

DMA Referrals Guide

Introduction

1. This guidance provides details of the information needed to support referrals made to Labour Market Decision Makers (LMDM). It is intended to help Jobcentre staff make good quality referrals containing all the required evidence, to help achieve prompt and efficient decision making.
2. This should be used in conjunction with existing guidance, to which links have been included.
3. Referrals can be made to LMDMs electronically through DART or wholly clerically.
4. The lists of information requirements within this guidance are not exhaustive. Additional evidence should be included to support particular aspects of an individual referral as and when required.
5. If any evidence is not available, it is good practice to explain this in the referral. This will allow the LMDM to take this into account when they make their decision.

AR Code JSA/541 – Refusing to enter into a Jobseeker's Agreement as terms are not satisfactory and/or reasonable

- Referral Route - Clerical.
- AR Code – JSA/541.
- AR Code for credits only cases - JSA/541O.

Suspend JSA?

6. If a claimant refuses to enter into a Jobseeker's Agreement (JSAg) as the terms are not satisfactory and/or reasonable then their JSA claim should be suspended via JSAPS Dialogue 210.

Information Needed

- JSAg - showing claimants proposals (signed only by the claimant).
- Statement from claimant (signed and dated) - stating the reasons why their terms are reasonable and why they do not agree with any of the adviser's proposed terms.
- Statement from adviser or adviser's proposed JSAg (signed only by adviser) showing the terms the adviser wants to include (with reasons) and the reasons why the adviser disagrees with the terms proposed by the claimant.
- Relevant Labour Market Information.
- Referring officer contact details. This will help decision makers clear any queries quickly by phone.

AR Code JSA/543 – Variation of terms of a Jobseeker's Agreement

- Referral Route - Clerical.
- AR Code – JSA/543.
- AR Code for credits only cases - JSA/543O.

Suspend JSA?

7. No

Information Needed

- JSAg - showing claimants terms (signed only by the claimant) i.e. the new JSAg even if the terms are the same as the original.
- Statement from claimant (signed and dated) - stating the reasons why their terms are reasonable and why they do not agree with any of the adviser's proposed terms.
- Statement from adviser or adviser's proposed JSAg (signed only by adviser) showing the terms the adviser wants to include (with reasons) and the reasons why the adviser disagrees with the terms proposed by the claimant.
- Relevant Labour Market Information.
- Current JSAg (signed and dated).
- Referring officer contact details. This will help decision makers clear any queries quickly by phone.

AR Code JSA/550 - Availability - Not available for work

- Referral Route - DART.
- AR Code – JSA/550.
- AR Code for credits only cases - JSA/550O.

Suspend JSA?

8. If a claimant's availability is in doubt then their JSA claim should be suspended via JSAPS Dialogue 210.

Information Needed

9. Referrals on availability are made via DART using the appropriate template.
10. The information needed includes:
- Statement from adviser detailing the reason why the claimant's availability is in doubt.
 - Statement from claimant detailing how/why they consider themselves as being available if they dispute the doubt.
 - Details of the steps the claimant took to find work during the period of doubt;
 - Details of any jobs the claimant applied for;
 - Details of whether the claimant has been treated as available for the period in doubt;
 - Details of any periods within the previous 52 weeks, when the claimant has been treated as available;
 - Details of backdated claim if appropriate;
 - Details of JSAg current during the period of doubt, or a copy of JSAg;
 - LMS Reference ID.
 - Referring officer contact details. This will help decision makers clear any queries quickly by phone.

11. This list is not exhaustive and information should be included as necessary to reflect particular aspects of individual cases.
12. To ensure that details of the referral are maintained for reconsideration or appeal purposes, it is essential that all of the information from DART is copied into the LMS notes box for the relevant decision

Guidance

13. Further information can be found in the Availability and Actively Seeking Employment chapter.

AR Code JSA/550A - Availability - Not available within time limits

- Referral Route - DART.
- AR Code – JSA/550A.
- AR Code for credits only cases - JSA/550AO.

Suspend JSA?

