

# **Help to Work package (for JSA claimants whose Work Programme Completer Interview was on or after 28 April 2014)**

## **Background**

1. The Help to Work (HtW) package is help and support, based on a claimant's individual circumstances. It is comprised of three distinct elements:
  - Mandatory Intervention Regime (MIR)
  - Daily Work Search Reviews (Daily WSR)
  - Community Work Placements (CWP)
2. The HtW package applies only to JSA claimants whose Work Programme Completer Interview (WPCI) was on or after 28 April 2014. Where the WPCI date was prior to 28 April 2014, JSA Post Work Programme Support guidance must be followed.
3. Information about the three elements which make up the HtW package is contained within this guidance. It is important that all those involved with HtW, and work coaches in particular, are fully familiar with these elements and the relationships between them.
4. Delivery of the HtW package is based on an equal number of claimants being assigned to each of the three elements. The Pilot Marker Interactive report is available on the National WSD MI Homepage to support District Management Teams (DMTs) in managing this split. Work service managers must be alert to communications from DMT about managing the allocation of claimants.
5. Work service managers have a key role to play in ensuring that work coaches apply their discretion wisely; this is particularly important with regard to CWP as the number of places is strictly limited.
6. HtW applies to those claiming JSA when they complete the Work Programme (WP) and to those who were not claiming JSA when their time on WP ended but claim or reclaim JSA within 12 weeks of their WP end date.

7. A nominated contact in each District Office receives a LMS MIS report, 10 working days before the completion date and, following locally agreed protocols, must ensure that:
  - The Work Programme Exit Report guidance is followed.
  - A Work Programme Completer Interview (WPCI) is booked. This interview must be conducted within 15 working days of the claimant's WP completion date. Booking the WPCI will generate an invitation letter which must be issued to the claimant.
8. Joint claim couples completing WP must be treated as individuals for labour market purposes. Each will have a WPCI and be assigned to the element of HtW most appropriate to their circumstances.
9. JSA Credits Only claimants completing WP should be booked to attend a mandatory WPCI.
10. For other claimants, such as those not claiming a benefit when WP participation ended, or HtW participants who have a break in their JSA claim, please see the Linking Rules section of this guidance.
11. Offices must have robust systems in place to identify these 'other' claimants and determine whether or not they are in scope of HtW.
12. Where HtW is appropriate, it is for Districts / Jobcentres to determine if the Initial Work Search Interview (IWSI) / Rapid re-claim should double as the WPCI or if a separate WPCI is required.
13. If a separate WPCI is required this must be conducted as soon as possible, ideally within 3 working days, of the IWSR to ensure the claimant's needs are assessed
14. Where HtW is not appropriate, a note should be placed in LMS Conversations to that effect. Where HtW is not appropriate the claimant will be allocated to the JCP Offer, which incorporates the SR13 measures.

**NB:** If the IWSR is conducted by an assistant work coach a separate WPCI must be booked with a work coach, as the WPCI is a full diagnostic interview.

**Important note:** WP completers must not be re-referred to the WP at any time or under any circumstances.

## Work Programme Completer Interview

15. The Work Programme Completer Interview (WPCI) is a 40 minute full diagnostic interview which must be conducted face-to-face by a work coach.
16. The primary purpose of the WPCI is to decide, based on information gathered and supported by the Work Programme Exit Report (where available), the next steps to be taken with the claimant.
17. Prior to the WPCI, a check of Labour Market System (LMS) pilot markers should be made to identify claimants who have, for example, a benefit cap or troubled families marker set, so that next steps can be tailored around the support they are already receiving.
18. A check of the Customer Information System (CIS) is also important to determine if the claimant has a Fraud Referral and Intervention Management System (FRAIMS) indicator present. If so, the Fraud and Error Service (FES) must be contacted for advice.
19. The WPCI is the first point at which the claimant can be assigned to Daily WSR or referred to Community Work Placements (CWP) provision.
20. Although allocation to Daily WSR or CWP can take place within the WPCI, it is not necessary to do so at this stage. It may be more appropriate to allocate the claimant to Mandatory Intervention Regime (MIR) which includes an eight-week assessment period (commencing from the date of the WPCI). This allows the work coach time to thoroughly consider which of the HtW elements best addresses the claimant's needs; this includes the option for the claimant to remain on MIR.
21. To ensure claimants receive support appropriate to their circumstances it is important that work coaches have a clear understanding of the different elements of the HtW package, and the relationship between them.
22. The work coach must take the following steps during the WPCI:

Step	Action
1	Explain to the claimant: <ul style="list-style-type: none"><li>• the purpose of the interview</li><li>• about Back to Work Schemes</li><li>• the conditionality / sanction regime attached to their claim</li></ul>

	<p><b>NB:</b> Due to the length of time spent on Work Programme (WP), many claimants will be unfamiliar with the support available and conditionality / sanction regime attached to their claim. It is, therefore, important that comprehensive explanations are provided.</p>
2	Conduct skills screening and consider the need for a skills assessment.
3	Draw-up a JSA Claimant Commitment appropriate to the circumstances of the case.
4	<p>Update LMS:</p> <ul style="list-style-type: none"> <li>• select the PWPS pilot marker and set it to the appropriate value (i.e. HtW asst phase, HtW MIR, HtW DWSR, CWP, Post CWP MIR or Post DS MIR),</li> <li>• record, as a LMS conversation, that the discussion about Back to Work Schemes has taken place</li> <li>• (if appropriate) arrange a Follow-up Work Search Interview in line with local policies</li> <li>• (if appropriate) set LMS Workflows in line with the circumstances of the case</li> </ul>

### **Claimant fails to attend WPCI**

23. Before taking fail to attend action, check the claimant hasn't notified the department that they would not be attending. If they have, see the Claimant notifies JCP they will not be attending WPCI section of this guidance. If they haven't, take normal FTA action; the WPCI must be re-booked as soon as possible.

