



UCDMA021a Sanctions for Account Developer

**Facilitator Led Brief
v11.7**

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Topic 02	Gathering Evidence and Recording a Failure on WSP	60
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Topic 05	Referring the Failure to a Decision Maker	15
Topic 06	Reconsideration and Appeals	55
	Quiz/Knowledge Checker	20
Summary		2
Total duration of all topics		375

Important Information



Please note that not all job roles are required to complete every topic within this module.

The table below gives full details of which topics are required by each Job Role.

The Universal Credit Learning Journey has a full list of all the learning modules required for each Job Role and the order in which they should be delivered/completed.

This can be viewed on the LDO Support Site.

Job Role	Learning Required	Duration
Account Developer	All topics	375 mins
Account Developer Team Leader	All topics	375 mins
Telephony Agent	Topic 01 only	120 mins



Show Slide 01 – UCDMA021 Sanctions



Before delivery of this module you should familiarise yourself with the contents of the Facilitator's Preparation Pack.



Note to facilitator: The objectives for this event are broken down and will appear against the individual topics.

Module Aims



Show Slide 02 – Module Aims

Aims

This module aims to provide the Account Developer with an overview of the Universal Credit sanctionable failure processes. This includes how to explain to the claimant the impact of a sanction and its duration on their Universal Credit award. It also aims to give Account Developers the knowledge and skills to:

- gather evidence
- record the action taken on the relevant computer systems
- deal with Third Party Provider doubt referrals
- apply the correct sanction to a claimant's award
- make a referral to a DM on WSP of a claimant's failure to meet a work-related requirement
- action reconsiderations and appeals

Topic 01 Sanctions Overview



Show Slide 03 – Topic 01 Sanction Referrals and Decisions Overview



Show Slide 04 – Topic 01 Objectives

Objectives

By the end of this topic, with the aid of any reference material, you will be able to:

- describe the policy intent that underpins the sanction regime for Universal Credit
- describe the sanction process and the main computer systems used
- explain how the escalation process affects sanctions
- identify pre-claim failures and how they affect escalation
- identify sanctions made out of sequence and how they affect escalation
- describe what a reserved decision is and its effect on reduction periods

- state the actions to take when a claimant has a change of circumstances that affects their daily reduction rate.
- explain how to provide a basic/detailed explanation of why a sanction applies to the claimant

Introduction

Decision Makers make decisions and determinations that affect a claimant's entitlement to Universal Credit, or the amount of Universal Credit that is payable.

This could be either at the start of a claim or, for example, when a change of circumstances results in a revision of the original decision.



For the purposes of this learning, decisions and determinations will be referred to as just decisions throughout this module.



In Universal Credit, decisions can be complex or non-complex.

The Band C/EO Decision Maker (DM) is responsible for complex decisions.

The Account Developer Decision Maker (AD DM) decides non-complex decisions.



Get the learners to access the Complex and Non Complex Decision Making Matrix in "About Universal Credit". It is titled "Decision Making in Universal Credit".

Sanctions – Policy Intent



Lead a short discussion/Q&A session around the sanctions policy intent and the high-level aims, ensuring that the following points are covered:

- Sanctions are a key part of Universal Credit because they support conditionality by encouraging claimants to always do what is reasonable to look for and/or increase work and pay.
- Research shows that sanctions play a vital role in encouraging claimants to comply with requirements that are designed to help them move into, or prepare for, work.
- Universal Credit sanctions are designed to drive engagement with these requirements by providing clarity about the consequences of non-compliance, as well as longer sanctions for repeated non-compliance.
- We have a responsibility to ensure that claimants understand how sanctions work and their responsibilities. Work Coaches should aim to build trust and understanding with claimants.

- Claimants should be clear about who they need to engage with.
- We must ensure that safeguards are in place to help those claimants with complex needs or who require additional support to access DWP benefits and use our services.
- Sanctions need to be quick but fair. They need to be made as close as possible to the failure, so that the claimant associates the decision letter with their actions.

Main Systems Used

DMACR

The DMACR (Decision Making and Appeals Case Recorder) tool is used by Decision Making and Appeals staff to control decision making and appeals data. DMACR enables standard working practices to be adopted across all benefits, and has the capability of capturing MI at a national scale.