14. If a claimant's availability is in doubt then their JSA claim should be suspended via JSAPS Dialogue 210.

Information Needed

15. Referrals on availability are made via DART using the appropriate template.
16. The information needed includes:
 - Statement from adviser detailing the reason why the claimant's time limits are not acceptable.
 - Statement from claimant detailing how/why they consider themselves as having reasonable prospects of obtaining employment.
 - Details of the steps the claimant took to find work during the period of doubt;
 - Details of any jobs the claimant applied for;
 - Details of whether the claimant has been treated as available for the period in doubt;
 - Details of any periods within the previous 52 weeks, when the claimant has been treated as available;
 - Information from form Volwork 1 if appropriate.
 - Details of JSAG current during the period of doubt, or a copy of JSAG;
 - LMS Reference ID.
 - Referring officer contact details. This will help decision makers clear any queries quickly by phone.
17. This list is not exhaustive and information should be included as necessary to reflect particular aspects of individual cases.
18. To ensure that details of the referral are maintained for reconsideration or appeal purposes, it is essential that all of the information from DART is copied into the LMS notes box for the relevant decision

Guidance

19. Further information can be found in the Availability and Actively Seeking Employment chapter.

AR Code JSA/550B - Availability – Restrictions on hours

- Referral Route - DART.
- AR Code – JSA/550B.
- AR Code for credits only cases - JSA/550BO.

Suspend JSA?

- If a claimant's availability is in doubt then their JSA claim should be suspended via JSAPS Dialogue 210.

Information Needed

20. Referrals on availability are made via DART using the appropriate template.
21. The information needed includes:
- Statement from adviser detailing the reason why they think the claimant does not have reasonable prospects of securing employment.
 - Statement from claimant detailing how/why they consider themselves as having reasonable prospects of obtaining employment.
 - Details of the steps the claimant took to find work during the period of doubt;
 - Details of any jobs the claimant applied for;
 - Details of backdated claim if appropriate;
 - Details from other relevant forms, e.g. backdated claims, ES674 holiday forms;
 - Details of whether the claimant has been treated as available for the period in doubt;
 - Details of any periods within the previous 52 weeks, when the claimant has been treated as available;
 - Confirmation that the claimant has been told of the implications of imposing restrictions;
 - Details of JSAG current during the period of doubt, or a copy of JSAG;
 - LMS Reference ID.
 - Referring officer contact details. This will help decision makers clear any queries quickly by phone.
22. This list is not exhaustive and information should be included as necessary to reflect particular aspects of individual cases.
23. To ensure that details of the referral are maintained for reconsideration or appeal purposes, it is essential that all of the information from DART is copied into the LMS notes box for the relevant decision

Guidance

24. Further information can be found in the Availability and Actively Seeking Employment chapter.

AR Code JSA/550C - Availability – Restricting type of work

- Referral Route - DART.
- AR Code – JSA/550C.
- AR Code for credits only cases - JSA/550CO.

Suspend JSA?

- If a claimant's availability is in doubt then their JSA claim should be suspended via JSAPS Dialogue 210.

Information Needed

25. Referrals on availability are made via DART using the appropriate template.
26. The information needed includes:
- Statement from adviser detailing the reason why they think the claimant does not have reasonable prospects of securing employment.
 - Statement from claimant detailing how/why they consider themselves as having reasonable prospects of obtaining employment.
 - Details of the steps the claimant took to find work during the period of doubt;
 - Details of any jobs the claimant applied for;
 - Details of whether the claimant has been treated as available for the period in doubt;
 - Details of any periods within the previous 52 weeks, when the claimant has been treated as available;
 - Details of JSAg current during the period of doubt, or a copy of JSAg;
 - LMS Reference ID.
 - Referring officer contact details. This will help decision makers clear any queries quickly by phone.
27. This list is not exhaustive and information should be included as necessary to reflect particular aspects of individual cases.
28. To ensure that details of the referral are maintained for reconsideration or appeal purposes, it is essential that all of the information from DART is copied into the LMS notes box for the relevant decision

Guidance

29. Further information can be found in the Availability and Actively Seeking Employment chapter.

AR Code JSA/550S - Availability – Part time student

- Referral Route - Clerical.
- AR Code – JSA/550S.
- AR Code for credits only cases - JSA/550SO.

