

Withdrawn

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This publication is no longer current.



Community Work Placements

Universal Credit Claimant

Provider Guidance

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Section 1 – Claimant Group and Claimant Referrals

This section covers:

- [Introduction](#)
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Introduction

- 1.01 Community Work Placement (CWP) is aimed at those claimants whose primary barrier to work is a lack of work experience or motivation, and who may have spent a great deal of time away from a structured work environment. CWP aims to equip jobseekers with a valuable period of experience in a work-based environment, enabling them to develop the disciplines and skills associated with sustained employment, as well as to move them into employment.
- 1.02 This DWP Provider Guidance supports you, the Prime Provider, in the delivery of the CWP Programme on behalf of the Secretary of State for Work and Pensions. It forms part of your contract and provides guidance on processes and requirements, supporting the programme, contract details and the legal arrangements for delivery.
- 1.03 This guidance must be read in conjunction with:
 - The Invitation to Tender;
 - Community Work Placement Contract Package Information; and
 - [DWP Generic Provider Guidance](#) – via the hyperlinks which are embedded throughout this Programme Specific Guidance.
- 1.04 If there is any conflict between the contract and this guidance the contract takes precedence. If there is any conflict between the specification and this guidance in relation to DWP's internal procedures and processes, this guidance takes precedence.
- 1.05 You must ensure that any organisations with which you have a sub-contractual relationship also have access to, and read this guidance and associated documents at paragraph 1.03.

Claimant Group

- 1.06 CWP will be aimed at Jobseeker's Allowance claimants (JSA) and Universal Credit claimants (UC) (in the Intensive Work Search Regime) who have completed the Work Programme and have been identified by Jobcentre Plus (JCP) as requiring CWP support due to the key barrier preventing them from moving into work, being either insufficient work history or a lack of motivation.

CWP Referrals

- 1.07 JCP Work Coaches will refer eligible claimants by contacting you and arranging a one-to-one, face-to-face initial engagement meeting with the claimant. You must have a designated point of contact to book these initial engagement meetings and provide the JCP Work Coach with your contact details and the date, time and location of the initial engagement meeting.
- 1.08 The JCP Work Coach will notify you of any claimant participation restrictions which you must record and take into account when planning delivery; you will also be notified if a claimant requires any reasonable adjustments and/or additional support.
- 1.09 Once the JCP Work Coach has booked the initial engagement meeting they will inform the claimant of their rights and responsibilities and mandate them to attend. The JCP Work Coach then make the referral which will update the Provider Referrals and Payments (PRaP) system. UC referrals will be annotated in PRaP with a '20' prefix. The information sent as part of all referrals will include:
- Full name (including title);
 - National Insurance Number; and
 - Address and contact telephone number (where available).
- 1.10 For UC participants, the information below cannot be sent electronically and therefore you will also be sent a clerical notification form for each referral; the UCPR1 (Additional Information for PRaP Referral form). The UCPR1 will detail:
- If a participant has informed Jobcentre Plus (JCP) that they have a health condition.
 - A participant's attendance arrangements;
 - If a participant has childcare/caring needs, such as lone parents or carers;
 - A participant's preferred working pattern and details of any employment restrictions e.g. any restrictions on their availability, which have been agreed by JCP;
 - Activities already undertaken and details of qualifications (where available).

Please note: You will be notified when a UC participant has informed JCP that they are disabled; however this will not include what their disability is. Participants with disabilities may require reasonable adjustments and/or additional support. You should ensure that this information is sought as part of your initial engagement activity.

- 1.11 The UCPR1 form will be sent to you by first class post on the same day that the PRaP referral is made. If you have not received the template by the 4th working day from the date of referral you should contact JCP. A duplicate will be issued immediately.
- 1.12 You may start engagement activities without having received the UCPR1 form as information in respect of any special arrangements that may need to be in place will have been notified to you by JCP during the referral phone call.
- 1.13 The referral will not be available to you in PRaP until the day following the JCP referral. It should also be noted that while the vast majority of referrals will be made through PRaP, there may be a very small number of referrals sent to you clerically; which we cannot use the PRaP system for, such as Special Customer Records (SCR).

Please note: Further information regarding SCRs, Multi Agency Public Protection Arrangements (MAPPA) and MAPPA with SCR status can be found in [Chapter 2 of Generic Provider Guidance](#).

- 1.14 On receipt of the PRaP referral you must immediately 'Acknowledge' each CWP participant referral within the PRaP system by selecting 'Acknowledge - Accept'.

Please Note: The only occasion where you should not select 'Acknowledge - Accept' are in circumstances where JCP have contacted you and request you do not do so (further information regarding Inappropriate Referrals can be found at [Annex 8](#)).

Section 2 – The Initial Engagement Meeting and Work Placement Provision

This section covers:

- [The Initial Engagement Meeting](#)
- [Establishing suitable work placement provision](#)
- [Undertaking/planning work placement pre-entry activity](#)
 - [Disclosure & Barring Service/ Protecting Vulnerable Group Checks](#)
- [Identifying additional support requirements](#)
 - [Travel Expenses](#)
 - [Funding Childcare](#)
- [Agreeing participant provider led job search activity](#)
 - [Remote provider led job search](#)
- [Communicating your feedback and complaints procedure](#)
- [Developing an individually tailored Action Plan](#)
- [CWP starts](#)
 - [Provider led job search and/or other work related activity in the absence of a Work Placement](#)

The Initial Engagement Meeting

2.01 Where a claimant attends their initial engagement meeting, you must:

- [Establish a suitable work placement provision](#)
- [Undertake or plan any required work placement pre-entry activity](#)
- [Identify any reasonable adjustments or additional support requirements](#) (e.g. travel, childcare etc)
- [Agree participant provider led job search activity](#)
- [Communicate your feedback and complaints procedure](#) and
- [Start to develop and agree an individually tailored Action Plan](#)

2.02 There is a contractual target for both a provider-participant initial engagement meeting and subsequent start on a work placement (or in employment) to take place within 20 working days and be recorded in PRaP within 30 working days of the CWP referral. Further information regarding CWP Starts can be found in [Section 3](#).

2.03 **Please Note:** Guidance regarding what action is required when a participant fails to attend their Initial Engagement Meeting can be found in Section 3.

2.04 You must ensure that in all communications with participants or their advocates you are satisfied you are engaging with the correct person. To do this, you may decide to ask them to state a combination of their personal information such as; full name, address, NINo, or other information such as details that were included within the original referral from JCP or other details you may hold.

Establishing suitable work placement provision

- 2.05 You must attempt to source work placements for 30 hours (per week, excluding breaks) that will last for up to 26 weeks for each participant. You must try to source placements that are reliably open for the required number of hours; failure to deliver placements of 30 hours may impact on your ability to achieve outcome requirements. We recognise that in some circumstances participation in a single work placement of 26 weeks may not be possible. If necessary, the provision duration can be made up of several shorter work placements which total 26 weeks (further information regarding work placement minimum standards can be found at [Annex 1](#)).
- 2.06 You must ensure that any restrictions on the type of work the participant is seeking are taken into account when sourcing work placements - for example, if a participant is unable to do heavy lifting due to a health condition or disability.
- 2.07 Where participants have agreed attendance and participation restrictions with JCP (and only where JCP have notified you as detailed on the change of circumstances notification or UCPR1 form) you **must not** mandate participants to undertake activity that contradicts these restrictions. Participants without attendance and/or participation restrictions can be mandated to undertake activity on evenings and weekends provided it is appropriate in their particular circumstances.
- 2.08 You should manage participants' expectations of available opportunities but wherever possible placements must be appropriate to the participant's desired employment sector and/or occupation type, and local labour market. Placements must be designed to give participants experience of work, help strengthen their CVs and enable them to compete more effectively in the job market.
- 2.09 It is important that you ensure your process for establishing suitable placements is robust. On completion of CWP you will be asked to provide information regarding why the placement(s) was / were chosen for the participant and the skills the participant has developed throughout their participation.
- 2.10 The days and hours of the work placement are not prescriptive but they must adhere to the [EU Working Time Directive \(2003/88/EC\)](#) including requirements regarding rest breaks. This requirement is imposed because DWP views the directive as useful guidelines on working time, rather than being legally binding for those placements. **Please Note:** The above requirement does not extend to adhering to guidelines regarding participant holidays.
- 2.11 In cases where the participant has a participation restriction agreed with JCP (e.g. they may only be required to be available for work for 20 hours a week) then the placement (or work related activity in the absence of a work placement) must reflect this. Any limitations/easements will be part of the information that is sent to you via the UCPR1 and you will need to take this into account when setting up the placement.

- 2.12 Time spent travelling to and from placements must not be included in the hours of attendance. Travel duration and distance must be appropriate and reasonable to the participant's circumstances. In the claimant commitment, participants are allowed a reasonable amount of travel time to get to a job interview or job.
- 2.13 Participants are not expected to search for or take up paid work in any location which would normally take the participant more than 90 minutes (via public transport) to travel to or from their home. Travel time to the provision will be treated as travel time to a job and you must not require the participant to undertake activity more than 90 minutes (via public transport) to or from their home.
- 2.14 If a participant is already undertaking voluntary work and you can justifiably advise that the work is beneficial to the participant by helping them to overcome barriers to employment, you may count that voluntary work towards the full time work placement hours. However, if you **do not** feel the voluntary work is of appropriate benefit to the participant, you may require the participant to do the full-time work in the placement you have sourced for them.
- 2.15 Participants undertaking part-time work should continue the part-time work but you must top up the part-time work with a work placement to ensure the participant's required hours of participation are satisfied.
- 2.16 **Please Note:** JCP will refer participants who have insufficient work history or a lack of motivation; therefore we would expect only a minimal proportion of participants currently undertaking part-time or voluntary work to be referred to CWP.
- 2.17 Where a participant is undertaking agreed part-time education JCP will notify you of this and you should take this into account and top up the part-time education with a work placement to ensure the participant's required hours of participation are satisfied.
- 2.18 You will need to identify wherever possible if CWP participants are serving existing community sentences, and ensure that the work placement activities complement the requirements of the Criminal Justice System (for example, individuals may be required to undertake unpaid voluntary work, have restrictions on their movements, or be under curfew at certain times as part of the conditions of their sentence). If a participant is serving a community sentence e.g. Community Payback (CP), this will be moved to accommodate CWP. The participant must inform their responsible officer they are required to participate in CWP and that the CP is to be moved e.g. to the weekend.

Undertaking/planning work placement pre-entry activity

- 2.19 You must ensure that participants are engaged in a [healthy and safe working environment](#), are not worse off by virtue of attending the CWP and understand your expectations regarding behaviour. As part of your Initial Engagement Meeting you may choose to put in place plans and processes to ensure that:

- Any required placement induction activities are arranged or delivered.

- The participant understands what constitutes appropriate behaviour whilst participating on a Work Placement and in provider led job search.
- Any reasonable adjustments and/or [additional support](#) required is arranged.

2.20 **Please Note:** The above list is not exhaustive.

Disclosure & Barring Service/ Protecting Vulnerable Group Checks

2.21 Should a Work Placement require (previously referred to as CRB checks) Disclosure & Barring Service checks (Protecting Vulnerable Group checks in Scotland) providers are responsible for the associated costs (further information can be found in [Chapter 2 of Generic Provider Guidance](#)).

2.22 **Please Note:** Where a Disclosure & Barring Service/Protecting Vulnerable Group check is necessary providers remain required to ensure participants start and participate in work placements (e.g. in the period while awaiting a Disclosure & Barring Service/Protecting Vulnerable Group check, providers should ensure that participants start and participate in work placements that do not require Disclosure & Barring Service/Protecting Vulnerable Group checks or if not available, 30 hours provider led job search and/or other work-related activity).

Identifying additional support requirements

2.23 Additional support is defined as any support that allows a participant who needs extra help to attend and participate fully in provision and this may include:

- Any specialist clothing and/ or equipment.
- Providing appropriate services/ equipment to ensure compatibility with the Equality Act.
- As part of your obligations under the duties in the Equality Act 2010, take the necessary steps to obtain and provide special aids or services that might be needed for participation.

2.24 Participants must not be worse off by virtue of attending the CWP. You are responsible for travel and additional support costs while the claimant is on provision.

Travel Expenses

2.25 You are responsible for funding the participant's travel costs during their time on provision including attendance at their initial engagement meeting, placement interviews, the placement itself and attendance at provider led job search. The participant is responsible for meeting travel costs for attending their Work Search Reviews with JCP (provided travel to placement or activity does not result in increased expenses – if so you must fund the difference).

2.26 You are required to keep auditable records of travel cost payments with evidence of the expense incurred by participants. You must also ensure that you do not place undue financial hardship on participants e.g. do not leave participant to fund travel each day and reimburse at the end of the week.

Funding Childcare

- 2.27 Childcare for attendance should only be funded for time on the placement (including travel), attendance at provider led job search activity and attendance at any Engagement Activity if deemed appropriate. Childcare must be provided by:
- Carers registered with Ofsted (Office for Standards in Education), the Scottish Commission for the Regulation of Care or Welsh equivalent;
 - A carer accredited under the Childcare Approval Scheme, run on school premises out of school hours or as an out of hours club by a local authority; or
 - Schools or establishments exempted from registration under the Children’s Act 1989 or operated on Crown property.
- 2.28 The parent can make alternative arrangements. However, payment cannot be authorised unless the arrangements are in one of the above categories.
- 2.29 The child/children must satisfy the age requirement (in paragraph 2.30) and be a dependant of and residing with the participant.
- 2.30 Providers should consider the following limits when developing and pricing their proposals:
- Help with childcare costs can be paid up to, but not including, the first Tuesday in the September following the child’s 15th birthday;
 - Parents requiring childcare for five days a week can claim up to a maximum of £175 per week for one child and £300 per week for two or more children;
 - If the participant is attending an approved activity of fewer than five days a week, they can claim up to the maximum daily rates of £35 per day for one child and £60 per day for two or more children.
- Please Note:** You must not recommend particular childcare facilities to participants. This is to ensure that you and/or DWP do not take on the liability for the safety of children. Parents’ are best placed to choose the correct provision for their child and it is the parents’ responsibility to decide with whom they entrust the care of their children.
- 2.31 You may choose to arrange for a crèche facility to be on your premises. However, you must ensure it is the parents’ choice whether their child uses the facility. You must also ensure that any crèche facilities adhere to current legislation.

Agreeing participant provider led job search activity

- 2.32 Provider led job search will last for the duration of [allotted time](#) and MUST be in addition to participation in work placement provision or where a placement is not available, in addition to 30 hours provider led job search and/ or other work-related activity.
- 2.33 After attending their initial engagement meeting, and for each week whilst participating in CWP, participants must take part in a minimum of 4 hours provider led job search per week up to a maximum of 5 hours per week.

- 2.34 You are required to deliver a minimum 4 hours of provider led job search per week excluding breaks. When notifying participants in writing of specific action they are required to undertake, you must be clear about how many hours participants are required to participate each day, being explicit about breaks which are not counted as participation.
- 2.35 The participant is required to take part in a minimum of 4 hours provider led job search; **regardless** of any agreed participation restrictions which have been agreed with JCP and the work placement must take account of these restrictions. E.g. a participant who is only required to participate for 25 hours per week should be directed to undertake 4 hours provider led job search and 21 Hours work placement participation per week.
- 2.36 Participants' total hours of participation in the scheme must not exceed the amount of time they are expected to undertake work preparation activity. For Universal Credit participants this will always be 35 hours (or less). No Universal Credit participant can be directed to undertake more than the maximum of 5 hours of provider led job search in addition to 30 hours of placement activity.
- 2.37 You may decide to undertake the job search in house, or source the support via a third party but you must oversee the provider led job search and collect and retain any [supporting evidence](#).
- 2.38 Provider led job search must be tailored to each individual and should focus on the participant gaining and enhancing the skills required to be able to sustain employment. It **MUST** include weekly work search activity including career guidance and the development of a CV (upon completion of the programme the participant **MUST** have an up to date CV). Provider led job search may also include: improving communications, mock interviews, completing application forms, workshops and training (this list is not exhaustive).

Remote provider led job search

- 2.39 Weekly provider led job search must be supervised, but can be managed remotely provided you are in contact with participants throughout the period in question and can evidence and assure that this has occurred.
- 2.40 For example, where you could appropriately evidence contact with a participant via a web-based solution **throughout** a defined, e.g. 2 hour period, it would be acceptable to count this towards the 4 hour provider led job search requirement. Making a phone call at the start of the period and then calling again 2 hours later would not. Whichever way the requirement is managed, you must ensure you can evidence the activity (endorsed by the claimant and deliverer of activity).

Communicating your feedback and complaints procedure

- 2.41 You must ensure that you fully explain your comments and complaints procedure to each participant as part of their initial engagement process. For further information regarding Complaint Resolution please see [Chapter 2 of Generic Provider Guidance](#) and the [Core briefing pack for providers' complaints resolution](#)).

Developing an individually tailored Action Plan

- 2.42 You must chart and record all the activities agreed with the participant throughout their time on the provision, including all mandatory activities. The plan must be signed by you 'the provider' and participant, initially at the Initial Engagement Meeting and then regularly reviewed and updated and you must retain evidence of action planning. Evidence of action planning must comply with your minimum service delivery standards, the content of your successful tender and the CWP contract.
- 2.43 All activities that you plan for the participant (whether the participant is mandated to do so or not - including attendance at work placements and provider led job search) must be recorded in evidence of action planning.
- 2.44 Within an Action Plan it must be clear which activities are mandatory.
- 2.45 **Please Note:** Where a participant refuses to sign their Action Plan, you must not report this non-compliance. This requirement is in relation to evidencing CWP delivery. Where a participant refuses to sign their Action Plan you should record this in your records and continue with the Initial Engagement Meeting.

CWP starts

- 2.46 Both a provider-participant initial engagement meeting and subsequent start on a work placement (or a start in employment) must take place to meet CWP start requirements. The contractual target for starting participants is for CWP Starts to be achieved within 20 working days and recorded in PRaP within 30 working days of the referral.
- 2.47 Whilst we would expect participants to start placements as soon as possible, during the first 20 working days it might, in some circumstances, be more appropriate to focus on offering the participant relevant support in order that they are prepared for their placement and able to make the most of the opportunity.
- 2.48 You may only record a CWP start where a participant has participated in an initial engagement meeting and subsequently either:
- Started Employment (further information regarding Employment can be found in [Section 5](#)); or,
 - Started on a Work Placement.
- 2.49 Once the participant has started, you are required to record the CWP Start date in PRaP. The CWP start date will be the date on which a participant starts on a work placement, or starts employment (this will trigger the CWP Start Fee).
- 2.50 You must record in the 'create advanced shipment notice' screen in PRaP:
- **Date 1:** The date the participant starts on a work placement or starts employment.
 - **Date 2:** The anticipated end date of provision (30 calendar weeks from the referral date).

- 2.51 Once the participant has started CWP it is important that you record details of all employment and/or work placement information that is in relation to start, completion fees and/or Job Outcome fee claims in the Job Details screen in PRaP.

Provider led job search and/or other work related activity in the absence of a Work Placement

- 2.52 Where you are unable to start participants on a work placement within the 20 working day target for CWP Starts (and 20 working days has elapsed) in the absence of placement activity, you must ensure that participants undertake provider led job search and/ or other work-related activity (defined as any activity which might assist the participant to secure employment, e.g. training) for 35 hours per week. This requirement commences immediately at day 21 following referral where placement activity is unavailable.

Please Note: You may not claim a start fee for participants that are undertaking job search in the absence of a work placement. Time spent providing job search support or other work-related activity (in the absence of work placement/employment) cannot be counted towards completed weeks for a completion fee.

Section 3 – Mandation

This section covers:

- [Mandating participants to undertake activity](#)
- [Mandating participants to undertake activity that attracts a Low Level Sanction](#)
 - [Failure to attend the Initial Engagement Meeting](#)
 - [Failure to start a work placement as mandated](#)
 - [Re-referring of participants who fail to start \(New Referrals\)](#)
 - [Failure to comply as mandated once a participant has started CWP](#)
 - [Participant to be dismissed from CWP due to misconduct](#)
- [Further information required by UCDM team](#)
- [Decisions, Reconsiderations and Appeals](#)
- [Confirm Compliance Condition](#)
- [Mandating participants to undertake activity that attracts a Higher Level Sanction](#)
- [Compliance doubt detail](#)
- [Compliance Condition](#)
- [Developing the recommended compliance condition](#)
- [Participant's circumstances](#)
- [Timing of issuing the MAN/MEN](#)
- [Method of sending the MAN/MEN](#)
- [Additional information on MAN/MEN](#)
- [Review of a participants mandated activity](#)
- [Re-arranging a mandatory activity](#)
- [Hardship provision](#)

Mandating participants to undertake activity

- 3.01 Mandation is a tool to be used to encourage participation in Community Work Placements (CWP) with sanctionable consequences for non-compliance.
- 3.02 To mandate a participant correctly, you must ensure certain policy, procedural and legal regulations are adhered to.