WSP

Work Service Platform (WSP) supports the Work and Contract Service elements of Universal Credit and the wider welfare reform agenda in helping claimants to find work, or higher paid work.

It provides an automated diary function which allows DWP staff to book appointments with the customer e.g. Claimant Commitment interviews and Work Focused Reviews. It is designed to replace the Labour Market System (LMS).

Agent Portal

The Agent Portal is used to create and maintain claimant records. There is also a claimant portal. Claim administration, verifying evidence, payment assessment and sanction information are held on the Agent Portal.

CAMLite

The Customer Account Management System Lite (CAMLite) enables you to search for, and identify claimants. It also enables you to view correspondence and create access and carry out various tasks. In effect, it's a workflow tool which supports the efficiency of the benefits process.

DRS

The Document Repository Service (DRS) is DWP's preferred application for storing and managing scanned images and other types of documents.

AR Codes

Each sanctionable failure has an associated AR Code.

AR stands for Acts and Regulations.

WSP Doubt screen holds the full list of AR Codes, along with a description of the sanctionable failure.



Refer the learners to **Handout 01 – UC AR Codes**



Decision Makers record their decisions on Form LT54. There are various LT54 templates held on DMACR for the different sanction decisions

What information should the DM include on the LT54?



- **Sanction Level**
- **Universal Credit Act and Regulations (AR) Codes**
- **Legislation Details**
- **Nature and Date of Sanctionable failure**
- **Indicative Daily Reduction Rate**
- **Any compliance activity, including date of compliance**
- **Sanction duration including TORP / previous sanctions.**

Overview of the Sanctions Process



Let's recap your understanding of Universal Credit work-related requirement sanctions.

Ensure the learners bring up the following points:

- Each UC claimant will fall into a regime and conditionality group based on individual and household information, characteristics and earnings.
- These are also known as conditionality groups or work-related requirement groups. Legislation refers to them as work-related groups.
- The claimant is assigned to a work-related group in accordance with their individual characteristics.
- There are four work-related groups:
 - No work-related requirements
 - Work-focused interview requirements only
 - Work preparation requirements
 - All work-related requirements.
- The group a claimant is in defines which work-related requirements can and cannot be imposed on them.
- Most claimants are required to accept a Claimant Commitment which details the work-related requirements they must meet. If they fail to meet these requirements without good reason, a sanction is applied to their Universal Credit payments. The sanction reduces the amount of Universal Credit they receive.

- In Universal Credit, the focus is on setting suitable work-related requirements. These must be tailored to a claimant's individual circumstances. The requirements will then support the claimant towards work, into work, or into better paid work.
- To help claimants meet these important requirements, we must clearly notify them of the requirements and the possible consequences of not meeting them.



The Work Preparation requirement group includes the requirement to attend Work-Focused Interviews.

Section 13(3) of the Welfare Reform Act and ADM refer to this group as the "work-focused interview and work preparation requirements" group.

Where a claimant fails, without a good reason, to meet a work-related requirement that was clearly notified to them, a sanction can be imposed.

The DM determines if the claimant has good reason and whether a sanction applies.

Claimants who lack the capacity to accept a Claimant Commitment will not be required to do so. For example, a claimant with severe learning difficulties.

In the main, these claimants will have an appointee acting on their behalf.

The appointee will not be required to accept a Claimant Commitment on the claimant's behalf.



Refer the learners to **Handout 02 – Sanctions Levels**

Compliance



This section is about checking the learners' understanding of compliance and the compliance condition.

You can run this as a discussion or as a series of Q&As. Ensure the following points are covered.

- A claimant must always be in a position where they are able to bring the open ended element of the sanction to an end.
- They are informed of the original requirement and compliance condition at the same time. Where possible the compliance condition should be the same as the original requirement. For example, to produce a CV.
- Where this is not possible a suitable alternative should be offered and notified to the claimant.



Which level of sanction(s) does a compliance condition affect?



Low and Lowest Level Sanctions.

For Low Level Sanctions, there will be an open ended element which runs until the claimant complies, followed by a fixed period of 7, 14 or 28 days.

For Lowest Level Sanctions, there will only be an open ended element which runs for the number of days from the date of failure to the day before the claimant complies.



What do you understand by the terms compliance and compliance condition and how are they different?