### **Claimant notifies JCP they will not be attending WPCI**

24. If a claimant notifies you they are unable to attend the WPCI, follow Rearranging interviews guidance.

25. If a claimant notifies you they will not be attending the WPCI because they are terminating their claim, take normal claim closure action and follow the WP Exit Report 'Capturing Off Flow between initial contact script and Completer Interview' guidance. If they reclaim JSA within 12 weeks of their

WP end date, they will then form part of the HtW cohort; see New claim from person that ceased claiming JSA between Work Programme end date and WPCI.

### **Claimants who complete the Work Programme early**

26. Claimants who complete the Work Programme (WP) early fall outside the scope of HtW and will receive the JCP Offer. The PWPS marker must not be set as these claimants will be subject to SR13 conditionality.

### **Delivering the Mandatory Intervention Regime**

27. The Mandatory Intervention Regime (MIR) delivers all the employment support measures available through the JCP Offer and, to supplement those, provides more intensive, personalised support through **increased** work coach interviews. The nature and frequency of these additional interviews is to be determined locally on a case by case basis and may vary over time.

28. Where possible the claimant should be assigned a designated work coach to ensure consistency and continuity of support. It is also recommended strongly that a work coach delivering MIR adopt a Solution Focused approach (Solution Focused training is available through RM).

29. Activities within MIR could include:

- Case conferencing with Work Psychologists
- Targeted group sessions
- SMART action planning and robust follow-up supported by Jobseeker's Directions as appropriate
- Mock interviews and/or application form completion
- Strengthening the conditionality message
- Rigorous skills assessment and measures to address gaps identified.

30. Districts may also seek to deliver additional external support that targets MIR participants specifically. Any such support will be shown on the District Provision Tool.

31. Existing Labour Market System (LMS) interview types must be used to deliver MIR

**NB:** It is DWP policy that claimants are reimbursed travel expenses for interventions that take place on any day other than their usual fortnightly signing day; reimbursement is not discretionary and is not dependant upon the claimant requesting it. See FSF 'Making a payment' guidance.

### **Claimant allocated to MIR at Work Programme Completer Interview**

32. Claimants not allocated to Daily Work Search Review (WSR) or referred to Community Work Placements (CWP) at the Work Programme Completer Interview (WPCI) will be allocated to the MIR assessment phase. The PWPS marker must be updated to show 'HtW asst phase'.

33. Work coaches then have up to 8 weeks\* to assess whether one of the other HtW options (i.e. Daily WSR or CWP) is more appropriate given the claimant's particular circumstances.

34. However, the work coach may assign the claimant to MIR at the WPCI, if they decide that the other HtW options (Daily WSR or CWP) will not be appropriate for them. The PWPS marker must be set to 'HtW MIR'.

\* **Important note:** 8 weeks is an absolute maximum and commences from the date the WPCI is conducted. Once the 8 week point has been passed, a claimant not allocated to Daily WSR or referred to CWP will be assigned to MIR i.e. after the 8 week point, allocation to Daily WSR and initial referral to CWP are no longer an option. The 8 week limit does not apply to claimants who may need referring again to CWP because they failed to attend the original provider Engagement Meeting or did not start their placement.

### **Claimant allocated to MIR following Daily WSR or CWP**

35. All claimants completing their time on Daily WSR or CWP provision will be assigned to Post CWP MIR or Post DS MIR. The PWPS marker must be updated to show "Post CWP MIR" or 'Post DS MIR'.

36. Once a claimant has completed their time on either Daily WSR or CWP they are not eligible to be allocated again to either Daily WSR or CWP.

37. To ensure momentum is maintained claimants will continue to receive support through MIR.

### **Work Programme completer is on a training course.**

38. If, during the Work Programme Completer (WPCI), evidence from the claimant or from their exit report shows that they are currently on a training course arranged through their Work Programme provider, then they should be allowed to continue on the course where the work coach agrees that:

- JSA conditionality continues to be met
- the training relates to their intended Job Goal (where there are jobs in the Local Labour Market)
- the training will improve their prospects of achieving work or move them closer to the labour market
- the training is due to end in a reasonable time ('reasonable' would be measured against similar course durations on the District Provision Tool)
- the training course is likely to be a direct route to a job and not a stepping stone to more training
- if payment for travel costs, certificates or course materials are required then this is considered through normal Jobcentre rules
- 'conditionality' rules are considered and appropriate allowances payable (e.g. Full-time courses), and
- the District has available funds to pay for the training.

39. If the training is a full time course and is funded by Skills Funding Agency (SFA) then Districts will need to decide if they can fund any other associated costs such as training allowance, childcare and travel through Flexible Support Fund (FSF).

40. If it is decided that the claimant should continue the training, the District can consider Low Value Provision, but there is no additional funding for MIR, the cost would need to be met from the District FSF budget. This may result in the claimant continuing with training but with a different provider.

41. A common sense approach must be applied to the procurement of any training but on occasions Districts may not be able to fund the same training due to commercial rules. Districts are able to use freedom and flexibilities (within commercial rules) to make local decisions on this.

## **Daily Work Search Reviews**

### **Introduction / suitability**

42. The Daily Work Search Review (WSR) element of HtW requires claimants to attend the Jobcentre daily (Monday to Friday) for up to a maximum of 13 consecutive weeks from the date of allocation

43. Attendance times for those allocated to Daily WSR will be different for each day of the week.

**Important note 1:** Due to these attendance requirements postal claimants must not be considered for allocation to Daily WSR.

