

# **The New Joiners Work Focused Interview**

## **Introduction**

1. ESA claimants who have attended a Work Capability Assessment (WCA) and have been found to have limited capability for work but not for work related activity will be placed in the Work Related Activity Group (WRAG).
2. Most WRAG claimants are subject to mandatory conditionality and will be expected to take part in Work Focused Interviews and take steps to prepare for work by, where appropriate, by undertaking Work Related Activity (WRA).
3. ESA claimants who are placed in the WRAG and subject to mandatory conditionality must take part in a New Joiners Work Focused Interview (NJWFI) if they have not previously participated in one during their current claim. This includes claimants who are part of the Post Work Programme Support process, but not those currently participating in the Work Programme. It also includes those who will be referred to the ESA Pilots 18-24 month Prognosis.
4. Notification of the WCA outcome comes from the JSAPS WCA Outcome WAR report (see Chapter 2 Determine the Correct Route-way for Support). For details of the process for booking an interview see Chapter 3 Booking and Preparing for an Interview.
5. The NJWFI is always a mandatory diagnostic interview and claimants who fail to attend or participate without good cause are subject to a benefit sanction (See FTA/FTP in a WFI and Failure to Undertake Work-Related Activity).
6. NJWFIs can take place face to face in a Jobcentre or a mutually convenient location, or over the telephone.

## **Purpose of a New Joiners Work Focused Interview (NJWFI)**

7. The NJWFI is critical to supporting an effective diagnostic with the claimant and key to ensuring the claimant understands their labour market conditionality. Hence it is an opportunity to:
  - Confirm and explain conditions of entitlement,
  - Decide whether a referral to the Work Programme or Jobcentre Plus Offer is appropriate,
  - Discuss the history of the claimant's health condition, whether it is a relatively new condition from which the claimant will recover or if it is a long term condition which can be managed,
  - Encourage the claimant to recognise that their health condition or disability does not necessarily signal the end of their working life and that they are, in fact, able to work, and
  - Discuss any challenges the claimant may have which impacts their ability to prepare for or obtain work and discuss the options available to support them overcome these challenges. This could include referral to specialist support (for example, homelessness or mental health support, drugs and alcohol provision or to a Disability Employment Adviser (DEA) for support (possibly including access to Work Choice).

**Note:** This list is not exhaustive.

8. Identify and agree steps that could readily be taken to move the claimant into work, establishing job goals and any job search activity, developing an Action Plan with the claimant, which details any actions the claimant is required to undertake.
9. Discuss the claimant's educational history, experience, skills and interests that may help them move into work or identify a skills or training need.

## **Conducting the New Joiner's Work Focused Interview**

10. The NJWFI covers four core elements, these are:

- Information gather and assessment of the claimant circumstances,
- Establish if the claimant will be referred to the Work Programme,
- Establish work related activity requirements for claimants not referred to the Work Programme, and
- Establish ongoing contact requirements.

11. Guidance is available to support advisers conduct successful work focused interviews – WFI Process & Supporting Tools for Advisers & ATMs.

12. This guide provides some useful tools to enable Advisers to structure their interviews with work as the target.

13. Although many ESA claimants may not be as job ready as those claimants who claim JSA, using tools such as the Solution Focus and Questioning techniques help structure interviews in a work targeted way but enable the interview to be individual to the claimant.

When conducting NJWFIs (or any other intervention with a claimant) advisers should utilise the tools and support available to them but must also take account of the following (**Note:** Claimants in receipt of ESA (IR) and have a prognosis of 18-24 months may be required to participate in one of three pilots if the claimant lives in):

- Any District within Southern Group,
- One of five Districts in Central (Lincolnshire, Nottinghamshire and Rutland; Leicestershire and Northamptonshire; Derbyshire; Black Country; and Staffordshire), or
- One of three Districts in North East England Group (Durham and Tees Valley – CPA 5; Northumberland, Tyne and Wear – CPA 5; North East Yorkshire and the Humber – CPA 18).

In these instances you must follow action to take in the relevant pilot guidance.

14. Claimants can be placed in the WRAG using Regulation 29(2). This means that the WCA Decision Maker has decided that, even though the claimant does not have sufficient disabilities to be in the WRAG, substantial risk to the mental or physical health of any person would be triggered if they were not placed in the WRAG, for example, they were found to have no limited capability for work.

