persons who are required under the regulations to take part in a work-focused interview of what is determined in respect of the matters mentioned in paragraph (d);

Changes to legislation: Welfare Reform Act 2007, Section 12 is up to date with all changes known to be in force on or before 11 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (f) prescribing circumstances in which a person who is a party to a work-focused interview under the regulations is to be regarded as having, or not having, taken part in it;
 - (g) for securing that the appropriate consequence follows if a person who is required under the regulations to take part in a work-focused interview—
 - (i) fails to take part in the interview, and
 - (ii) does not, within a prescribed period, show that he had good cause for that failure;
 - (h) prescribing matters which are, or are not, to be taken into account in determining whether a person had good cause for any failure to comply with the regulations;
 - (i) prescribing circumstances in which a person is, or is not, to be regarded as having good cause for any such failure.
- (3) For the purposes of subsection (2)(g), the appropriate consequence of a failure falling within that provision is that the amount payable to the person in question in respect of an employment and support allowance is reduced in accordance with regulations.
- (4) Regulations under subsection (3) may, in particular, make provision for determining—
- (a) the amount by which an allowance is to be reduced,
 - (b) when the reduction is to start, and
 - (c) how long it is to continue,
- and may include provision prescribing circumstances in which the amount of the reduction is to be nil.
- (5) Regulations under this section shall include provision for a requirement to take part in one or more work-focused interviews to cease to have effect if the person subject to the requirement becomes a member of the support group.
- (6) Regulations under this section may include provision—
- (a) that in such circumstances as the regulations may prescribe a requirement to take part in a work-focused interview that would otherwise apply to a person by virtue of such regulations is not to apply, or is to be treated as not having applied;
 - (b) that in such circumstances as the regulations may prescribe such a requirement is not to apply until a prescribed time;
 - (c) that in such circumstances as the regulations may prescribe matters mentioned in subsection (2)(d) may be redetermined.
- (7) In this section, “work-focused interview” means an interview by the Secretary of State conducted for such purposes connected with getting the person interviewed into work, or keeping him in work, as may be prescribed.]

Textual Amendments

- F1** Ss. 11-11K substituted for ss. 11-16 (25.2.2013 for specified purposes, 29.4.2013 for specified purposes and subsequently on the days on which and for the purposes for which "the amending provisions" are brought into force by secondary legislation) by [Welfare Reform Act 2012 \(c. 5\)](#), [ss. 57\(2\)](#), [150\(3\)](#); [S.I. 2013/358](#), [art. 2\(1\)](#), [Sch. 1 para. 12](#); [S.I. 2013/983](#), [art. 7\(1\)\(d\)](#) (with [art. 7\(3\)](#)) (as amended: (1.7.2013) by [S.I. 2013/1511](#), [art. 6](#))
- F2** Words in s. 12(1)(b) inserted (31.10.2011) by [Welfare Reform Act 2009 \(c. 24\)](#), [ss. 3\(3\)](#), [61\(3\)](#); [S.I. 2011/2427](#), [art. 2\(2\)](#)

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Modifications etc. (not altering text)

- C1** Pt. 1 modified by 1995 c. 18, Sch. 1 para. 2(2) (as inserted (27.10.2008) by [Welfare Reform Act 2007 \(c. 5\)](#), s. 70(2), **Sch. 3 para. 12(6)**; S.I. 2008/787, art. 2(4)(f))
- C2** S. 12 applied (with modifications) by 1983 c. 20, s. 78A(3) (as inserted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 60**)
- C3** S. 12(1) modified (27.10.2008) by [Employment and Support Allowance Regulations 2008 \(S.I. 2008/794\)](#), regs. 1(a), **66(3)**

Commencement Information

- I1** S. 12(1) (2)(a)-(h) (3)-(7) in force at 18.3.2008 for specified purposes by [S.I. 2008/787](#), **art. 2(1)**
- I2** S. 12(1) (2)(a)-(h) (3)-(7) in force at 27.10.2008 in so far as not already in force by [S.I. 2008/787](#), **art. 2(4)(a)**
- I3** S. 12(2)(i) in force at 27.10.2008 by [S.I. 2008/787](#), **art. 2(4)(a)**

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(3)(za) inserted by [2012 c. 5 s. 62\(2\)](#)
- s. 1(3B) inserted by [2012 c. 5 s. 62\(3\)](#)
- s. 1C inserted by [2012 c. 5 s. 54\(3\)](#)
- s. 1C repealed by [2012 c. 5 Sch. 14 Pt. 5](#) (This amendment not applied to [legislation.gov.uk](#). The entry for this repeal in Sch. 14 Pt. 6 was repealed (8.5.2012) without ever being in force by [2012 c. 5, s. 150\(3\)](#), Sch. 14 Pt. 2)
- s. 2(6) inserted by [2012 c. 5 Sch. 5 para. 6\(3\)](#)
- s. 13(6A) inserted by [2009 c. 24 s. 3\(4\)\(b\)](#)
- s. 14(5) amendment to earlier affecting provision [2009 c. 24, s. 31\(2\)](#) by [2012 c. 5 s. 54\(7\)](#)
- s. 14(5) inserted by [2009 c. 24 s. 31\(2\)](#)
- s. 16(1)(za) inserted by [2012 c. 5 s. 54\(5\)](#)
- s. 20(7A)(7B) inserted by [2023 c. 20 Sch. para. 55\(2\)](#)
- Sch. 1 para. 6(1)(da) inserted by [2009 c. 24 s. 5\(2\)\(a\)](#)
- Sch. 1 para. 6(2A) inserted by [2009 c. 24 s. 5\(2\)\(b\)](#)
- Sch. 2 para. 10A inserted by [2009 c. 24 s. 30\(2\)](#)
- Sch. 2 para. 4B and cross-heading inserted by [2012 c. 5 s. 62\(4\)](#)
- Sch. 2 para. 10B and cross-heading inserted by [2012 c. 5 s. 57\(8\)](#)
- Sch. 2 para. 10ZA inserted by [2012 c. 5 s. 57\(7\)\(b\)](#)
- Sch. 2 para. 10A heading word substituted by [2012 c. 5 s. 57\(7\)\(a\)](#)
- Sch. 2 para. 10A(1) words inserted by [2009 c. 24 Sch. 3 para. 8\(5\)\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). The entry for this repeal in Sch. 14 Pt. 6 was repealed (8.5.2012) without ever being in force by [2012 c. 5, s. 150\(3\)](#), Sch. 14 Pt. 2)
- Sch. 2 para. 10A(1) words repealed by [2012 c. 5 Sch. 14 Pt. 6](#) (This amendment not applied to [legislation.gov.uk](#). The entry for this repeal in Sch. 14 Pt. 6 was repealed (8.5.2012) without ever being in force by [2012 c. 5, s. 150\(3\)](#), Sch. 14 Pt. 2)
- Sch. 2 para. 10A(1) words substituted by [2012 c. 5 s. 57\(7\)\(c\)\(i\)](#)
- Sch. 2 para. 10A(1) words substituted by [2012 c. 5 s. 57\(7\)\(c\)\(ii\)](#)