**Important note 2:** Work coaches must be sure that a claimant is able to understand and cope with daily variation in attendance times. If there are doubts in this regard it would be inappropriate to allocate the claimant to Daily WSR

44. A claimant can be allocated to Daily WSR either at the Work Programme Completer Interview (WPCI) or as part of the initial assessment stage of Mandatory Intervention Regime (MIR) i.e. within 8 weeks of the WPCI.

45. Once allocated to Daily WSR a claimant is not eligible for referral to Community Work Placements (CWP). There are no exceptions to this so it is essential that work coaches consider the claimant's needs effectively.

46. Examples of claimants who may be suitable for allocation to Daily WSR are:

- claimants who need additional support with their jobsearch activities, which the work coach believes will be best provided by Daily WSR. This may include following up job applications and interviews, identifying and addressing issues such as skills gaps
- claimants who have reasonable levels of work experience but may lack the level of motivation required to seek out employment opportunities or pursue options for improving their employment prospects
- claimants who have a history of poor timekeeping in terms of attending interviews at the Jobcentre. The timekeeping requirements of Daily WSR may improve claimant's discipline and understanding of the importance of timekeeping in a work environment.

47. Claimants undertaking other activities (e.g. voluntary work or training provision) are not excluded from Daily WSR. However, allocation to Daily WSR would only be appropriate if it can be accomplished without disrupting the benefits being derived from those other activities.

48. Ultimately, the decision on allocation to Daily WSR is at the discretion of work coaches taking into account the claimant's individual circumstances.

49. Claimants allocated to Daily WSR are entitled to have their travel costs reimbursed for every attendance except the one day in each fortnight

when they would usually be expected to attend. When assigning a claimant to attend Daily WSR, consider the most cost-effective method of paying travel expenses; payment in advance, particularly issuing weekly bus/rail tickets and passes, may be the most cost-effective option. Further information on the available options can be found in the FSF 'Making a Payment' guidance.

50. During the Daily WSR period it is essential that effective systems are in place, between work coach and assistant work coaches, to capture issues arising (e.g. doubts about availability and actively seeking) and handle them in accordance with normal business practice.

51. Effective liaison will also help work coaches in reviewing whether, during the 13 week period, Daily WSR remains the most appropriate option for the claimant.

### **Allocation to Daily WSR**

52. Where a work coach determines that Daily WSR is the most appropriate Help to Work (HtW) element for a claimant the steps set out below must be taken:

<b>Step</b>	<b>Action</b>
1	<p>Explain to the claimant:</p> <ul style="list-style-type: none"> <li>• that they are being allocated to a regime of Daily WSR at the Jobcentre</li> <li>• that this daily attendance will continue for up to 13 weeks</li> <li>• the potential consequences of failing the daily attendance requirements</li> <li>• the format which Daily WSR will follow</li> <li>• travel costs will be paid for every attendance except their usual fortnightly signing day.</li> </ul>
2	Review the JSA Claimant Commitment
3	Draw-up the claimant's daily attendance timetable (on My Work Plan) for the first 4 weeks, ensure the claimant understands what is being asked of them and explain that a revised timetable will be drawn-up every 4 weeks.

4	<p>In LMS:</p> <ul style="list-style-type: none"> <li>• ensure the PWPS marker is set to 'HtW DWSR'</li> <li>• set workflows, in line with locally agreed processes, to manage the Daily WSR. E.g. requirement to change the attendance table every 4 weeks, to book a work coach interview to coincide with the end of the Daily WSR period</li> </ul>
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### **Daily WSR attendance timetable**

53. Daily WSR times must vary on each day Monday to Friday; this varied pattern is then repeated for 4 consecutive weeks (i.e. the attendance time must be different for each day of the week but in each 4 week block the time on a particular day will be consistent).
54. The times allocated must fit within the claimant's agreed pattern of availability.
55. The timetable must be changed every 4 weeks; the exception being that the revised timetable issued at week 8 can run for 5 weeks (i.e. until the end of the Daily WSR period).

### **Conducting Daily WSRs**

56. Guidance on conducting a Daily WSR can be found in the Get Britain Working guidance for Jobseekers Allowance Claimants.

### **End of Daily WSR period**

57. The Daily WSR period must last no more than 13 weeks.
58. The Daily WSR period can end before 13 weeks if the work coach considers it appropriate to do so. Assistant work coaches may identify cases where Daily WSR is no longer appropriate but will refer the claimant to the work coach who will assess the claimant's ongoing suitability for Daily WSR.
59. At whatever point the Daily WSR requirement is ended the claimant will be placed on MIR. The steps to be taken by the work coach are set out below:

Step	Action
1	Explain to the claimant that: <ul style="list-style-type: none"> <li>• they no longer need to attend Daily WSR</li> <li>• they will now be assigned to MIR and what that means</li> </ul>
2	Review the 'JSA Claimant Commitment '
3	Update the My Work Plan booklet with new WSR arrangements and ensure the claimant understands them
4	On LMS: <ul style="list-style-type: none"> <li>• ensure the PWPS marker is amended to 'Post DS MIR'</li> <li>• (if appropriate) arrange next work coach interview</li> </ul>

## Community Work Placements

### Overview and District Implementation

60. Community Work Placements (CWP) is an element of the Help to Work (HtW) package; it is not a stand alone programme. It aims to equip Work Programme completers with a valuable period of experience in a work-based environment, enabling them to develop the disciplines and skills associated with sustained employment.

61. CWP is delivered by DWP contracted providers. In addition to sourcing work placements, the provider also delivers job search support to those taking part.