Actions

3.03 The following steps must be taken on every occasion you want to issue a mandatory notification to a participant:

- When mandating participants to undertake a work placement, provider led job search or work related activity (in the absence of a work placement) you must ensure you clearly detail the participant's attendance requirements for each week they are required to participate; also stating what the participant must do to demonstrate compliance/ completion. (Further information about completing the Mandatory Activity Notification (MAN) template can be found in [Annex 2](#)).

- Ensure you provide the participant with adequate opportunity to make representations as to the activities or placement they will undertake before they are mandated to them and give proper consideration to those representations.

Please note: You must also ensure that any representations are recorded and the reasons why the participant is nonetheless required to undertake activities or placement are explained.

- The mandatory activity is appropriate and reasonable for the participant considering their personal circumstances and capability.
- The participant understands the mandatory requirement and the possible consequences of non-compliance if they fail to comply
- The participant understands the compliance condition and knows exactly what action they must take in order to stop the open ended part of the sanction. Further information can be found in the [Annex 6 – Request to review a compliance doubt decision](#).
- Always take follow up action if the participant fails to comply with the mandated activity by undertaking the compliance doubt process. Further information on 'Raising a compliance doubt' can be found in [Annex 4](#).

3.04 Please note: You must issue a separate specific notification for each activity they are required to undertake. You are required to use the notification templates within this guidance and must not alter them structurally.

3.05 Ensure you maintain an up-to-date action plan for each participant which includes details of all on-going mandatory requirements.

Mandating participants to undertake activity that attracts a Low Level Sanction

3.06 A low level sanction has an open-ended element and a fixed period. The open ended element runs from the date of failure and remains in place until the participant completes the original mandatory activity or satisfies the associated compliance condition. Further information can be found in [Annex 6 'Request to review a compliance doubt'](#).

3.07 You must mandate participants to:

- Attend and participate in a Work Placement;
- Attend and participate in provider led job search; and
- Attend and participate in provider led job search and/or other work related activity in the absence of a Work Placement.

3.08 In addition to this overall requirement, you may choose to mandate participants to attend and participate in meetings and activity in relation to CWP.

3.09 When mandating the participant it is important to ensure:

- The mandatory activity is appropriate and reasonable for the participant considering their personal circumstances and capability.
- The participant understands the mandatory requirement and the possible consequences of non-compliance.
- The participant understands the compliance condition and knows exactly what action they must take in order to stop the open ended part of the sanction. Further information can be found in the section '[Request to review a compliance doubt decision](#)'.

Please note: Where participants have agreed attendance and participation restrictions with JCP (and only where JCP have notified you as detailed on the PRaP referral or change of circumstances notification) you **must not** mandate claimants to undertake activity that contradicts these restrictions.

3.10 There are differing processes and actions you are required to undertake dependant on what the participant has failed to comply with. These processes are covered below and are:

- UCDM compliance doubt processes - prior to a participant starting CWP, where:
 - A participant fails to attend their Initial Engagement Meeting; and
 - A participant attends their Initial Engagement Meeting but fails to start a Work Placement as mandated; and
- UCDM compliance doubt processes - once a participant has started CWP, where:
 - A participant fails to comply as mandated; and
 - As a last resort, and as agreed with JCP, a participant is to be dismissed from CWP due to misconduct.

Failure to attend the Initial Engagement Meeting

3.11 Where a participant fails to attend their Initial Engagement Meeting you are required to make an immediate compliance doubt referral and ensure PRaP is updated within 2 working days.

3.12 Do not ask the participant why they did not attend. You must make an immediate compliance doubt referral. The UCDM team will request information regarding the failure from the participant, consider the reasons given and decide whether the participant has shown good reason for their failure to attend.

3.13 The actions you are required to undertake are:

- Complete and send form [UC192](#) (Failure to Participate). ([Information on 'Raising a compliance doubt' can be found in Annex 4](#)); and
- Update PRaP in the 'Orders' tab selecting 'Cancel – Did Not **Attend**' (This action will close the referral in PRaP and you are not required to take any further action in relation to the participant).

Failure to start a work placement as mandated

3.14 Where a participant fails to start their work placement as mandated you are required to make an immediate compliance doubt referral. You must ensure the failure to start is recorded in PRaP within 2 working days.

3.15 Do not ask the participant why they did not start. You must make an immediate compliance doubt referral. The UCDCM team will request information regarding the failure from the claimant, consider the reasons given and decide whether the participant has shown good reason for their failure to start.

3.16 The actions you are required to undertake are:

- Complete and send form [UC192](#) (Failure to Participate). ([Information on 'Raising a compliance doubt' can be found in Annex 4](#)); and
- Update PRaP in the 'Orders' tab selecting 'Cancel – Did Not **Start**' (This action will close the referral in PRaP and you are not required to take any further action in relation to the participant).

Re-referring of participants who fail to start (New Referrals)

3.17 Where a participant has failed to attend their Initial Engagement Meeting or failed to start a work placement as mandated, JCP will be notified via the action you take in PRaP (recording the Did Not Attend (DNA) or Did Not Start (DNS) - which will close the referral).

3.18 Universal Credit will then establish the reasons why a participant may have failed to attend/ start and will establish if CWP support remains appropriate. Where JCP establish that CWP support remains appropriate for a participant they will make a **new** referral, following the same process in which the original referral was made (i.e. ringing you, booking an initial engagement meeting and making a new electronic referral).

Failure to comply as mandated once a participant has started CWP

3.19 During CWP provider led job search and also where attendance is mandated, if a participant fails to comply you are required to make a compliance doubt referral. You must document the non-compliance and keep evidence of the mandate.

- 3.20 As soon as the compliance doubt is identified, you must complete and send the UC192 'Failure to Participate' form to the UCDM team. (Information on 'Raising a compliance doubt' can be found in Annex 4).
- 3.21 It is important to note that the information from the relevant MAN should be transposed onto the UC192 form rather than the MAN itself being attached. The UCDM team will work on the assumption the participant was correctly mandated and notified.
- 3.22 You must not actively seek reasons for a participant's failure to comply. If the participant volunteers information relating to their failure to comply this should be recorded on the compliance doubt referral. The UCDM team will investigate the reasons given and decide whether the participant has shown good reason for their failure to participate.
- 3.23 You must make a compliance doubt referral where a participant fails to comply as mandated and you need not wait to be notified of previous referral decisions before making further referrals.

Please Note: Once a participant has started CWP and fails to comply you are not required to update PRaP with details of the failure to comply. You should continue to engage with the participant in line with your delivery model irrespective of the outcome.

Participant to be dismissed from CWP due to misconduct

- 3.24 Where a participant's inappropriate behaviour is of a minor nature, such as an initial refusal to co-operate where the activity is mandatory, you should raise failure to participate referrals in relation to the activity the participant was mandated to participate in, and failed to undertake.
- 3.25 If a participant's behaviour is such that effective participation is not possible, in the first instance you must discuss this with JCP. As a last resort, a decision may be made to exclude due to misconduct and if so a compliance doubt referral must be raised using the [CWP DMA 02 \(UC\)](#) form and the participant will be returned to JCP for support. (Further information regarding unacceptable behaviour can be found in Chapter 2 of Generic Provider Guidance).
- 3.26 You must complete the [CWP DMA 02\(UC\)](#) form detailing the reasons for dismissal, any warnings you may have given the participant in relation to their behaviour and attach copies where appropriate and e-mail it to the UCDM team. The form can be found in [Annex 11](#).
- 3.27 You must then update PRaP using the 'create advanced shipment notice' screen, recording the end date as their last day on Provision and using end reason 'Completed Provision'.
- 3.28 Once a participant has been dismissed from CWP due to misconduct you will not be entitled to any further outcome fees in relation to the participant.

Further information required by UCDM team

3.29 There may be occasions where the UCDM team will need to clarify information that you have sent with the compliance doubt referral. You must retain copies of the mandatory attendance notifications or have a mechanism to create a copy and are obligated to provide DWP with a copy or related information promptly on request.

Decisions, Reconsiderations and Appeals

3.30 Where a participant approaches you regarding imposed sanctions you should **not** attempt to answer the questions, but direct them immediately to speak to the contact given on the decision letter they received.

3.31 Reconsiderations are a crucial part of the decision making and appeals process and are designed to put right incorrect decisions at the earliest opportunity. (Further information can be found in [Annex 4](#)).

Confirm compliance condition

3.32 Where you mandate a participant to an activity which attracts a low level sanction, you must inform the participant of the compliance condition at the same time as notifying the mandatory activity or appointment (original requirement). This is to ensure the participant knows in advance what they should do if they fail to meet the requirement so they can end the open ended element of a low level sanction as quickly as possible.

3.33 DWP has pre-approved a list of 4 compliance conditions for providers to use. These compliance conditions are:

- Contact the provider and agree a date for future attendance and attend re-arranged appointment.
- Undertake agreed work preparation activity (or agree to, and undertake, this activity at an agreed future date where it cannot be completed on the same day).
- Supply specific information (relevant to work-related requirements).
- Agree a date for future attendance at an appointment/placement with a third party (i.e. college, work placement, skills training course) where the third party cannot arrange for the same day and attend the re-arranged appointment.

Actions

3.34 Ensure:

- The compliance condition is on the pre-approved list before mandating the participant to an appointment or activity.
- The participant understands what they need to do (i.e. the mandatory activity and subsequent compliance condition).
- The participant understands that if they fail to undertake a mandated activity, they may be subject to a sanction; comprising of an open-ended element and a

fixed period. The open-ended element will continue to run until they complete the mandatory activity or satisfy the compliance condition.

- The compliance condition is inserted into the Mandatory Activity Notification (MAN).

Consequence

If the compliance condition is not from the pre-approved list, the UCDM will cancel your compliance doubt referral. This will result in nugatory work for you and the UCDM.

3.35 (Further information on the above actions can be found in [Annex 4 – Raising a compliance doubt](#)).

Mandating participants to undertake activity that attracts a Higher Level Sanction

3.36 CWP is aimed at UC claimants in the Intensive Work Search regime and they can be required to apply for and take up a specific vacancy for paid work. If they do not comply, they could be subject to a higher level sanction. To mandate a participant correctly to apply to a particular job vacancy, you must ensure certain policy, procedural and legal regulations are adhered to.

3.37 You will need to complete a [Mandatory Employment Notification \(MEN\)](#) on every occasion you want to mandate a participant to apply for a job vacancy that you or the participant has sourced.

3.38 You will need to inform the participant if they fail to complete the activity notified on the MEN, they may be subject to fixed period sanction.

3.39 In all cases, participants must be clearly informed of what is expected of them and when (or by when) they have to do it on a Mandatory Employment Notification (MEN). The MEN that must be used when mandating claimants to a specific vacancy for paid work can be found in Annex 3.

Please note: Do not notify a participant to apply for multiple vacancies on one MEN; you must issue a separate notification for each vacancy.

3.40 If the mandated activity relates to a job, which is not a vacancy for paid work, failure to take part only incurs a low level sanction. For further information, see section '[Mandating participants to undertake activity that attracts a Low Level Sanction](#)'.

3.41 The following steps must be taken on every occasion you want to mandate a participant to apply for, attend an interview for or take up employment for paid work:

- Consider the suitability of the vacancy ([Annex 10](#));
- Ensure the vacancy does not conflict with any agreed participant availability or employment restrictions;

- Consider if the vacancy is within a 90 minute journey for the participant (to or from their home);
- Ensure there is enough time for the participant to apply/attend;
- Ensure you provide the participant with adequate opportunity to make representations as to the suitability of the employment they are required to apply for or take up before they are mandated to do so and give proper consideration to those representations. Please Note: You must also ensure that any representations are recorded and the reasons why the participant is nonetheless required to apply or take up employment are explained;
- Ensure that the participant is aware of the consequences of failing to apply for or take up the notified employment; and
- The specific action that they are required to undertake e.g. attending an interview, make an application by submitting their CV or complete an online application etc.
- **Please note:** A compliance condition is not required for higher level sanctions.

Detailed Background and Further information

Mandating participants to undertake activity that attracts a Low Level sanction

- 3.42 A separate MAN is required for each activity within CWP, including the Work Placement and any work search/work-related activity to be undertaken in addition to the placement.
- 3.43 It is a requirement that any change to a mandated activity is notified on a new MAN so that it is specific to the new activity. It is also important to issue it in good time.
- 3.44 In addition to the information contained in the MAN letter, the participant would benefit from further verbal clarification of how the sanction regime could affect them. However, if the participant raises any specific questions around their sanction rates you should refer them to Universal Credit for advice.

Compliance doubt detail

- 3.45 **Low Level** sanctions are in two parts:

- 1). **Open ended period** - this starts on the day the participant first failed to comply and will stop running when the participant meets the compliance condition. The open ended element of a sanction runs until:
 - The day before the participant meets the compliance condition; or
 - The day before the participant no longer needs to take part (e.g. they move to a different conditionality group and therefore are no longer required to participate in CWP); or

- The day that the UC award ends.

3.46 The open ended period of the sanction will be applied to the ‘Total Outstanding Reduction Period’ (the total of all sanctions imposed on the participant which have not yet resulted in a reduction to the award) from the start of the sanctionable failure rather than waiting for the compliance condition to be met.

2). **Fixed period** – The length of the fixed period depends on previous low level sanctions. A first failure will attract a fixed period of 7 days; a second (within 365 days of the first) of 14 days, and third and subsequent failures (within 365 days of the previous) will attract a fixed period of 28 days. However, if two failures happen within 14 days of each other, the sanction will not escalate.

- For example: Carol was mandated to update her CV and bring it to the provider office on Monday. When mandated she was told if she fails to bring the CV in on Monday without good reason then a low level sanction will apply including an open-ended period that will continue to build until she brings her CV in. Bringing her CV in is the compliance condition. Carol brings in her CV on Thursday. The provider has raised a compliance doubt and the DWP Decision Maker (UCDM) determines Carol has failed without good reason to meet a work preparation requirement and imposes a low level sanction. This sanction has an open ended period of 3 days and a fixed period of 7 days as this is her first failure. Six months later Carol fails to attend an appointment she has been mandated to on a Tuesday. She contacts the provider on the Thursday and makes a new appointment. Following the provider raising a compliance doubt, the UCDM determines that she failed without good reason to meet the requirement and so imposes an open ended sanction of 2 days and a fixed period of 14 days as Carol has had a previous low level sanction in the last 365 days.
- When a claimant has more than one failure at the same level (higher, medium, low or lower level) within 365 days, the length of the fixed period of the sanction will increase for the second and subsequent failures. We call this sanction escalation. For example: A participant received a first JSA low level sanction in January. The fixed period was 7 days. They commit a low level failure in UC in May. The fixed period of the sanction for May’s failure will escalate, that is, it will be a period of 14 days.
- However, if there is more than one failure of the same level within a 2 week (14 day) period, the fixed period of the sanction will not escalate. This approach is intended to prevent participants accumulating lengthy sanctions in a short period of time.
- Following these rules, fixed periods of low level sanctions escalate as follows: first failure (7 days); second (14 days) and third and subsequent failures (28 days).

3.47 **Higher Level** – Higher level sanctions will be imposed where a participant fails without good reason to:

- apply for a particular vacancy
- take up an offer of paid work
- The higher level sanction periods will usually be the following fixed periods set out below:
 - 91 days for a first failure;
 - 182 days for a second failure committed within 365 days of the previous failure; and
 - 1095 days (3 years) for a third or subsequent failure committed within 365 days of a previous failure that resulted in a 182 or 1095 day sanction.

3.48 **Medium Level** – Medium level sanctions will apply to work search and work availability doubts. This is where participants fail without good reason to:

- undertake all reasonable action to obtain paid work, more paid work and better paid work; or
- be willing to take up paid work.
- The sanction for failure to meet these requirements is 28 days for a first failure which rises to 91 days for a second and subsequent failure within 365 days of the previous failure. (See section 'Work Search and Work Availability Doubts' for further information).

Compliance condition

3.49 The compliance condition is the action the participant needs to take to stop the open ended element of the low level sanction continuing. You will need to inform the participant of the compliance condition when you inform them of their mandated activity/appointment and insert this into the MAN. This way if a participant fails to meet the original requirement (mandated activity), they are aware of what action they need to take to comply.

3.50 It is therefore important to ensure that the participant is informed of the compliance condition when you are mandating them so that they have the opportunity to comply immediately.

Developing the recommended compliance condition

3.51 Following consultation on the types of mandation activity used, DWP concluded that these fell within four generic groupings and ministerial approval was obtained to adopt this approach. You should ensure that when considering mandation, that the event or activity falls into one of the pre-approved conditions. (For further information, see section above on the pre-approved compliance conditions).

- Example 1: You mandate Gary to attend a CV writing appointment on the 15th January. You include in the MAN the compliance condition that you consider appropriate e.g. if he does not attend the mandatory activity on the 15th January, he must agree to undertake this activity at an agreed future date.

3.52 It will be for you to use your judgment and knowledge of the participant and, if appropriate, any previous non-compliance when deciding what the most appropriate compliance condition is. For example: if you believe the participant is unlikely to attend the course and will see setting a compliance condition of ‘contacting the provider’ as an easy option, then you should consider setting a more challenging compliance condition.

- Example 2: You mandate Sue to attend a one day training course on 15th January. As the course will not run again for another 6 months, the MAN should specify a compliance condition that can be achieved as soon as possible. She should not be given attending the next available course as her compliance condition as she will be unable to meet it immediately and will be unfairly penalised for an open ended period before she could comply.

Please note: It is important to be careful if you use a specific date. Using a specific date as part of a compliance condition could mean that the participant could not comply quickly and therefore their open ended sanction could continue to build i.e. a date is too far into the future.

Participants’ circumstances

3.53 When deciding whether activity is reasonable in a participant’s circumstances you need to consider, for example:

- The participant’s capability and how this affects the nature of their participation.
- The participant’s personal circumstances such as any health condition they may have, their ability to use transportation, their skills/education, any childcare responsibilities, the participant may have etc. These examples are not exhaustive.
- Any availability and employment restrictions agreed with JCP.

Timing of issuing the MAN/MEN

3.54 Ensure that the timeframe between issuing the MAN/MEN and the taking part in the activity is reasonable. Any compliance doubt referrals where the UCDM considers the participant has not been given reasonable notice may result in the compliance doubt referral being allowed.

3.55 If it is posted, it is taken to have been received on the second working day after posting (not including Saturday or Sunday or bank holidays). For example:

- If an activity was due to start on the Tuesday at 9am, it would be advisable to send the MAN/MEN on the preceding Tuesday. It could then be assumed to have been

received in good time. It would be unlikely that the participant could provide good reason for non-participation due to not receiving the MAN/MEN in good time.

Method of sending the MAN/MEN

- 3.56 The MAN/MEN must be either handed directly or posted to the participant. If it is posted it is deemed to have been received on the second working day after posting (see above).
- 3.57 It is not acceptable to use electronic methods, such as text or email, to send the MAN/MEN to participants. However, it is acceptable to communicate electronically with participants to remind them of mandatory (or non mandatory) activities.

Additional information on MAN/MEN

- 3.58 In addition, it may be of benefit to include other useful information that may minimise the risk of non-participation, such as:
- Supplying map and/or directions to the mandated activity; and
 - Encouraging participants to inform you of any circumstances that could affect their participation at the activity.

Please note: It is worth considering contacting Jobcentre Plus if you are having difficulty contacting a participant to check their contact details. This will be subject to local agreements being made.

Review of a participants mandated activity

- 3.59 Mandatory participants may request a review of any activity they have been mandated to undertake. Where they do so you must look again at the activity and take into account why the participant does not feel the activity is appropriate, you should reconsider if the activity remains reasonable and appropriate in the participant's circumstances.
- 3.60 Requests for a review should be considered as soon as possible with your decision being notified to the participant in writing. There is no specific form/template for this process.

Re-arranging a mandatory activity

- 3.61 If prior to a participant undertaking a mandated activity, they contact you because they are unable to undertake the activity, you may choose to re-arrange the activity and not follow the compliance doubt referral process.
- 3.62 Re-arranging an activity does not contravene the good reason process undertaken by the UCDM. This is because **until** the mandated activity date has occurred, no failure to participate has occurred.
- 3.63 However, not taking compliance doubt action and allowing a participant to arrange an alternative appointment on a number of occasions weakens the link between cause and consequence.

- 3.64 It is important to consider before agreeing to re-arrange an activity whether or not this is the first time this has happened, or whether a pattern appears to be emerging. You may wish to challenge the participant, for example, asking if they have proof to support the reason they have given for needing to re-arrange. If you do not re-arrange the activity date and the participant does not take part, you will need to raise a compliance doubt referral, and give details of previous instances when the same or similar reason have been used to avoid participation in a mandated activity. For example:
- Two days prior to the mandated activity, the participant telephones you and explains that following a routine doctor's visit, an urgent hospital appointment has been arranged for the morning of the activity. They explain the appointment may overlap with your activity. You could then decide to re-arrange the activity. However, if you have any doubt when the participant asks to re-arrange, you would inform them that they need to attend and that if they do not attend, a compliance doubt must be raised.

