



Jobseeker's Allowance condition changes for spouses/civil partners of Service personnel returning from overseas assignment

It has been a key concern for AFF that some spouses have been prevented from claiming Jobseeker's Allowance (JSA) because they have been unable to meet the contribution conditions due to not working in the UK recently enough or by not paying National Insurance (NI).

We are extremely pleased that there has now been condition changes for families returning from overseas with regards to claiming JSA.

These new changes have been implemented as part of the Armed Forces Covenant to overcome the previous disadvantage for Armed Forces spouses/civil partners returning from overseas and will now make entitlements to these benefits more likely.

To claim contributory Jobseeker's Allowance you would normally have to meet two conditions before your claim would be authorised. These conditions are:

Normal first condition

- Claimants must have paid NI contributions (through employment) in one of the previous two complete tax years.

Normal second condition

- Claimants must have paid NI contributions or have been credited as paid (e.g. if you were claiming Statutory Maternity Pay etc.) in both of the previous two complete tax years.

However, recent changes mean that you are more likely to be able to make a claim for JSA. The exceptional conditions (called "Easements" by the Department for Work and Pensions) are set out below:

Exceptional first condition

- Government changes allow these spouses/civil partners to meet this condition by having paid NI contributions in any complete tax year prior to going overseas.

Exceptional Second Condition

- The government introduced an MOD NI credit scheme in April 2010, to provide NI credits for spouses/civil partners accompanying their partner on an overseas assignment.

To take advantage of these changes, apply for NI credits through the Armed Forces scheme when you return to the UK.

Further details on how to apply for these can be found in **DIN 2010DIN01-076** which your soldier can get a copy of from the Defence Intranet.

These credits will enable you to satisfy the second contribution condition. Having done this, you should apply for Jobseeker's Allowance or Employment and Support Allowance in the normal way through your local Jobcentre Plus or online at www.direct.gov.uk if you think that you are eligible.

Your status as an Armed Forces spouse or partner who has just returned from overseas will then be identified by the Jobcentre Plus staff and they will automatically apply the exceptional first contribution condition of only needing to have paid Class 1 NI contributions in any previous tax year.

Having difficulties in taking advantage of these changes? It may be because the person dealing with your claim is not aware of the special rules, called 'easements' for Armed Forces families.

Speak to the person handling your claim and explain that there are special rules for you and ask them to find the Jobcentre Plus operational guidance covering the contribution conditions for Jobseeker's Allowance and Employment and Support Allowance ESA.

Alternatively, they should seek further guidance from their regional Jobcentre Plus Armed Forces Champion.

For more information, contact AFF Employment, training, money & allowances Specialist Caroline Mayne, on 07799 045 955 or at etam@aff.org.uk