15. From 14.1.16, before conducting the interview you must check in JSA Dialogue 510 to see if there is a note 'Reg 29'.

16. If there is, this means the claimant has been placed in the WRAG using Regulation 29(2). Work Related Activity can still be set for the claimant, but as with all claimants, their circumstances and health condition must be taken into account.

17. When conducting NJWFIs (or any other intervention with a claimant) advisers should utilise the tools and support available to them but must also take account of the information in the table below:

Step	Action	Notes
1	<p>Meet and greet the claimant. Introduce yourself and verify the claimant's identity by asking security questions. Start the interview on LMS.</p>	<p>If the JP Marker has been completed accurately on opening the claimant's LMS record the message "Please book this customer a Work Programme referral interview" may appear. However Advisers must not rely on this notification to determine referral to the Work Programme; advisers must ensure all the information recorded on the LMS record is accurate before a referral is made.</p>
2	<p><b>Gather information:</b> With the claimant review the information contained in their LMS record to ensure their capabilities and personal circumstances are accurately recorded including all relevant Markers and Hotspots and the WCA prognosis is recorded in the More Box, in order to complete their action plan effectively. From the claimant gather information to:</p> <ul style="list-style-type: none"> <li>• develop and record a set of personalised requirements that when complied with, gives the claimant the best prospects or preparing for and obtaining work,</li> <li>• Review and update all relevant markers on the claimant's LMS record,</li> <li>• Ensure those in receipt of ESA (IR) who have a prognosis of 18-24 months and reside in one of the pilot areas, that the pilot marker is set, and</li> <li>• Establish any other relevant circumstances which may affect the claimants work preparation activity.</li> </ul> <p><b>Note:</b> If it seems that the claimant's disability or health condition is more than mild to moderate and they may face a complex employment situation arising</p>	<p>Claimants do not have to attend a NJWFI if they are:</p> <ul style="list-style-type: none"> <li>• A lone parent with a child under the age of one,</li> <li>• Has caring responsibilities for an adult and are in receipt of or have an underlying entitlement to Carers Allowance;</li> <li>• Claiming credits only, or</li> <li>• At or over the age they are eligible for Pension Credit.</li> </ul> <p>If a claimant is exempt from attending an NJWFI the reason why must be recorded in LMS conversations and you must ensure all applicable LMS markers and hotspots are set accordingly. End the NJWFI. Determine whether the claimant wants to continue receiving support on a voluntary basis is; if so book a Voluntary Flexible Intervention.</p>

	<p>from their disability, offer the claimant the opportunity to be referred to the DEA for an initial interview. Please see Referral to DEA for further information.</p> <p>You must ensure that the claimant has completed a DPA1 before information relating to their health condition is recorded on their LMS record</p>	<p><b>Armed Forces LMS Marker</b> Completion of this marker is voluntary for all claimants. However, advisers are encouraged to ask claimants during interviews whether they fit into one of the marker categories. This will provide the necessary information so DWP can show what help and support we are providing for ex-Armed Forces personnel. See the Armed Forces LMS Marker guidance for further details.</p>
3	<p><b>Establish if the claimant needs to be referred to the Work Programme</b> ESA (IR) claimants with a WCA prognosis of 12 months or less will need to be referred to the Work Programme unless they are:</p> <ul style="list-style-type: none"> <li>• A lone parent with a child over one but under 5</li> <li>• A Carer in receipt of Carers Allowance (or has an underlying entitlement to it),</li> <li>• Appealing being placed in the WRAG, or</li> <li>• Has completed 104 weeks on the Work Programme</li> </ul> <p>If the claimant needs to be referred to the Work Programme proceed to 'Action to take for claimants referred to the Work Programme'.</p> <p>If the claimant has completed 104 weeks on the Work Programme proceed to <b>Step 6</b>.</p> <p>If the claimant doesn't need to be referred to the work programme and hasn't already completed 104 weeks on the Work Programme proceed to <b>Step 4</b>.</p>	<p>Referral to the Work Programme is mandatory for these claimants unless they are exempt from a mandatory referral There is no need to close the NJWFI interview; referral to the Work Programme can be made from an open NJWFI interview <b>Note:</b> It is only claimants who were given a prognosis of 12 months since 12 November 2012 that are referred to the Work Programme. Any claimant who has a 12 month prognosis dated before 12 November 2012 is referred to the Work Programme on a voluntary basis. The claimants WCA prognosis must be recorded in the '<b>Addl Notes</b>' box of the '<b>More</b>' hotspot in LMS.</p>
4	<p>Advisers must discuss the option of receiving support through a Work Programme Provider If they decide to receive support through the Work Programme, make a referral following the Work Programme Guidance</p>	<p>ESA Claimants placed in the WRAG and not subject to a mandatory referral to the Work Programme can choose to receive support either through the Jobcentre</p>