Hardship Provision

- 3.65 If a participant is sanctioned then they can apply for a recoverable hardship payment from Jobcentre Plus to help them to meet their immediate and most basic needs. They will not be awarded a recoverable hardship payment until they have met all of their work related requirements.
- 3.66 If a participant asks about or requests information on Hardship provision you should direct them to their Jobcentre Plus office.
- 3.67 Payments are calculated on a daily basis based on 60% of the amount of reduction. A payment is made to cover a maximum of one a month, up to the point when the participant is next due to receive a payment. A participant must re-apply each month if they are still in hardship and a sanction (or combination of sanctions) extends over a number of assessment periods. The total amount they receive is recoverable once their UC award is no longer reduced by a sanction.
- 3.68 A participant whose UC award is subject to a Higher, Medium or Low level sanction can apply for a Recoverable Hardship Payment if they meet all the following conditions:
- They, or their sanctioned partner, are aged 18 or over
 - They have received a sanctioned payment (i.e. they cannot apply until they have actually received a reduced payment);
 - They have met any compliance condition relating to an open-ended sanction relevant to them – which, for Work Programme participants, will usually mean they have re-engaged and done what was asked of them on their Action Plan, the failure to do so being what led to them being sanctioned;
 - They have submitted an application and accompanying information and evidence;

- They, or each member of a couple, accept payments are recoverable;
- They, or member of a couple, have undertaken all their work-related requirements in the 7 days before applying for payment;
- A Decision Maker is satisfied the participant, and any children/qualifying young person they are responsible for, is in hardship because they;
 - Are unable to meet their immediate and basic essential needs in respect of accommodation, food, heating and hygiene costs only;
 - Have made every reasonable effort to seek other sources of support to meet those needs; and
 - Have made reasonable effort to reduce non-essential expenditure.

3.69 This means a Recoverable Hardship Payment will only start from the point a participant can show they are actually in hardship or within a week if the participant is responsible for children.

Section 4 – Participation, absences and changes of circumstances

This section covers:

- [Participation requirements](#)
- [Unacceptable Absences](#)
- [Acceptable Absences](#)
 - [Attendance at job interview or medical appointment](#)
 - [Domestic emergencies](#)
 - [Civic Duties](#)
 - [Attendance at Open University residential courses](#)
- [Acceptable Absences counted towards attendance for Completion Fees](#)
- [Sickness](#)
- [Benefit conditionality while participating on CWP](#)
- [Participant Changes of Circumstance](#)
 - [Reclaims to benefit](#)
 - [Participant changes address](#)
- [Participant holiday entitlement](#)
- [Unacceptable Behaviour](#)
- [Bank Holidays](#)
- [Christmas and New Year opening](#)

Participation requirements

4.01 Each UC participant is required to participate fully in a work placement, which will last for up to 26 weeks alongside provider led job search. During the participant's work placement participation period, on a weekly basis, the participant must undertake:

- 30 hours* on work placement provision; and,
- A minimum of 4 hours and a maximum of 5 hours** of provider led job search.

Please Note: *Unless a participant has participation restrictions which have been agreed with JCP. Providers will be notified of any participation restrictions within the information delivered within the participant referral and where notified must reduce participant work placement participation accordingly (up to the maximum required hours participation minus 4 hours job search). For example if a participant has agreed restrictions to participate for 16 hours, they would participate in a work placement of 12 hours and 4 hours provider led job search.

Please Note: **Universal Credit participants may only be asked to undertake a total of no more than 35 hours activity. Therefore no Universal Credit participant should be directed to undertake more than 5 hours of provider led job search in addition to 30 hours placement activity.

4.02 You must ensure that you can evidence:

- Placement participation (per individual) which includes records of weekly attendance and hours undertaken and which are endorsed by the participant and placement provider.

- Weekly provider led job search which includes records of weekly attendance and hours undertaken and which are endorsed by the participant and provider of job search.

Unacceptable Absences

4.03 If a work placement host or job search provider informs you, or you establish that a mandated participant is absent (and has not made contact to inform you why they could not participate) you must make an immediate compliance doubt referral on the grounds that the participant has not attended as required and therefore failed to comply.

Acceptable Absences

4.04 Where the participant has made contact prior to attendance of a mandated activity and has stated they cannot attend you must investigate whether the participant has an acceptable reason for non-attendance. Acceptable absences are defined below.

Attendance at job interview or medical appointment

- 4.05 Participants require flexibility to attend occasional JCP interviews, medical appointments (i.e. doctor, dentist, hospital) and job interviews that cannot be arranged at a time outside the hours of the placement/provider led job search.
- 4.06 Provided the participant has written evidence of their appointment, and notifies you in advance of the absence, a compliance doubt referral would not be appropriate where a participant is absent due to a job interview or medical appointment.

Please Note: In exceptional circumstances i.e. where the participant has had little time to obtain evidence a first appointment may be accepted without written evidence, but you must warn the participant that any subsequent or recurrent job interviews or medical appointments that they cannot verify by evidence will result in a compliance doubt referral being made.

Domestic emergencies

- 4.07 Whilst participating in CWP, participants may request time off due to domestic emergencies, e.g. a burst water pipe, fire, a break in at home, temporary childcare responsibilities, funerals, serious illness or accident of a close relative or close friend etc.
- 4.08 If a participant informs you that they are unable to comply with a mandated activity due to a domestic emergency, you must phone your contact in JCP to check if the participant's reason for absence can be accepted.

Please Note: Where JCP informs you of the reason for the domestic emergency cannot be allowed you must reiterate to the participant their requirement to comply and that failure to comply may result in a sanction. Should the participant not comply an immediate compliance doubt referral must be made. The UCDM will then investigate further and request the participants' reasons for non-compliance.

- 4.09 Where a participant informs you that they cannot attend due to a domestic emergency and is not present (e.g. is contacting you by telephone) you must tell the participant that you need to contact JCP and establish if the absence is acceptable. It is therefore vital the participant understands that you will be contacting them to inform them of the result of the conversation with JCP and if no contact can be made the participant will be subject to a compliance doubt referral should they not participate as mandated.

Civic Duties

- 4.10 Whilst participating in CWP participants may require time to attend civic duties such as reserved forces training, life boat crew duties, school governors, part time fire-persons, volunteer special constables, lay member of police authorities, youth offender panels, jury service and members of patient and public involvement forums (this list is not exhaustive).
- 4.11 When a participant contacts you to say they are unable to attend a mandated activity due to a civic duty, you must advise the participant to phone JCP. Jobcentre Plus will advise how you should proceed.
- 4.12 Where participation in civic duties can be verified and evidenced, you may count this participation (for the duration of evidenced duties) towards claiming completion outcomes.

Acceptable Absence counted towards attendance for Completion Fees

- 4.13 The period of acceptable absence can be counted towards the weekly requirement (noting evidence you may have gathered/seen where appropriate e.g. interview letters, appointment cards). For example, where a participant fully participated in a provision week apart from an afternoon where they had attended a Job Interview, had a doctor's appointment or attended a funeral (and had previously notified you) you may count this time towards the participant's attendance (for a maximum of the remainder of the current provision week only and you must ensure you record this).
- 4.14 The period of absence allowed must be proportionate to the event e.g. a nearby job interview should not warrant a whole day or multiple day absence.

Please Note: Apart from in circumstances where a participant is undertaking civic duties (where continued undertaking of duties is required and acceptable) you may not start to claim for a subsequent provision week until the participant has returned to participating in a work placement. Further information regarding provision weeks and completion fees can be found in [Section 5](#).

Sickness

- 4.15 It is the participant's responsibility to notify the Universal Credit Service Centre (UCSC) when they are sick. However if a work placement host or job search provider informs you, or you establish that the participant is absent due to sickness you must contact the UCSC to notify them that the claimant is sick and allow the UCSC to advise of next steps.

4.16 The UCSC will:

- Inform you if the participant has new participation restrictions; or
- Inform you if a participant's sickness results in them moving out of the Intensive Work Search Regime. (If so the participant may no longer be required to participate in CWP); or
- Inform you that a participant should continue on CWP without any changes to availability.

4.17 In a provision week where a participant has a period of participation but then becomes sick you may count this sickness period towards the provision week requirement (for a maximum of the remainder of the current provision week only and you must ensure you record this). For example, where a participant fully participated on a Monday and Tuesday but was sick for the remainder of the week, you may claim this as a provision week.

Please Note: You may not start to claim for a subsequent provision week until the participant is fit to continue and returns to participating in a work placement.

Conditionality while participating on CWP

4.18 Whilst on CWP, UC participants will be required to attend the Jobcentre and confirm they are continuing to meet UC conditionality. Wherever possible JCP will arrange a suitable time to ensure that this or any other required attendance does not impact negatively on the participant's work placement.

4.19 Where it is not possible to make such an arrangement, and a participant's JCP attendance falls within a period of mandatory attendance, you must allow participants time to attend and ensure that reasonable (in the participant's circumstances) travel time from the placement to the attendance site and back again is factored into any planning for placement attendance and any mandation to do so.

4.20 In these circumstances you may count the participant's travel and attendance at JCP work search reviews towards the participant's weekly attendance but must ensure you document and evidence the time.

Participant Changes of Circumstance

4.21 It is the responsibility of the participant to notify the UCSC of any change in their circumstances that occur whilst they are on CWP provision. Where a participant informs you of a Change of Circumstance (CoC), you are to direct participants to immediately report the change to UC.

4.22 The UCSC will then review the CoC and notify you of the change on form UC78. You must then consider the impact of the CoC on your delivery for the participant (e.g. restrictions in activity requirements where appropriate) and take immediate action.

Change of Conditionality

4.23 Where a participant who moved out of the Intensive Work Search Regime (having started but not completed CWP) subsequently returns to the Intensive Work Search

Regime they will only complete any remainder of allotted time (not balance of time). JCP will notify you (contacting your nominated contact by telephone) to arrange re-engagement and participation to complete their remaining [allotted time](#).

- 4.24 Where a participant has previously started CWP there will not be another electronic referral and you will not be paid a further start fee for participants who leave benefit (e.g. for employment) but then return to CWP during the allotted time period.

Participant changes address

- 4.25 UC will notify you if a participant changes their address and also if the change affects participation.
- 4.26 Once the participant has started CWP, if the change of address means that the participant continues to attend a JCP office within the current CPA, their participation on the provision will be unaffected. However, if the change means that the participant will attend at a JCP office outside the CPA, you will be expected to consider if continued participation is appropriate.
- 4.27 If the placement remains in the participant's local travel to work area, participation should continue. (Participants are not required to participate in any location which would normally take them more than 90 minutes via public transport to travel to or from their home).
- 4.28 If the participant moves address to a CPA where commuting to provision is unreasonable your delivery requirements will cease. However, where possible and where suitable arrangements can be put in place (e.g. where you have a delivery presence in the new CPA, or choose to deliver provision through a sub-contracting arrangement) you should continue to work with participants and will remain eligible to claim for outcomes provided definitions are met. JCP will contact you to discuss on-going participation where a participant moves CPA.

Participant holiday entitlement

- 4.29 UC participants in the All Work Related Requirements Conditionality Group must continue to demonstrate that they are both searching for work for their required hours and they are available for work.
- 4.30 Once a UC participant is referred to CWP, if they subsequently request a holiday, this will be refused and the participant must continue to attend as mandated and should they fail to comply you must raise a compliance doubt referral.

Unacceptable Behaviour

- 4.31 You may experience a wide range of behaviour from the claimant group referred to CWP. This may include those participants who exhibit difficult, aggressive, or sometimes violent behaviour. However, you cannot select the participant with whom you work. Further information regarding unacceptable behaviour can be found in [Chapter 2 of Generic Provider Guidance](#).
- 4.32 Participants on DWP provision have a responsibility to behave in an appropriate manner, just as they would if they were in employment. You must explain what

constitutes appropriate behaviour as part of the participant's initial engagement meeting/induction.

- 4.33 Where cases of misconduct or unacceptable behaviour by participants arise, you must immediately deal with it in the most appropriate manner. Where the inappropriate behaviour is of a minor nature, such as an initial refusal to co-operate where the activity is mandatory, you must make a compliance doubt referral in relation to the activity the participant failed to undertake.
- 4.34 If a participant's behaviour is such that effective participation is not possible, in the first instance you must discuss this with JCP. As a last resort a decision may be made to exclude due to misconduct. Further information regarding excluding participants on the grounds of misconduct can be found in [Section 3](#).

Bank Holidays

- 4.35 Where a bank holiday falls on a day that a participant would be required to attend a work placement the participant must be excused attendance at the work placement and the hours of attendance for that week should be reduced by 1/5th to take account of the bank holiday. The participant should therefore complete at least 24hrs (or hours proportionate to their restrictions) on a work placement where there is a Bank Holiday day during the participation week. You remain required to deliver a minimum of 4 hours provider led job search regardless of any work placement reductions.
- 4.36 Participants are also not required to undertake provider led job search activity on Bank Holidays.

Christmas and New Year opening

- 4.37 Where the placement host is closed over the Christmas and New Year period the CWP provider may deliver alternative appropriate activities on these days. For the purpose of completion fees these days may be counted towards completed weeks for up to a maximum of seven working days. Evidence of the placement host closure and of appropriate alternate activities being delivered must be recorded and retained.
- 4.38 Where both the provider and work placement host organisation are closed, the period of closure (subject to the claimant attending on remaining days) can be counted towards completed weeks for completion fee purposes (up to a maximum of 7 working days).
- 4.39 You must ensure your designated point of contact for the booking of Initial Engagement Meetings is resourced where JCP referral offices are open over Christmas and New Year.

Section 5 - Allotted time, gaps between placements and payment validation

This section covers:

- [Introduction and High Level Requirements](#)
- [Allotted Time](#)
- [Gaps between Work Placements](#)
- [CWP Tracking Period](#)
- [Payment Validation](#)
- [Pre-Payment Validation of Job Outcome Fees](#)
 - [Post Payment Validation](#)
 - [Start Fee](#)
 - [Short Completion Outcome Fee](#)
 - [Long Completion Outcome Fee](#)
 - [Job Outcome Fee](#)
- [Post Payment Review Process](#)

Introduction

5.01 This section covers the validation of the four potential outcomes for Community Work Placements and should be read in conjunction with the [Chapter 5 of the Community Work Placements Provider Guidance](#) and the [Generic Provider Guidance Chapter 5](#).

High Level Provider Requirements

- 5.02 You are required to satisfy yourselves that you only submit accurate claims for payments that you are entitled to. DWP will utilise its own systems to satisfy itself that the claims are valid. This will include a series of pre and post payment checks to confirm that claimants have started on a work placement and/or employment and are off benefit for the required period of time as outlined in the definitions.
- 5.03 You are required to maintain a robust system of internal control that needs to be sufficient not only to support any claims but also to allow you to undertake internal management checks and independent testing and validation, by DWP and other external bodies. The records maintained should document how and when the appropriate supporting evidence was obtained.
- 5.04 The majority of claims for payment must be submitted via PRaP however where you have a claim for a customer who is granted Special Customer Records (SCR) status (as determined by HMRC Special Section D (SSD)), you are required to submit the claim following the SCR clerical claim process which is currently in operation. You must only submit a claim on these forms on the rare occasions that SCR status has been granted.
- 5.05 Where you require a claim for **any** payment type (pre or post payment) to be removed from PRaP, you need to notify the PRaP Operational Support Team (POST) PRAP.support@dwp.gsi.gov.uk using the current PRaP 14 process. POST will then arrange for the claim to be backed out of PRaP and the recovery of funding where the fee has been paid.

Allotted Time

- 5.06 CWP allotted time is 30 weeks. The allotted time period is continuous and starts at the point of CWP referral. From this point you will have 30 consecutive weeks to deliver your service requirements and achieve completion outcome fees.
- 5.07 **Please Note:** Where a participant who moved out of the Intensive Work Search Regime (IWR) subsequently returns to the IWR beyond 30 weeks following referral, the participant will not return to you to complete a 'balance of time'. Participants will only complete any remainder of allotted time (not balance of time) e.g. where a participant started CWP, gained employment and left provision at week 10 of allotted time, and returned to the Intensive Work Search Regime 6 weeks later they would be required to undertake the remaining 14 weeks CWP allotted time.
- 5.08 Where a claimant completes 26 weeks of work placement participation prior to completion of allotted time you must continue to deliver provider led job search support (a minimum of 4 hours). You must also continue to work with claimants to consolidate skills and experience and work towards securing employment.

Gaps between Work Placements

- 5.09 A work placement may last for up to 26 weeks. We recognise that in some circumstances participation in a single work placement of 26 weeks may not be possible. If necessary, the provision duration can be made up of several shorter work placements. However you will need claimants to achieve a minimum of 22 weeks on work placement(s), in employment, or a combination of work placement and employment in order to achieve 100% completion outcomes (further information regarding completion fees is detailed below).
- 5.10 If a gap between work placements is necessary we expect that this would not exceed five working days.
- 5.11 Once a claimant has started CWP and is between placements (where 26 completed weeks have not been achieved) in the absence of placement activity, you must ensure that claimants undertake provider led job search and/or other work related activity for 35 hours per week subject to restricted availability. This requirement commences immediately where placement activity is unavailable.

Please Note: Time spent providing job search support or other work-related activity (in the absence of work placement/employment) cannot be counted towards completed weeks for a completion fee.

CWP Tracking Period

- 5.12 Your delivery requirements and the claimant's CWP participation requirements cease on completion of allotted time. The CWP tracking period will be a period of 2 weeks following the end of allotted time. During the tracking period you are not required to work with claimants and can no longer mandate them to undertake activity.

Please Note: After 32 weeks from referral date (30 weeks allotted time plus 2 week tracking period), PRaP will automatically end the referral with a reason of ‘End of Allotted Time’).

- 5.13 Employment which commences within the tracking period may contribute to a job outcome claim. Employment periods counting towards a job outcome can be cumulative within the claimant's allotted time and tracking period (multiple breaks and/or job starts acceptable), but must be continuous once the tracking period has ended (no breaks).

Payment Validation

Payment Types

5.14 There are four payment types for CWP these are:

- Start Fee
- Short Completion Outcome Fee
- Long Completion Outcome Fee
- Job Outcome Fee

5.15 The information detailed in the following paragraphs needs to be read in conjunction with [Generic Provider Guidance Chapter 5 on Evidencing and Validating Payments](#).

5.16 Before submitting a claim you must satisfy yourself that you are entitled to do so in accordance with the definition; you will be expected to make a declaration to this effect on submission of the claim in PRaP.

5.17 You are required at the point you make the Start Fee claim in PRaP to record the host organisation or employer details in the Job Details screen. This information will be used to perform post-payment validation, failure to do so, may result in the claim contributing to the error rate for extrapolation.

5.18 Where you have multiple starts you will need to click on the “create tab” within the Job Details screen to record all details once completed you then need to click “apply”.

5.19 DWP does not prescribe the way in which you should track claimants or record information about their employment and/or placement activity. There is however specific information that you are required to input to the PRaP system when you submit claims:

- Whether the period is employment, self-employment and/or work placement (for work placement select the employment option)
- Employer/s and or host organisation/s contact details including the address, contact name, full business telephone number and email address
- The prefix ‘**Uni Cred**’ must be entered in the Employer Name field for all periods of employment and self employment
- The claimants contact details
- Job title (sector code for work placements)
- Start date of the work placement/employment
- End date of the work placement/employment (if applicable)

- The number of hours worked/on placement each week
- The working/shift pattern – Please note any claimant restrictions on work placements should to be detailed here. If this section is left blank then PPVT will assume 30 hours per week applies.

An employee identifier such as a works or payroll number may help us validate but is optional.

Pre-Payment Validation Job Outcomes only

- 5.20 Every Job Outcome is subject to an Off-Benefit Check (OBC) before being released for payment. This automated check is an interface with PRaP and the Customer Information System (CIS), the departmental system that holds benefit history details.
- 5.21 The check is to determine whether the required period (182 days) off-benefit has been identified between the job start date (Date 1 in PRaP) and the outcome qualifying date (Date 2 in PRaP) against the following benefits:
- Jobseeker’s Allowance (JSA);
 - Employment Support Allowance (ESA);
 - Incapacity Benefit (IB) and
 - Universal Credit (UC)
- 5.22 The PRaP system OBC is ‘flexed’ by 15 days to allow for minor date mismatches. This effectively increases the period the automated check looks for the required number of days off-benefit, either side of the dates you have supplied in the claim submitted in PRaP, to a maximum of 15 days.
- 5.23 Job Outcome Claims for participants claiming Universal Credit which fail the automated OBC will be manually validated to confirm that the participant was both in work and earning above the relevant earnings threshold for the required period.
- 5.24 PPVT will request earnings data using Real Time Earnings (RTE) for jobs where UC is in payment to establish whether the earnings threshold has been met in the relevant periods. Where there is no record of earnings on RTE, PPVT will use the Self Reported Earnings (SRE).