Suspend JSA?

- If a claimant's availability is in doubt then their JSA claim should be suspended via JSAPS Dialogue 210.

Information Needed

30. The information needed includes:
- Statement from adviser detailing the reason why they think the claimant does not have reasonable prospects of securing employment.
 - Statement from claimant detailing how/why they consider themselves as having reasonable prospects of obtaining employment.

- Details of the steps the claimant took to find work during the period of doubt;
 - Details of any jobs the claimant applied for;
 - Details of whether the claimant has been treated as available for the period in doubt;
 - Details of any periods within the previous 52 weeks, when the claimant has been treated as available;
 - Details of JSAG current during the period of doubt, or a copy of JSAG;
 - Details of ES567S - all conflicting information cleared.
 - Details of any Learning Agreement (or the equivalent for Scotland and Wales) during the period of doubt.
 - LMS Reference ID.
 - Referring officer contact details. This will help decision makers clear any queries quickly by phone.
31. This list is not exclusive and information should be included as necessary to reflect particular aspects of individual cases.

Guidance

32. Further information can be found in the Availability and Actively Seeking Employment chapter.

AR Code JSA/552 – Actively Seeking Employment

- Referral Route - DART.
- AR Code – JSA/552.
- AR Code for credits only cases - JSA/552O.

Suspend JSA?

- If a claimant's Actively Seeking Employment is in doubt then their JSA claim should be suspended via JSAPS Dialogue 210.

Information Needed

33. Referrals on Actively Seeking Employment are made via DART using the appropriate template.
34. The information needed includes:
- Details of the steps the claimant took to find work, with dates, during the period of doubt and the previous 2 weeks.
 - Statement from claimant detailing why they consider these steps gave them the best prospects of finding work and why the steps on the JSAG were not followed.
 - Details of anything that prevented the claimant from taking further steps to find work;
 - Statement from adviser detailing the reason why they think the steps taken by the claimant to find work were inadequate.
 - Details of whether the claimant has been treated as available and/or Actively Seeking Employment for the period in doubt;
 - Details of any periods within the previous 52 weeks, when the claimant has been treated as available and/or Actively Seeking Employment;
 - Details of JSAG current during the period of doubt, or a copy of JSAG;

- LMS Reference ID.
 - Referring officer contact details. This will help decision makers clear any queries quickly by phone.
35. This list is not exhaustive and information should be included as necessary to reflect particular aspects of individual cases.
36. To ensure that details of the referral are maintained for reconsideration or appeal purposes, it is essential that all of the information from DART is copied into the LMS notes box for the relevant decision

Guidance

37. Further information can be found in the Availability and Actively Seeking Employment chapter.

AR Code JSA/660 – Leaving Employment Voluntarily

- Referral Route - Clerical.
- AR Code – JSA/660.
- AR Code for credits only cases – N/A.

Information Needed

38. **Important** - Before referring LV cases, the Team Leader or designated officer must take action to consider the information on forms ES85/ES84 as explained in the End of Employment Chapter.
39. The information needed includes:
- ES84 if returned.
 - ES85 if available or a statement containing the employer details, including employer name, address, occupation details and complete dates of employment.
 - Details of the claimant's reason for their employment ending and the dates of employment copied exactly from new claim form/CMS;
 - Confirmation that Employment on Trial has been considered and the reasons why it doesn't apply;
 - Details of JSAg current during the period of doubt, or a copy of JSAg;
 - LMS Reference ID.
 - Referring officer contact details. This will help decision makers clear any queries quickly by phone.
40. This list is not exclusive and information should be included as necessary to reflect particular aspects of individual cases.
41. An LV doubt can still be considered by a LMDM without the completed ES84, as long as the claimant has been given adequate chance to provide their statement. See the End of Employment chapter for further information on the required actions.
42. If the reason for leaving raises another doubt, for example availability, take action to refer to the decision maker.