Compliance is where the claimant does the thing they were required to do.

A Compliance Condition may be an alternative requirement for the claimant, should they fail to undertake the original requirement. It should be explained to the claimant at the time that the original requirement is set.

The compliance condition is the action that the claimant needs to take to stop the open ended element of a potential sanction building.



Claimants in which Conditionality Groups can be subject to a compliance condition?



- **All Work Related Requirements**
- **Work Focused Interview Only Requirement**
- **Work Focused Interview and Work Preparation Only Requirements.**



What is the compliance date?



The compliance date is the date the claimant complies either with the original requirement or with a compliance condition.

Note: There is an easement, usually used in FTA cases, which is when the claimant makes contact to comply but DWP cannot accommodate the claimant on that day. For example, there are no available appointments.

In such cases, providing the claimant accepts the first available appointment and subsequently attends as agreed, the compliance date will be the date they made contact.

Compliance Condition Lifted

A Compliance Condition is lifted when the claimant takes the required action, or agrees to take the required action.

A Compliance Condition is lifted:

- when it is no longer appropriate
- if the claimant moves into the no work related requirements group, or
- if the award terminates (unless the claimant becomes, or ceases to be part of a couple)

Sanctionable Failures from JSA and ESA

Previous sanctionable failures from JSA and ESA may affect the duration period of the current failure. This includes sanctionable failures from JSA and ESA claims made under the pre-Universal Credit legislation.

If the most recent previous sanctionable failure is within 364 days of the current failure and at the same level, the sanction will escalate.



Note: There are three sets of regulations for Universal Credit covering The Pathfinder, The Expansion Gateway for Couples and The Expansion Gateway for Families.

How JSA and ESA sanctions affect the escalation of Universal Credit sanctions depends on which set of regulations cover the claimant's claim. This in turn depends on the claimants post code and the date of their claim.



We are now going to do an exercise to identify previous sanctions and look at the effect of them on subsequent sanctions.



Action Required - Scenarios 1 to 3.

You can either lead this exercise as a whole group activity or split the group up into small teams to review the scenario questions and decide if each statement is either true or false.

Allow the learners time to read each statement and feedback their answers either individually, a spokesperson or show of hands.

The facilitator should encourage the learners to identify which processes or regulations apply to each statement.

Remember this is a recap exercise and as such keep it short and snappy.

All the answers to the Action Required – Scenarios 1 to 3 are True.



Refer the learners to Exercise EX1.0 – Scenarios 1 to 3.

Scenario One – Previous Sanctions

Any sanction within the preceding 364 days of the Universal Credit date of claim must be noted on the claimant's WSP, recorded in notes for escalation purpose in the future. If the claimant has a sanctionable failure in the future under Universal Credit rules any previous sanctions can be taken into account for escalation purposes.



If the claimant has had two higher level sanctions in JSA and received a 91 and then a 182 day sanction the details were recorded when they moved to Universal Credit; and if there is a further higher level failure within 364 days of the second JSA failure the Universal Credit sanction will escalate to 1095 days.



The scenario answer is

True (but see note below) – provided that the higher level sanction is not a pre-claim failure.

Note: where a decision has not yet been made on a JSA or ESA claim, and the claim is part of managed migration, a sanction can be imposed on the Universal Credit award.



A Universal Credit sanction would not escalate if the latest JSA sanction was a pre-claim failure.

Scenario Two – Unspent Sanctions

An outstanding sanction from JSA or ESA can be transferred to UC only when the sanction deduction is in effect on the JSA/ESA claim before the claimant moves to Universal Credit.

This means that the DM made a sanction decision and sanction deductions have begun before the JSA or ESA award ended. Any time spent off benefit between the JSA or ESA award ending and the Universal Credit claim is also deducted from the unspent sanction duration.



A sanction can't be implemented on a Universal Credit award when a doubt arose on a JSA or ESA case and the DM did not make a decision before the claim ended?



The scenario answer is

True (but see Note below)

Note: where a decision has not yet been made on a JSA or ESA claim, and the claim is part of managed migration, a sanction can be imposed on the Universal Credit award.

Note that a sanction cannot be implemented on a Universal Credit award where a reserved decision was made before the JSA/ESA claim ended.

In these situations no action is required on the sanction.