The information detailed above needs to be read in conjunction with [Generic Provider Guidance Chapter 5 on Evidencing and Validating Payments.](#)

Post-payment Validation

Start Fees

- 5.25 Each month DWP will randomly select for validation a sample of 17 Start Fees, per contract, that have been paid in the previous month. If the total Start Fees paid is less than 17 for any contract in any month then all will be selected. The Provider reports available through i-supplier are not available to view until the sample has been uploaded to PRaP a few days after it has been drawn. DWP will not accept any requests from providers to back-out claims included in the sample once it has been selected.

- 5.26 Please note that for start fees PPVT will have to manually create the Service Requests in PRaP. Until this work has been completed you will not be able to run sample reports.
- 5.27 PPVT will contact the host organisation, the employer or the claimant, using the information you have provided in PRaP, to check the claimant did start the placement /employment. Where you are acting as the host organisation and delivering the work placement, PPVT will contact the claimant to validate the start.
- 5.28 When recording work placement information in PRaP you are required to enter the correct sector codes (see paragraph 5.17) failure to complete this action will result in claims failing validation and potentially contributing to the error rate for extrapolation.
- 5.29 Where the host organisation or employer is unable/unwilling to validate the start, PPVT will contact the claimant.
- 5.30 There are four possible validation results:
- **Pass** – A host organisation, employer or claimant confirms the start.
 - **Technical Pass** – A host organisation, employer or claimant confirms that there is a valid claim however the employer or host organisations details recorded in PRaP differ. PPVT will inform you of the correct information and you are required to make the changes in PRaP. The payment will not be recovered and will not contribute to the error rate for extrapolation.
 - **Fail** – A host organisation/employer/claimant provides information which means the condition for payment, as set out in the start definition, has not been met. The individual payment is recovered and the claim is recorded as an error.
 - **Unable to Validate** – PPVT has either not been able to contact the host organisation/employer/claimant, or they are unable/unwilling to provide the information required to validate the claim.
- 5.31 In cases where PPVT is experiencing difficulty making contact with the host organisation/employer and/or individual, we may contact you to confirm the details you have supplied in PRaP. PPVT will also contact you where you have submitted incorrect or incomplete information (e.g. unobtainable telephone numbers). You are required to establish the correct information and supply PPVT within 5 working days. If you do not provide the detail that enables PPVT to attempt validation, the claim will fail.
- 5.32 Providers must not remove job/host organisation details from PRaP at any time. PPVT will, at post-payment validation, fail claims where the job details have been removed.
- 5.33 Claims that PPVT has genuinely not been able to validate will be apportioned across the other validation results. Before any of these claims are apportioned, you will have the opportunity to seek review by submitting additional information that will allow DWP to have another attempt at validation. This process is detailed in paragraphs 5.72 to 5.85.

- 5.34 Where a claim, during validation, has resulted in a technical pass the individual payment is left in PRaP. PPVT will notify you by email of the correct details. You are then required to update PRaP with this information.
- 5.35 Following the completion of the monthly Start Fee post-payment validation exercise every six months, you will receive a report detailing the claims that have failed validation. Before any of these claims are used to calculate the error rate for extrapolation, you will have the opportunity to submit additional information that will allow DWP to have another attempt at validation. This process is detailed in paragraphs 5.69 to 5.82.

Short Completion Outcome Fees

- 5.36 Each month DWP will randomly select for validation a sample of 17 short completion outcome fees, per contract, that have been paid in the previous month for validation. If the total short completion outcome fees paid is less than 17 for any contract in any month then all will be selected.
- 5.37 The Provider reports available through i-supplier are not available to view until the sample has been uploaded to PRaP a few days after it has been drawn. DWP will not accept any requests from providers to back-out claims included in the sample once it has been selected.
- 5.38 For short completion outcome fees which include periods of employment, the sample is matched against HMRC data to validate the ‘in employment’ element of the definition for jobs prior to the participants claim to Universal Credit. This process is checking for tax records against the claimants for the required period. If a record confirms that someone was earning at, or above, the relevant threshold for any period that counts towards the claim, then these periods will be deemed as meeting the earnings element of the definition.
- 5.39 For periods in employment/self-employment that coincide with a claim for Universal Credit PPVT will use the information supplied by you at the point of submitting the claim to check the individual has been in work and received earnings at, or above, the UC net earnings threshold for the required period looking back from the qualifying date (date 2 in PRaP). This will be will be validated in the following way:
- PPVT will request earnings data using Real Time Earnings (RTE) from the HMRC for all jobs that have not passed the earnings threshold in the earlier HMRC check to:
 - Establish whether the earnings threshold has been met in the relevant periods,
 - Confirm in work status for any jobs prior to the UC claim.

- 5.40 Where there is no record of earnings on RTE, PPVT will use the Self Reported Earnings (SRE) or for jobs prior to the UC claim they will contact the employer / claimant to confirm employment status and dates.
- 5.41 Self-employed job outcomes will be validated by determining whether the claimant had been deemed gainfully self-employed following their Self-employment Gateway Interview, and that they have entered the UC earnings Start-Up period. The job start date will be counted from the date of the Gateway Interview. The self-employment will be considered to have ended if a follow-up Gateway Interview confirms the claimant has left the UC earnings Start-Up period.
- 5.42 Where the short completion outcome fee consists entirely of a work placement(s), PPVT will validate each period by contacting all host organisation(s) to establish whether the required hours/weeks have been achieved.
- 5.43 Where there is a combination of both work placements and employment, PPVT will validate each period by contacting all host organisation(s) to establish whether the required hours/weeks have been achieved. Periods of employment will also be checked to ensure the relevant earnings threshold has been met.
- 5.44 When recording work placement information in PRaP you are required to enter the correct sector codes (see paragraph 5.17) failure to complete this action will result in claims failing validation and potentially contributing to the error rate for extrapolation.
- 5.45 PPVT will contact the host organisation, the employer or the claimant, using the information you have provided in PRaP, to validate the outcome in accordance with the short outcome fee definition. Where you are acting as the host organisation and delivering the work placement, PPVT will contact the claimant to validate the short completion outcome fee.
- 5.46 Where the host organisation or employer is unable/unwilling to validate the claim, PPVT will contact the claimant.
- 5.47 There are four possible validation results:
- **Pass** – A Host organisation/employer/claimant confirms the condition for payment, as set out in the short completion outcome fee definition, has been met.
 - **Technical Pass** – A host organisation, employer or claimant confirms that there is a valid claim however the employer or host organisations details recorded in PRaP differ. PPVT will inform you of the correct information and you are required to make the changes in PRaP. The payment will not be recovered and will not contribute to the error rate for extrapolation.
 - **Fail** – A Host organisation/employer/claimant provides information which means the condition for payment, as set out in the short completion outcome fee definition, has not been met. The individual payment is recovered and the claim is recorded as an error.

- **Unable to Validate** – PPVT has either not been able to contact the host organisation/employer/claimant, or they are unable / unwilling to provide the information required to validate the claim.

- 5.48 In cases where PPVT is experiencing difficulty making contact with the host organisation/employer and/or individual, we may contact you to confirm the details you have supplied in PRaP. PPVT will also contact you where you have submitted incorrect or incomplete information (e.g. unobtainable telephone numbers).
- 5.49 You are required to establish the correct information and supply PPVT within 5 working days. If you do not provide the detail that enables PPVT an attempt at validation, the claim will fail validation. Providers must not remove job/host organisation details from PRaP at any time. PPVT will, at post-payment validation, fail claims where the job details have removed.
- 5.50 Claims that PPVT have genuinely not been able to validate, will be apportioned across the other validation results. Before any of these claims are apportioned, you will have the opportunity to seek review by submitting additional information that will allow DWP to have another attempt at validation. This process is detailed in paragraphs 5.79 to 5.91 of this section.
- 5.51 Where a claim, during validation, has resulted in a technical pass the individual payment is left in PRaP. PPVT will notify you by email of the correct details. You are then required to update PRaP with this information
- 5.52 Every 6 months you will receive a report detailing the claims which have failed the monthly validation exercise. Before any of these claims are removed from PRaP and used to calculate the error rate for extrapolation, you will have the opportunity to submit additional information that will allow DWP to have another attempt at validation. This process is detailed in paragraphs 5.78 to 5.90.

Long Completion Outcome Fees

- 5.53 Each month DWP will randomly select for validation a sample of 17 Long Completion Outcome Fees, per contract, that have been paid in the previous month. If the total Job outcomes paid is less than 17 for any contract in any month then all will be selected.
- 5.54 The Provider reports available through i-supplier are not available to view until the sample has been uploaded to PRaP a few days after it has been drawn. DWP will not accept any requests from providers to back-out claims included in the sample once it has been selected.
- 5.55 For long completion outcome fees which include periods of employment, the sample is matched against HMRC data to validate the ‘in employment’ element of the definition for jobs prior to the participants claim to Universal Credit. This process is checking for tax records against the claimants for the required period. If a record confirms that someone was in employment for any period that counts towards the claim, then these periods will be deemed as meeting the ‘in employment’ element of the definition.

- 5.56 For periods in employment / self-employment that coincide with a claim for Universal Credit PPVT will use the information supplied by you at the point of submitting the claim to check the individual has been in work and received earnings at, or above, the UC net earnings threshold for the required period looking back from the qualifying date (date 2 in PRaP). This will be validated in the following way:
- PPVT will request earnings data using Real Time Earnings (RTE) from the HMRC for all jobs that have not had the 'in employment' element of the definition confirmed by the earlier HMRC check to:
 - Establish whether the earnings threshold has been met in the relevant periods
 - Confirm in work status for any jobs prior to the UC claim
- 5.57 Where there is no record of earnings on RTE, PPVT will use the Self Reported Earnings (SRE) or for jobs prior to the UC claim they will contact the employer / claimant to confirm employment status and dates.
- 5.58 Self-employed job outcomes will be validated by determining whether the participant had been deemed gainfully self-employed following Self-Employment Gateway Interview, and that they have entered the UC earnings Start-Up period. The job start date will be counted from the date of the Gateway Interview. The self-employment will be considered to have ended if a follow-up Gateway Interview confirms the claimant has left the UC earnings Start-Up period.
- 5.59 Where the long completion outcome fee consists entirely of a work placement(s), PPVT will validate each period by contacting all host organisation(s) to establish whether the required hours/weeks have been achieved.
- 5.60 Where there is a combination of both work placements and employment, PPVT will validate each period by contacting all host organisation(s) to establish whether the required hours/weeks have been achieved. Periods of employment will also be checked to ensure the relevant earnings threshold has been met.
- 5.61 When recording work placement information in PRaP you are required to enter the correct sector codes (see paragraph 5.17) failure to complete this action will result in claims failing validation and potentially contributing to the error rate for extrapolation.
- 5.62 PPVT will contact the host organisation, the employer or the claimant, using the information you have provided in PRaP, to validate the outcome in accordance with the short outcome fee definition. Where you are acting as the host organisation and delivering the work placement, PPVT will contact the claimant to validate the short completion outcome fee.
- 5.63 Where the host organisation or employer is unable / unwilling to validate the claim, PPVT will contact the claimant.

5.64 There are four possible validation results:

- **Pass** – A host organisation/employer/claimant confirms the condition for payment, as set out in the long completion outcome fee definition, has been met.
- **Technical Pass** – A host organisation, employer or claimant confirms that there is a valid claim however the employer or host organisations details recorded in PRaP differ. PPVT will inform you of the correct information and you are required to make the changes in PRaP. The payment will not be recovered and will not contribute to the error rate for extrapolation.
- **Fail** – A host organisation/employer/claimant provides information which means the condition for payment, as set out in the long completion outcome fee definition, has not been met. The individual payment is recovered and the claim is recorded as an error.
- **Unable to Validate** – PPVT has either not been able to contact the host organisation/employer/claimant, or they are unable/unwilling to provide the information required to validate the claim.

5.65 In cases where PPVT is experiencing difficulty making contact with the host organisation/employer and/or claimant, we may contact you to confirm the details you have supplied in PRaP. PPVT will also contact you where you have submitted incorrect or incomplete information (e.g. unobtainable telephone numbers). You are required to establish the correct information and supply PPVT within 5 working days. If you do not provide the detail that enables PPVT an attempt at validation, the claim will fail validation.

5.66 Providers must not remove job/host organisation details from PRaP at any time. PPVT will, at post-payment validation, fail claims where the job details have removed.

5.67 Claims that PPVT has genuinely not been able to validate, will be apportioned across the other validation results. Before any of these claims are apportioned, you will have the opportunity to seek review by submitting additional information that will allow DWP to have another attempt at validation. This process is detailed in paragraphs 5.80 to 5.92 of this section.

5.68 Where a claim, during validation, has resulted in a technical pass the individual payment is left in PRaP. PPVT will notify you by email of the correct details. You are then required to update PRaP with this information.

5.69 Each 6 months you will receive a report detailing the claims which have failed the monthly validation exercise. Before any of these claims are removed from PRaP and used to calculate the error rate for extrapolation, you will have the opportunity to submit additional information that will allow DWP to have another attempt at validation. This process is detailed in paragraphs 5.80 to 5.92 of this section.

Job Outcome Fee

- 5.70 Each month DWP will randomly select a sample for validation of 17 Job Outcome fees, per contract, that have been paid in the previous month. If the total Job Outcomes fees paid is less than 17 for any contract in any month then all will be selected.
- 5.71 However, because all Job Outcome Claims for participants claiming Universal Credit will have already 'Passed' a full Pre Payment Job Outcome validation check they will be excluded from this sample.

Post Payment Review Process

- 5.72 Following the completion of the post-payment validation exercise for each payment type, every 6 months, you will receive a report detailing the claims that have either failed and/or PPVT have been unable to validate. This report will also give you the information that informed the validation decision.
- 5.73 Prior to sending this report the Review Team, PPVT will have already contacted Jobcentre Plus to request any information which shows that the post payment manual Off-Benefit check for short and long completion outcome fees should have passed.
- 5.74 Any claims, across all payment types which fail validation will be backed out of PRaP and will be used to calculate the error for extrapolation. At some point in the future should you establish a subsequent valid outcome for the same individual you will be able to resubmit the claim/s. It is expected that the necessary steps will have been taken to further establish the validity of the claim and information supplied with it.
- 5.75 You are required to ensure that requests for review are proportionate and that you provide something in addition to that supplied in the original claim that was not available to you at the time you made the original submission. If the additional information supplied allows the Review Team to go back to an employer or individual, another attempt to validate the outcome will be made.
- 5.76 Each case will be different and the information provided by you in support of your request will vary. For that reason it is not possible to provide a list of every circumstance where you will make a request. It could be that you subsequently establish there is a different contact for the employer or that you have obtained additional evidence from the employer that allows the Review Team to follow up an additional line of enquiry.
- 5.77 Any decision to overturn the original result needs to stand up to scrutiny by DWP Internal Audit and the National Audit Office. It is not sufficient to say that you have contacted the same employer or individual again and been told something different.
- 5.78 Where the original validation result failed because PPVT had been given information from an employer/host organisation or claimant that positively invalidates a claim, it is not acceptable for the Review Team to attempt to revalidate the claim with the individual.

- 5.79 Where you have established some extra information that will allow the Review Team to make additional enquires in the attempt to elicit a positive validation result, you are required to submit a Request to Review template detailing all relevant and appropriate information. To satisfy our internal audit control, all requests for review must be recorded on the template, you can however enter more than one case on the same form. You may also attach physical evidence; however this will only be used in an attempt to revalidate the appropriate outcome, and will not be accepted in its own right.
- 5.80 If you identify that a claim has failed initial post-payment validation because the contact information you submitted in PRaP is inaccurate, or you have identified an additional job, you are required to update PRaP with these details.
- 5.81 You can either e-mail the request for review or send it with supporting information to the address stated on the form. You are required to submit any documentation to the Review Team in line with Departmental security guidelines.
- 5.82 All requests for review, together with any supporting information or evidence, must be received within 10 working days of the validation failure report being sent. Late requests will not be accepted and will be returned to the provider.
- 5.83 If no formal request has been received by the Review Team by close of business on the 10th working day, Unable to Validate cases will be apportioned and an Extrapolation Report and invoice (if applicable) will be raised.
- 5.84 Once the cases have been reviewed, the Review Team will present the review findings to a Review Board. This Board will have a representative from both Account and Performance Management Teams. The purpose of the Board is twofold; to be satisfied that any reviewed decisions will stand up to scrutiny to DWP Internal Audit and the National Audit Office, and to approve the original validation decision if it remains unchanged. The Board may also request that the Review Team supply further information or investigation before finalising decisions.
- 5.85 Following approval from the Board, the Review Team will notify you of the results and issue you with an extrapolation report. These decisions will have gone through a rigorous challenge process signed-off by senior DWP representatives to ensure that all valid claims are recognised. It will therefore mean that they are final and no further challenge will be accepted.

Section 6 – Completing CWP, the participant portfolio and exit feedback

This section covers:

- [Completing CWP and returning exit feedback](#)
- [The Participant Portfolio](#)
 - [The curriculum vitae \(CV\)](#)
 - [Provider placement reference](#)
 - [Placement host/ Employer references](#)
- [Exit Feedback Template](#)

Completing CWP and returning exit feedback

- 6.01 A participant will be deemed a CWP Completer where they have completed their Allotted Time.
- 6.02 **Please Note:** After 32 weeks from referral date (30 weeks allotted time plus 2 week tracking period), PRaP will automatically end the referral with a reason of 'End of Allotted Time'.
- 6.03 For each participant that completes CWP allotted time, remains on benefit and is to return to JCP support, DWP require providers to:
- Supply each participant with a claimant portfolio, and
 - Send an exit report in relation to the participant to JCP.
- 6.04 Where participants are no longer in receipt of UC at the point of completing CWP, DWP do not require providers to return an exit report or deliver a claimant portfolio to these participants.
- 6.05 However, should a participant reclaim UC within 6 months of completing CWP JCP may request an exit report and participant portfolio for these participants. Providers must ensure that information required for exit reports and participant portfolios is retained and you are required to return an exit report to JCP within 10 working days of the request from JCP.

Participant Portfolio

- 6.06 The information below details what you must include within a participant portfolio. Participant portfolios must be of a professional standard in line with your delivery proposal (e.g. we would not expect a portfolio to simply be a piece of paper in a plastic wallet).
- 6.07 The participant portfolio is to be used by participants to market themselves to prospective employers, showcasing their employability and development of the disciplines and skills associated with sustained employment.
- 6.08 You should devise your own professional format for the delivery of participant portfolios but must ensure as a minimum the, [claimant CV](#), [provider placement reference](#) and any [placement host/employer references](#) (where received) are supplied.

6.09 You should include any additional information/ products/ certificates you feel may help the participant market themselves to prospective employers.

The curriculum vitae (CV)

6.10 You must ensure that the participant CV is developed in collaboration with the participant and is:

- Typed;
- Short and succinct, 2 sides of a sheet of A4 paper is normally enough; and,
- Current, relevant and positive, emphasising the claimant's achievements, strengths, and successes.

6.11 There is no set format. We are not prescriptive regarding the format of the participant CV. You should support participants to produce the most effective and relevant CV possible and have flexibility to deliver the information which best showcases the participants skills and abilities, you may wish to include the following information:

- **Participant contact details:** name, address, phone number, e-mail address;
- **A personal profile:** A short succinct statement or bullet points at the beginning of the CV to sell the participant, their skills, experience and personal qualities;
- **The participant's career history:** Including dates (including work placement(s), with the most recent detailed first;
- **Qualifications, training and skills:** Including any qualifications and training from previous jobs (or the work placement, where appropriate) with the most recent first and include any qualifications from school/college/university, certifications, licences;
- **References:** You need not include references provided the participant knows who they can reference (at least one related to employment or placement and referees must agree to this beforehand).
- **Achievements:** Information regarding participant's past successes, including in past jobs (and work placement), which could be relevant to the type of work the participant is applying for or demonstrate desirable characteristics (e.g. ambition, dedication).
- **Interests:** Hobbies and leisure activities that highlight responsibilities, skills and behaviours that may be relevant and attractive to prospective employers.

Please Note: The participant portfolio is to be given to the participant when they complete CWP and you must retain evidence (endorsed by the participant) of doing so. You must also ensure a copy of the information included in the claimant portfolio is retained with the individual participant record.

Provider placement reference

6.12 You should prepare the placement reference after liaison with the work placement host. The provider placement reference must be a formal document, typed, written in a business-like style and presented professionally, in a separate document to the participant CV.

- 6.13 The provider reference must be an overview of the positive aspects of the participant's attendance and performance related to the work placement and also detail the work-related skills the claimant has demonstrated and/or developed and how they have done so (wherever possible and appropriate relating this to the participant's desired employment sector and/ or occupation type, and local labour market).
- 6.14 We are not prescriptive regarding the format of the participant placement reference, however in addition to the above requirements, you should consider:
- Using a business letter format e.g. address the reference "To whom it may concern".
 - Starting with a brief introduction e.g. a brief sentence or two explaining the provider's position.
 - Detailing facts regarding the placement e.g. the participant's job title, and their role, and the dates they were undertaking their work placement.
 - Provide judgement upon the participant's skills and qualities and any stand-out qualities that the participant has demonstrated e.g. their enthusiasm, attention to detail, or customer service skills.
 - Close the reference on a positive note, and if you are willing to receive further correspondence about prospective job applications, make this clear. (Including contact details where appropriate).
 - Ending "Yours faithfully".
- 6.15 Within the reference providers must avoid:
- Mentioning any weaknesses the candidate has (where appropriate this can be covered in the exit feedback)
 - Saying anything that could be construed as libel.
 - Writing in an informal manner.
 - Including personal information not relevant to the application.
 - Spelling mistakes, sloppy writing or typos: this reference is hugely important to the claimant, and providers should take care to make it look professional.