62. Once a claimant starts CWP provision they are no longer eligible for awards from Flexible Support Fund (FSF); the CWP provider is responsible for addressing their needs.

63. In each Contract Package Area (CPA) there is a strict annual limit on the number of claimants the provider can take on to CWP provision.

64. The limited number of places available and the mandatory nature of the provision make it imperative that District Management Teams (DMT) implement processes to support and monitor CWP which are effective and transparent.

65. DMT are also responsible for ensuring that their CWP provider has nominated contacts in Jobcentres for raising absence related issues. The nominated contact(s) must be familiar with the Labour Market Conditions Guide and able to make decisions (e.g. whether absences may be 'treated as straight forward') promptly and accurately in regard to issues including:

- periods of sickness
- domestic emergencies
- easements for parents.

66. It is also important for Districts to obtain regular MI and ensure that formal Provider Engagement Meetings are set up with the CWP provider.

### **Claimant suitability for referral to CWP**

67. Claimants suitable for referral to CWP are those whose primary barrier to work is either a lack of recent work experience or a lack of motivation. CWP offers those who have spent a good deal of time away from a structured work environment an opportunity to gain valuable experience, and offers those who lack motivation an opportunity to acquire the disciplines associated with work.

68. A claimant whose primary barrier to employment is other than those stated above is probably more suited to the range of support offered by the Mandatory Intervention Regime or Daily Work Search Review.

69. Once referred to CWP a claimant is not eligible to be allocated to Daily WSR. There are no exceptions to this, so it is essential that work coaches consider the claimant's needs effectively.

70. Claimants allocated to CWP must no longer be considered for referral to other provision (contracted or non-contracted), although they will be eligible for a Work Trial which is directly linked to a vacancy, if such an opportunity arises. It is, therefore, imperative that work coaches diagnose each claimant's needs effectively before committing to a referral to CWP.

70. If there are **known** factors that would prevent the claimant completing the full duration of the provision, a referral to CWP would **not** be appropriate. Examples include expected date of confinement which is prior to the CWP end date, or a confirmed start date for employment.

71. Any questions about a claimant's suitability for CWP should be raised with the work services manager as they have a key role to play in ensuring that CWP places, which are limited in number, are deployed appropriately.

### **Features of CWP**

71. The provision is mandatory for those referred; a failure to participate without good reason will incur a sanction.

72. CWP incorporates work-based placements and jobsearch activity.

73. The work-based placements will:

- last for 26 weeks (NB the allotted time on provision will be 30 weeks)
- be 30 hours per week, unless restrictions apply
- be reduced in line with any restrictions a claimant might have on their Claimant Commitment (CC). In such circumstances, the placement will be for the claimant's agreed hours of availability less a minimum of 4 hours (which will be used for provider-led jobsearch activity)
- be of benefit to the local or wider community, and
- be additional to any existing or expected vacancies the host organisation might have.

74. The provider led jobsearch activity undertaken will:

- be for between 4 and 10 hours per week depending on availability restrictions (if there are delays in finding the claimant a suitable placement or a break between placements, the jobsearch activity will be for up to 30 hours per week)
- be determined by the provider.

75. The CWP provider may also mandate the claimant to apply for specific jobs/ attend job interviews.

76. CWP participants continue to claim JSA and attend fortnightly Work Search Reviews.

77. The provider will meet the costs incurred by the claimant in attending CWP. This will include travel, childcare and replacement adult care costs. The provider will also meet any additional support costs necessary to allow disabled people to participate fully.

78. The provider is also responsible for providing assistance normally accessed through the Flexible Support Fund (FSF); CWP participants are not eligible for awards from FSF.

### Referral process

79. The referral must be made during either the WPCI or a work coach interview within the 8 week assessment period following the Work Programme Completer Interview (WPCI).

80. CWP provision is supported by PRaP and work coaches must be familiar with PRaP Referral Guidance. Prior to making a referral, the work coach must ensure the claimant details held on LMS are accurate and complete.

81. The work coach making a referral to CWP must take the following actions:

Step	Action
1	Explain to the claimant: <ul style="list-style-type: none"> <li>• about Back to Work Schemes</li> <li>• what the provision entails</li> <li>• how we expect them to benefit from the provision</li> <li>• that any travel and/or care costs they incur will be met by the provider</li> </ul>
2	Ensure that the claimant's Action Plan (AP) "Aims" free text box has the following information: <ul style="list-style-type: none"> <li>• input Types of Work from the CC Jobseeker Profile</li> <li>• input any availability or work restrictions agreed on the CC</li> <li>• If there are no restrictions in place, type 'no restrictions apply' in the 'aims' text box on the AP</li> <li>• As a JSAG will not be created / updated on LMS for CC cases, the relevant information is transferred to providers through PRaP from the Action Plan. It is important the AP is updated, so it is accurate and only relevant information will be automatically transferred to providers when the PRaP referral is made</li> </ul>

3	<p>Make the referral via the 'Community Work Placements' opportunity on LMS and arrange an Initial Engagement Meeting for the claimant with the CWP provider by contacting the Single Point Of Contact (SPOC), as per instructions on the opportunity.</p> <p><b>NB1:</b> Ensure MAPPA guidance is followed in appropriate cases</p> <p><b>NB2:</b> Separate procedures apply to Special Customer Record cases</p> <p>Make a note in the opportunity notes box with the details of the first appointment with the name of provider, date and time of appointment</p>
4	<p>Update the CC ensuring 'I will participate in Community Work Placements' is selected in the 'My actions for getting work' section.</p> <p>Other actions can be included in this section but they must be reasonable.</p> <p><b>Important note:</b> When discussing with the claimant what other actions it might be appropriate to include, work coaches must be mindful of the fact that the claimant will soon be on a work-based placement for 30 hours per week (less if availability restrictions apply). Any other actions must be reasonable in light of that fact.</p>
5	<p>Alert the provider to issues which impact upon the claimant's participation:</p> <ul style="list-style-type: none"> <li>• restricted availability</li> <li>• care requirements</li> <li>• additional support needs for claimants with a disability</li> <li>• the provider must ensure that the work placement takes account of the requirements of the Criminal Justice System (for example, individuals may have restrictions on their movements or be subject to curfew at certain times as part of the conditions of their sentence). If a claimant is serving a community sentence e.g. Community Payback (CP), this will be moved to accommodate the requirement of the CWP placement.</li> </ul>

