

Temporary guidance on Work Experience sanctions sent to District Managers, Group Implementation Managers, and Work Services Directors

Issue

You may have seen coverage in the media of the Government's intention to change the way in which sanctions are applied to claimants referred to, or leaving, Work Experience.

This decision follows a meeting which Minister for Employment Chris Grayling held with employers at which he reassured them that the Work Experience scheme was and remains voluntary. No young person has been, or will be, referred who has not volunteered to take part. Sanctions are designed to protect employers and are rarely used. Between January and November 2011, only 220 claimants were sanctioned.

Mr Grayling said: "The participants are volunteers and the employers are volunteers. The employers said to us: 'We would like to modify it. At the moment you have a got a situation where people can leave voluntarily after the first week. We would like to be able to sit down later in a work placement if it is not working and say we want to opt out.'

"We thought that was reasonable so we said fine and we will accept that. Sanctions will still apply where individuals lose their place on the scheme as a result of gross misconduct."

It will take a bit of time before we can revise the rules and guidance in line with that decision.

Action and Timing

In the meantime, **staff are asked to take immediate steps** to ensure that no claimant of any age is sanctioned under the existing rules for failing to take up, attend or leaving the Jobcentre Plus Work Experience scheme, the Work Experience element of sector-based work academies and work experience arranged by Work Programme providers including:

- Suspend consideration of any Work Experience sanctions where a decision has not already been imposed and notified to a claimant. This includes any referrals from Work Programme providers related to work experience
- Suspend any referrals for Decision Making and Appeals (DMA) consideration of all such cases including where the host employer has notified us of an issue or where we have sought a claimant's explanation (you do not need to withdraw any notifications already sent or contact employers or individuals)
- Stop – with immediate effect – using the Labour Market System (LMS) – generated Work Experience referral letters. A revised letter is

available ***[note: a copy of the text of this letter to claimants is attached as document 2]*** and should be completed manually and issued when making any further referrals.

Ministers remain committed to Work Experience which early evidence suggests is improving participants' prospects of leaving benefit and finding work. The changes ministers intend to make are aimed at maintaining business support and public confidence in this successful scheme.

We are well placed to meet ministers' expectation of helping 50,000 young people through Work Experience in 2011/12. It is important that we continue to refer and place people into these opportunities using the revised referral letter and the temporary suspension of all sanction activity.

Claimants, employers and delivery partners may ask for your views or reaction to the media coverage. It is important that we respond by explaining that Work Experience continues to be available on a voluntary basis and we are now revising the rules for those who have volunteered to participate.