Please Note: You must not provide misleading information about a participant in the knowledge it may be relied upon by an employer. Therefore do not make positive statements about the participant if this does not reflect your view. In circumstances where you are not able to provide positive comments about a participant, you must include a factual reference e.g. "participant worked in x role from *date* to *date*" without expressing an opinion about the participant.

Placement Host and Employer references

- 6.16 References from placement hosts and/or employers should be sought, and where received should be included in the participant portfolio.

Exit Feedback Template

6.17 You must ensure the information below is included as a minimum:

Claimant Name:		Claimant Nino:	
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- Claimant Curriculum Vitae attached:	Yes / No
- Provider placement reference attached:	Yes / No
- Placement host and/or Employer reference(s) attached:	Yes / No

- Placement(s) overview:
<i>This should be an overview of the placement(s) attended by the claimant, specifying the duration and role/ occupation type of each placement and also detail any issues encountered in securing or sustaining placements for the claimant, and how they were overcome.</i>
- Placement identification and suitability:
<i>This section should cover the reasons as to why the placement(s) was/were chosen for the claimant.</i>
- Claimant Performance and Skills Development:
<i>This should be similar to the information detailed in the provider placement reference regarding placement performance and the skills the claimant has developed expanding where appropriate.</i>
- Further feedback and suggested next steps:
<i>Additional to the claimant portfolio information, and should include any further information relevant to the claimant and placement, including any other issues and/ or poor performance encountered, how it was addressed, and suggested next steps for the claimant, including e.g. suggested further interventions required and sector/ occupation best suited for.</i>

Please Note: You must securely send a clerical copy of the exit feedback, CV and Provider reference to JCP with the original retained with the individual participant record.

6.18 For participants who complete CWP, remain on benefit and are to return to JCP support, you must return the exit report within 10 working days of the participant completing CWP.

Section 7 – Evidence Requirements and ESF

This section covers:

- [Evidence Requirements](#)
 - [Electronic Signatures and records](#)
 - [Table 1 - Evidence Requirements](#)
- [European Social Fund](#)
 - [ESF requirements for Marketing and Publicity](#)
 - [Cross Cutting Themes for ESF Provision](#)
 - [Additional Cross Cutting Theme for Health](#)
 - [ESF Documentation Retention Requirements](#)
 - [Evaluation and Reporting](#)

Evidence Requirements

- 7.01. You must keep evidence that can support delivery of the provision as specified within this provider guidance document.
- 7.02. You must keep key documentation about the delivery of provision. It is the Prime Provider's responsibility to ensure that documents and data can be relied on. You must have robust systems in place to ensure that documentation (paper or electronic) is securely held and are easily accessible.
- 7.03. [Table 1](#) (over the next pages) lists the documentation that must be retained as a minimum.

Please Note: In England only, to meet audit requirements for ESF this evidence must be retained until at least 31st December 2023.

Electronic Signatures and records

- 7.04. Electronic signatures and records are acceptable and you must observe the requirements set out in Electronic Signatures Regulations 2002. It is your responsibility to meet the minimum requirements for evidence and that these need to be sufficient for audit purposes (e.g. ESF).
- 7.05. DWP are not prescriptive on how you meet the minimum requirements. It is your responsibility to establish adequate procedures that will ensure the completeness, accuracy and security of data for electronic records. You must be able to demonstrate that the procedures are operating satisfactorily, if required to do so.

Please Note: In England only, to meet audit requirements for ESF, where you keep electronic records you must ensure that the systems you use can be accessed at any time up to 31st December 2023. DWP will need assurance from you that this requirement can be met. DWP and The National Archives recommend that electronically held data is migrated onto new formats every 5 years to ensure the data remains readable and usable.

Table 1 - Evidence Requirements

Timing	Process	Evidence Description
Day 1	JCP Work Coach Referral	<p>Referral in JCP systems (LMS, WSP, PRaP, clerical) – key date from which claim periods are counted from.</p> <p>These are:</p> <ul style="list-style-type: none"> ○ Allotted Time: 30 Week period in which Start fee and Completion fee definitions must be met. ○ Tracking Period: 2 Week period that follows the allotted time. All Job Starts which contribute to towards Job Outcome definitions must occur in the 30 week allotted time and/or the 2 week tracking period. <p>Information from Claimant Commitment delivered within referral information supports evidence of any restrictions to participation that may apply.</p>
Contractual Target Within 20 Working Days	Initial Engagement Meeting and Action Planning	<p>Start of Action Planning activities.</p> <p>You must chart all the activities, agreed and signed by the participant initially at the Initial Engagement Meeting and throughout their time on the provision.</p>
	Start fee	<p>Start of placement: Confirmation of placement start endorsed by participant and deliverer of activity, organisation address and contact details. Details of agreed placement hours to be undertaken. If reduced hours agreed, evidence of any existing restrictions provided in referral information, or change of circumstance notified by JCP. Providers may wish to record this on the Action Plan.</p> <p>OR</p> <p>Start of employment: Confirmation of employment, organisation address and contact details. Providers may wish to record this on the Action Plan.</p>
After 20 Working Days	Job search activity of 30 hours per week in absence of Work Placement	<p>Action plan must show agreed activity requirement. Weekly (a continuous 7 day period) evidence must include hour's undertaken records (30 hour's unless restricted availability) endorsed by participant and deliverer of activity.</p>

Timing	Process	Evidence Description
Within 30 Week Allotted Time	Completion fees	<p>Evidence that within the 30 weeks allotted time there is either 12 weeks (for short completion fee) or, 22 weeks (for long completion fee) evidence of:</p> <ul style="list-style-type: none"> ○ Employment: including organisation address and contact details and evidence supporting employment periods; OR, ○ 30 hours per week placement participation plus 4 hour’s job search activity: <ul style="list-style-type: none"> - Evidence to support placement participation must include weekly attendance and hour’s undertaken records endorsed by claimant and placement provider. - Evidence to support weekly provider led job search must include hour’s undertaken records endorsed by participant and deliverer of provider led job search. - Action plan must show agreed activity requirement; OR, ○ A combination of both.
Throughout 30 Week Allotted Time	Provider led job search	<p>Weekly evidence of provider led job search must include hour’s undertaken records endorsed by participant and deliverer of provider led job search.</p> <p>Action plan must show agreed activity requirement.</p>
At 30 Weeks	Claimant Portfolio	Evidence (endorsed by the participant) to support that the participant received a participant portfolio with a copy of the information included in the portfolio retained.
	Provision Exit Feedback	On completion of provision original provider exit feedback is retained with a copy being sent to Jobcentre Plus for information on request.
After 26 Weeks Employment	Job Outcome fee	<p>Evidence to show:</p> <ul style="list-style-type: none"> ○ Participant has been in employment for a cumulative period of 26 weeks where job starts begin on or after the CWP start date and within the allotted time and tracking period. ○ Once the tracking period has ended, employment has been continuous. ○ JO definition is met and employment has taken the participant off JSA or above Universal Credit threshold.

European Social Fund

- 7.06. This section only applies to Contract Package Areas (CPAs) in England only (i.e. all CPAs apart from CPA 8 and CPA 13).
- 7.07. It is your responsibility to adhere to all ESF requirements and to ensure your supply chain does the same. You are accountable for the ESF compliance of your contract. In addition to this annex further details and requirements can be found in the [ESF Guidance](#).

ESF requirements for Marketing and Publicity

- 7.08. You are responsible for complying with contractual requirements for publicity and information-related measures to support ESF, including complying with the publicity requirements of the European Commission.
- 7.09. You must include the costs of producing publicity material in their tenders.
- 7.10. DWP will work with you on the information that your material needs to cover to ensure the relevant DWP and ESF standards are met. DWP must approve all publicity material before publication or use.
- 7.11. You must ensure your supply chain:
- Displays an ESF 2007-2013 plaque (or equivalent specified by DWP) in their main delivery locations in a prominent place, where it is clearly visible to staff, individuals and wherever possible, others using the building;
 - Use the ESF logo on, all documents providers use to support the delivery of the programme, provider websites and leaflets, forms and letters. Further details can be found in the [ESF Guidance](#) (you should regularly check and review this guidance);
 - If you or your supply chain is delivering provision in London, you must also use the Mayor of London logo. Providers will also be asked to enter and maintain details of the provision on the forthcoming directory of ESF Skills and Employment Services for London;
 - Remind participants in England of the ESF financial support throughout their activity;
 - Provide Provider and provision details for inclusion in the ESF public databases;
 - Provide DWP with 'Good News' stories, including collecting the relevant information and obtaining individuals permissions for use by DWP in publicising on the ESF website; and
 - Issue individuals when they start ESF activity with an ESF leaflet DWPF06 - which explains ESF funding.
- 7.12. The ESF Managing Authority will maintain a database of contracts on the national ESF website. This will include the names of projects, project Providers and the amount of funding allocated to the project. This will be generated from information supplied by the DWP CFO to the Managing Authority. It may also be used on the European Commission's website. The ESF Managing Authority also publish a communications

plan which includes information about the role of Providers in helping to raise awareness of ESF support for employment provision among both ESF individuals and the wider general public.

Cross Cutting Themes for ESF Provision

- 7.13. Your supply chain is required to take action to support ESF cross cutting themes of Gender Equality and Equal Opportunities and Sustainable Development.
- 7.14. You must fully understand the requirements and the following are some key activities that you are required to do:
- Maintain an equality policy, training plans and supplier diversity plan;
 - Ensure that a discrimination complaints procedure is in place. Grievance Policy guidance can be found in [Chapter 2 of Generic Provider Guidance](#);
 - Ensure an equal opportunities policy is in place for claimants and staff including any key workers;
 - Ensure buildings including outreach centres comply with the Equality Act 2010;
 - Support and be involved in equality impact assessments undertaken by the Department; and
 - Ensure a sustainable development policy and implementation plan is in place which must be submitted to the ESF Performance Manager within 6 months of the contract starting and annually thereafter. Guidance on the requirements for sustainable development can be found in Provider Guidance.

Additional Cross Cutting Theme for Health

- 7.15. In addition to the above cross cutting themes the London region identifies Health as an additional cross cutting theme for the ESF programme and the London CPAs are required to support the Health theme.
- 7.16. Within the London CPAs, the prime Provider will need to have a plan in place within six months of the contract start, in line with the vision for a '[Sustainable London](#)' whose aim is to seek to improve the well-being of all Londoners.

ESF Documentation Retention Requirements

- 7.17. You must keep key documentation in support of the delivery of and payments for ESF provision. It is the Prime Provider's responsibility to ensure that documents and data can be relied on for ESF audit purposes. You must have robust systems in place to ensure that documentation (paper or electronic) is securely held and is easily retrievable and accessible throughout the retention period.
- 7.18. You are required to retain all relevant documentation until at least 31st December 2023. This must cover:
- A complete audit trail of all relevant documents at all stages of the process (e.g. participant and claim-related documentation);
 - Documentation down to individual level against a specific contract number to provide evidence of payments claimed from DWP – a key EU audit requirement; and

- Evidence to show compliance with ESF publicity requirements, sustainable development, equality, diversity and equal opportunities.

7.19. Documentation must be:

- Properly organised (it is recommended that all the required information for an individual participant is held on a personal file linked to a contract number, which is cross-referenced to a main file to aid retrieval of specific documents to support audit activity);
- Maintained in good condition to protect the integrity of the information; and
- Secure, controlled and easy to access if and when required for audit purposes throughout the retention period.

7.20. A document retention policy must be in place and submitted to DWP within four weeks of the contract start. This must include details on how the policy will be implemented, maintained and monitored by the Prime Provider.

7.21. The Prime Provider (including their supply chain) can be audited by DWP Internal Auditors, ESF Audit Authority, the European Court of Auditors or the European Commission and the DWP ESF Managing Authority.

7.22. Further details on ESF documentation requirements including electronic document retention are included in the generic Provider Guidance.

Evaluation and Reporting

7.23. Independent evaluation will be an important element of the ESF provision and you will be asked to cooperate in a range of evaluations, commissioned by the DWP ESF Managing Authority and the DWP CFO.

7.24. As part of this evaluation work researchers may wish to visit and interview you and your supply chain, participants and employers involved in the provision. You may be asked to provide the relevant contact details and in order to facilitate this process and you should seek advance agreement from participants to take part in evaluations.

7.25. Advance notice will be given to you where your cooperation is required.

7.26. An end of project evaluation report will also be required highlighting innovative delivery practices and achievements against the cross cutting themes.

Section 8 – Additional Information

This section covers:

- [Additional Information](#)
 - [Fraud Prevention](#)
 - [Data Protection](#)
 - [Legislation and Principal Regulations](#)
 - [Diversity and Equality](#)
 - [Accident reporting](#)
 - [Quality](#)

Additional Information

Fraud Prevention

8.01. If you suspect that a participant is committing fraud you should follow the procedures outlined via the [National Fraud Hotline](#).

Data Protection

8.02. In order to protect Departmental information appropriately, you must put into effect and maintain the security measures and safeguards appropriate to the nature and use of the information throughout their supply chain. All providers of services to DWP must comply, and be able to demonstrate compliance, with the Department's relevant policies and standards including the DWP Information Systems Security Standards. The Standards are based on and follow the same format as International Standard 27001, but with specific reference to the Department's use. Departmental information must not be processed outside the United Kingdom without the express written permission of DWP in line with the DWP Security Policy for Contractors and DWP Terms & Conditions.

8.03. Security assurance for you and your supply chain is through completing a draft security plan. You will have submitted a draft security plan as part of your response to this competition and are expected to maintain this. This will set out the security measures to be implemented and maintained by the prime provider throughout the entire supply chain in relation to all aspects of the service, including processes associated with delivery.

8.04. Data security is one of the areas risk assessed by the (CEP) Provider Assurance Team. In addition data security will remain subject to spot checks by the Supply Chain Information Assurance Team (SCIAT). Furthermore, the Head of Compliance will continue to regularly report the number and outcomes of data security checks carried out during the previous quarter to the DWP Permanent Secretary.

8.05. In the event of any breach of information security which may or may not result in an investigation by the Information Commissioner's Office (ICO), DWP will consider whether a major breach of contract has occurred within the T&Cs. You will be responsible for paying any fine levied on DWP following an investigation by the ICO in relation to a provider breach.

Legislation and Principal Regulations

8.06. You must ensure that you and your supply chain remain compliant with current and future changes in the law and DWP Policy. For example:

- Ensuring the CWP supports the DWP's Public Sector Equality Duty as outlined in the Equality Act 2010;
- Providing appropriate services to ensure compatibility with the Equality Act for example, to enable communication with claimants who do not speak English as a first language or who are deaf, hearing impaired or have a speech impediment;
- Where you are operating in an area with a high ethnic minority population, materials in the appropriate ethnic minority language must be made available on request.

Diversity and Equality

8.07. [The Equality Act 2010](#) replaces all previous legislation covering discrimination. You must ensure that you comply with the Equality Act 2010 and also comply with and assist DWP to comply with the Welsh Language Act 1993 and other measures to promote the use of the Welsh language in Wales.

8.08. As you will be aware, your approach to diversity and equality is an important factor in the delivery of a DWP contract. You should refer to the Diversity and Equality Schedule in the contract documentation you have and raise any queries and issues with your performance manager.

Accident reporting

8.09. All relevant accidents and incidents should be reported to your JCP contact. In addition to your normal arrangements for managing and reporting accidents which may involve claimants on your own provision or on any work placements you have organised, you must also notify your Performance Manager immediately by telephone of any relevant accident. For further information regarding Accident Reporting please see [Chapter 2 of Generic Provider Guidance](#).

Quality

8.10. It is important all organisations responsible for the delivery of DWP Contracted Employment Provision are committed to raising standards. The primary responsibility for improving the quality of provision rests with you, and you will be expected to build and maintain a culture of continuous improvement.

8.11. The key elements of the DWP approach to quality improvement are:

- [Generic Guidance Chapter 7 - Continuous Self-Assessment](#).
- [Generic Guidance Chapter 7 - Planning for Improvement](#).
- [The Merlin Standard](#).

8.12. This provides the basis of our approach to maintaining and improving quality in DWP Contracted Employment Provision.

Section 9 – Performance and Account Management, Assurance, and Evaluation

This section covers:

- [Performance Management and Account Management](#)
 - [Minimum Performance Levels](#)
 - [Minimum Service Levels](#)
- [Assurance](#)
 - [European Social Fund \(ESF\) Compliance Monitoring](#)
 - [Contracted Employment Programmes \(CEP\) Provider Assurance Team](#)
- [Programme Evaluation](#)

Performance Management and Account Management

- 9.01 CWP contracts are managed by Account Managers and Performance Managers. Provider performance will be based on an assessment of performance priority which considers a range of factors including contract value, compliance with the contract, performance and security.
- 9.02 You are responsible for managing the contract, including addressing poor performance, arrangements with the placement organisation and also the performance of your sub-contractors. You must ensure that all systems and processes used for the monitoring and recording of performance are robust, provide a clear audit trail of evidence, and give confidence to DWP that you and your supply chain are delivering the Programme in accordance with your overall contractual obligations.
- 9.03 You must appoint appropriate named contacts who will work with the DWP Account Manager and Performance Managers to ensure that CWP is delivered as specified in the contract and that required standards and performance levels are met.
- 9.04 DWP Performance Managers will hold regular Contract Performance Review (CPR) meetings with you which will focus on achieving contractual performance and service targets and improving performance and delivery in line with the Contract. Staff representing JCP districts and UC Service Centres may also attend these meetings.
- 9.05 DWP will, in the main, use MI presented by PRaP and from assurance activities for the on-going management of the provision and for discussion with you. However, you must ensure that placement and host data for each claimant and evidence to support weekly placement participation (including weekly attendance records endorsed by claimant and placement provider) is also available on request.
- 9.06 As DWP is committed to transparency on how its programmes are working, you need to be aware that MI may also feed into published Official Statistics on CWP. Consequently you must treat information they have access to as restricted, and for your use only, ahead of formal publication. Official Statistics may also cover performance expectations at provider level.

Minimum Performance Levels

- 9.07 You are required to deliver the following targets:

- 95% referred participants to achieve a CWP start within 20 working days and the start being recorded on PRaP within 30 working days of the referral or have an appropriate compliance doubt referral raised and recorded on PRaP within 20 working days of the referral. UCDM Further information regarding Initial engagement, work placement provision and compliance doubts can be found in section 2 and section 3 respectively.
- There is a requirement that at least 50% of individual participants referred achieve a start on CWP.
- The cumulative backlog of referred participants is less than 4%
- Appropriate compliance doubt referrals are immediately raised and evidenced (within 24 hours of failure to comply as mandated). Further information regarding mandation and compliance doubt referrals can be found in [Section 3](#).
- 15% of CWP Starts being converted into Job Outcomes. Further information regarding Job Outcomes can be found in [Section 5](#).
- The performance offer for Short and Long Completion Outcomes being met. Further information regarding Completion Outcomes can be found in [Section 5](#).
- No more than 25% of completed work placement weeks involve participants undertaking retail duties within charity shops. Further information can be found in [Annex 1](#).
- There is an expectation that all Monthly Cohort Minimum Performance Levels for a given month will be met or exceeded.

Minimum Service Levels

9.08 You are required to actively manage provision to ensure appropriate action takes place and is evidenced. The measures to identify that timely access to provision, appropriate communication channels and robust processes are in place include:

- Ensuring that a participant attends an initial engagement meeting within 20 working days of referral, or an appropriate compliance doubt is immediately raised and evidenced (within a working day of failure to comply).
- Ensuring that the participant starts a work placement or moves into employment (the contractual target is that this takes place within 20 working days of referral), or an appropriate compliance doubt is immediately raised and evidenced (within a working day of failure to comply).
- Recording a CWP start in PRaP within 30 working days of referral or a fail to attend/fail to start within 20 working days of the referral
- Ensuring that provider led job search and/or other work-related activity is delivered for a minimum of 30 hours per week for compliant participants who, do not start CWP (e.g. due to insufficient available placements), or are between placements.
- Immediately (within a working day of failure to comply) making an appropriate compliance doubt referral, where a participant 'Fails To Attend' their Initial Engagement Meeting or 'Fails To Start' their work placement as mandated.
- Recording in PRaP, where a participant 'Fails to Attend' their Initial Engagement Meeting or 'Fails to Start' their work placement as mandated, within two working days of the failure.