	<p>If the claimant decides not to be referred to the Work Programme on a voluntary basis proceed to <b>Step 5</b>.</p>	<p>Plus Offer or from the Work Programme Provider. Claimants will need to understand that if they choose to be referred to the Work Programme, participation will be on a mandatory basis; the exception to this is a full time carer. For Lone Parents with a youngest child aged 3 or more, who volunteer to join the Work Programme after 28.4.14 participation will be on a mandatory basis. Those LPs who volunteer after 28.4.14, with a youngest child less than 3 years old will participate on a voluntary basis until their child becomes 3 when they become mandatory participants.</p>
5	<p>If the claimant has decided not to be referred to the Work Programme on a voluntary basis; they must be referred to a Work Programme Information Session.</p> <p><b>Note:</b> Lone parents with a child under the age of 5 cannot be mandated to attend an Info Session</p> <p>See the ESA Work Programme Information Session guidance for details of how to book the Work Programme Information Session and follow up Flexible Intervention.</p>	<p>Claimants are referred to a Work Programme Information Session so they can make an informed choice about where they receive their support.</p>
6	<p><b>If appropriate establish Work Related Activity Requirements</b></p> <p>Consider and discuss any suitable work related activity that when adhered to will enable the claimant to prepare for work when they are able.</p> <p>When agreeing or setting Work Related Activity, Advisers use their discretion in setting what a claimant must do, in accordance with the claimant's individual capability and circumstances. WRA can be one or a combination of the suitable activities. For more information see Chapter 05 Jobcentre Plus Offer.</p> <p><b>Note:</b> Attendance at mandatory flexible</p>	<p>Mandatory claimants in the WRAG who have a prognosis of more than 12 months can be required to undertake WRA agreed with the Jobcentre Plus Adviser unless they:</p> <ul style="list-style-type: none"> <li>• Are claiming ESA credits only based,</li> <li>• Are a lone parent with a child over one but under the age of 3; or</li> <li>• Are appealing being placed in the WRAG.</li> </ul> <p>Failure to undertake work</p>

	<p>intervention is not WRA. WRA must always be to address an identified and agreed barrier.</p> <p>Explain to all Lone Parents with a youngest child aged 1 – 4, that when their youngest child is aged 3 or 4, they may be required to undertake mandatory work-related activity and issue the factsheet (Welsh Version). It is good practice to note on the Action Plan that the factsheet has been issued.</p>	<p>related activities is subject to a sanction. To ensure the claimant fully understands what is asked of them; when setting work related activities Advisers must ensure they are <b>SMART</b>.</p>
7	<p>If the claimant has a Universal Jobmatch (UJ) account, review the activity. If they don't have a UJ account, explain the advantages of UJ to the claimant and how the claimant would need to access Gov.uk to set up an individual account.</p>	<p>The UJ pilot marker is this applicable to JSA claimants only.</p>
8	<p>Review, update and record all outputs from discussions on the claimants Action Plan. I.e. what activity they are going to undertake before their next intervention. If the claimant does not have a current Action Plan, one must be created. Ensure all the information in the '<b>Addl Notes</b>' box is update and amend any details accordingly.</p>	<p>The '<b>Addl Notes</b>' box of the '<b>More</b>' hotspot should state the claimants current WCA prognosis, if it doesn't you must record it.</p>
9	<p><b>Establish on-going contact</b> At the end of the NJWFI determine:</p> <ul style="list-style-type: none"> <li>• Whether the claimant is subject to Post Work Programme Support,</li> <li>• How the claimant will continue to be supported to check they are continuing to take the necessary steps to prepare for or obtain work,</li> <li>• Whether contact will be face to face or by telephone, and</li> <li>• Book a subsequent Flexible Intervention or set a workflow to contact the claimant to book an appointment (where applicable issue the appropriate notification letter).</li> </ul>	<p>The timing and frequency of the contact, taking the claimant's personal circumstances into consideration.</p> <p>For claimants subject to Post Work Programme Support, ensure the PWPS pilot marker is set and refer to Chapter 07 Post Work Programme Support.</p>
10	End the interview on LMS	

