

Unemployment Benefit - Leaflet 12

(Last updated: August 2020)

Important

This leaflet tells you about Unemployment Benefit. General information about the benefit and how to claim is set out on the following pages.

If there is anything in this leaflet that you do not understand, or if you need further advice, please contact the Job Centre on 732511 or Alderney States Office on 822811.

This leaflet is for guidance and must not be treated as a complete and authoritative statement of the law.

This leaflet should be read in conjunction with Leaflet 50 (Social Insurance Benefit Payment and Contribution Rates).

How we collect and use information

The Social Security Department collects personal information for social security purposes in accordance with the six laws which it administers. The information collected will depend on your business with us, but will be no more than is required for that purpose, and will not be further disclosed except as permitted by law. The Department complies with its legal duty under the Data Protection (Bailiwick of Guernsey) Law, and is the Data Controller for the purposes of that law. If you wish to know more about the information we have about you, or about the way we use it, you can ask at the Department's office.

What is Unemployment Benefit?

This is a cash benefit paid to unemployed people who are trying to find work with an employer. To receive Unemployment Benefit you must be unemployed and available for work for at least 4 days in any week and satisfy certain contribution conditions.

What are the contribution conditions?

Two contribution conditions must be met for you to get Unemployment Benefit. The first is that you must have paid at least 26 contributions as an employed person to Guernsey at any time in your working life. The second condition is that your contribution record in the relevant contribution year must have at least 26 contributions as an employed person or contribution credits as an employed person.

If you are claiming Unemployment Benefit in the first six months of any year, the relevant contribution year on which the amount of benefit is based is the calendar

year of two years before. If you are claiming Unemployment Benefit in the second six months of any year, the relevant contribution year is one year before.

Do self-employed or non-employed contributions count?

Generally, contributions paid as a self-employed person or non-employed person do not count for Unemployment Benefit. But if in any relevant contribution year, you have at least 39 contributions paid or credited as an employed person, then any self employed or non-employed contributions on your record for the remaining 13 weeks of the year are treated as if they were employed person contributions. This may allow your rate of benefit to be increased. But if you have given up your self-employment and are now trying to find work you should contact the Job Centre without delay.

What happens about my contributions?

While you are unemployed you might be entitled to a contribution credit if your claim lasts at least 4 days in any contribution week. This is done to protect your social insurance record while you are out of work. However, not everyone will be given a credit because entitlement depends on your current contribution position. You will receive a letter telling you if credits cannot be given.

Claiming

How do I claim?

As soon as you become unemployed you should call into the Job Centre at the Social Security Department if you live in Guernsey or the States Office if you live in Alderney. An appointment will be made for you to make your claim and you will be told what you need to bring with you.

What happens if I do not claim straightaway?

Unemployment Benefit cannot usually be paid for any days before you first registered at the Job Centre or Alderney States Office. So you should claim as soon as you become unemployed.

What is meant by availability for work?

If you make a claim for Unemployment Benefit, the Administrator will need to know that you are available for work before any benefit can be paid. This means that you will have to show that you are free to work a reasonable number of hours each week and that you have a real chance of finding work to suit those hours.

What happens if I receive wages in lieu of notice?

If you receive wages in lieu of notice, you might not receive Unemployment Benefit straightaway. This is because regulations state that benefit cannot be paid for the same period as wages in lieu of notice. But, you should still make your claim for benefit as soon as you become unemployed to be on the safe side.

How do I keep my claim going?

Once you have made your claim for Unemployment Benefit, you will have to visit the Job Centre each week to "sign on". If you do not call on the day and at the time stated, you might lose benefit. If you are unable to call, you must inform the Job Centre or Alderney States Office on that day otherwise you may still lose benefit.

How long can I receive benefit for?

Unemployment Benefit can be paid for a maximum of 210 days in any one period of unemployment. But when claims for Unemployment Benefit are separated by less than 13 weeks, the days paid on a claim are carried forward. This means that if you have made claims before your current one, the days paid on your claims might count towards your 210 day benefit total. Once you have received 210 days benefit you will not be entitled again until you have worked for an employer for 13 weeks earning a set amount. Please refer to the Job Centre for the current rate.

What should I do if my 210 days run out?

If you are still unemployed and are trying to find work, you should still sign on each week at the Job Centre or Alderney States Office as you may be entitled to receive contribution credits. This protects your insurance record without you having to pay contributions. You will be notified if credits cannot be given.

Do I need a Right to Work document?

Before you can receive Unemployment Benefit, you must hold a valid Right to Work document. If you do not have one, you should contact the Housing Department's Right to Work Section or Alderney States Office.

Payments

How much will I receive?

This depends on your contribution record and the full rate is quoted in Leaflet 50.

How will my benefit be paid?

Once your claim has been accepted, benefit will be posted each week in the form of a voucher. This can be cashed at any branch of the National Westminster Bank

or paid into your account. If your address is unsafe, or this arrangement is not suitable, please let the Job Centre know straightaway. Vouchers are valid for 3 months. Entitlement to benefit is lost after 12 months if the voucher has not been cashed.

What if I lose or do not receive my voucher?

If you lose your voucher or it does not arrive in the post on the day it is due, please let the Job Centre know straightaway.

Looking for work

How can the Job Centre help me find work?

Vacancies are displayed at the Job Centre and at Alderney States Office for everyone to see. Each advert will tell you how to make contact with the employer. You can also request a meeting with someone at the Job Centre so that you can discuss your circumstances and employment prospects.