- Ensuring that a contact telephone number is supplied for the participant to use to contact you while they are on provision.
- Ensuring participants participate in 30 hours work placement provision per week (unless participation restrictions apply).
- Ensuring participants receive a minimum of 4 hours provider led job search per week.
- Ensuring that where a participant has started CWP and subsequently fails to comply as mandated, an appropriate compliance doubt referral is immediately (within a working day of failure to comply) raised and evidenced (no PRaP action required).
- Ensuring the development and issue (to the participant) of a completed, claimant specific, participant portfolio.
- Ensuring the completion and secure delivery to JCP of participant feedback within 10 working days of request from JCP.
- Ensuring you meet the requirement to keep documentation to support the work placement(s) start date and future attendance - DWP and/ or auditors, including National Audit Office (NAO) and (in England) ESF auditors can request this documentation at any time.
- Ensuring that the provision environment is conducive with achieving the desired outcomes for the participant and providers must ensure minimum Health & Safety standards, as laid down in legislation, are met at all times.
- Ensuring that work placements are, of benefit to the community, additional to existing or expected vacancies and that all principles detailed regarding quality of work placements are met.
- Ensuring you undertake required PRaP actions within required timescales.
- Ensuring you check with your Performance Manager before using private sector companies to deliver Work Placements (to confirm a work placement is appropriate both in terms of community benefit and displacement of what would otherwise be paid economic jobs).

9.09 In England only (i.e. all CPAs apart from CPA 8 and CPA 13) it is your responsibility to adhere to all ESF requirements, including the retention of relevant evidence documentation until at least the end of 2023, and to ensure your supply chain does the same. You are ultimately accountable for the ESF compliance of their contract. Further information can be found in [Section 7](#) and in the [ESF Guidance](#).

Assurance

European Social Fund (ESF) Compliance Monitoring

9.10 In England only (i.e. all CPAs apart from CPA 8 and CPA 13), Compliance Monitoring Officers (CMOs) will perform regular evidence based checks to ensure that you adhere to the delivery models set out in your contracts. CMOs will also check that the ESF Regulatory Requirements, in terms of Marketing & Publicity, Sustainable Development; Equality & Diversity; Document Retention and Health (in London only) are being adhered to. Further information regarding ESF can be found in [Section 7](#).

- 9.11 The CMOs monitoring visits include checking samples of participant records to validate eligibility, activity and payment for these individuals supported by you (the Prime Provider) and your supply chain.
- 9.12 All issues arising from CMO monitoring visits are reported to the Provider Performance Management Team, Account Manager and Provider Assurance Team.
- 9.13 Contract review meetings with DWP Performance Managers will include discussions around compliance issues identified by CMOs.

Contracted Employment Programmes (CEP) Provider Assurance Team

- 9.14 The Contracted Employment Programmes (CEP) Provider Assurance Team provides the DWP with an assurance that:
- Payments made to DWP Contracted Employment Programme Providers are in accordance with DWP and Treasury requirements;
 - Public funds and DWP data are protected; and,
 - Value for money has been obtained.
- 9.15 This work is carried out by reviewing your internal control systems to assess your ability to manage risk across four key areas:
- **Governance Arrangements** – covering your governance arrangements, systems for tracking and reporting performance and their anti-fraud measures;
 - **Service Delivery** – includes your systems for starting, ending and moving claimants through provision and generally looks to ensure that DWP is getting the service it is paying for. This section also covers management of sub-contractors;
 - **Financial Procedures** – looks to ensure you have in place effective systems to support your claims for payment, including appropriate segregation of duties; and,
 - **Data Security** – looks to ensure you have in place adequate systems to safeguard DWP data whilst it is being stored and/or transmitted around your organisations.
- 9.16 The CEP Provider Assurance Team operate at a national level enabling them to present CEP providers operating across regions with a single view of the effectiveness of their systems – you will have a nominated Senior Provider Assurance Manager and therefore a single point of contact within DWP for management of assurance related issues/concerns.
- 9.17 On completion of each review, you are awarded an assurance rating from the following four categories – weak, limited, reasonable and strong. You will also receive a formal report detailing the review findings including key strengths and areas for improvement; where weaknesses have been identified you are asked to complete an action plan setting out appropriate steps for improvement and this is followed up at an agreed point.
- 9.18 The rating awarded will determine the timescale for subsequent visits and this ranges from within 3 months, where the assurance level is weak up to 12-18 months where the assurance level is strong.

- 9.19 Findings from each review are routinely reported to the relevant contract manager/account manager and other DWP stakeholders. Specific action will be taken where:
- You fail to improve on a weak or limited assurance level; the account manager will take remedial action which may lead to breach activities if you fail to improve.
 - There are suspicions that you may be acting inappropriately, the team will refer you to Internal Investigations who are the experts trained in the legalities and techniques required to do formal investigations.
 - There are serious concerns around data security; these are reported through the respective channels to colleagues in Supply Chain Information Assurance Team.
- 9.20 The results of any investigations carried out by these teams will be fed back to the Provider Assurance Team and this information will be used to inform future reviews and to target specific areas for testing.
- 9.21 The Provider Assurance Team will work with you to ensure that you understand what is expected and are, therefore, adequately equipped to develop robust systems to support your service delivery model throughout the duration of the contract.

Programme Evaluation

- 9.22 DWP may wish to undertake evaluation of the programme, which may include one or both of in-house and externally commissioned research.
- 9.23 In England only (i.e. all CPAs apart from CPA 8 and CPA 13) ESF Evaluations, conducted by the England Managing Authority, may also include CWP.
- 9.24 Researchers may wish to visit and interview you as part of the evaluation. You will be contacted in advance of any fieldwork. You are required to fully co-operate with programme evaluation activity commissioned by DWP.

Annex 1 - Work Placement Minimum Standards

A1.01 Work placements must be supervised, with tasks similar to those that a participant might experience in a normal working environment and should encourage the development of crucial disciplines associated with sustained employment, while at the same time making a contribution to the community.

A1.02 When sourcing placements, you must also ensure that:

- The placement forms part of a programme of employment support for the participant and they should receive appropriate help, support and any workplace training essential to allow active participation in the placement from the host organisation.
- Participants are engaged in a healthy and safe working environment.
- The host organisation understands what is expected of them.

A1.03 Placements must be additional to existing or expected vacancies (i.e. they must not displace what would otherwise be paid economic jobs, or impact existing employees within the host organisation) but must, however, be as close to a real working environment as possible in order that the participant may draw on experience gained in future job applications and reference placements when producing a CV to support these applications.

A1.04 You are responsible for ensuring that host organisations adhere to these principles and obtain confirmation that placements offered by hosts do not displace existing jobs.

A1.05 You must ensure no more than 25% of completed work placement weeks involve participants undertaking retail duties within charity shops. DWP will measure completed placement weeks to monitor and validate the 25% cap.

A1.06 The above cap is in relation to placements which are solely related to performing retail duties (such as but not limited to; advising and taking money from customers in retail charity shops, replenishing stock inside retail charity shops, sorting of donated items within retail charity shops). The cap does not apply to non-retail work placements within charity organisations such as warehousing, transport, accounting, clerical duties or retail work outside of charity shops.

Please Note: You must ensure that placement and host data for each participant and evidence to support weekly placement participation (including weekly attendance records endorsed by participant and placement provider) is available on request.

A1.07 Work placements must be of benefit to the community over and above the benefit of providing a placement to the individual. This means the role can include:

- Working directly towards the community benefit goal of the host organisation. In this case the duties of the participant would contribute directly towards the benefit to the community. An example of this would be the employee working with the public on a community project;

- Working indirectly towards the community benefit goal of the host organisation. In this case the duties of the participant would contribute indirectly towards the benefit to the community, as the duties of the participant would be contributing towards the work of the organisation which delivers community benefit. An example of this could be the employee working ‘behind the scenes’ on the organisation of a community project’; and
- Working towards the profit of the host organisation, providing that the majority of the role is dedicated towards delivery of benefit to the community.

A1.08 Additionally, you should consider whether there is an economic profit to the placement organisation and their objectives to deliver community benefit or whether their profit is being used for community benefit.

A1.09 You must be able to clearly describe to DWP the community benefits the placement is delivering.

A1.10 Provider organisations can offer work experience placements but you must ensure that you meet the criteria detailed in this section when sourcing a placement and places are not offered in connection with the delivery or administration of CWP.

A1.11 You must ensure you liaise with your Performance Manager before using private sector companies to deliver Work Placements (to confirm a work placement is appropriate both in terms of community benefit and displacement of what would otherwise be paid economic jobs).

A1.12 You must ensure that all claimants are properly supervised in their work placements and should monitor and support participants’ attendance and ongoing progress accordingly.

A1.13 You must not give any incentive payments or rewards to the participant for participation in CWP.

Questions to consider

A1.14 It may be useful to use the following questions when considering whether a placement demonstrates community benefit:

- What will the placement deliver? What is the outcome?
- How will the placement benefit the community?
- Who in the community will it benefit?
- Is the benefit to the community visible and lasting?
- Would it be obvious to the taxpayer / member of the public that the placement provides community benefit?

A1.15 If the placement does not appear to demonstrate direct involvement in the community benefit, does it have a supporting role in the project? (E.g. an administrator organising a new outreach project for vulnerable people could be demonstrating community benefit.)

Examples of community benefit

A1.16 The following sets out three ways in which community benefit could be demonstrated. It is not an exhaustive list, but a job with clear community benefit may include:

Social benefits

A1.17 For example, projects that:

- Engage with and/or support vulnerable groups;
- Support crime prevention or reducing anti-social behaviour;
- Improve the physical, emotional or mental well-being of the community;
- Improve access to public services for vulnerable groups.

Environmental benefits

A1.18 For example, projects that:

- Regenerate, renovate or restore public areas, buildings, houses and amenities;
- Promote or support recycling or energy efficiency and conservation;
- Promote or support nature conservation;
- Promote an awareness of and respect for the natural environment.

Cultural benefits

A1.19 For example, projects that:

- Extend or improve access to cultural, sporting, or educational opportunities for vulnerable or marginalised groups;
- Encourage or promote understanding between different communities and/or generations.

What is not community benefit?

A1.20 The following examples fail to demonstrate sufficient community benefit:

- Where **giving a person employment** is claimed as the community benefit: Providers have said “by employing a UC claimant, we are helping the individual to find sustainable employment”. This is a necessary requirement of CWP, but is not sufficient on its own to demonstrate a direct benefit to the community.
- Where **‘green jobs’** are presumed to automatically have community benefit: Although we welcome the creation of green jobs, being green does not automatically mean that a job provides community benefit as its main objective. It is still necessary to describe what the community benefit is, in line with the principles above.
- Where community benefit has **been poorly articulated**: A number of providers who have not clearly described the community benefit that jobs deliver have failed the criterion. For example, one provider mentioned that ‘sports coaching’ was the community benefit, but failed to explain why this is important within the context of the local community.

Annex 2 - Completing the Mandatory Activity Notification (MAN)

A2.01 You must complete a MAN on every occasion you want to mandate a participant to an activity or appointment.

A2.02 The following steps must be taken on every occasion you want to mandate a participant to do something that attracts a low level sanction.

Actions

A2.03 For all MANs:

- Ensure you have considered that the activity is reasonable in the participant's circumstances when setting the mandatory requirement. (See section 'Participants' Circumstances' in the Mandation section).
- Ensure that the participant is aware of the consequences of failing to participate in a mandated activity.
- Notify the participant in writing on the relevant Mandatory Activity Notification (MAN).
- **Please note:** You must use the relevant standard MAN template in this Annex.
- On the MAN, you must record:
 - The specific action that they are mandated to undertake
 - When or by when they must undertake it
 - What evidence, if any, they must supply to demonstrate completion
 - The relevant pre-approved compliance condition.
- **Please note:** The MAN must not be altered materially.

A2.04 When mandating participants to undertake activity you must ensure you clearly detail what the compliance condition is on the MAN letter:

- Ensure that the participant is aware of and understands the approved compliance condition, as this has to be completed as soon as possible to end the open ended sanction period if they do not meet the requirement set by you in the MAN.
- Ensure the participant understands what evidence they will be required to provide to demonstrate completion of the mandatory requirement. This should be agreed with the participant and be as specific to the activity as possible.
- Ensure that the participant's time is focused and they are under no illusion of what they are being asked to do. For example: If the participant is mandated to go to a catering jobs fair – the specific activities could be to obtain relevant literature from at least 5 stands, hand your CV to them and obtain follow up contact details.

A2.05 When mandating participants to undertake a work placement, provider led job search or work related activity (in the absence of a work placement) you must ensure you clearly detail the participant’s required attendance requirements also stating what the participant must do to demonstrate compliance/completion.

A2.06 You may detail multiple weeks’ attendance on one notification provided you ensure you clearly detail the participant’s participation requirements. For example:

For the period 22nd September to 28th September we have made arrangements for you to participate in a Work Placement for 30 hours - details of your attendance requirements are shown below.

Day	Date	Morning Attendance		Afternoon Attendance	
		From	To	From	To
Monday	22 nd September	9:00	12:00	13:00	16:00
Tuesday	23 rd September	9:00	12:00	13:00	16:00
Wednesday	24 th September	9:00	12:00	13:00	16:00
Thursday	25 th September	9:00	12:00	13:00	16:00
Friday	26 th September	9:00	12:00	13:00	16:00
Saturday	27 th September	-	-	-	-
Sunday	28 th September	-	-	-	-

For the period 29th September to 5th October we have made arrangements for you to participate in a Work Placement for 30 hours - details of your attendance requirements are shown below.

Day	Date	Morning Attendance		Afternoon Attendance	
		From	To	From	To
Monday	29 th September	9:00	12:00	13:00	16:00
Tuesday	30 th September	9:00	12:00	13:00	16:00
Wednesday	1 st October	9:00	12:00	13:00	16:00
Thursday	2 nd October	9:00	12:00	13:00	16:00
Friday	3 rd October	9:00	12:00	13:00	16:00
Saturday	4 th October	-	-	-	-
Sunday	5 th October	-	-	-	-

*The above is an example only, the 7 day week should detail dates and represent the start date + the following 6 days e.g. Monday - Sunday, or Wednesday - Tuesday depending on Start and detail attendance for the duration of the period being notified.

A2.07 You must ensure you issue a MAN to the participant stating their attendance requirements for each week they are required to participate. You may decide the period for which these notifications are issued, for example a notification with 2, 4, or 8 etc. week’s participation requirements detailed.

Please Note: You must retain copies of the mandatory attendance notifications or have a mechanism to create a copy and are obligated to provide DWP with copy

promptly on request. You may also choose for the participant to sign for any mandation correspondence issued to them. If a claimant refuses to sign you should note this and reference in any subsequent failure to participate referral.

- A2.08 You are required to deliver work placements of 30 hours a week, excluding breaks. When notifying participants in writing of specific action they are required to undertake, you must be clear about how many hours participants are required to participate each day, being explicit about breaks which are not counted as participation.
- A2.09 For example, if a participant's day on placement begins at 9am and finishes at 4pm, but with a 1 hour break such that the day only counts for 6 hours of participation, the written notification must either (a) state that participants will be given a one hour break from requirement to undertake activity within those hours or (b) define the requirement for the participant to attend between 9am and 12pm, and 1pm and 4pm.
- A2.10 Any changes to the Work Placement host or previously notified attendance requirements will require a new MAN.
- A2.11 If public holidays or other business closures fall within the participant's work placement period, you must ensure that the participant's notification letter sets out precisely when the placement organisation expects them to attend. For example, over the Christmas and New Year period, there are public holidays, and there may be additional days you and your placement hosts may choose to close. The participant will not be expected to make up any time lost due to business closure on the public holidays (further information regarding absences can be found in Section 4).
- A2.12 The MAN must be either handed direct to the participant or sent by post.
- A2.13 Record the above information (i.e. from the MAN) along with all other on-going mandatory requirements into a single action planning document.

MAN for Work Placement:

<https://www.gov.uk/government/publications/community-work-placements-universal-credit-provider-guidance>

MAN for all other CWP-related activity:

<https://www.gov.uk/government/publications/community-work-placements-universal-credit-provider-guidance>

Annex 3 - Completing the Mandatory Employment Notification (MEN)

A3.01 For Higher Level sanctions, you must notify the participant in writing on a Mandatory Employment Notification:

- The specific action that they are required to undertake e.g. attending an interview, make an application by submitting their CV or complete an online application etc.
- When or by when they must undertake it.

A3.02 **You must:**

- Explain the potential consequences should the participant fail to comply;
- Explain a suggested way for the participant to provide evidence to show they have applied.
- Ensure the MEN is either handed direct to the participant or sent by 1st class post. You may also choose to use registered post to ensure delivery.
- Record the above information (the MEN) along with all other on-going mandatory requirements in a single action planning document; and
- Always take follow up action if they do not meet the requirement set by you in the MEN by undertaking the compliance doubt process. Further information can be found in [Annex 4 – Raising a compliance doubt](#).

A3.03 **Please note:** If you are mandating a participant to apply for a job vacancy, you do not need to provide a compliance condition as they apply only to low level compliance doubts.

MEN Template

<https://www.gov.uk/government/publications/community-work-placements-universal-credit-provider-guidance>

Annex 4 - Raising a Compliance Doubt

- A4.01 When you mandate a participant and they fail to comply, you must raise a compliance doubt referral to the Universal Credit Decision Maker (UCDM).
- A4.02 One compliance doubt referral must be completed per participant for each instance that they fail to comply with what you required them to do. To raise a compliance doubt referral:
- Form [UC192](#) (Failure to Participate) must be used where a participant has failed to take part in a placement, activity or appointment (low level sanctions); and
 - Form [UC191](#) (Provider Refusal of Employment Referral Form) must be used where a participant has failed to apply for or take up paid work (higher level sanctions).
- A4.03 The process and standards for submitting a compliance doubt referral by e-mail or post are the same, irrespective of the type of compliance doubt.
- A4.04 Further information on compliance doubts can be found in the [Section 3](#). The referral forms can be found in [Annex 5](#).
- A4.05 Do not ask the participant for a good reason to determine whether or not to raise a compliance doubt referral. You have no option but to raise a compliance doubt once the participant has failed to comply with what you required them to do, irrespective of whether or not they have offered an explanation afterwards. The UCDM will consider the reasons given and must make the good reason decision.

Actions

Ensure that the mandatory activity or appointment is reasonable and appropriate for the participant considering their personal circumstances and capability. See section below on setting requirements.

- Complete and issue the participant with the relevant Mandatory Activity Notification (MAN) or Mandatory Employment Notification (MEN). (Further information can be found in [Annex 2](#) and [annex 3](#)).
- Complete the relevant compliance doubt referral and include any supporting evidence e.g. volunteered participant statement; relevant supporting information from the MAN/MEN.

- A4.06 **Please note:** All supporting evidence must be noted on the compliance doubt referral and no additional documents should be included.
- A4.07 **Please note:** Prior to compliance doubt completion of the UC192 form, you must issue the compliance condition to the participant at the same point as the mandatory

notification (low level sanctions only). (Further information can be found in the [Mandation](#) section).

A4.08 Continue to engage with the participant in line with your delivery model irrespective of the outcome.

A4.09 Further detail is provided in the Background and Further Information Section.

Setting requirements for a mandatory activity or appointment

A4.10 In every instance that a mandatory activity or appointment is notified to a participant it must be reasonable considering their circumstances and capability. In every instance a participant must understand the requirements of the activity and the consequences of non-compliance.

A4.11 For low level compliance doubts (UC192) the compliance condition must be recorded and issued at the same point as the mandatory activity notification and the participant must understand the compliance condition.

Completing and sending the compliance doubt referral form

A4.12 For every instance where a participant fails to participate in a mandated requirement, you must raise a separate compliance doubt referral.

A4.13 You should not wait to be notified of the outcome of previous compliance doubt referrals before raising another compliance doubt referral. There is no limitation on the number you can send per participant.

A4.14 It is important that the compliance doubt referral is fully completed and sent as soon as possible to ensure that there is a clear link in the participant's mind between failing to participate with a mandatory requirement and the consequences of non-compliance.

A4.15 If the participant offers a reason for failing to take part, you should include this within the form. You should advise the participant that DWP will make the compliance doubt decision and they may be asked by the UCDM to provide additional information. The UCDM will consider the reasons given and must make the good reason decision.

Actions

A4.16 To complete the compliance doubt referral form:

- Ensure all relevant information from the appropriate MAN/MEN is included: approved compliance condition (low level sanction only); supporting information e.g. volunteered participant statement); and background information, as appropriate. (Further information on completing the compliance doubt referral form can be found in [Annex 2](#) and [annex 3](#)).
- Ensure that the e-mail standards are complied with. For information, see section 'Standard E-mail Content' below.

- E-mail the compliance doubt form to the Universal Credit Service Centre by using the correct designated e-mail address: <mailto:Uclmdma.provider@dwp.gsi.gov.uk>. **Please note:** If you are currently unable to use unencrypted email, referrals by post will need to be sent securely to the Mail Opening Unit:

Universal Credit
Post Handling Site B
Wolverhampton
WV99 1AJ

- For further information regarding sending documents securely please refer to [Generic Provider Guidance, Chapter 8 – Information Security](#).