	<p><b>Important note:</b> The claimant 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.</p>
6	<p>Complete the clerical referral letter, with provider details and appointment time. Ensure the correct letter is used:</p> <ul style="list-style-type: none"> <li>• For England, use CWPL1E</li> <li>• For Scotland &amp; Wales (English-speakers), use CWPL1SW</li> <li>• For Wales (Welsh-speakers), use CWPL1W</li> </ul> <p>Explain the contents of the letters. Ensure the claimant fully understands that:</p> <ul style="list-style-type: none"> <li>• attending the CWP Engagement Meeting with the provider is mandatory</li> <li>• details of further mandatory requirements of CWP will be issued by the provider</li> <li>• any failure to take part in CWP could lead to sanction</li> <li>• CWP providers have certain Employment Officer functions for them to mandate claimants to apply for specific jobs. If claimants do not take these actions for vacancies the provider has mandated them to without good reason, a high level sanction (sanctions ranging from three months to three years) will be applied</li> <li>• their information may be shared with their provider and placement host, as explained in the Personal Data section of the letter</li> <li>• they must still notify the Jobcentre of any relevant change in their circumstances e.g. periods of sickness, changes in caring responsibilities</li> <li>• they must continue to attend fortnightly WSRs to demonstrate that they are available for and actively seeking employment. It may be suggested to the claimant that they bring evidence of actions agreed with the provider to Work Search Reviews – although this cannot be made mandatory</li> </ul>

	<ul style="list-style-type: none"> <li>they must inform the Jobcentre if they need to change their WSR time once details of their placement are known</li> </ul> <p><b>NB:</b> at work coach discretion, the claimant's signing time, but not day, can be rearranged to fit better with attending CWP. Similarly, any requirement to attend more frequently can be waived during the CWP period.</p>
7	Record, in the 'Info' tab of the LMS Action Plan that the referral letter and 'How we Use Your Information' letter have been issued to the claimant. Without a proper audit trail, any future Decision Making and Appeals activity could be compromised.
8	Update LMS: <ul style="list-style-type: none"> <li>select the PWPS pilot marker and set it to CWP,</li> <li>record, as a conversation, that the discussion about Back to Work Schemes has taken place</li> <li>if appropriate, set workflows</li> </ul>

**Explaining about Back to Work Schemes (if CWP referral is made outside the WPCI)**

82. In addition to explaining about the provision being referred to, remind claimants:

- about the conversation they had at their IWSI or WPCI regarding Back to Work Schemes which help improve their prospects of employment
- about the Back to Work Scheme Guide they were signposted to during their interview, which has general information about the schemes and which they were advised to read
- that they may wish to revisit the general information on the GOV.UK website (Back to Work Schemes Guide), and
- ask if the claimant has any questions or concerns about the scheme before they are referred.

83. For claimants who wish to review the information but cannot easily access the internet or cannot access a Wireless Access Device within the Jobcentre, e.g. because of a health problems or disability, print and issue a copy of the Back to Work Scheme Guide.

### **Special Customer Records (SCR)**

84. SCR cases must be handled by the JCP Nominated Officer in line with national guidance.

85. In respect of CWP, the JCP Nominated Officer is responsible for:

- letting the CWP provider's nominated contact know, by telephone, to expect a clerical referral form SL2 in respect of a SCR claimant;
- stressing to the provider the importance of following the SCR process set out in Provider Guidance;
- completing and sending an SL2 form to the provider's nominated contact;
- advising the Third Party Provision Team (TPPT) that a clerical referral to CWP has been made – this enables TPPT to manage referral numbers effectively; and
- ongoing liaison with the provider's nominated contact, for example in respect of SL2 completion, DMA action, provision end dates, to meet the requirements of CWP.

### **Claimant does not attend Engagement Meeting or does not start placement.**

86. These cases will be identified from a daily LMS referral follow-up report and a check must be made immediately to see if the JSA claim is still live.

87. If it is, the work coach must interview the claimant as soon as possible with a view to making another referral to CWP. Unless there has been a significant change in the circumstances which led to the original referral, the claimant should be referred again to CWP. This subsequent referral should take place even if the 8 week assessment stage of MIR has been completed; it is the date of the original referral that determines the 8-week window.

88. If, exceptionally, CWP is no longer appropriate, the claimant will be allocated to MIR and the PWPS marker updated to 'HtW MIR'.

**Note:** In cases where a claimant does not attend the Engagement Meeting or does not start the placement, the CWP provider will have made a DMA referral for failure to participate.

## **Participation and sanctions**

89. CWP participation becomes mandatory from the point of referral. The first participation requirement is attending the Engagement Meeting with the provider as arranged by the Jobcentre. Thereafter, participation entails attending the work placement and undertaking the jobsearch activity as notified by the CWP provider.

