

Health and Work Conversation

1. The health and work conversation (HWC) is a mandatory work focused interview for new ESA claimants. Some claimants are exempt from having to attend a HWC.
2. The HWC takes place around the fourth week of a claim. For some claimants the HWC may need to be booked outside the four week period to a more appropriate time. However, there will be no need to have a HWC, if the work capability assessment (WCA) is due to take place in the next 3 weeks.
3. Having this conversation before the WCA allows the work coach to engage earlier with the claimant.
4. The interview is a discussion between the claimant and the work coach to identify voluntary actions the claimant can take to build their confidence and motivation.
5. The claimant's attendance and participation in the HWC is mandatory and they may be sanctioned if they fail to do so without good cause.
6. Any actions agreed at the HWC are voluntary. Claimants cannot be sanctioned if they do not undertake any agreed actions.
7. This mandatory conversation supports claimants with health conditions and disabilities, it allows the claimant and work coach to discuss their skills, abilities and goals and find out about the support that is available to help them move closer to work.
8. During the HWC the work coach introduces tools such as the "About Me" to help build claimant motivation, and allows them to jointly develop a flexible plan of voluntary activities.
9. A weekly report is run and identifies all claimants that have been claiming ESA for two weeks. The report identifies claimants claiming ESA but as yet have not had a HWC interview or been identified as exempt or deferred. If the JCP site SPOC does not receive the report by 13:30 each Tuesday they must escalate to their Change Lead.
10. All cases identified on the report must be considered for a HWC interview, once an office has gone live .
11. If a claimant is identified as deferred or exempt take the following action in LMS:

Deferred

Step	Action
1	Select pilot marker titled 'CC & HWC'
2	Select stage value – Def CC & HWC
3	Set a work flow to discuss the HWC at a later date
4	Update notepad for the reason to defer

Exempt

Step	Action
1	Select pilot marker titled 'CC & HWC'
2	Select stage value – Exempt CC & HWC
3	Update notepad for the reason to exempt

12. For those cases not falling into exempt or deferral categories the service delivery support or other suitable person uses the report to identify and book a pre-call and HWC in the work coach's LMS diary

Claimants not required to attend a health and work conversation

13. Some ESA claimants do not need to have a health and work conversation, if they fall into one of the following exemption categories:

1.

Exemption category	Where to look
<p>Terminal illness</p> <p>A claimant is regarded as being terminally ill if both of the following apply:</p> <ul style="list-style-type: none"> • at any time the person suffers from a progressive disease; • the person's death in consequence of that disease can reasonably be expected within 6 months. 	<p>Access JSAPS dialogues JA792 for health condition and Special Rules Y/N Indicator. Also, JA510 may give evidence, e.g. "T.I.", "Sp. Rules", "DS1500"</p>
<p>Receiving treatment for cancer</p> <p>The claimant is:</p> <ul style="list-style-type: none"> • receiving treatment for cancer by way of chemotherapy or radiotherapy; • likely to receive such treatment within 6 months after the date of the determination of capability for work and work-related activity; or • recovering from such treatment and we are satisfied that the claimant should be treated as having limited capability for work and work-related activity. 	<p>Access JSAPS dialogues JA792 for health condition and Special Rules Y/N Indicator. Also, JA510 may give evidence, e.g. "T.I.", "Sp. Rules", "DS1500"</p>
<p>Life threatening disease</p> <p>The claimant is suffering from a life threatening disease in relation to which:</p> <ul style="list-style-type: none"> • there is medical evidence that the disease is uncontrollable, or uncontrolled, by a recognised therapeutic procedure; and in the case of a disease that is uncontrolled, there is a reasonable cause for it not to be controlled by a 	<p>Access JSAPS dialogues JA792 for health condition and Special Rules Y/N Indicator. Also, JA510 may give evidence, e.g. "T.I.", "Sp. Rules", "DS1500"</p>