Consequences

If you do not include all the relevant information on the compliance doubt referral, it will result in the UCDM having to go back to you for clarification, further delaying the compliance doubt decision and causing more work for yourself and UCDM.

Standard E-mail Content

A4.17 Each e-mail sent by providers to the Service Centre must adhere to the standard e-mail protocols listed below to comply with DWP security requirements.

A4.18 Each email must contain ONLY the following standard content:

- Standard wording to be displayed in email ‘Subject Box’
 - Form title e.g. UC192 or UC191
 - Participant’s surname
 - NINO – only last 3 characters

E.g. UC192 Smith 40A

- Standard wording to be displayed in email ‘Narrative Box’
 - Sender contact details
- Email attachment
 - One form per e-mail. It is a key requirement that each e-mail must never contain more than one form.
- **Please note:** It is important that providers adhere to these standards.

A4.19 For further information, see section '[Sending the compliance doubt form by Unencrypted Email](#)'.

UCDM notifies you and participant of the compliance doubt outcome

A4.20 You will receive a copy of the outcome of raising a compliance doubt referral on form UC136 either by unencrypted email or by post (depending on the method you used when sending the form). This is irrespective of whether the participant has had a sanction imposed or not.

A4.21 If the participant has stopped claiming UC, before or during the decision making process, you will not receive a copy of the compliance doubt decision. You should receive a change of circumstances form.

Actions

- Continue to engage with the participant in line with your delivery model irrespective of the outcome.
- Record the outcome decision as this may be needed for evidence to support any further referrals.

Detailed Background and Further information

What is the relevance of Decision Making and Appeals (DMA) in CWP

A4.22 When a person takes part in the CWP, they are taking part in a scheme established by law as part of a work preparation requirement under s16 of the Welfare Reform Act 2012.

A4.23 It is a programme designed to equip jobseekers with a valuable period of experience in a work-based environment, enabling them to develop the disciplines and skills associated with sustained employment, as well as to move them into employment.

A4.24 For **every** instance where a participant does not meet the requirement set by you, you are required to raise a separate compliance doubt referral.

Failure to Participate

A4.25 A participant could be deemed as not meeting the requirement set by you if they do not attend or refuse to take part fully.

A4.26 'Participation' can include attending interviews and appointments at an agreed time with the provider, as long as the participant is duly notified.

UCDMA and good reason decision

A4.27 Good reason is not defined in the law, but has been considered in case law. It includes facts which would probably have caused a reasonable person to act as the participant

did. The UCDM will take account of all of the facts of the compliance doubt before coming to a decision.

- A4.28 Once a compliance doubt referral has been made the UCDM will ask the participant if they would like to explain why they failed to meet the requirement, this is called showing 'good reason'. This is even where you have recorded any reasons volunteered by the participant when referring a compliance doubt.
- A4.29 The UCDM will take into account all of the circumstances and evidence presented and will determine whether or not there was good reason.
- A4.30 The UCDM should also consider any previous history of the participant's failure to participate. This behaviour may be relevant as evidence of credibility of the evidence that has been presented to support good reason on this occasion.
- A4.31 It is therefore important that you also provide any information in the compliance doubt referral that may provide additional background.

Good reason decision

- A4.32 There is no time constraint for a participant to show good reason. The UCDM should consider what is reasonable in the individual's circumstances. This could mean setting a shorter time frame for the return of information, and in some cases a longer time frame if they know for example the participant is going to have to source evidence from a third party.
- A4.33 For example, a participant was issued with a request for good reason today. The UCDM is aware that the participant lives in a remote area where postal delays are well known and therefore the UCDM sets a reasonable 10 day time limit in respect of these circumstances. The participant still hasn't replied by the 10th day so the UCDM makes a decision to disallow on the basis that the participant has had a reasonable length of time to reply.
- A4.34 However, information which is received late by the UCDM, but merely serves to verify or clarify evidence which was received, can be taken into account.
- A4.35 If you receive any volunteered information from the participant relating to the compliance doubt **after** the referral form has been sent, you must communicate this to the UCDM. There is no specific form/template for this process.

Please note: If you are using unencrypted email, any additional information (including the MAN or MEN) **MUST NOT** be communicated by unencrypted email. Any additional information must be communicated to the UCDM by letter or telephone.

- A4.36 The guidance for UCDMs explains that they should not routinely ask for a copy of the MAN/MEN in order to make a sanction decision; however that does not mean that they never ask to see a copy of the MAN/MEN.

A4.37 If the participant raises the MAN/MEN as an issue in their 'good reasons', then the UCDM will require a copy of the MAN/MEN, for example; participant didn't receive it or the wrong information was on it or not enough detail to be able to complete the required activity. Also, if the participant is sanctioned and appeals the decision, the UCDM will require the MAN/MEN as evidence to support the appeal submission and this is the guidance that appeals officers are given.

Compliance doubts

A4.38 Compliance doubt action can be taken by the UCDM against participants so that their Universal Credit may be reduced if, without good reason, they do not meet the requirement set by you. Further information about compliance doubts can be found in the – [Mandation](#) section.

A4.39 You are expected to continue to work with the participant. Should the participant subsequently fail to participate with a new mandated activity, you must raise a compliance doubt referral.

Provider considers if participant requires reasonable adjustments or additional support

A4.40 For all activities that the participant is mandated to do, the provider must always consider if they are reasonable for that participant and their particular circumstances and capabilities.

A4.41 Providers will be expected to identify these participants, based on the information provided by Jobcentre Plus, as well as from their own interactions.

A4.42 All participants must fully understand their responsibilities and the consequence of non-compliance on each occasion that a mandatory activity or appointment notification is issued.

Re-arranging a mandated activity prior to activity date

A4.43 You do not need to complete a compliance doubt form, if prior to the participant undertaking a mandated requirement, they contact you because they are not able to undertake it. You can decide to re-arrange it. Further information can be found in the [Mandation](#) section.

Completing the compliance doubt referral form

A4.44 When you have identified a compliance doubt you must complete the appropriate form. Further information can be found in the [Mandation](#) section.

A4.45 Ensure that the correct email address for the return of the compliance doubt decision is included in the form. This must be the generic in-box address, not the individual adviser address.

A4.46 The 'Provider Correspondence' address should be the postal address to which any queries or further correspondence should be sent by Decision Makers.

A4.47 To avoid delaying a compliance doubt decision being made, it is important that you:

- Avoid stockpiling referrals – stockpiling over a period of time until you have a self-determined quantity to send, could mean a delay between the date of not meeting the requirement set by you and UCDM receipt and will impact on UCDM resource.
- Include the name and contact phone number of the advisor who completes the form to allow the UCDM team to quickly contact them should the need arise.

A4.48 It is important to note that the relevant information for the MAN or MEN should be transposed onto the form rather than the MAN or MEN itself being attached to the form. This is because the UCDM will work on the assumption the participant was correctly notified. It would be for the participant to prove that on the balance of probabilities they did not receive the MAN or MEN in order to show good reason. For example:

- A participant is notified that he is required to participate in a CWP activity. They fail to participate and explain the reason for not attending their activity is because they thought that they would not gain the skills that they think they need. The UCDM considers whether this is good reason for them not participating. The UCDM need not consider the notification issue. It can be assumed they were correctly notified.

Sending the form by Unencrypted Email

A4.49 Ensure that:

- The correct e-mail address for the return of the compliance doubt decision is included in the form;
- The Provider Correspondence address is the postal address to which any queries or further correspondence should be sent by Decision Makers.
- You use the correct email address for e-mailing the form to the Universal Credit Service Centre.

A4.50 **Please note:** It is important to ensure that your e-mail is sent from the in-box address that has been tested by DWP. It must not be an individual adviser address or any other e-mail address that has not been tested and approved by DWP. If you need to change an e-mail address, please inform your DWP Performance Manager and send your request to: cep.ucqueries@dwp.gsi.gov.uk. A new e-mail address must always be tested before it can be used to submit forms.

A4.51 Send daily or as soon as is possible – ensuring the link between cause and consequence is maintained.

A4.52 Please be aware that it is a key security requirement that only one form must be included per email. You cannot, for example, include several UC192 forms for more than one participant in one unencrypted email.

A4.53 **Please note:** No documents may be attached to the form; all relevant information must be noted on the form itself. A copy of the MAN, MEN or other documents is not required.

Special Customer Records and MAPPA

A4.54 Referrals for participants identified as having Special Customer Record (SCR) or Multi-Agency Public Protection Arrangements (MAPPA) status must remain clerical (even if you use unencrypted emails). Your Nominated Officer should complete the UC192, ensure that 'SCR participant' is marked clearly at the top and securely send it to the Mail Opening Unit. The postal address is at the beginning of this annex. All information on SCR or MAPPA participants must be stored securely at all times.

Please note: Further information regarding sending documents securely can be found in [Generic Provider Guidance, Chapter 8 – Information Security](#) and further information regarding SCRs, MAPPA and MAPPA with SCR status can be found in [Chapter 2 of Generic Provider Guidance](#).

Further information required by UCDM

A4.55 There may be occasions where the UCDM will need to clarify information that you have sent. **Please note:** Any additional information requested by the UCDM must not be sent to them using the unencrypted email process.

UCDM notifies provider and participant of the outcome

A4.56 Where a decision on a doubt you have referred is made, you will receive a copy of that decision on form UC136. If you are using the unencrypted email process, you will be emailed a copy of that decision from the Service Centre to the designated in-box address you noted on the referral form. (This must be an inbox e-mail address that has been tested by DWP).

A4.57 When you have received the outcome notification of the compliance doubt referral, make a note against your participant records. You are required to give the participant opportunity to meet the compliance condition (applicable to low level sanctions only) and therefore need to be aware of any pending decisions or decisions made. Further information can be found in Annex 6 – [Request to review a Compliance Doubt Decision](#).

A4.58 In some cases, the decision may contain additional information regarding potential improvements to your compliance doubt referral. It is recommended that any advice is taken into account and/or discussed at any CWP improvement meetings.

Hardship Provision

A4.59 Information on Hardship provision can be found in section 3- [Mandation](#).

Decisions, Reconsiderations and Appeals

- A4.60 If the participant receives a decision and they are not sure about it, you should advise them to ask UC for an explanation. An explanation can be given in writing or over the telephone.
- A4.61 Once the decision has been explained, they may ask for it to be reconsidered, particularly if they have some additional information for the UCDM to consider. Reconsiderations are a crucial part of the decision making and appeals process and are designed to put right an incorrect decision at the earliest opportunity.
- A4.62 In order to request a reconsideration, the participant can contact the office that notified the participant of the decision within one month of the date on the letter. The participant may also request written reasons for the decision. They should include within this request any additional evidence in support of the change of decision.
- A4.63 If the participant still believes the decision is wrong after it has been reconsidered, they may have the right to appeal to the First-tier Tribunal; the letter confirming the decision will advise if this is possible. The appeal must be in writing and within one month of notification of the decision. Further information on appeals and decisions can be found [online at gov.uk](#).

Annex 5 – Failure to Participate/compliance doubt referral forms

UC191- Provider Refusal of Employment form (higher level sanctions)

<https://www.gov.uk/government/publications/community-work-placements-universal-credit-provider-guidance>

UC192 - Failure to Participate referral form (low level sanctions)

<https://www.gov.uk/government/publications/community-work-placements-universal-credit-provider-guidance>

Annex 6 – Request to review a compliance doubt decision

Provider considers that participant has met compliance condition

A6.01 If a participant currently has a low level sanction and they meet the DWP approved compliance condition, their open ended sanction period will end and a fixed term period will be imposed. Further information about compliance doubts can be found in section 3 - [Mandation](#).

Provider notifies Decision Maker (UCDM)

A6.02 It is for you to decide if the participant has met the compliance condition. They can successfully re-comply by undertaking or agreeing to undertake the action you notified to them.

A6.03 When you are satisfied that the participant has met their compliance condition you must complete form UC194 ([Annex 7](#)) and send it to the UCDM immediately.

Please note: After sending the UC194, the provider will not be notified that the open ended element of the sanction has been stopped and that a fixed sanction period has been applied.

Actions

A6.04 Decide whether the participant has either:

- Agreed to undertake the mandated activity or an alternative one that you mandate them to undertake;
- Undertaken the compliance condition; or
- Is no longer required to undertake the mandated activity at that time.

A6.05 Notify the UCDM by e-mailing form UC194 to the designated e-mail address: Uclmdma.provider@dwp.gsi.gov.uk

A6.06 Before sending the e-mail, ensure that the e-mail standards are complied with. See section 'Standard E-mail Content' below.

A6.07 **Please note:** If you are currently unable to use unencrypted email, referrals by post will need to be sent securely to the Mail Opening Unit at:

Universal Credit
Post Handling Site B
Wolverhampton
WV99 1AJ

A6.08 For further information regarding sending documents securely please refer to [Generic Provider Guidance, Chapter 8 – Information Security](#).

Consequence:

If you fail to notify the Universal Credit (UC) Service Centre promptly when a participant has met their compliance condition there will be a delay in the open-ended sanction being stopped. This will unlawfully prolong the participant's loss of benefit.

Standard E-mail Content

A6.09 Each e-mail sent by providers to the Universal Credit Service Centre (UCSC) must adhere to the standard e-mail protocols listed below to comply with DWP security requirements.

A6.10 Each email must contain ONLY the following standard content:

- Standard wording to be displayed in email 'Subject Box'
 - Form title e.g. UC194
 - Participant's surname
 - NINO – only last 3 characters

E.g. UC194 Smith 40A

- Standard wording to be displayed in email 'Narrative Box'
 - Sender contact details
- Email attachment
 - One form per e-mail. It is a key requirement that each e-mail must never contain more than one form.
- **Please note:** Providers must adhere to these standards. For further information, see section ['Sending the compliance doubt form by Unencrypted Email'](#).

Sanction periods

A6.11 Your internal systems need to be robust enough to enable you to identify participants who are currently sanctioned.

A6.12 You will need to distinguish between UC (low level sanctions) and non-UC sanctions (Jobseekers Allowance & Employment and Support Allowance) to identify a sanction that can be reviewed.

Please Note: You can only request a review of a participant's low level sanction via the UC194 form, if you have raised the compliance doubt.

Labour market regime changes and changes to sanction periods

A6.13 If a change to a UC participant's circumstances results in a change to their UC labour market regime then their participation requirements may also change. If they have a sanction in place, this may also be affected. It is therefore important that you are aware of changes in the participant's circumstances. For example:

- If a UC participant has an outstanding balance of any sanctions incurred whilst on JSA or ESA this will transfer to UC with them, less any periods they were not receiving JSA, ESA or UC.
- If a UC participant in the Intensive Work Search regime is sanctioned and their UC claim/award ends, the open ended element of the sanction will stop building when the claim terminates and the fixed period will be applied.
- If a UC participant in the Intensive Work Search regime moves into the No Work Related Requirements regime or Working Enough regime then the open ended part of any existing sanction will end.

Participant currently on a sanction

A6.14 When a participant has met their compliance condition their open ended period of the sanction will stop and the appropriate fixed period will start. Further information about low level sanctions can be found in the [Mandation](#) section.

A6.15 The open ended element of the sanction can also be terminated by the UCDM if the participant moves into the 'No Work Related Requirements' group or the claim/award ends.

Participant has undertaken the agreed compliance condition

A6.16 It is your responsibility to decide whether the level of re-compliance by the participant satisfactorily meets the compliance condition e.g. have they met your intention behind mandating them to the activity. You will also need to decide from which date you consider that the participant has fully complied.

A6.17 If the participant only partially completes the activity, you will need to work with them and clearly explain what else they need to do in order to be fully compliant. Alternatively, due to the particular circumstances of the activity or of the participant themselves, you may decide that partial completion is sufficient and request that the open period of the compliance doubt be stopped.

A6.18 If you decide not to accept the participant's action(s) as re-compliance, you must inform the participant that they must undertake the compliance condition before you take action via the [UC194 form](#) to remove their open ended element.

A6.19 If the participant contacts you, as they are unable to undertake that activity, you can decide to agree a different compliance condition from the pre-approved list. If you do accept this as meeting the compliance condition, the date of the contact is the date you use for meeting the compliance condition on the UC194.

A6.20 If the compliance condition involves attending a meeting, compliance will normally be the date the participant attends the meeting. However, if you are unable to accommodate the participant on the day they make contact and you have to arrange the meeting for a subsequent date, the compliance date will be the date the participant makes contact.

Participant no longer required to undertake the mandated activity at that time

A6.21 You may decide that you no longer require the participant to carry out the mandated activity (original or compliance activity). This situation may arise due to a change in the participant's circumstances, work goals or that it was a time bound activity (such as attending a specific job fair) and there are no alternative similar activities to undertake.

A6.22 In this case the requirement to undertake the activity is removed. The UC194 form must be completed and sent to the UCDM to remove the open period of the sanction.

Disputed compliance condition

A6.23 There may be instances when the participant considers that they have now fully completed the activity which you have set for them but you do not consider that they have.

A6.24 In cases where meeting the compliance condition is disputed and you cannot reach agreement with the participant, you must immediately refer the matter to the UCDM on form UC194 so they can review the case and determine whether the participant has now fully complied.

Re-arranging a mandated activity prior to activity date

A6.25 You do not need to complete a UC192 'Fail to Participate' form, if prior to the participant undertaking the mandated activity, they contact you because they are not able to undertake the activity. You can decide to re-arrange the activity. Further information can be found in section 3 - [Mandation](#).

Provider notifies UCDM

A6.26 When you have made the decision that the participant has met their compliance condition you must complete form UC194 and send it immediately to the UCDM.

A6.27 The UC194 needs to be sent immediately to the Service Centre. Delays in this process will mean delays to the decision making process.

Please note: If you are using unencrypted email any additional information **MUST NOT** be communicated by unencrypted email. Any additional information must be communicated by letter using the postal address mentioned in this annex.

A6.28 If the participant re-complies prior to the UCDM making a decision on the original mandatory activity (via the UC192 form), complete form UC194 and send it to the Service Centre straightaway.

Completing Form UC194

A6.29 To ensure that the participant suffers no undue loss of benefit, the UC194 should be completed and sent to the Service Centre immediately after you have decided that they have met their compliance condition. On the form, you must:

- Indicate the reason for requesting a review by selecting the appropriate reason(s).
- Complete the date they failed to undertake the original mandatory activity.
- Determine the date of compliance and this date should be entered in the appropriate field.
- **Please note:** if you have ticked the box 'it is no longer appropriate for the participant to undertake that activity', you should not complete the date of compliance.
- Enter the date that the compliance doubt decision was made and the date of the sanction period. (You will find this on the original compliance doubt decision notification (UC136) sent to you. This will enable the UCDM to identify the correct compliance doubt to review).

A6.30 The UCDM will accept your decision that the participant has met their compliance condition and arrange for the compliance doubt to be stopped from the next applicable date following the date of compliance.

A6.31 In cases where re-engagement is disputed only you should tick the box 'I do not consider that the participant has fully complied' as the reason for referral. Enter the original date of compliance doubt decision, dates of sanction and complete the fields in the 'Compliance disputed' section. You must then provide specific details of:

- What the participant was told to do and when
- What the participant did do or failed to do and when
- Why you consider the participant has failed to complete the activity
- Why the participant considers they have completed the activity
- To complete the last field, you will need to make a note of what the participant tells you.

Sending the form by Unencrypted Email

A6.32 Ensure that:

- The correct e-mail address is included in the form;
- The Provider Correspondence address is the postal address to which any queries or further correspondence should be sent by Decision Makers.
- You use the correct email address for e-mailing the form to the Universal Credit Service Centre.

Please note: It is important to ensure that your e-mail is sent from an in-box address that has been tested by DWP. It must not be an individual adviser address or any other e-mail address that has not been tested and approved by DWP. If you need to change an e-mail address, please inform your DWP Performance Manager and send your request to: cep.ucqueries@dwp.gsi.gov.uk. A new e-mail address must always be tested before it can be used to submit forms.

A6.33 Send the form immediately to the UCDM.

A6.34 Please be aware that it is a key security requirement that only one form must be included per email. You cannot, for example, include several UC194 forms for more than one participant in one unencrypted email.

A6.35 **Please note:** No documents may be attached to the form.

Special Customer Records and MAPPA

A6.36 Referrals for participants identified as having Special Customer Record (SCR) or Multi-Agency Public Protection Arrangements (MAPPA) status must remain clerical (even if you use unencrypted emails). Your Nominated Officer should complete the UC194, ensure that 'SCR participant' is marked clearly at the top and securely send it to the Mail Opening Unit. The postal address is at the beginning of this annex. All information on SCR or MAPPA participants must be stored securely at all times.

Please note: Further information regarding sending documents securely can be found in [Generic Provider Guidance, Chapter 8 – Information Security](#) and further information regarding SCRs, MAPPA and MAPPA with SCR status can be found in [Chapter 2 of Generic Provider Guidance](#).

Hardship Provision

A6.37 Information on Hardship provision can be found in section 3 - Mandation.