18. At any point during the interview, it may become clear that the claimant's current circumstances mean that at this moment in time it would not be appropriate to expect the claimant to take part in the interview.

19. Advisers have the discretion to defer the NJWFI at any point. Please see Deferral of a NJWFI section for further information.

## Action to take for mandatory ESA WRAG claimants who need to be referred to the Work Programme

20. Before making any referral to the Work Programme you must first ensure that the ESA claimant is eligible and if they are you will need to determine whether they will be a mandatory or voluntary participant.

Step	Action	Notes
1	Explain to the claimant that their referral to the Work Programme is mandatory.	
2	Explain that the support the claimant can expect to receive from the Provider will be tailored to their individual needs and circumstances.	See the Work Programme Referral Guidance for information on what these discussions must include
3	Explain to the claimant their responsibilities whilst on the Work Programme.	See ESA Work Programme Referral guidance for information on what these responsibilities are.
4	Create or update the claimants Action Plan on their LMS record. Ensure you give the claimant a copy of their up to date Action Plan	Action Plans are copied to Work Programme Providers; it is vital that certain information is contained on them. See the ESA Work Programme Referral guidance for information on what the Action Plan must include.
5	Refer the claimant to the Work Programme as detailed below: <ul style="list-style-type: none"> <li>For ESA claimants with a WCA prognosis of less than 12 months proceed to <b>Step 6</b>, or</li> <li>For ESA (IR) claimants with a WCA prognosis of 12 months proceed to <b>Step 7</b>.</li> </ul> The prognosis should be record in JSAPS dialogue JA510736 & must be copied and recorded in the ' <b>Addl Notes</b> ' box of the ' <b>More</b> ' hotspot in LMS for all ESA claimants in the WRAG.	<b>Note:</b> It is crucial that you follow the correct referral procedure and issue the correct letter to the claimant in order for the Work Programme Provider to receive the correct payment. In addition if the claimant fails to attend the interview with the Work Programme provider, a sanction can not be applied to claimants who have been issued the wrong WP start letter.
6	For claimants with a prognosis of less than 12 months <ul style="list-style-type: none"> <li>Refer the claimant to the Work Programme through the Work Programme Marker,</li> <li>Print the LMS generated letter and give it to the claimant, and</li> <li>Close the NJWFI interview on</li> </ul>	Refer to LMS R34 Guidance for full details

	LMS.	
7	<p>For ESA (IR) claimants with a WCA prognosis of 12 months:</p> <ul style="list-style-type: none"> <li>• Refer the claimant using a stand alone opportunity type,</li> <li>• Access the WP Marker and set the exemption reason – ‘Exempt On other WP provision’,</li> <li>• Complete and print the clerical version of the WP06 – do not print the letter from the ‘ref letter’ button, and</li> <li>• Close the NJWFI interview on LMS.</li> </ul>	<p>Refer to WRAG 12 month cases section in the ESA WP referral guidance.</p> <p>Undertaking this action will prevent LMS prompting future referrals if the claimant’s circumstances change putting them in a group that makes LMS think they should be mandated.</p>

## Outcomes of a New Joiner’s Work Focused Interview

21. A successful outcome for the NJWFI could be:

- The claimant feels confident that they are able to obtain a job when able,
- An ESA off-flow,
- A successful referral to the Work Programme, Work Programme Referral Information Session or a DEA,
- Active commitment to work preparation,
- Work Related Activity is set and the claimant is working towards achieving it, or
- The claimant is aware of their responsibilities and conditionality, the support available to them and when their next intervention will be.