recognised therapeutic procedure.	
<p>Risk to self and others</p> <p>The claimant is suffering from a specific illness, disease or disablement by reason of which there would be a substantial risk to the physical or mental health of any person were the claimant is mandated to attend a HWC.</p>	<p>Access JSAPS dialogues JA792 for health condition & 510 for any notes for indication.</p> <p>LMS may also give an indication.</p>
<p>Full time carers</p> <p>The claimant is providing care for a severely disabled person for at least 35 hours a week. A severely disabled person is defined as someone receiving:</p> <ul style="list-style-type: none"> • the middle or highest rate of the Disability Living Allowance care component; • Constant Attendance Allowance; • Attendance Allowance; • either rate of Personal Independence Payment daily living component; or • the Armed Forces Independence Payment. • Does not qualify for the Carer Element but has significant caring responsibilities of at least 35 hours a week for a severely disabled person(s). • A carer for at least 35 hours a week of a severely disabled person who is awaiting an assessment for a severe disability benefit, i.e. DLA, PIP, AA or CAA will be placed in this group pending that benefit decision. 	<p>Access JSAPS dialogue JA761 (ESA Claim Details Enquiry – Pick list) - a ‘Y’ next to ‘Other Benefits’ indicates another benefit interest for this claimant.</p> <p>To view the other benefit interest, enter ‘Y’ in the square brackets next to ‘Other Benefits’ and press Enter – this will display dialogue JA767 (Other Benefits).</p> <p>In this screen, if the ‘Type’ column is ‘08’ this indicates a Carer’s Allowance interest. The ‘For’ column must contain ‘01’ as this indicates that it is the claimant, and not someone else in the household, is entitled to Carers Allowance’.</p> <p>For those showing as ‘01’ in the ‘For’ column, if the ‘Rec’d’ column contains ‘Y’ (received) or ‘U’ (underlying entitlement) then the claimant is a Full Time Carer.</p>
<p>Lone parents with a child under one</p> <p>A lone parent/nominated responsible carer (including a foster carer/adoptive parent) of a child under 1.</p>	<p>Within LMS check whether the LMS Parent Marker, is set to ‘Lone’. If yes, check the age of the youngest child in child details window.</p> <p>The child details window is available via the CBW Hotspot to the right of the status marker, or via the Hotspots dropdown.</p> <p>If the age of the youngest child is shown as ‘0’ the claimant has a child under age 1.</p>

<p>A parent who has recently adopted a child</p> <p>An adoptive parent who is the nominated responsible carer (lead carer) for a child: - for a period of 12 months from the date that the child moves into the household, or from up to 14 days earlier if the claimant requests.</p>	<p>Not noted on JSAPS.</p> <p>CIS or LMS may give an indication.</p>
<p>Claimants in full time education eg disabled students</p> <p>Disabled students may qualify for ESA (conts) while receiving education as long as they satisfy the basic and contributory conditions of entitlement. The only full-time students who may be entitled to ESA (IR) while they are studying are those who are in receipt of DLA/PIP. They have to meet all other conditions of entitlement. For the purposes of ESA (IR), someone who is entitled to DLA/PIP is not ‘receiving education’.</p>	<p>Access JSAPS dialogues JA761 for health condition & 510 for any indication that they are in education.</p>
<p>Young people without parental support and in full-time non-advanced education or training</p> <p>Non-advanced education is any qualification up to A Level, or equivalent. A young person with no parental support will be able to qualify up to age 21, or the end of the academic year in which they reach age 21 (or the end of the course if earlier)..</p>	<p>Consideration should be give to claimant’s entitlement to Income Support.</p>
<p>Pregnancy related issues</p> <p>Pregnant within 11 weeks of expected week of confinement or 15 weeks after her expected date of confinement.</p> <p>The claimant is a pregnant woman and there is a serious risk of damage to her health or to the health of her unborn child if she does not refrain attending a HWC.</p>	<p>Access JSAPS dialogues JA792 for health condition, if states “other” go to 510 for further indication.</p>
<p>Claimants at/over Pension Credit age</p> <p>In mixed age couples where one partner is above the State Pension Credit (SPC) qualifying age and the other partner is below SPC age, the over SPC age partner will have no work related requirements. The under SPC age partner will have conditionality based on his or her personal circumstances.</p> <p>The claimant has reached the qualifying age for state</p>	<p>Access JSAPS dialogues</p> <p>JA500 –</p> <p>At pension age a claimant’s ESA claim would shut and the claimant would move over to SPC.</p>