Note that this learning therefore focuses on the action taken for unspent sanctions.

Scenario Three – Outstanding Doubts

Where a doubt was referred to a DM on a previous JSA claim but no decision was made before the claim closed, this will be shown as "Reserved" on WSP.



No action occurs as a sanction cannot be imposed onto Universal Credit payments in respect of a JSA sanction doubt, which was outstanding when the JSA claim/award ended.



The answer is

True.



In these scenarios the sanction escalation process does not apply.

Pre-Claim Failures

Some failures happen before the claimant makes their Universal Credit Claim. These are known as pre-claim failures.



What failures can happen before a claimant has made a claim?



You may wish to use a flipchart or wipe board to record responses.



- **losing employment or pay due to misconduct**
- **leaving employment voluntarily without good reason**
- **losing pay voluntarily without good reason; and**
- **failing to take up an offer of paid work without good reason**

Escalation

If a claimant has more than one sanction imposed on their Universal Credit award, subsequent sanctions can escalate.

A sanctionable failure will only escalate if there is a previous sanctionable failure at the same level:

- with a failure date in the 364 days immediately preceding the date of the current failure, unless that was a pre-claim failure

and

- the date of the previous failure is not in the 13 days immediately preceding the date of the current failure.

At each level the sanction duration will increase in length with each repeated failure.

Explaining Escalation to the Claimant

When giving information present it in a clear, concise way and ensure the claimant understands what they have been told. Consider the claimant's reactions to be sure they understand what is being said to them.

Pitch what you are saying at a level that suits the claimant without being patronising.



The following question and answer examples are designed to check the learners' understanding of how escalation works.

DMA001 Part A covers sanction duration.

All claimants are aged 18 or over.



Show Slide 05 – Example 1

Trevor is in the all work-related requirements group. He fails to apply for a specific vacancy on 26 March 2015. The DM decides that he does not have good reason for the failure and a 91 day sanction is imposed. He subsequently fails to apply for another vacancy on 26 April 2015 without good reason.



Q. Does the sanction escalate?

Q. If it does, what is the sanction duration?



Yes the sanction escalates.

As Trevor's previous higher level failure was in the 364 days preceding the current failure, but not in the preceding 13 days, escalation applies. The sanction duration is for 182 days.



Show Slide 06 – Example 2



Phillip is in the all work-related requirements group. He fails to apply for a specified vacancy on 12 August 2015. The DM decides that he does not have good reason for the failure and a 91 day sanction is imposed.

Phillip fails to apply for another vacancy on 25 August 2015.

Q. Does the sanction escalate?

Q. If it does, what is the sanction duration?



No, escalation does not apply.

Philip's failure on 12 August 2015 is within the 13 days preceding the current failure. Therefore, escalation does not apply, and a further 91 day sanction is imposed.



Show Slide 07 – Example 3



Rowena is given a work preparation requirement by her Work Coach (WC) to register with a specified employment agency by 20 May 2015, but fails to do so. On 23 May 2015 she notifies her WC that she registered with the agency that day.

The DM determines that she had no good reason for the failure and imposes a low level sanction of 10 days (3 days before compliance plus 7 days fixed period).

Rowena fails to attend a work search review on 2 June 2015. She attends on 5 June 2015 saying she forgot about the review on 2 June 2015.

The DM determines that she had no good reason for the failure and imposes another low level sanction.

Q. Does the sanction escalate?

Q. If it does, what is the sanction duration?



No. escalation does not apply.

The failure of 20 May 2015 is disregarded, as it is within the 13 days preceding the current failure.

So in this instance, a 10 day sanction is imposed (3 days before compliance plus 7 days fixed period).



Show Slide 08 – Example 4



On 5 August 2014 Abdul refuses a job and the DM determines he has failed without good reason to accept paid work and imposes a 91 day higher level sanction.

On 17 December 2014 he fails to apply for another job which is vacant, and this time the DM imposes a 182 day reduction for a second higher-level failure which has occurred within 364 days of the first failure.

On 30 July 2015 Abdul leaves a job because he is bored and reclaims Universal Credit from 31 July 2015. The DM determines Abdul left paid work voluntarily without good reason.

Q. Does the sanction escalate?

Q. If it does, what is the sanction duration?



Yes, escalation applies.