## Referral to the DEA for claimants with complex health conditions

22. If, the adviser identifies that the claimant’s disability or health condition is more than mild to moderate and the claimant may as a result face a complex employment situation, then the adviser should offer the claimant the opportunity to be referred to the DEA. The DEA will use the initial interview to assess the claimants individual support needs to maximise their chances of moving closer to the labour market or into work.

23. Where the claimant has agreed to be referred to the DEA, the adviser should use form ES18JP, ensuring the “other” box is annotated and “ESA” entered under “Please specify” in Part 1 of the ES18JP, and that all other relevant parts of the ES18JP are completed before the form is emailed/provided to the DEA.

## DEA and Work Choice

24. The DEA can refer claimants to Work Choice if appropriate. As the sole referral point within JCP for this programme, the DEA will only refer claimants who are eligible and suitable and cannot be assisted through other local provision.



## **DEA and Residential Training**

25. The DEA can refer claimants to Residential Training if appropriate. As the sole referral point within JCP for this programme, the DEA will only refer claimants who are eligible and suitable and cannot be assisted through other local provision.

## **DEA Identifies Claimant not Appropriate for DEA help**

26. When the DEA identifies that the claimant is not appropriate for DEA help, or is not eligible and suitable for Work Choice or Residential Training, they will return the claimant to the adviser providing details on Part 6 of form ES18JP.

27. Claimants who are referred to Work Choice will not participate in the Work Programme, or be referred to a Work Programme Information Session.

28. If the claimant is eligible for the Work Programme but is referred to the DEA, the Adviser will need to ensure they follow up. If the claimant:

- Is referred to the Work Choice or Residential Training, the Adviser must set an exemption reason and period on LMS.
- Is not referred to Work Choice or Residential Training, the Adviser will need to refer them to the Work Programme as below (depending on the claimant type)

29. If during the interview the Adviser suspects or the claimant identifies themselves as a miss-user of drugs and/or alcohol, the Adviser should consider the appropriateness of additional support outlined in the guidance for claimants with Drug and/or Alcohol Misuse. The claimant will also need to complete the form DPA1.

## **Deferral of a NJWFI**

30. A deferral is a short term postponement of a mandatory interview where it has been identified that at this moment in time (due to the claimant's circumstances) it would not be appropriate to expect the claimant to take part.

31. For ESA purposes, deferrals of mandatory interviews are only applicable to the NJWFI; all other interviews should be rearranged.

32. Deferral of an NJWFI is at an Adviser's discretion and should only be for a short period unless the claimant is:

- Under the age of 18; or
- A lone parent with a child under the age of 1.

33. Deferrals can be for one period or for several shorter periods dependent on the claimant's circumstances

34. Regardless of the length of the deferral, once that deferral date has matured, claimants appear on the JP Process Report as 'WFI Deferred' and the appropriate action must be taken (either booking a NJWFI or a further deferral period).

35. It is for the Adviser to determine whether the claimant's circumstances mean a deferral is appropriate. If, during activity to book an interview, Adviser Support identify that a deferral may be appropriate, they must refer the case to an Adviser for a decision.

36. When an NJWFI has been deferred, that interview must be attended before any Flexible Interventions take place.

37. Deferrals **must not** be used for claimants in the WRAG who have lodged an appeal (as they believe they should be in the Support Group) they will be

mandated to the Jobcentre Plus offer and should continue to receive support as decided by the Adviser.

38. Once the decision has been made to defer the claimants NJWFI the reason for this must be recorded using the drop down menu on the claimant's record in LMS.

39. When recording the deferral in LMS and the NJWFI is not booked straight away (for a future date) a review date must be set and assigned to an individual officer or team.

### **Deferring an interview that has not been booked**

40. If a decision has been made to defer an interview before it has been booked, take the following action in LMS:

<b>Step</b>	<b>Action</b>
1	Access the JP marker and select ' <b>Amend</b> '.
2	Amend the JP status to ' <b>WFI Deferred</b> '.
3	Enter the specific reason for the deferral when prompted.
4	You will now be asked to record the review date for the deferral. This must be at least the following Monday.
5	Set the review reason.
6	Assign the review to the Officer/Team responsible for taking action on the deferral when it matures.
7	In the notes box record the interview that has just been deferred (i.e. NJWFI).
8	Click on ' <b>Save</b> '.
9	Close the JP marker window.