What sort of work am I expected to take?

If you are claiming Unemployment Benefit, you should be prepared to take any job that you are capable of doing.

What if I have children to look after?

You can still make a claim for Unemployment Benefit but you may be asked what childcare arrangements you have made. This is because you may not be free to work a reasonable number of hours each week and so benefit may not be payable.

What happens if I turn down an offer of work?

If you are receiving Unemployment Benefit and turn down or fail to act to obtain work, you may lose benefit. This is because the Administrator must disqualify you from receiving benefit for up to 10 weeks if you turn down the offer of a suitable job without good cause.

What should I do when I find work?

If you are signing on at the Job Centre or Alderney States Office and find work, you should complete and return your orange signing on card (Form UI40) or contact

Alderney States Office. If you have found work but the job has not yet started, you should still sign on each week, otherwise you might lose benefit.

What work can I do while claiming?

You are encouraged to do as much work as possible, but you must tell the Job Centre about it. There is no limit to the amount of work you can do but benefit is not payable for any day on which you earn more than £9.00. You must report all work done.

What are the Back to Work Benefits?

These are benefits aimed at helping people get back to work and include things like training, work trial and back to work bonus. To find out more, please call the Job Centre on 732511 or ask for Leaflet 11 (Back to Work Benefits).

Temporary Work Schemes

From time to time, temporary work schemes are run by the Social Security Department in conjunction with States Works and by Alderney States Office. These schemes exist to provide a period of work for unemployed people. Fit and able people are given the more physically demanding jobs. Less fit people are given jobs more suited to their ability. The work carried out is of benefit to the Islands.

What happens if I refuse a Temporary Work placement?

If you refuse this opportunity of work you may lose benefit. The Administrator will need to know why you have refused this work and then decide if you had just cause. You could lose benefit for the period of the placement (normally 8 weeks).

General Information

What happens if I leave my job voluntarily?

If you leave your job voluntarily, you may not be paid Unemployment Benefit straightaway. This is because the Administrator must disqualify you from receiving benefit for up to 10 weeks if you leave a job without just cause. But you will have the chance to put your side of the story before a final decision is made.

What happens if I lose my job due to my misconduct?

If you lose your job due to your misconduct, you may not be paid Unemployment Benefit straightaway. This is because the Administrator must disqualify you from receiving benefit for up to 10 weeks if you lose your job as a result of your

misconduct. But you will have the chance to put your side of the story before a final decision is made.

What is a review meeting?

If you have been receiving Unemployment Benefit for some time, you may be asked to attend a review meeting. The purpose of this meeting is to find out what efforts you have made to find work. You may be asked to bring along evidence of your job hunting activities such as details of jobs you have applied for and replies from employers. You might be asked to apply for a vacancy that you are capable of doing.

What happens if I do not declare changes in my circumstances?

If you fail to declare any changes in your circumstances while receiving benefit or if you deliberately misrepresent your circumstances in order to get benefit, you may be prosecuted. If your circumstances change, you must inform the Job Centre or Alderney States Office without delay.

What happens if I have just returned to the Island and I am unemployed?

Not everyone who has just returned to the Island will be entitled to Unemployment Benefit. Contributions paid to some other countries may be used to help your claim. To find out about your particular case, please contact the Job Centre.

What happens if I leave the Island?

If you leave the Island for any period of time, you must inform the Job Centre or Alderney States Office without delay. This is because you might not be available for work and this could affect your benefit. You will be asked why you are going and for how long. The Administrator will then decide if benefit can be paid for the day(s) that you are away.

What is Income Support?

This is a means-tested benefit which you may be able to claim while you are unemployed and actively seeking work. To find out more, please seek advice from the Job Centre or Alderney States Office.

How are claims decided?

The Administrator of the Social Security Department is responsible in law for deciding claims. You will be told of his decision in writing and if you are not satisfied, you may appeal to the Tribunal within 28 days. The Tribunal consists of

an independent chairman and two members. An appeal to the Royal Court against the Tribunal's decision is restricted to a question of law.

School Leavers and Students

What if I have just left school?

There are special rules that allow contribution credits to be given if you have recently left school. This means that if you go straight into work from school and that work lasts for at least 26 weeks, you may be entitled to Unemployment Benefit if you become unemployed later on. To find out more you should contact the Job Centre.

What if I am a student or trainee or have just finished college or university?

There are also special rules that allow contribution credits to be given to help students, trainees and other people who have recently left college or university. These special rules mean that you may be entitled to Unemployment Benefit soon after the end of your course or period of training, if you have ever worked for at least 26 weeks. To find out more you should contact the Job Centre.

What to do next

Visit the Social Security Department offices in Guernsey or Alderney or call on 732511 or 822811.

What to do if you have a complaint

If you are dissatisfied with any aspect of our service please let a member of staff know at the time so that we can try to resolve the issue immediately. If you wish to make a formal complaint to the Department, please contact us and ask for a complaints leaflet or download a leaflet from the States website www.gov.gg (follow the links to 'Social Security', 'Complaints & Appeals', 'Customer Service Complaints') and return the completed complaints form to the Chief Officer, Social Security Department, Edward T Wheadon House, Le Truchot, St Peter Port, Guernsey, GY1 3WH. Alternatively you can scan and email the completed form to us at ssd-complaints@gov.gg. A senior officer will then investigate your complaint in accordance with the Department's Complaints Policy.