90. CWP participation will be delivered under the 'Schemes for Assisting Persons to Obtain Employment (SAPOE)' regulations 2013 and the sanction regime is consistent with other SAPOE programmes (e.g. sector-based work academies), that is:

- 4 weeks if claimant has not had a 'lower' level sanction applied in the previous 12 months, and good reason has not been shown;
- 13 weeks if this is the claimant's second, or subsequent, 'lower' level sanction in a period of 52 weeks from the date of the previous failure (but not within 2 weeks), and good reason has not been shown.

91. A sanctioned claimant will have the right of appeal and be able to apply for JSA Hardship in line with existing guidance.

92. DMA referrals, for non-participation, are made directly by the CWP provider. Information about the processes involved can be found in the CWP Provider Guidance published on GOV.UK website.

93. Additionally, providers have certain Employment Officer functions by designated authority for them to mandate claimants to: apply for vacancies, attend job interviews and accept a job offer. If claimants do not take these actions for vacancies the provider has mandated them to without good reason, a high level sanction (sanctions ranging from three months to three years) will be applied.

94. Any referrals for Refusal of Employment (RE) will be made by CWP providers directly to DMA.

95. Information about the processes involved can be found in the provider guidance published on the GOV.UK website.

## **Work Search Reviews for CWP participant**

96. Claimants taking part in CWP are still required to meet the 'availability' and 'actively seeking' conditions; they attend Work Search Reviews (or provide postal declarations) as usual.

97. The purpose of the Work Search Review is to consider the claimant's availability and actively seeking. Those taking part in CWP must not be referred / signposted to other provision (contracted or non-contracted) as their work coach has determined that CWP is the most appropriate support for the claimant. (NB: CWP participants remain eligible for a Work Trial which is directly linked to a vacancy, if such an opportunity arises).

### **Availability**

98. Assistant work coaches must be alert to notifications received from the provider (via the local Single Point of Contact) about a claimant's reported absence(s) from provision and ensure appropriate action is taken. If the absence is one that meets the 'treat as available' criteria ES673 action is required; JSA28 action is also required if the absence was due to sickness.

99. It is also important to ask the claimant if they have been attending the provision as required. This is important because the CWP provider is not required to notify the Jobcentre of unreported absences - i.e. claimant has not attended provision and made no contact with the provider. If an unreported absence comes to light appropriate action, as above, must be taken.

100. If an absence (reported or unreported) does not meet the 'treat as available' criteria the case must be referred for DMA consideration in line with normal business processes.

### **Actively seeking**

101. Assistant work coaches must establish what steps the claimant has taken towards finding work. If there are concerns about the adequacy of a claimant's work search activity, the case **must** be referred to their work coach.

102. In weighing-up the appropriateness of raising an 'actively seeking' doubt the work coach must consider most carefully what the claimant could reasonably have been expected to do. The hours spent on work placement and the activities delivered by the provider to support the claimant with their job search **must** be factored in to the work coach's deliberations.

103. If the work coach decides to raise a doubt usual DMA processes should be followed.

## **Claimant absences from CWP**

### **Reported absence (sickness)**

104. If a claimant notifies the CWP provider that they will not be attending provision due to sickness, the provider will ring a nominated Jobcentre contact for advice.
105. If the claimant can be 'treated as available' (i.e. number / duration of sick absences allowed under JSA regulations has not been exceeded), the provider must be advised not to raise a participation doubt.
106. If the claimant cannot be treated as available (i.e. number / duration of sick absences allowed under JSA regulations has been exceeded) the provider must be instructed to instigate DMA action for non-participation.
107. In all cases arrangements must be made to capture details of the absence in line with normal business practice.

### **Reported absence (other)**

108. If a claimant notifies the CWP provider that they will not be attending provision for a reason other than sickness, the provider will ring a nominated Jobcentre contact for advice.
109. If the absence reason is one that would meet 'treated as available' criteria (as detailed in Labour Market Conditions Guide) the provider must be advised not to raise a participation doubt.
110. If the absence is not one that would meet 'treated as available' criteria the provider must be instructed to instigate DMA action for non-participation.
111. In all cases arrangements must be made to capture details of the absence reason and action in line with normal business practice

### **Unreported absence**

112. If a claimant is absent from CWP and has not contacted the provider, the provider will instigate Decision Making and Appeals (DMA) action for 'fail to participate'.

**NB** Although the provider instigates 'fail to participate' action with the DMA team, these absences are **not** notified to the Jobcentre. Hence the importance of asking claimants about their attendance at Work Search Reviews.

## Break in claim during allotted CWP period

113. If, following a claim break, the claimant is to be signposted back to serve the 'balance of allotted time' (see the Linking section for the rules applying to breaks in claim) the work coach must take the following steps:

Step	Action
1	Explain to the claimant why they are being returned to the provision and the time to be spent on placement (this is established from the expected end date which is 30 weeks after the original referral date recorded on LMS)
2	Ensure that the JSA CC is fully up-to-date.
3	Telephone the nominated provider SPOC to inform them that the claimant is back on benefit and obtain an appointment for a re-engagement meeting. <b>Do not re-refer to opportunity on LMS, as this is not a new referral.</b>
4	Alert the provider to issues which may impact upon the claimant's participation: <ul style="list-style-type: none"> <li>• restricted availability</li> <li>• care requirements</li> <li>• additional support needs for claimants with a disability</li> <li>• the provider must ensure that the work placement takes account of the requirements of the Criminal Justice System (for example, individuals may have restrictions on their movements or be subject to curfew at certain times as part of the conditions of their sentence). If a claimant is serving a community sentence e.g. Community Payback (CP), this will be moved to accommodate the requirement of the CWP placement.</li> </ul> <p><b>Important note:</b> The claimant 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.</p>
5	Complete clerical signposting letter with provider details and appointment time. Ensure the correct letter is used:

	<ul style="list-style-type: none"> <li>• For England, use CWPL2E</li> <li>• For Scotland &amp; Wales (English-speakers), use CWPL2SW</li> <li>• For Wales (Welsh-speakers), use CWPL2W</li> </ul>
6	<p>Issue the signposting letter and explain its contents ensuring the claimant fully understands that:</p> <ul style="list-style-type: none"> <li>• attending the provision is mandatory</li> <li>• details of further mandatory requirements of CWP will be issued by the provider</li> <li>• any failure to take part in CWP could lead to sanction</li> <li>• CWP providers have certain Employment Officer functions for them to mandate claimants to apply for specific jobs. If claimants do not take these actions for vacancies the provider has mandated them to without good reason, a high level sanction (sanctions ranging from three months to three years) will be applied</li> <li>• their information may be shared with their provider and placement host, as explained in the Personal Data section of the letter</li> <li>• they must still notify the Jobcentre of any relevant change in their circumstances e.g. periods of sickness, changes in caring responsibilities</li> <li>• they must continue to attend fortnightly WSRs to demonstrate that they are available for and actively seeking employment. It may be suggested to the claimant that they bring evidence of actions agreed with the provider to Work Search Reviews – although this cannot be made mandatory</li> <li>• they must inform the Jobcentre if they need to change their WSR time once details of their placement are known</li> </ul> <p><b>NB:</b> at work coach discretion, the claimant's signing time, but not day, can be rearranged to fit better with attending CWP. Similarly, any requirement to attend more</p>

	<p>frequently can be waived during the CWP period.</p> <ul style="list-style-type: none"> <li>• their information may be shared with their provider and placement host, as explained in the Personal Data section of the letter</li> </ul>
7	Record, in the 'Info' tab of the LMS Action Plan that the signposting letter has been issued to the claimant. Without a proper audit trail, any future Decision Making and Appeals activity may be compromised.
8	If appropriate, set LMS Workflows

### **Change in claimant's circumstances**

114. Work coaches and assistant work coaches must be alert to any change in the claimant's circumstances that might impact, in any way, on their CWP participation. Any such change must be communicated promptly to the provider. This is necessary to prevent the provider from instigating nugatory DMA action.

115. To avoid delays, a phone call to the provider is considered the most appropriate way of notifying the change, followed up by the change of circumstances form CWPF1 by post.

116. If the change is one that means CWP participation is no longer relevant (e.g. claimant no longer in receipt of JSA), the provider must be instructed to update PRaP accordingly.

### **Claimant transfers their JSA claim to another office**

117. If the claimant has been referred to CWP but a 'start' has not been recorded the provider must be informed and told to update PRaP with a 'did not start' outcome. The work coach at the new office must decide which HtW measure is most appropriate.

118. If the claimant has started CWP the action to take will depend on their new address. Where possible and where suitable arrangements can be put in place, providers should continue to work with claimants to ensure continued participation in CWP.

119. If the claimant's new office is within the same provider CPA (details of a provider's CPA will be held by Third Party Provision Teams), the provider must be informed of the change and advised to source a suitable

placement for the remainder of the CWP period unless the existing placement is not within acceptable travelling distance for the claimant.

120. If the claimant's new office is outside the provider's CPA, the provider must be informed immediately, as they need to consider whether continued participation is appropriate. If the placement remains within the claimant's travel to work area, participation should continue.
121. If the claimant moves to an address where commuting to the existing provision is unreasonable and the provider is unable to deliver the provision to the claimant at the new CPA, the provider must record the end of provision in PRaP. The work coach at the new office must assign the claimant to MIR and update the PWPS pilot marker to 'HtW MIR'.

### **Unacceptable claimant behaviour**

122. If a claimant who is participating in CWP displays unacceptable claimant behaviour in their dealings with the Jobcentre, the CWP provider must be notified.
123. In most cases the claimant's placement will not be affected, but the notification is required to facilitate and inform the provider's risk management measures.
124. Similarly, CWP providers will notify the Jobcentre of any unacceptable claimant behaviour whilst they are on placement. Any such notifications must be referred to the Nominated Manager, usually the work service manager.

### **Inappropriate referrals**

125. Situations may arise where a claimant has been referred to CWP provision in error. In such cases, the work coach must contact the provider to inform them that an inappropriate referral has been made.
126. If the CWP provider identifies what they believe to be an inappropriate referral they will liaise with local Single Point Of Contact (SPOC).
127. Where an inappropriate referral has been made the work coach must ensure that:
- the situation is explained to the claimant
  - the claimant is allocated to the support appropriate to their circumstances
  - claimant records are updated appropriately.

## **Claimants completing CWP**

128. Claimants who have completed CWP may be identified from the End Date Notification Report for PRaP managed opportunities. Information on how to access this report is available in the LMS Reports guidance, within the LMS User Guide.
129. For CWP completers it is important that the work coach conducts a completer interview using a Follow-up Work Search Interview. The interview should focus on the claimant's experience of CWP and their needs moving forward.
130. Upon completion of CWP the claimant must be assigned to MIR and the PWPS pilot marker updated to 'Post CWP MIR'.
131. The CWP provider will also provide a feedback report on the claimant's participation. This should be received within 10 days of the completion date and the content of the report should be factored into discussions with the claimant about next steps.
132. Work coaches should also be aware that the claimant will have been issued a 'claimant portfolio' by the CWP provider. This contains information regarding the claimant's time on provision which may include a reference from the placement host.

**NB:** The claimant is under no obligation to share this information.

133. If claimants are not in receipt of benefit at the point of completing CWP, providers do not have to return a feedback report or deliver a claimant portfolio to these claimants. However, if a claimant reclaims benefit within 6 months of completing CWP, JCP may request a feedback report for these claimants.