Although the third failure is a pre-claim failure, it is within 364 days of a previous higher level failure which is not a pre-claim failure.

The sanction duration is 1095 days.



Refer the learners to **Handout 03 – Escalation Flowchart**, which can be found by following this pathway:

DWP Homepage >> A to Z Index >> L >> Learning >> Operational Learning >> Universal Credit >> Resources >> Handouts >> UCDMA021 Sanctions Handouts.

Sanction Decisions Made Out of Sequence



The process that is outlined below for determining Sanctions out of Sequence mirrors the process in the ADM. This however is not the process that is detailed in the Universal Credit regulations 102,103 and 104. DMA Leeds have advised following a query from a DM in Bolton that the following operational easement applies: DMs should therefore follow the process outlined in the ADM and not revise.

Lawyers agree the correct legal way would be to revise but this causes an operational nightmare. The risk of challenge is small and as the outcome remains the same then it was agreed to leave guidance (ADM) as it currently is until regulations can be changed.



Show Slide 09 – Sanction Decisions Made out of Sequence – Exercise

The purpose of this exercise is to get the learners to consider how escalation applies to decisions that are given out of sequence to when the failures occurred.

Ask the learners to consider the question asked, and the reasons for their answer

Case Study

On 28.4.2015 Siân fails to comply with a requirement to participate in the Work Programme

On 31.7.2015 the DM decides that a sanction is appropriate.

However, on checking, the DM notes that there is a previous 91 day higher level sanction for a failure on 26.6.2015.

The DM imposes a 182 day sanction for the failure on 28.4.2015.

So, even though the Work Programme failure was before the failure on 26.06.2015, it escalates as there has been a previous higher-level sanctionable failure within 364 days which led to a reduction of Universal Credit of 91 days.



Show Slide 10 – Sanction Decisions Made out of Sequence – Answer

We have already established that the reduction period only escalates if there has been a previous sanctionable failure at the same level within 364 days, but not 13 days of the failure in question.

This is the case even if decisions are not made in the order of when the sanctionable failures occurred for example, decisions are given out of sequence.

Reserved Decisions

In certain circumstances, the DM may decide to "reserve" a decision. This is where a sanction is appropriate but the claimant does not have a current claim to Universal Credit.

In effect, the decision to sanction is delayed until if, and when, the claimant reclaims Universal Credit.

In these cases the reduction period starts as if the determination had been made on the day before the previous award of Universal Credit terminated. However, any time away from benefit is treated as served towards the reduction period.

For example, Josie makes a new claim to Universal Credit on 16.10.14. Her previous award terminated on 30.7.14.

When her previous award terminated there was an outstanding determination for a failure to apply for an advertised vacancy.

The DM determines that a 91 day reduction period would have been appropriate. A 91 day reduction period is calculated from 29.7.14 to 27.10.14. Josie will serve a 12 day reduction period on her new claim to Universal Credit which will start at the beginning of her next assessment period (AP).

In such instances the reduction period decision is recorded on WSP as a reserved decision.



Reserved decisions on the Jobseekers Payment System (JSAPS) claims do not affect Universal Credit claims. However, reserved decisions can be used in managed migration cases.

Total Outstanding Reduction Period (TORP)

We will now spend some time reviewing the Total Outstanding Reduction Period, also referred to as the TORP.



What is the TORP?



The Expected Answer is

The TORP is the total of all sanction periods imposed on a claimant which have not yet been applied to the award.

The Agent Portal calculates the TORP when sanctions are recorded.

Note: Each member of a joint claim couple will have their own TORP.



Show Slide 11 – Total Outstanding Reduction Period (TORP)

Selecting **Enter** 7 times will complete this short animation.



Show Slide 12 – Consecutively Running Sanctions

Select **Enter** 4 times.

UC Sanctions run consecutively, that means they are applied to the UC award one after the other. Until they start to be deducted all sanctions imposed are added to the TORP.



The concept of TORP applies to new-style JSA (contribution-based), but will have little impact if the TORP exceeds 182 days, as the benefit will have exhausted.

Maximum TORP Period

If a sanction period means that the TORP limit would exceed 1095 days, the Agent Portal adjusts the number of days of the latest sanction to ensure this limit is not exceeded. It is important that the claimant is notified of the adjusted sanction length by the DM.