Credits only claimants

43. A submission to a LMDM for an opinion decision must not be made for 'credits only' claimants, this is because credit regulations do not support the disallowance of credits solely because a claimant left employment voluntarily.

Guidance

44. Further information can be found in the End of Employment chapter of the Labour Market Conditions Guide.

AR Code JSA/680 – Losing employment due to misconduct

- Referral Route – clerical.
- AR Code – JSA/680.
- AR Code for credits only cases – N/A.

Information Needed

45. **Important** - Before referring Misconduct cases, the Team Leader or designated officer must take action to consider the information on forms ES85 as explained in the Labour Market Conditions Guide.
46. The information needed includes:
- ES85, giving employer details, employers reasons for the job ending and details of the job;
 - Details of the claimant's reason for their employment ending and the dates of employment copied exactly from new claim form/CMS;
 - Copy of ES85AS;
 - LMS Reference ID.
 - Referring officer contact details. This will help decision makers clear any queries quickly by phone.
47. This list is not exclusive and information should be included as necessary to reflect particular aspects of individual cases.
48. If the reason for leaving raises another doubt, for example availability, take action to refer to the decision maker.

Credits only claimants

49. A submission to a LMDM for an opinion decision must not be made for 'credits only' claimants, this is because credit regulations do not support the disallowance of credits solely because a claimant left employment through misconduct.

Guidance

50. Further information can be found in the End of Employment chapter.

AR Code JSA/690 – Neglect to avail an opportunity of employment

- Referral Route – clerical.
- AR Code – JSA/690.
- AR Code for credits only cases – N/A.

Information Needed

- ES195(N).
- ES195(NTA) if returned.
- ES85 if available
- Details of the claimant's reason for neglecting to avail themselves of employment copied exactly from new claim form/CMS;

- Copy of ES85AS where applicable;
 - Details of JSAG current during the period of doubt, or a copy of JSAG;
 - LMS Reference ID.
 - Referring officer contact details. This will help decision makers clear any queries quickly by phone.
51. This list is not exclusive and information should be included as necessary to reflect particular aspects of individual cases.

Credits only claimants

52. A submission to a LMDM for an opinion decision must not be made for 'credits only' claimants, this is because credit regulations do not support the disallowance of credits solely because a claimant neglected to avail themselves of a reasonable opportunity of employment.

Guidance

53. Further information can be found in the Neglect to Avail Employment chapter.

AR Code JSA/710 – Refusal / Failure to Accept Employment

- Referral Route – DART.
- AR code – JSA/710.
- AR Code for credits only cases – N/A.

Information Needed

54. Referrals on Refusal of Employment are made via DART using the appropriate template.
55. The information needed includes:
- details of the vacancy, including weekly hours, issued to the claimant;
 - full vacancy details held on LMS;
 - date and how offer was made;
 - date and how offer was refused;
 - details of start/finish times, rates of pay and expected duration;
 - Details of JSAG current during the period of doubt, or a copy of JSAG;
 - LMS Reference ID.
 - Referring officer contact details. This will help decision makers clear any queries quickly by phone.
56. This list is not exclusive and information should be included as necessary to reflect particular aspects of individual cases.
57. To ensure that details of the referral are maintained for reconsideration or appeal purposes, it is essential that all of the information from DART is copied into the LMS notes box for the relevant decision
58. If the reason for refusing/failing to apply for or accept employment raises another doubt, for example availability, take action to refer to the decision maker.

Credits only claimants

59. A submission to a LMDM for an opinion decision must not be made for 'credits only' claimants, this is because credit regulations do not support the disallowance of credits solely because a claimant refused employment.

Guidance

60. Further information can be found in the Refusal and failure to apply for or accept employment chapter.

AR Code JSA/713 - Training Scheme/Employment Programme - Given Up

- Referral Route – Clerical.
- AR Code – JSA/713.
- AR Code for credits only cases – N/A.