## **Complaints about CWP**

134. If a claimant has a complaint solely about their CWP provider you should direct them to the provider.
135. If their complaint relates to both the Jobcentre and the CWP provider, the Jobcentre is responsible for handling a joint response. Information can be found in the 'Handling Feedback about Contracted Customer Services' guidance.

## **Claim closure action for Help to Work claimants**

136. When closing a claim which has a Help to Work pilot marker set, a work flow must be set for the work coach to set the pilot marker to 'PWPS Exit'.
137. For Daily WSR and MIR claimants, the work flow must be set for 13 weeks from the date the claim is terminated.
138. For CWP claimants, the work flow must be set for either 13 weeks from the date the claim is terminated or 30 weeks from the date of referral to CWP, whichever is the later.
139. This will prevent distortion of the ratio of claimants (a third in each) assigned to each of the Help to Work measures.

### **Linking rules for Help to Work**

140. This section of guidance provides scenarios likely to be encountered during the delivery of Help to Work (HtW) and explains if linking rules apply i.e. whether the claimant is eligible for HtW or if the SR13 measures would be appropriate.

### **New claim from person who was not in receipt of JSA when Work Programme completed**

141. The action to take in this scenario will depend on time elapsed since Work Programme (WP) ended.

**Reminder:** HtW applies only to claimants whose Work Programme Completer Interview (WPCI) was on or after 28 April 2014

### **New claim within 12 weeks of WP end date**

142. The HtW package of support is appropriate for these claimants.
143. Districts / offices will determine if the Initial Work Search Interview (IWSI) should be used as the WPCI or if a separate WPCI is required.
144. If a separate WPCI is required this must be conducted as soon as possible, ideally within 3 working days of the IWSR to ensure the claimant's needs are assessed.

**NB:** If the IWSI is conducted by an assistant work coach a separate WPCI must be booked with a work coach as the WPCI is a full diagnostic interview.

145. Work coaches must follow the steps set out in the Work Programme Completer Interview section of this guidance.

### **New claim 12 weeks or more after WP end date**

146. These claimants are outside the scope of HtW and will be subject to the JCP Offer which incorporates the SR13 measures. Do not set the PWPS marker for these cases.

### **New claim from person that ceased claiming JSA between Work Programme end date and WPCI**

147. The action to take in this scenario will depend on time elapsed since the WP ended.

**Reminder:** HtW applies only to claimants whose WPCI was on or after 28 April 2014.

### **New claim within 12 weeks of WP end date**

148. The HtW package of support is appropriate for these claimants.

149. It is for Districts / offices to determine if the IWSI should double as the WPCI or if a separate WPCI is required.

150. If a separate WPCI is required this must be conducted as soon as possible, ideally within 3 working days of the IWSR to ensure the claimant's needs are assessed.

**NB:** If the IWSI is conducted by an assistant work coach a separate WPCI must be booked with a work coach as the WPCI is a full diagnostic interview.

151. Work coaches must follow the steps set out in the Work Programme Completer Interview section of this guidance.

### **New claim 12 weeks or more after WP end date**

152. These claimants are outside the scope of HtW and will be subject to the JCP Offer which incorporates the SR13 measures. Do not set the PWPS marker for these cases.

### **New claim from previous Help to Work participant**

153. The process to follow for these claimants will depend on the time elapsed since the end of their previous JSA claim. This process applies to any break in JSA claim e.g. the claimant found work or claimed another benefit.

### **New claim within 12 weeks of previous JSA claim end date**

154. Claimants who were previously assigned to Mandatory Intervention Regime (MIR) will return to MIR. If they were previously in the MIR

assessment phase, the original 8 week assessment phase dates apply i.e. 8 weeks from date of WPCI.

155. Claimants who were previously subject to Daily Work Search Review (WSR) will return to Daily WSR unless the 13-week maximum period of Daily WSR has elapsed. Then the claimant will be allocated to MIR. In these cases the PWPS marker must be updated to “Post DS MIR”.
156. Claimants who were previously participating in Community Work Placements (CWP) must be signposted back to the CWP provider (see ‘Break in claim during allotted CWP period’ section of guidance) unless 30 weeks has elapsed since the date of the original referral to CWP. Where 30 weeks has elapsed, the claimant will be allocated to MIR and their PWPS marker updated to ‘Post CWP MIR’.
157. Claimants who were previously referred to CWP but had not started a placement may be referred to CWP again if the work coach decides CWP remains the most suitable Help to Work support for them. In such cases a new CWP referral is required. This subsequent referral should take place even if the 8 week assessment stage of MIR has been completed; it is the date of the original referral that matters in relation to the 8-week window.
158. In relation to previous CWP participants, work coaches must be alert to cases where a reserved DMA decision may be held; the case papers must be referred back to the DMA Team.

#### **New claim 12 weeks or more since previous JSA claim end date**

159. Claimants who were previously in MIR or Daily WSR are now outside the scope of HtW; accordingly, the PWPS marker must be set to ‘PWPS exit’. Such claimants will be subject to the JCP Offer which incorporates SR13 measures.
160. Claimants who were previously participating in CWP must be signposted back to the CWP provider (see ‘Break in claim during allotted CWP period’ section of guidance) unless 30 weeks has elapsed since the date of the original referral to CWP; in which case the claimant will be outside the scope of HtW and the PWPS marker must be set to ‘PWPS exit’.

#### **Forms and letters**

ID	Description
CWPL1E	Referral to CWP provision

CWPL1SW CWPL1W	
CWPL2E CWPL2SW CWPL2W	To signpost claimants back to CWP following a break in claim
CWPF1	Form used by the Jobcentre to report change of circumstances to CWP provider