Show Slide 13 – Maximum TORP Period

Select **Enter**

TORP Calculation

Regardless of the number of sanctions migrated from legacy benefits, you only consider the sanction with the latest expiry date.

The balance of the longest running unspent sanction period is taken into account for Universal Credit, regardless of the level of that sanction.



Show Slide 14 – TORP Calculation for an Unspent Legacy Sanction

Select **Enter**



Show Slide 15 – TORP Example 1

Select **Enter** 3 times

A new Universal Credit claimant has an unspent JSA sanction of 182 days.

The sanction has already continued for 100 days. Therefore, Universal Credit payments will be affected for the remaining 82 days.

The equation is:

- The sanction duration
- Minus spent days
- Equals the TORP.



Show Slide 16 – TORP Example 2

Select **Enter** 3 times

A new Universal Credit claimant has two JSA sanctions. The sanction imposed for the first sanctionable failure was 91 days. The sanction imposed for the second sanctionable failure was 182 days.

The claimant's JSA was reduced for 14 days and there was a gap of 7 days between claims (21 days in total). Therefore, Universal Credit payments will be affected for the 161 days remaining.

Applying a Reduction to a New Award

If an award of Universal Credit terminates while there is an outstanding reduction period, the reduction period continues to run as if the sanction was still being applied.

If the claimant becomes entitled to a new award of Universal Credit before the TORP expires, the balance of the TORP is transferred to the new Universal Credit award.



Show Slide 17 – Applying a Reduction to a New Award - Case Study

To clarify, this case study is designed purely to help learners understand how reduction periods already served and time away from Universal Credit can affect future awards. It doesn't represent a wholly typical scenario. A Universal Credit claim can stay open for up to 6 APs of Nil award before being closed, so Paula doesn't need to leave Universal Credit as soon as she starts her full-time job on 10/08/2015.



Select ENTER to reveal the date Universal Credit is awarded from:

Paula is awarded Universal Credit from 13/04/2015.

Select ENTER to reveal the date Universal Credit is awarded from:

On 29/05/2015 Paula fails to apply for a job without good reason.

Select ENTER to reveal the length of the sanction:

Failure to apply for a vacancy is a higher level sanction. As this is Paula's first sanction, 91 days is the appropriate sanction length.

Select ENTER to reveal the date the sanction takes effect from:

Paula's assessment period (AP) starts on the 13th of each month. The Decision Maker makes their decision on 8th July, so the sanction takes effect from 13/06/2015.

Select ENTER to reveal the date Paula's Universal Credit award ends on:

Paula finds a full-time job and starts work on 10/08/2015. Her earnings are at a level that takes her off Universal Credit. Therefore, Universal Credit is paid up to and including 12/07/2015 (last day of previous Assessment Period)

Select ENTER to reveal the date that a new award of Universal Credit is made from:

Paula is made redundant from her job and claims Universal Credit from 21/08/2015.

Now ask the learners to work out how many days reduction were applied to her previous award (30 days) and how many days she spent off UC (39 days), 69 days in total.

Then ask them to work out the balance to be applied to the new award (22 days for example. $91 - 69 = 22$)

Select ENTER to reveal the balance of previous sanction to be served.

Daily Reduction Rate Changes

When a change in the claimant's circumstances have been reported and updated on the Agent Portal, the Agent Portal automatically determines if the change will increase or reduce the claimant's daily sanction rate. It calculates the new rate and the appropriate assessment period including part months.

To determine if the claimants has a current sanction you:

- Navigates to the Agent Portal Homepage
- Selects 'Payment: sanctions'
- Selects 'View Payment sanctions'

If there are **no** current sanctions displayed, update the claimant's change in circumstance on WSP.

If any current sanctions are displayed the following changes will impact a claimants daily reduction rate:

- claimant is pregnant between 11 weeks before and 15 weeks after confinement.