Information Needed

- ES85Y: including details of training provider, type of training, place of training, and dates of training.
- ES86Y/ES86T;
- Daily pattern of hours of training;
- Evidence from the provider;
- Claimants reasons for giving up;
- LMS Reference ID;
- Referring officer contact details. This will help decision makers clear any queries quickly by phone.
- Details of any fixed sanction periods in the previous 12 months.

61. This list is not exclusive and information should be included as necessary to reflect particular aspects of individual cases.

Note: This excludes Work Programme Referrals as these are made directly by the provider.

Credits only claimants

62. A submission to a LMDM for an opinion decision must not be made for 'credits only' claimants, this is because credit regulations do not support the disallowance of credits solely because a claimant gave up a place on a training scheme/employment programme.

AR Code JSA/714 - Training Scheme/Employment Programme - Ended due to Misconduct

- Referral Route – Clerical.
- AR Code – JSA/714.
- AR Code for credits only cases – N/A.

Information Needed

- ES85Y including: Details of training provider, type of training, place of training and dates of training.
- Daily pattern of hours of training;
- Evidence from the provider;
- Claimants reasons for termination if given;
- LMS Reference ID;
- Referring officer contact details. This will help decision makers clear any queries quickly by phone.
- Details of any fixed sanction periods in the previous 12 months.

63. This list is not exclusive and information should be included as necessary to reflect particular aspects of individual cases.

Note: This excludes Work Programme Referrals as these are made directly by the provider.

Credits only claimants

64. A submission to a LMDM for an opinion decision must not be made for 'credits only' claimants, this is because credit regulations do not support the disallowance of credits solely because a claimant left a training scheme/employment programme through misconduct.

AR Code JSA/715 - Training Scheme/Employment Programme - Refused

- Referral Route – Clerical.
- AR Code – JSA/715.
- AR Code for credits only cases – N/A.

Information Needed

- ES195T: including details of training provider, details of the training and dates of training.
- Evidence from the provider;
- ES195(RE);
- LMS Reference ID;
- Referring officer contact details. This will help decision makers clear any queries quickly by phone.
- Details of any fixed sanction periods in the previous 12 months.

65. This list is not exclusive and information should be included as necessary to reflect particular aspects of individual cases.

Note: This excludes Work Programme Referrals as these are made directly by the provider.

Credits only claimants

66. A submission to a LMDM for an opinion decision must not be made for 'credits only' claimants, this is because credit regulations do not support the disallowance of credits solely because a claimant refused a place on a training scheme/employment programme.

AR Code JSA/716 - Training Scheme/Employment Programme - Neglect to Avail

- Referral Route – Clerical.
- AR Code – JSA/716.
- AR Code for credits only cases – N/A.

Information Needed

- ES195T: including details of training provider, details of the training and dates of training.
- Evidence from the provider;
- ES195(NTA);

- Copy of latest JSAG;
 - LMS Reference ID.
 - Referring officer contact details. This will help decision makers clear any queries quickly by phone.
 - Details of any fixed sanction periods in the previous 12 months.
67. This list is not exclusive and information should be included as necessary to reflect particular aspects of individual cases.

Note: This excludes Work Programme Referrals as these are made directly by the provider.

Credits only claimants

68. A submission to a LMDM for an opinion decision must not be made for 'credits only' claimants, this is because credit regulations do not support the disallowance of credits solely because a claimant neglected to avail themselves of a place on a training scheme/employment programme.

AR Code JSA/717 - Training Scheme/Employment Programme - Failure to Attend

- Referral Route – Clerical.
- AR Code – JSA/717.
- AR Code for credits only cases – N/A.

Information Needed

- Details of training provider;
- Details of the training;
- Dates of training;
- Confirmation of notification if non-attendance is 1st day;
- ES86T;
- LMS Reference ID;
- Referring officer contact details. This will help decision makers clear any queries quickly by phone.
- Details of any fixed sanction periods in the previous 12 months.

69. This list is not exclusive and information should be included as necessary to reflect particular aspects of individual cases.

Note: This excludes Work Programme Referrals as these are made directly by the provider.

