

# Claiming Jobseeker's Allowance as European Economic Area (EEA) National

## Changes which may affect your right to be paid Jobseeker's Allowance.

### Introduction

Changes to Home Office Regulations from 1<sup>st</sup> January 2014 mean that your right to reside in the UK as a job seeker or as someone who retains worker status will be limited to 6 months, unless at the end of this period you can provide compelling evidence that you are still actively seeking work and have a genuine prospect of work.

If your right to reside in the UK ends after 6 months then your Jobseeker's Allowance (JSA) will also end at this point. You must, of course, still meet all existing requirements for Jobseeker's Allowance during the period you are claiming JSA.

From 1st April 2014, changes in the law mean that access to Housing Benefit (HB) for EEA Jobseekers has been removed. EEA Jobseekers who make a successful claim to Income based Jobseekers allowance (JSA IB) will no longer have automatic eligibility to HB.

EEA Jobseekers already in receipt of JSA IB and HB on 1.4.14 will not be affected unless they lose entitlement to either benefit and make a new claim to Housing Benefit. Claimants whose right to reside is as a retained worker, will not be affected.

### What's an EEA National?

An EEA National is someone who is a national of one of the following countries Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain (including Balearic and Canary Islands), Sweden, Iceland, Liechtenstein, Norway and Switzerland<sup>1</sup>.

### What happens at 6 months?

If you have not found work within 6 months you will be invited to an interview to present evidence that you are still actively seeking work and have a genuine prospect of work. If you cannot provide compelling evidence, then we will close your claim to Jobseeker's Allowance.

Examples of the compelling evidence (proof) that you will need to provide could include evidence of a job offer or recent completion of a vocational course that you can show is likely to lead to a related job soon, or that your period of receiving JSA has been interrupted due to personal circumstances. Any evidence which you provide will be assessed by a Decision Maker.

Depending on your circumstances you may be allowed a limited extension to your Right to Reside and your benefit beyond 6 months.

If it is decided that you do not have a genuine prospect of work, your access to Housing Benefit may be affected. DWP will notify your local authority (LA) that your Jobseeker's Allowance has stopped and the LA will review your claim. Local authorities have responsibility for Housing Benefit decisions so you should contact your LA if you have any questions on this issue.

<sup>1</sup> Switzerland is not a member of the EEA but has signed an agreement which allows its citizens the same free movement rights as EEA nationals



**Find out more about existing requirements at [www.gov.uk/jobseekers-allowance](http://www.gov.uk/jobseekers-allowance)**