<p>pension credit and is entitled to</p> <ul style="list-style-type: none"> • attendance allowance • the care component of disability living allowance at the highest rate or • the daily living component of personal independence payment at the enhanced rate. 	
<p>Receiving certain treatments</p> <p>The claimant is receiving:</p> <ul style="list-style-type: none"> • regular weekly treatment by way of hemodialysis for chronic renal failure; • treatment by way of plasmapheresis; or • regular weekly treatment by way of total parenteral nutrition for gross impairment of enteric function; or is recovering from any of those forms of treatment in circumstances in which the Secretary of State is satisfied that the claimant should be treated as having limited capability for work. 	<p>Access JSAPS dialogues JA792 for health condition and 510 for further indication.</p>
<p>In hospital or residential care</p> <p>The claimant is:</p> <ul style="list-style-type: none"> • undergoing medical or other treatment as an in-patient in a hospital of similar institution; or • recovering from such treatment in circumstances in which the Secretary of State is satisfied that the claimant should be treated as having limited capability for work. 	<p>Access JSAPS dialogues JA761 for health condition and 510 for further indication.</p>
<p>Prevented from working by law (Notifiable diseases)</p> <p>The claimant:</p> <ul style="list-style-type: none"> • is excluded or abstains from work pursuant to a request or notice in writing lawfully made or given under an enactment; or • is otherwise prevented from working pursuant to an enactment, by reason of it being known or 	<p>Access JSAPS dialogues JA792 for health condition & 510 for indication</p> <p>LMS conversations may also offer a indication.</p>

reasonably suspected that the claimant is infected or contaminated by, or has been in contact with a case of, a relevant infection or contamination.	
Credits Only	Access JSAPS dialogue JA504 (General Enquiry) which will show weekly rates of £0.00 for Credits Only cases or JA523 (Award Details Enquiry) which will show award payable of £0.00 for Credits Only cases.

Claimants whose health and work conversation may need to be booked at a later date (Deferral)

14. For some ESA claimants having the health and work conversation at week four of their claim may not be appropriate. However, there is no need to have a health and work conversation (HWC), if the work capability assessment is due to take place within 3 weeks of the HWC date.
15. There may be circumstances where a claimant does not fall into an exemption category where it is inappropriate to have a Health and Work Conversation at this time. Work Coaches may wish to defer the Health and Work Conversation in those circumstances. The table below sets out examples where claimants may need to have their Health and Work Conversation deferred. This list is not exhaustive.

Deferral category	Where to look
Those who have an Appointee/Personal Acting Bodies or Corporate Acting Bodies	Any known appointee details are viewed using the Claimant Information System (CIS) in the 'Relationship History' screen, or JSAPS dialogues JA400, JA500 & JA501. You should also check LMS conversation history.
ESA Claims that are not currently in payment	JSAPS dialogue JA504 will be incomplete or claim will show as registered not built.
Claimants that are the victim of domestic violence Any ESA claimant who tells Jobcentre Plus that they have been a victim of actual or threatened domestic violence is eligible for the initial 4 week easement as long as: the incident of domestic violence occurred within the previous 26 weeks; and it meets the definition of domestic violence; and they are not living at the same address as the abuser; and they have not previously had a period of domestic violence easement within the last 12 months.	Access JSAPS JA510. LMS conversation may give an indication.
Claimants recently bereaved	Access JSAPS dialogues JA761 for other

	benefits and 510 for further indication.
Claimants that have recently suffered from trauma (medical or otherwise)	Access JSAPS dialogues JA792 for health condition & 510 for indication.
Claimants on Jury Service The claimant must contact the Jobcentre to say why they are not able to attend the HWC.	LMS may give an indication within conversation. Before rearranging to a later date the claimant must supply proof.
Claimants that are temporarily absent for medical treatment	Access JSAPS dialogues JA792 for health condition & 510 for indication.

Booking a health and work conversation

16. The service delivery support (SDS), or other suitable person must access the report from the OPRT and:

Step	Action
1	<p>Check for correct office mnemonic:</p> <ul style="list-style-type: none"> • If correct go to step 2 • If not, message the owning office requesting the case be assigned to your office • When received take the action below.
2	<p>Check if the claimant has ESA in payment:-</p> <ul style="list-style-type: none"> • If yes, go to step 3 • If not, put a note in LMS conversations stating HWC not needed as ESA not in payment. Take no further action or set any pilot markers as this will prevent the claimant being included in subsequent reports
3	<p>Check if claimant is exempt from the HWC:-</p> <ul style="list-style-type: none"> • If not, go to step 4 <p>If exempt, put a note in LMS conversation</p> <p>Note: If it is unclear if a claimant is exempt consult a team leader for advice.</p>
4	<p>Check LMS markers and conversation history and the Staff Protection List for reasonable adjustments then make appropriate arrangement if necessary</p>
5	<p>Telephone the claimant to:</p> <ul style="list-style-type: none"> • check all personal details are correct • agree a convenient date/time to attend the jobcentre – ask them to come in 10 minutes before their appointment • confirm any special requirements a claimant may have so that they can attend the HWC, e.g. do they need to bring someone with them,

