

Voluntary closure of a failing business and the benefits system

Individual circumstances could impact in different ways on benefit claims.

In the main, ceasing self employment is **not treated** in the same way as “leaving voluntarily” from class 1 employment, (which may, again dependant on reasons result in a sanction being applied).

In order to obtain a formal decision on entitlement to benefits the applicant has to make a claim to that benefit. Each benefit has their respective eligibility conditions.

I've attached a link to Gov.UK showing the eligibility conditions for the main benefits;

Jobseekers Allowance <https://www.gov.uk/jobseekers-allowance>

Employment and Support Allowance <https://www.gov.uk/employment-support-allowance>

Decisions on claims and applications are made by the Secretary of State. In practice the Secretary of State does not make decisions personally. Instead, under the Carltona principle officials act on the Secretary of State's behalf, provided that he is satisfied that they are suitably trained and experienced to do so. These officials are called decision makers (DMs).

I've also attached a link to the comprehensive Decision makers guidance that is available via Gov.UK

<https://www.gov.uk/government/publications/decision-makers-guide-vol-1-decision-making-and-appeals-staff-guide>