

## Chapter 5 - Exceptional Circumstances and Absences

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### Introduction

1. This section details the action you should take if the claimant is unable or unwilling to attend the training programme. All absences should be notified to Jobcentre Plus as soon as possible.

### High Level Requirements for Sickness and Domestic Emergency

2. During this process you must:
  - clarify with the claimant the reason for the absence;
  - contact Jobcentre Plus to agree next steps within 24 hours; and
  - take appropriate Provider Referral and Payments (PRaP) action within 48 hours

### Exceptional Circumstances

3. In some exceptional circumstances a claimant referred to the Skills for Work (Wales) programme may already be involved in some form of activity (eg working part time). If this is the case you will receive information relating to the activity via PRaP. These claimants will be very few and far between.
4. Prior to referral, the Jobcentre Plus adviser will make every effort to ensure the claimant will be available to participate on the programme for the full eight weeks. However, there could be times when unforeseen absences or exceptional circumstances occur, (eg Jury Service).
5. Claimants will not be referred if they have a planned holiday or other commitments (eg caring responsibilities), in the ten week period following

referral. Once a claimant has been referred and they subsequently request a holiday, this will be refused.

### **Sickness Absences from Skills for Work (Wales)**

6. JSA regulations allow two periods of sickness in a 12 month period.
7. In the first instance where a claimant contacts you and informs you they are unable to attend due to sickness you must phone Jobcentre Plus to check the claimant's previous sickness record and inform them that the claimant is absent due to sickness.
8. The following action may be required:
  - if the claimant is within the JSA sickness allowance you will be advised and will be expected to deliver the remainder of the training on completion of the claimant's absence. The period of sickness will not be counted as part of their eight week training time; or
  - if the claimant has exceeded the JSA sickness allowance you will be advised to return the claimant to Jobcentre Plus; or
  - if the claimant is within the JSA sickness allowance, but the sickness period runs on for more than 14 days, on the 15th day you are expected to return the claimant to Jobcentre Plus following actions at [paragraph 22](#).

### **Domestic Emergency Absences from Skills for Work (Wales)**

9. Whilst participating on Skills for Work (Wales) claimants may require time off to attend to unexpected emergencies (eg serious illness, accident or death of a close relative or close friend).
10. In the first instance where a claimant contacts you and states they are unable to attend due to a domestic emergency, you must phone the SPOC in Jobcentre Plus to check if the reason for absence can be accepted.
11. If Jobcentre Plus advises the reason is allowable, you must agree with the claimant the date they will be expected to return to complete the remaining weeks of training.
12. It is your responsibility to keep in touch with the claimant during the period of absence due to the domestic emergency.
13. Upon the claimant's return to complete the balance of time, you should update and revise their individual learning plan.

14. If Jobcentre Plus inform you the reason for the domestic emergency **cannot** be allowed you must return the claimant to Jobcentre Plus following actions at [paragraph 22](#).

## Civic Duties

15. Whilst participating on Skills for Work (Wales), claimants may require time to attend to unexpected civic duties, such as Territorial Army, life boat personnel, school governors, volunteer special constables, lay member of police authorities, youth offender panels and members of patient and public involvement forums. This list is not exhaustive.
16. In the first instance where a claimant contacts you and states they are unable to attend due to a civic duty, you should contact Jobcentre Plus to agree next steps.
17. One of two things will happen:
- Jobcentre Plus will advise that the civic duty is temporary. Jobcentre Plus will agree a date with the claimant for them to return and complete the remaining training. The claimant remains with you during this period; and
  - if Jobcentre Plus inform you the civic duty isn't temporary, you must return the claimant to Jobcentre Plus following actions at [paragraph 22](#).

## Jury Service

18. If a claimant is required for Jury Service whilst participating on Skills for Work (Wales) you should ask for written evidence to verify the situation. Where this is provided will need to take action as in paragraph [paragraph 22](#).

## Change of Address

19. Where you are notified the claimant has changed address and they are still resident within your contract package area (CPA) and within acceptable travelling distance to the training venue, you are not required to make any changes to the claimant's training arrangements.
20. If the claimant has changed address and is still within your CPA but the training is being delivered outside acceptable travelling distance, you are expected to source a training opportunity within an acceptable travelling distance from the claimant's new address. The claimant should then complete their remaining weeks on training with the new training provider in line with their initial individual learning plan. You must ensure that they

are reminded again of their responsibilities whilst on the programme as in the initial welcome meeting.

21. If the claimant has changed address and moved outside of Wales once they have started training, they will be allowed to complete to certification. If participation continues on a mandatory basis DWP will continue to pay the additional travel costs. If the claimant decides not to continue you should return them to Jobcentre Plus and follow the steps in [paragraph 22](#).

### **Returning a claimant to Jobcentre Plus**

22. In the circumstances outlined in earlier paragraphs where it is clear you need to return the claimant to Jobcentre Plus, and this has been agreed, you will take the following steps:
- input the end date into PRaP (date the claimant last attended the training) and select the appropriate 'leaver' reason ([see Annex 1 definition](#)); and
  - complete the claimant feedback form and send to Jobcentre Plus.

### **Claimants on probation**

23. Some claimants that are referred to Skills for Work (Wales) may have penalties imposed on them by the legal system.
24. If they have probation interviews they should be advised that these should be arranged around participation and any Community Service hours should be completed outside of Skills for Work (Wales) participation. However, the provider may need to adjust training hours to assist the claimant. It is the claimant's responsibility to arrange changes around probation etc with the probation service.