	<p>do they need child care or travel costs</p> <ul style="list-style-type: none"> • explain the purpose of the HWC and that their attendance and participation is mandatory. When explaining sanctions be sensitive to potentially vulnerable claimants particularly those with mental health conditions / learning difficulties – be clear about responsibilities and consequences but tailor your approach to the individual • explain that it is not part of the work capability assessment (WCA) (If you do have a WCA, the details of your health and work conversation will not be shared with the healthcare professional that carries out your assessment) • tell them that their work coach will call them 2 days before the HWC to introduce themselves • ensure where possible we have the claimants correct mobile number, or a alternative number they can be contacted on at a pre arranged time
6	Book a 40 minute HWC in the LMS diary for a work coach as a mandatory HWC using interview type Health and Work Conversation (HWC)
7	Book a 10 minute LMS Interview type HWC Pre- call in. This call must take place 2 days before the HWC and wherever possible must be with the same work coach that is doing the HWC
8	Send ESAHWC1 invitation letter to claimant notifying date and time of the HWCHWC
9	On the day before HWC, send SMS text reminder. If a claimant does not have a mobile phone, telephone them to remind them of the date and time

Booking a health and work conversation without contacting the claimant

17. If you are unable to contact the claimant by telephone record your attempts/reason in LMS conversations, book a HWC and pre HWC call without contacting the claimant and send the invitation letter ESA HWC1 giving date and time of appointment.

18. For more information see booking an interview

Health and work conversation preview

19. As part of the Jobcentre Plus commitment to safeguard vulnerable claimants, as well as reducing FTA rates, there are a few activities that must take place **2 days** before a claimant's HWC, to ensure the claimant is more likely to attend. The work coach must:

Step	Action
1	<p>Check if the claimant's ESA is in payment:</p> <ul style="list-style-type: none"> • If yes, go to step 2 • If not, put a note LMS conversation, cancel the appointment and notify the claimant by phone, email or text.

2	<p>Check if claimant is exempt from the HWC:</p> <ul style="list-style-type: none"> • If not, go to step 3 • If exempt, note LMS conversation, cancel the appointment and notify the claimant by phone, email or text.
3	<p>Telephone the claimant:</p> <ul style="list-style-type: none"> • make introductions, • confirm date, time and location of conversation, ask them to come in 10 minutes before their appointment time • confirm any special requirements a claimant may have so that they can attend the HWC, e.g. do they need to bring someone with them, do they need child care or travel costs • explain the purpose of the HWC and that their attendance and participation is required. When explaining sanctions be sensitive to potentially vulnerable claimants • if any new circumstances come to light that means the claimant does not need to attend the HWC, cancel the appointment and note LMS conversation. Notify the service centre of any relevant change in circumstances via Handover Telephony Tool • more information see instructions on telephone contact

Conducting the health and work conversation

20. When the claimant attends a HWC, they will have been told to come in 10 minutes before their appointment time. During this time, they may be asked to complete the “About Me” part of the HWC1 booklet.

21. Before the conversation conduct a final check in LMS for potentially violent markers and any new information noted in conversations.

22. During the HWC the work coach must:

Step	Action
1	Discuss the “About Me” part of the HWC1 booklet
2	Discuss the HWC5 My Values part of the HWC1 booklet with the claimant.
3	<p>Complete the remaining parts of the HWC1 booklet with the claimant and offer the completed booklet to the claimant to take away with them.</p> <p>Work coach – see HWC1(WC) which is for use by the work coach only, it provides instructions for the work coach to guide the claimant through each part of the HWC.</p>
4	Discuss the help available to the claimant. Use the district provision tool and flexible support
5	<p>Complete an LMS action plan</p> <p>Note: any actions agreed are voluntary</p>

6	If required, arrange a date and time for a follow up HWC and give the claimant a voluntary appointment letter
7	After the HWC, send ESA HWC4 letter to claimant, confirming the voluntary actions agreed with the claimant
8	Note LMS by: a) Select pilot marker titled ‘CC & HWC’ b) Select stage value – Part HWC ONLY Update notepad (if required)

23. Full details on preparing for and conducting flexible interventions is available in the WFI Process and Supporting Tools for Advisers and ATMs guidance.