Credits only claimants

70. A submission to a LMDM for an opinion decision must not be made for 'credits only' claimants, this is because credit regulations do not support the disallowance of credits solely because a claimant failed to attend a training scheme/employment programme.

AR Code JSA/718 - Refusal/Failure to Carry Out Jobseekers Direction

- Referral Route – DART.
- AR Code – JSA/718.
- AR Code for credits only cases – N/A.

Information Needed:

71. Referrals on refusal/failure to carry out a Jobseekers Direction are made using DART.
72. The appropriate DART template for the reason given for refusing/failing to carry out a Jobseekers Direction must be fully completed.
73. To ensure that details of the referral are maintained for reconsideration or appeal purposes, it is essential that all of the information from DART is copied into the LMS notes box for the relevant decision
74. The information on these templates is not exclusive and details should be included as necessary to reflect particular aspects of individual cases. For example details from JSA28 or ES674JP.

Credits only claimants

75. A submission to a LMDM for an opinion decision must not be made for 'credits only' claimants, this is because credit regulations do not support the disallowance of credits solely because a claimant refused or failed to carry out a Jobseekers Direction.

Guidance

76. Further information about Jobseeker's Directions can be found in the Refusal or failure to carry out a Jobseeker's Direction chapter.

AR Code JSA/719A – Failure to Provide a Signed Declaration

- Referral Route – DART.
- AR Code – JSA/719A.
- AR Code for credits only cases – N/A.

Information Needed

77. Referrals on failure to provide a signed declaration are made using DART.
78. The appropriate DART template must be fully completed.
79. To ensure that details of the referral are maintained for reconsideration or appeal purposes, it is essential that all of the information from DART is copied into the LMS notes box for the relevant decision
80. The information on these templates is not exclusive and details should be included as necessary to reflect particular aspects of individual cases. For example details from ES19, JSA28, ES674JP.

Credits only claimants

- A submission to a LMDM for an opinion decision must not be made for 'credits only' claimants, this is because credit regulations do not support the disallowance of credits solely because a claimant failed to provide a signed declaration.
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Guidance

81. Further information can be found in the Failure to Provide a Signed Declaration chapter.

AR Code JSA/719S - Failure to Attend an Interview or Intervention

- Referral Route – DART.
- AR Code – JSA/719S.
- AR Code for credits only cases – N/A.

Information Needed

82. Referrals on failure to attend an interview or intervention are made using DART.
83. The appropriate DART template for the reason given for failing to attend must be fully completed.
84. If the claimant attends on the required day but at the wrong time, use the most suitable DART template. Make sure to include:
- the date form ES19 was issued;
 - the date, time and place the ES19 required the claimant to attend;
 - the claimant's reasons for not attending on time.
85. To ensure that details of the referral are maintained for reconsideration or appeal purposes, it is essential that all of the information from DART is copied into the LMS notes box for the relevant decision
86. The information on these templates is not exclusive and details should be included as necessary to reflect particular aspects of individual cases. For example details from ES19, JSA28, ES674JP.

Credits only claimants

87. A submission to a LMDM for an opinion decision must not be made for 'credits only' claimants, this is because credit regulations do not support the disallowance of credits solely because a claimant failed to attend.

Guidance

88. Further information can be found in the Failure to Attend Interviews and Jobsearch Reviews chapter.

AR Code JSA/811 - Failure to Participate in Skills Conditionality

- Referral Route – Clerical.
- AR Codes – JSA/811.
- AR Code for credits only cases – JSA/811O.

Information Needed

- Details of training provider;
- Details of the training;
- Dates of training;
- Skills 11 Form completed by provider;
- LMS Reference ID;
- Referring officer contact details. This will help decision makers clear any queries quickly by telephone.
- Details of any fixed sanction periods in the previous 12 months.

89. This list is not exclusive and information should be included as necessary to reflect particular aspects of individual cases.

Guidance

90. Further information can be found in the Skills Conditionality DMA Guidance.

91. For details of the JSAPS sanction codes see Decision Making and Appeals System (DMAS) Guidance.