The sanction rate will be reduced to 40% of the standard allowance for a single claimant or 20% if a member of a couple

- claimant(s) becomes responsible Foster Parent of a child under 1 year old. The sanction rate will be reduced to 40% of the standard allowance for a single claimant or 20% if a member of a couple
- claimant(s) becomes responsible Carer of a child under 1 year old. The sanction rate will be reduced to 40% of the standard allowance for a single claimant or 20% if a member of a couple
- claimant(s) is in the NWRR group and has adopted a child within the last 12 months. The sanction rate will be reduced to 40% of the standard allowance for a single claimant or 20% if a member of a couple
- claimant(s) changes conditionality from the AWRR conditionality group to the WFI group. The sanction rate will change from an amount broadly equivalent to 100% of the standard allowance to 40% for a single claimant or 20% if a member of a couple
- claimant(s) changes conditionality from the WFI conditionality group to the AWRR group. The sanction rate will change from an amount broadly equivalent to 40% of the standard allowance to 100% for a single claimant or 50% if a member of a couple

- claimant(s) changes conditionality from the WFI conditionality group to the Work Preparation group. The sanction rate will change from an amount broadly equivalent to 40% of the standard allowance to 100% for a single claimant or 50% if a member of a couple
- claimant(s) changes conditionality from the Work Preparation group to the WFI conditionality group. The sanction rate will change from an amount broadly equivalent to 100% of the standard allowance to 40% for a single claimant or 20% if a member of a couple
- claimant(s) is awarded LCWRA. The outstanding sanction will be reduced to zero.
- claimant(s) is no longer awarded LCWRA. The sanction rate will be determined by the claimants new conditionality regime
- claimant(s) reaches age 18. The sanction rate will be amended as they are subject to the over 18 sanction regime
- claimant changes from joint claim to single claim. The sanction rate will be amended as alters the claimants standard allowance

- claimant(s) change from a single claim to a joint claim.
The sanction rate will be amended as alters the claimant's standard allowance

UC80 details the reduction rates and can be found on the Sanctions Hub in About Universal Credit.

Notifying the Claimant of the new Daily Reduction Rate

When you need to notify the claimant of a new daily reduction rate, complete letter **UC197** with the following information:

- the claimant's contact details
- date of decision
- the previous sanction reduction rate
- the new sanction reduction rate
- length of sanction remaining
- the date the new reduction rate will be applied from (this is the start date of the Assessment Period in which the date took place)
- details of the sanctionable failure
- the date the previous notification was issued

It is important to note that the **UC197** can be used for other reasons, for example a reduction in the length of a sanction.

You must ensure that any fields/paragraphs not relevant to the change in the daily sanction reduction process are removed from the **UC197** before it is issued to the claimant.

If the claimant has a partner, use the **UC197** to notify them. Complete the letter with the same details.

The **details of the sanctionable failure** field, is free text. Start this field with "Your partner..."

Upload a copy of the letter(s) to DRS.

All other action in this process remains the same.



There are eight rates in total.

Please take a few minutes to review the current sanction rates. This can be found on **About Universal Credit** under **Daily Universal Credit Sanction Rate Table – 2015/16**.

Fail to Attend a Work Related Interview

When a claimant has failed to attend their appointment, their Work Coach will ring them during the appointment slot to determine why they have failed to attend. If this call is unsuccessful the claimant may contact the Service Centre to report their reason for the failure.

Whoever the claimant contacts, that member of staff must gather the reason for the failure on a Good Reason Gather Letter (UC70)

Read the following declaration to the claimant: “The reasons for failure will be sent to a Universal Credit Decision Maker (DM). A decision will be made and you will be notified in due course. Sanctions are explained on your claimant commitment. Please give details of any information that you would like the decision maker to take in to account when considering good reason in this case.”

Having gathered the reason for the failure determine whether the reason can be 'Treated as Straightforward'.

If the case can be Treated as Straightforward, a good reason decision is not required from the DM, and no referral to AD DM is necessary.

However, if the case cannot be Treated as Straightforward, it must be referred to the AD DM team, you should clear any CAMLite FTA day 9 and FTA day 16 tasks that relate to the FTA.

The circumstances which can be Treated as Straightforward are:

- the claimant has a temporary period of sickness
- the claimant has a domestic emergency (life event) – including serious illness, death, funeral or emergency affecting a relative or close friend or death of someone the claimant is caring for
- the claimant was detained in police custody for 96 hours or less then released
- the claimant was required to attend court or tribunal
- the claimant has attended a job interview and can provide sufficient evidence, for example, letter from employer/name of interviewer
- adverse weather conditions – consider are the local conditions such that the claimant could not reasonably be expected to attend
- the claimant has accessed the domestic violence conditionality easement within the past 12 months
- the claimant was at work or travelling to/from work

Following a fail to attend claimants must be re-engaged and booked an appointment at their Jobcentre at the earliest opportunity.