Claimant fails to attend

24. When a claimant fails to attend a health and work conversation (HWC), the work coach must consider whether the claimant has shown good cause for not attending.

25. In LMS mark the interview as failed to attend, telephone the claimant to find out why they didn't attend, and consider if they have good cause. Note LMS as follows:

Step	Action
1	Select pilot marker titled ‘CC & HWC’
2	Select stage value – Part HWC ONLY
3	Update notepad
4	Follow existing business as usual (BAU) process

26. If you are unable to contact the claimant, consider raising a doubt as to whether they have good cause. See unable to contact claimant

Contact made good cause accepted

27. If the claimant shows good cause for not attending:

Step	Action
1	Re-book the HWC
2	Record in LMS conversations

Note: the claimant may have provided new information that shows they are exempt. Make a note of this in LMS conversation and cancel HWC.

Contact made good cause not accepted, but claimant prepared to rebook

Note: For the group of claimants invited to a Health and Work conversation certain easements have been allowed to encourage re-engagement following an initial FTA.

28. If you make contact with the claimant and they are unable to provide good cause, but are prepared to attend a rebooked H&W C, no further DMA activity should be taken at this point.
29. There is no need to raise a doubt, although the interview should have been marked as FTA.
30. Rearrange the interview for as soon as possible, agreeing the time with the claimant, and emphasise that it is really important that the claimant attends, emphasising the purpose of the meeting, and the potential for a sanction.
31. Note LMS conversations, detailing that 'claimant FTA 1st Health and Work Conversation without good cause – prepared to re-engage so no DMA action taken.'
32. This easement should only be applied on one occasion where no good cause has been shown. If a further FTA without good cause occurs then follow 'Contact made good cause not accepted, claimant not prepared to rebook, or second failure without good cause(LINK)
33. This easement applies to Health and Work Conversations only, not to NJWFIs, or mandatory flexible interviews for WRAG claimants.

Contact made good cause not accepted, claimant not prepared to rebook, or second failure without good cause

34. If the claimant shows no good cause for not attending and is not prepared to rebook:

Step	Action
1	Raise a doubt on LMS. This will send the FTA/FTP letter allow 7 working days for contact to be made by claimant
2	Complete DART stencil, detailing why good cause is not accepted
3	Refer completed DART stencil and ESA claim to LM DM to make sanction decision

Unable to contact claimant

35. If you are unable to contact the claimant by phone:

Step	Action
1	Send in the post Failed To Attend letter and ESA10 to claimant; allow 7 working days for contact to be made by claimant Set a LMS workflow.
2	If contact made and good cause accepted, see Contact made good cause accepted
3	If no contact is made, consider arranging a safe guard visit If after home visit, good cause is accepted, see Contact made good cause accepted If after home visit, good cause is not accepted, see Contact made good cause not accepted

Claimant fails to participate

36. If a claimant fails to participate (FTP), in every case, try to establish the reason why, consider their current circumstances and/or health condition (including their vulnerable status) before deciding whether to attempt to re-engage them.
37. Explain that participation is mandatory and what will happen if they fail to do so, such as a possible sanction.
38. For more information see fails to attend/participate instructions.
39. If they still FTP in the intervention:

Step	Action
1	End the conversation and record the reasons in LMS
2	Send in the post FTP letter and ESA10 to claimant, allow 7 working days for contact to be made by claimant. Raise a doubt in LMS
3	If contact made and good cause accepted, see Contact made good cause accepted
4	<p>If no contact is made, arrange safe guard visit to claimant</p> <p>If after home visit, good cause is accepted, see Contact made good cause accepted</p> <p>If after home visit, good cause is not accepted, see Contact made good cause not accepted</p>

Flexible Menu of Support

40. Discuss support and tools available to them and agree what would be suitable to help them build motivation and prepare for or improve their prospects of moving closer to work.
41. Support on offer to claimants can differ and work coaches must utilise their District Provision Tool when conducting these conversations. In addition to localised support there are a number of national initiatives that they have access to for example:
 - Work Clubs,
 - Working Together,
 - Enterprise Clubs,
 - Work Choice,
 - Health Related Support,
 - National Careers Service,
 - Work Trials,
 - Work experience and work placements for ESA claimants,
 - Permitted work
 - Volunteering, and
 - Troubled Families.
 - list is not exhaustive.