Decisions, Reconsiderations and Appeals

A6.38 For information, please refer to section 3 - [Mandation](#).

Annex 7 – Form UC194

<https://www.gov.uk/government/publications/community-work-placements-universal-credit-provider-guidance>

Annex 8 - Work Search and Work Availability Doubt

Provider identifies Work Search and Work Availability query for participant

A8.01. If you have doubts regarding a participant's Work search and Work availability you are required to refer to the Universal Credit Service Centre.

A8.02. A doubt arises when you believe a participant in the Intensive Work Search Regime

- Fails for no good reason to undertake all reasonable work search action or any action particularly specified for the purpose of obtaining paid work or, if already working, more paid work or better paid work; or
- Fails for no good reason to be able and willing to immediately take up paid work or more paid work or better paid work.

Actions

- Decide whether there is a doubt regarding a participant's Work search and Work availability
- Check potential good reason for Work search and Work availability doubt

Provider gathers information and sends to Service Centre

A8.03. When you have made the decision to raise a doubt about work search/availability, you must complete the form UC190 'Work Search and Work Availability Doubt' ([Annex 9](#)). A participant's situation will then be discussed when they next attend Jobcentre Plus.

Actions

- Complete form UC190 and send it securely to the Service Centre. For further information about sending documents securely refer to [Generic Guidance Chapter 8 - Information Security](#) and [Annex 4](#) - 'Raising a Compliance Doubt'.

UCDM makes decision & notifies the Provider

A8.04. Form UC136 will be completed and sent to inform you of the result of the referral.

Actions

- Continue to engage with the participant in line with your delivery model

Detailed background and further information

A8.05. During every Work Search Review, the JCP Work Coach identifies the things that affect the work a participant is expected to look for and accept if offered. The JCP Work Coach establishes the type, location, hours and pattern of work a participant is expected to look for and be available for as set out in their Claimant Commitment.

A8.06. Participants in the Intensive Work Search Regime are generally expected to be available for full-time work and carry out full-time (a minimum of 35 hours a week) work-related activity (work search and preparation), unless there are limitations on their availability. While participants are on a placement this will count towards their expected hours.

A8.07. Participants must understand:

- their goal will be to get paid work, more paid work or better paid work as quickly as possible
- they should undertake work search and work preparation activity for a minimum of 35 hours a week, or the same number of hours they would normally be available for work
- the work search and work preparation activities must give them the best prospects of finding work quickly
- full-time work must comply with the European Working Time Directive, which is up to 48 hours per week
- if, without good reason, they have not carried out their work related requirements, they will be sanctioned

Availability

A8.08. JCP Work Coaches will gather all the relevant information regarding the participant's circumstances, to determine the number of hours the participant is required to be available for work. You will be notified of any limitations on availability via the UCPR1 (Additional Information for PRaP Referral) form or through a change of circumstances form.

A8.09. A limitation on hours or pattern of availability may apply where a participant:

- has a health condition
- has caring responsibilities
- is engaging in treatment for drug and/or alcohol dependency
- has sincerely held religious beliefs
- is engaged in public duties
- is in certain types of permitted education

- is participating in agreed work preparation activities

Availability to start work and attend a job interview

A8.10. Participants in the Intensive Work Search regime of the All Work Related Requirements Conditionality Group must be willing and able to start work and attend a job interview immediately. However in certain circumstances participants may be given longer:

- participants who need to arrange childcare before taking up work or attending an interview will be given up to 48 hours to attend an interview and one month to take up a job provided they are willing to comply within those periods of notice
- participants who are volunteers will be given up to 48 hours to attend an interview and a week to take up work
- claimants with a contract of employment will be given 48 hours to attend an interview and will not be required to be available until they have served their notice period
- participants who are signed off sick (i.e. have a fit note from a doctor) will not be required to take up a new job until their fit note expires
- participants who have recently left prison will not be required to take up work within the first seven days of release
- In addition, work search and availability requirements must be limited to a work location which would take participants a maximum of 90 minutes from home.

Work Search Activity

A8.11. The work search activities set should be the most effective activities which, when undertaken, give the participant the best possible chance of getting paid work, more paid work or better paid work quickly.

A8.12. Work Search activities will differ for each participant, based on their job requirement(s) and circumstances and may include, for example:

- using Universal Jobmatch
- registering with and using other job search websites
- carrying out other activities to look for work
- making applications
- registering with an employment agency

- seeking references

(This list is not exhaustive)

A8.13. Having set reasonable and effective actions that the participant could do, the participant will have met their work search requirement if they undertake all these actions for their expected number of hours.

A8.14. If the participant does not undertake these actions Jobcentre Plus will consider whether they have done all that can be reasonably expected of them.

Work Search and Work Availability Doubt reason

A8.15. If you are unsure whether a participant is satisfying their work search/availability requirements, and you have reason to suspect not, you should raise a doubt. For example, the participant:

- is not available within appropriate time limits e.g. the participant is not able to start work immediately (unless suitable circumstances dictate otherwise)
- has placed restrictions on the number of hours they are prepared to work over and above that already agreed and informed to you by Jobcentre Plus
- is placing restrictions on the nature of, location or terms and conditions of employment they are prepared to accept e.g. the participant requires work which is not obtainable in the location they are seeking to be employed
- restricts the types of job that they are seeking over and above those agreed with Jobcentre Plus
- is not actively seeking employment e.g. where the participant is not taking sufficient steps to find employment.

Provider gathers information and sends to Service Centre

A8.16. Complete form UC190 and send it to the Service Centre.

Special Customer Records and MAPPA

A8.17. Referrals for participants identified as having Special Customer Record (SCR) or Multi-Agency Public Protection Arrangements (MAPPA) status must remain clerical (even if you use unencrypted emails). Your Nominated Officer should complete the UC190, ensure that 'SCR participant' is marked clearly at the top and securely send it to the Mail Opening Unit. The postal address can be found at the beginning of [Annex 4](#). All information on SCR or MAPPA participants must be stored securely at all times.

Please note: Further information regarding sending documents securely can be found in [Generic Provider Guidance, Chapter 8 – Information Security](#) and further information regarding SCRs, MAPPA and MAPPA with SCR status can be found in [Chapter 2 of Generic Provider Guidance](#).

Jobcentre Plus Work Search and Availability information request

A8.18. Jobcentre Plus may contact you about a potential query they have identified or with regards to the doubt you have raised.

A8.19. They will want clarification on the activities/participation of the participant. You will be expected to respond to any questions asked as soon as possible to prevent unnecessary loss of benefit payments to the participant.

UCDM makes decision & notifies the Provider

A8.20. Where a participant is sanctioned on the grounds of availability or actively seeking work, they will be required to continue to participate with you for the duration of their time on CWP.

A8.21. The sanction for failure to meet these is a Medium Level sanction. For further information about sanctions, refer to the Mandation section.

A8.22. If you raised the original entitlement doubt, you will be notified of the outcome decision on form UC136.

Annex 9 - Form UC190

<https://www.gov.uk/government/publications/community-work-placements-universal-credit-provider-guidance>

Annex 10 - Establishing suitable employment opportunities

- A10.01 As part of the participant's referral information you will receive details of the types of employment the participant has stated they are looking for. Through your delivery and discussions with the participant you should also build up a picture of what types of employment will be suitable for them.
- A10.02 When establishing if employment is appropriate and suitable you should manage participants' expectations of available employment opportunities and wherever possible any mandated employment must be appropriate to the participant's desired employment sector and/or occupation type, and local labour market.
- A10.03 You should keep records of discussions with participants regarding their desired employment sector and/or occupation type. This will assist future discussion with the participant and will also allow you to provide this information should the participant subsequently fail/ refuse to apply for or take up employment and state the 'type' of work they were mandated to undertake does not match their desired employment sector and/or occupation type.
- A10.04 It is important that you ensure that any vacancy for which you are going to mandate participants to apply for and take up is weighted to the specific participant and their personal circumstances and any limitations or restrictions are identified.

Participant availability and employment restrictions

- A10.05 Any job for which a participant is notified to apply for or take up must fit within a participant's agreed pattern of availability and any agreed employment restrictions must be taken into account when considering whether it is appropriate to mandate a participant to a particular vacancy.
- A10.06 Jobcentre Plus will notify you of any participant availability and or employment restrictions.
- A10.07 You must not mandate participant to apply for or take up employment where the participant has agreed (with their JCP Work Coach) employment restrictions. Employment restrictions may include:
- A10.08 Particular religious or conscientious beliefs impacting on the type of work the participant can carry out; or
- A10.09 Where a participant has a medical condition that limits the type of work they are able to undertake (Universal Credit will have notified you if there is such a restriction)
- A10.10 Therefore, if the vacancy does not meet the participant's availability or employment restrictions and the participant does not wish to apply for or pursue the vacancy you must not mandate them to do so.

Please Note: If a participant states they will not apply for or take up a vacancy due to availability or employment restrictions for which Jobcentre Plus have not notified you, you must contact your jobcentre Single Point of Contact (SPoC) to confirm any restrictions and clarify whether the vacancy remains appropriate.

A10.11 You must also ensure that you do not mandate participants to specific types/areas of work that a participant is not allowed to carry out (e.g. due to a court judgement the participant is not permitted to work in certain locations or undertake certain types of work).

A10.12 Where Jobcentre Plus is aware that such restrictions apply they will highlight this to you. The specific nature of the restriction will not be detailed as this information will be sensitive, therefore where you are notified that employment restrictions apply you must contact your Jobcentre Plus single point of contact (SPoC) for further information in relation to the restriction.

Working time regulations

A10.13 When establishing suitability and where information is available you must also ensure that employment opportunities for which you are mandating participants to apply for and take up abide by the Working Time Regulations 1998.

A10.14 The Working Time Regulations 1998 provide that a worker's working time, including overtime, shall not exceed an average of 48 hours for each seven days (the average being calculated over a 17 week period) except where a worker has agreed with his employer in writing that this limit should not apply in his case.

National minimum wage

A10.15 You must also ensure that employment for which you are mandating participants to apply for and take up pays at least the National Minimum Wage that applies to the participant.

Travel

A10.16 You must not mandate participant to apply for or take up paid work in any location which would normally take the participant more than 90 minutes to travel to or from their home.

Travel Expenses

A10.17 You are responsible for funding the participant's travel costs to attend job interviews for which you are mandating them to attend and/or any interviews secured as a result of being mandated to apply for a vacancy.

A10.18 You are required to keep auditable records of travel cost payments with evidence of the expense incurred by participants. You must also ensure that you do not place

undue financial hardship on claimants e.g. do not leave participants to fund travel to multiple interviews and reimburse them at the end of the week.

Allowing participants time to apply/attend

A10.19 You should allow a maximum period of four weeks for the participant to apply. In setting this date, you should use your discretion and take into account:

A10.20 Whether the vacancy has an actual closing date of fewer than four weeks (in which case, the earlier date should be the one set);

A10.21 The complexity of the application process (if known);

A10.22 The steps you are already requiring the participant to undertake which, where undertaken, may make it difficult for the participant to apply in time;

A10.23 The individual circumstances of the participant.

A10.24 A typical participant with no health issues or caring responsibilities will be required to be immediately available for paid work, either to attend an interview or to start work. Immediately is given its natural meaning (i.e. within a matter of hours on the same day). However in certain circumstances participants may be given longer (see section on Work Search and Work Availability Doubts).

A10.25 In all cases participants must be clearly informed of what is expected of them and when (or by when) they have to do it on a Mandatory Employment Notification (MEN). The MEN that must be used when mandating participant to employment can be found in Annex 5.

Unsuitable employment opportunities

A10.26 You must ensure you only mandate claimants to employment opportunities that are legal and meet National Minimum Wage requirements. You must also ensure you do not mandate participants to apply for or take up the following types of employment opportunities.

Following up mandated employment and evidence of compliance

A10.27 Where you have mandated participant to apply for or take up an employment opportunity you must ensure you follow-up the mandation.

A10.28 When following-up mandation it may not be necessary to contact the employer to obtain feedback, for example, where you require a participant to apply for a vacancy by submitting an online application and alternative evidence is available e.g. screenshots of application sent, e-mail confirmation or visible online evidence etc.

A10.29 The method, by which you request a participant to evidence compliance, should be stated on the MEN.

Please Note: The participant may supply alternative evidence and it is the participant's decision on what evidence they supply to demonstrate compliance. If you do not think the evidence presented by the participant sufficiently demonstrates compliance you should make a compliance doubt referral.

A10.30 Where you will be following up employment by contacting the employer, as part of your delivery DWP has arranged for a designation order that provides express legal authority to request information from an employer about a participant's job application or interview performance in relation to employment opportunities that you have mandated the participant to.

A10.31 Where alternative evidence is not provided you may wish to contact the employer so they can confirm whether a participant undertook the action you required of them (applied for a job, attended an interview, started work etc.).

Participant behaviour

A10.32 Participants may behave in such a way that they lose the chance of employment. In such cases, a compliance doubt referral can be made even though the participant applied for the job. For example, if the participant:

- Arrives late for an interview or goes to the wrong place through their own negligence;
- Imposes unreasonable conditions on acceptance of the job so that the employer withdraws the offer;
- Behaves in such a manner at an interview that the employer decides not to offer them the job; or
- Refuses to give references or allow references to be taken up.

A10.33 If a prospective employer makes it known that such conduct has occurred, the participant's behaviour may amount to refusal or failure to apply. If it is identified that a participant has avoided the chance of a job, you must make a compliance doubt referral (Further information regarding the compliance doubt process can be found in Work Programme Guidance Chapter 6 – 'Raising a Compliance Doubt'). It should be made clear to participants that whilst any failure will be referred to DWP by yourselves it will be a decision maker who makes the decision based on all the facts and evidence.

Annex 11 – Misconduct Referral Form

<https://www.gov.uk/government/publications/community-work-placements-universal-credit-provider-guidance>

How to Complete the CWP DMA 02(UC)

Part 1: Claimant Details.

A11.01 Please enter the participant's full name, National Insurance number, telephone number and address in the fields provided. (Please Note: The address field must detail the address to where any posted mandation notifications have been sent).

Part 2: Reasons for dismissal through misconduct.

A11.02 Please enter the date (once agreed with JCP) that the claimant was dismissed from CWP and please provide detail and reasons for dismissal. E.G. consistent unacceptable behaviour etc. (Further information regarding unacceptable behaviour can be found in [Section 4](#)).

A11.03 Please also provide any detail of any warnings prior to dismissal and if these warnings were written or oral.

Part 3: Further information.

A11.04 Please provide any further relevant information that may assist the Universal Credit Decision Maker in making the decision that you think may complete the picture of the events leading up to the claimant's dismissal, including any reason the claimant may have given for their actions or failure to act.

This may also include:

- Further information regarding any warnings given to the claimant prior to dismissal.
- Statements provided by the host employer regarding the claimant dismissal.
- Any history of previous compliance or non-compliance that is relevant to this referral.

Please Note: You should also note here where you have mandated the claimant to maintain basic standards of good behaviour.

Part 4: Provider Details and Declaration

A11.05 Please enter the contact details of the person/provider completing the form and by so doing, you are confirming that the form has been completed fully and accurately.

Annex 12 - Inappropriate Referrals

- A12.01 Situations may arise where Jobcentre Plus (JCP) make a referral which is inappropriate. In these cases and only these cases, there are processes to correct the error.
- A12.02 When the error is discovered by JCP, they will telephone your nominated contact to advise you what has happened. Upon receipt of this telephone call, you should take no further action with the participant until further instruction from Jobcentre Plus.
- A12.03 You should advise the PRaP Operational Support Team (POST) and each Jobcentre with whom you work of your nominated contact person for these occurrences as soon as possible.
- A12.04 If you discover an error with the referral, you should immediately contact your Single Point of Contact (SPoC) at the Jobcentre concerned.
- A12.05 **Please Note:** You must not cancel or reject a referral before speaking to the SPoC as the decision as to whether the referral is incorrect lies with them.

Ineligible referrals

- A12.06 There may be a small number of claimants referred to you who later turn out not to be eligible for CWP.
- A12.07 JCP will advise you accordingly and your subsequent actions will depend on the action you have already taken.
- A12.08 Where the error is discovered and notified prior to Acknowledgement in PRaP - You are required to Acknowledge - Reject the referral in PRaP recording a rejection reason of 'Inappropriate Referral'.
- A12.09 Where the error is discovered and notified after Acknowledgment but prior to the CWP Start you must update PRaP in the 'Orders' tab selecting 'Cancel – No Contact' (This action will close the referral in PRaP and you are not required to take any further action in relation to the claimant).
- A12.10 Where the error is discovered and notified after the CWP start - JCP will advise the PRaP Operational Support Team who will arrange for the start to be 'backed-out' of PRaP. POST will then email you when this action has been completed and you must then update PRaP (within 24 hours) in the 'Orders' tab selecting 'Cancel – No Contact' (This action will close the referral in PRaP and you are not required to take any further action in relation to the claimant).

If you discover the problem:

A12.11 If you believe there has been an error with the referral, you should immediately contact the appropriate SPoC at the Jobcentre concerned.

A12.12 **Please Note:** You must not cancel or reject a referral before speaking to the SPoC as the decision as to whether the referral is incorrect lies with them.

Duplicate Referrals

A12.13 There may be a small number of occasions where you receive a duplicate referral for a participant. It is your responsibility to check the referrals you receive to ensure that you only receive one referral per participant.

A12.14 If you receive duplicate referrals it is your responsibility to notify JCP. Any duplicate start fees that are paid will be recovered from you.

A12.15 Where the error is discovered you must continue to work with the participant.

Annex 13 - Provider Implementation Checklist

Contact points

A13.01 For performance related issues you should contact your performance manager (For further information regarding performance management please see section 7).

A13.02 There are however instances that you will need to contact JCP and vice-versa to facilitate daily delivery. Throughout implementation and delivery you should ensure your staff and their JCP counterparts understand who they need to contact in relation to the below activities:

A13.03 Do you know who to contact regarding:

Process	Contact Purpose
Referral	<p>Inappropriate Referrals - If you believe there has been an error with the referral, you should immediately contact the Jobcentre concerned.</p> <p>Restricted Availability information - If information given at the referral phone call or the delivered referral information regarding claimant's participation restrictions is unclear you should immediately contact the Jobcentre concerned.</p> <p>Universal Credit Claimant UCPR1 referral - A UCPR1 form will be sent to you on the same day the PRaP referral is made, by first class mail. If you have not received the UCPR1 by the 4th working day from the date of referral you should contact the Jobcentre concerned for a duplicate to be issued immediately</p>
UCDM Compliance Doubt Referrals	<p>Making a UCDM Compliance Doubt Referral - The contact and e-mail address of the Universal Credit Decision Making (UCDM) team responsible for UCDM compliance doubt referrals.</p> <p>Misconduct cases - Who, in the first instance to discuss this with in JCP and who as a last resort, would make the decision to exclude due to misconduct.</p>
Claimant Participation	<p>Work Search Reviews/JCP interventions - Who to contact in JCP to (where possible) arrange a suitable time to ensure that this or any other required attendance does not impact negatively on the participant's work placement.</p> <p>Domestic Emergency - Who to contact where a participant informs you that they are unable to comply with a mandated activity due to a domestic emergency.</p> <p>Sickness - Who to contact if the participant informs you that they are unable to comply with a mandated activity due to sickness.</p> <p>Doubts in Participant Availability - Who to contact to notify JCP to investigate a participant's availability.</p>
Exit Reports	<p>Delivering Exit Reports Who to send exit reports to within</p>

	JCP. You must return the exit report within 10 working days of the claimant completing CWP/ or on request from JCP.
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A13.04 Do DWP know who to contact in your organisation regarding:

Process	Contact Purpose
Referral	<p>Referral contact - Your designated point of contact to field and manage referral phone calls to book initial engagement meetings and provide the JCP Work Coach with the date, time and location of the appointment.</p> <p>Inappropriate Referrals - Situations may arise where JCP make a referral which is inappropriate. You should advise who your designated contact person is to deal with these situations.</p> <p>Universal Credit Claimant UCPR1 referral - Your designated addresses for where any UCPR1 forms should be sent.</p>
UCDM Compliance Doubt Referrals	<p>UCDM Compliance Doubt Referral - The contact and e-mail address of who to contact regarding any issues with process.</p> <p>Please Note: You will detail on the referral form the contact details for individual cases.</p>
Claimant Participation	<p>Changes of Circumstances - Who JCP should contact/ Send information to, relating to changes in participant circumstances (including participation restriction etc.).</p> <p>Claim to benefit information - Who JCP should contact/ Send information to relating to where claims to benefit cease/ re-commence).</p> <p>Domestic Emergency - Who JCP should contact where a participant informs them that they are unable to attend CWP due to an accepted domestic emergency.</p> <p>Sickness - Who JCP should contact where a participant informs them that they are unable to attend CWP due to an accepted period of sickness.</p> <p>Civic Duties - Who JCP should contact where a participant contacts them to say they are unable to attend CWP due to a civic duty.</p>
Exit Reports	<p>Requesting Exit Reports - Who JCP should contact to request exit reports.</p>