### **Deferring an interview that has been booked but not started**

41. If a decision has been made to defer a booked interview that has not been started, take the following action in LMS:

<b>Step</b>	<b>Action</b>
1	Cancel the interview by selecting ' <b>Cancel</b> ' in the ' <b>O/S Int</b> ' hotspot. Select ' <b>Yes</b> ' when asked if you want to cancel the interview. Complete the notes box with 'Interview now deferred and therefore interview cancelled'.
2	The JP marker will still read ' <b>JP WFI Booked</b> '.
3	Access the JP marker and select ' <b>Amend</b> '.
4	Amend the JP status to ' <b>WFI Deferred</b> '.
5	Enter the specific reason for the deferral when prompted.
6	You will now be asked to record the review date for the deferral. This must be at least the following Monday.
7	Set the review reason to that which corresponds to the interview that was cancelled in step 1.
8	Assign the review to the Officer/Team responsible for acting upon the deferral when it matures.
9	In the notes box record the interview that has just been deferred (i.e. NJWFI).
10	Click on ' <b>Save</b> '.
11	Close the JP marker window.

## Deferring an Interview that has started

42. If the Adviser decides that a deferral is appropriate during the interview, then:

- Re-arrange the interview for a time which is more appropriate.
- Inform the claimant that the interview has been deferred verbally.
- Remind the claimant that their mandatory interview has just been postponed and that they are still required to take part in the interview at the agreed future date.

43. Take the following action in LMS:

Step	Action
1	End the interview by selecting ' <b>End</b> ' in the interview in progress window.
2	LMS will ask if the claimant should be either ' <b>Caseload</b> ' or ' <b>Non-Caseload</b> '. Select ' <b>No</b> ' for ' <b>Non Caseload</b> '.
3	Access the JP marker and select ' <b>Amend</b> '.
4	Amend the JP status to ' <b>WFI Deferred</b> '.
5	Enter the specific reason for the deferral when prompted.
6	You will now be asked to record the review date for the deferral. This must be at least the following Monday.
7	Set the review reason to that which corresponds to the interview that was ended in step 1.
8	Assign the review to the Officer/Team responsible for acting upon the deferral when it matures.
9	Click on ' <b>Save</b> '.
10	In the notes box record the interview that has just been deferred (i.e. NJWFI).
11	Close the JP marker window.
12	Note in LMS conversations that the interview was not completed and it was deferred instead.

## Deferring an interview that a claimant Failed to Attend (FTA)

44. If a decision has been made to defer an interview that a claimant FTA, take the following action in LMS:

Step	Action
1	Select the ' <b>NewInt</b> ' button. A grey box will appear saying 'Do you wish to book a new appointment or rearrange the existing one?'
2	Select the ' <b>ReArr</b> ' button.
3	Insert 'Deferral following FTA' into reason free text box.
4	Select top left ' <b>ReArr</b> ' button and rearrange the previously FTA interview.
5	Select the updated ' <b>O/S Int</b> ' button and immediately cancel the outstanding interview.
6	Insert 'Deferral following FTA' into notes free text box and select ' <b>Save</b> '.
7	Set the JP status marker to ' <b>WFI-deferred</b> '.
8	Select a deferral reason within the ' <b>deferring intrvw</b> ' field.
9	Record the specific reason for the deferral in the 'Notes' field.
10	Set a review date in the ' <b>Review Details</b> ' field.

11	Select the Officer/Team who will undertake the review.
12	In the notes box record the interview that has just been deferred (i.e. NJWFI).
13	<b>'Save'</b> and close.

## Guidance queries and help

45. If you are unable to find an answer to a particular question regarding the process within this chapter you must contact the Jobcentre Plus Live Support Advice Line. Do not give the Advice Line number to customers or outside bodies under any circumstances, it is for the use of Jobcentre Plus staff only. Details of how to contact them can be found by clicking on the following hyperlink, Advice Line Home Page.

46. Please do not use the 'E-mail page owner' and 'Page information' links at the bottom of each page of guidance to raise policy queries. These should only be used to report broken hyperlinks.

47. Please use the comments box at the bottom of each page to submit suggestions for guidance improvement only, any questions raised via this route will not be answered.