Where possible the claimant should have their appointment booked in with their owning Work Coach. Details of the owning Work Coach can be found by using WSP 'Claim Admin' window and checking the owner.



The Treated as Straightforward provisions apply only to Fail To Attend cases, and not any other sanctionable doubt.

If a claimant attends early or late on the day of their appointment, the usual FTA process is not to be followed.

Please refer to "About Universal Credit" in the section titled "Claimant attends early or late for an appointment for the action to take in these instances.

Notifying the claimant of a Sanction Decision

The DM or ADDM making the sanction decision is also responsible for notifying the claimant/partner of the outcome.

This process and the notifications used are covered throughout this learning.



There may be instances where you will need to suppress a notification to the claimant, for example where a change that is partially automated/partially manual. You would need to suppress confusing/incomplete UC decision notifications.

Full details can be found in **About Universal Credit**, titled **Suppression of notifications**.

Sanctions Hub

To improve the quality and speed of the sanctions decision making process, a **Sanctions Hub** has been created on **About Universal Credit**.

The Sanctions Hub is a central information source to help identify the correct guidance in About Universal Credit (Knowledge Management) when considering sanctionable failures. This includes identifying, explaining, referring and notifying sanction decisions.

All forms, letters and notifications that are used in the DMA sanctions process are now held in the Sanctions Hub and have been given a unique UC number.

Good Reason Gather Notifications and Templates, also located in the Sanctions Hub, have been designed to help with gathering good reason for a sanctionable failure. Good reason Gather templates will not be required for all sanctionable failures.

There are templates for Fail to Attend a Work-Related Interview and Fail To Participate in a Work-Related Interview. There is also a template for Fail to Undertake All Reasonable Work search.



Please tell the learners to access the **Sanctions Hub** on **About Universal Credit** and look at the notifications. Allow about 5 minutes for this activity.

Agent Portal Automated Sanction Notifications

A key Universal Credit policy requirement is to ensure that claimants are aware of, and understand sanctions.

This is difficult to meet fully with manual letters, particularly when the sanction rates change. To address this, the most frequently used sanction notifications have been automated. The initial decision notifications and compliance met decisions notifications have been automated:

- UC140 Higher/Medium Sanction Imposed
- UC104 Sanction Higher/Medium Imposed - Partner
- UC140A Low Level Sanction Imposed
- UC104A Low Sanction Imposed - Partner
- UC96 Low Level Sanction Complied
- UC379 Low Level Sanction Complied - Partner
- UC140C Lowest Imposed Sanction
- UC104B Lowest Sanction Imposed - Partner
- UC96A Lowest Level Sanction Complied
- UC378 Lowest level sanction complied - Partner
- UC105 Sanction not imposed
- UC380 Sanction not imposed - Partner

This means that more information will be captured on the Agent Portal and will be available to view at a later date.

The notifications will contain separate tables, the 1st one showing sanctions and penalties, and the 2nd one showing any other deductions.

These tables will be displayed within the **Payment Breakdown** section of the Decision Letter, but only where a sanction is in place.

Reconsiderations, appeals, revised decisions, legacy sanctions and migration decisions notifications will still be issued manually.

Explaining a Sanction Decision to the Claimant

If a claimant does not agree with a sanction decision, they can request an explanation of that decision.

There are two types of explanations: basic explanations and detailed explanations. Basic explanations can be provided by any job role. Detailed explanations are provided by the DM.

Full details of explaining a sanction decision to the claimant is covered in UCDMA020 Explaining The Sanction Decision.

Note: A claimant does not need to have had a basic or detailed explanation before asking for a Mandatory Reconsideration.

Explaining a Sanction Decision to a Claimant with Complex Needs

When a claimant, who has been identified as having complex needs, has a sanction decision imposed on them, an interview with a Work Coach must be arranged so that the decision can be explained to the claimant.

The DM or ADDM who makes the decision, and identifies that the claimant has complex needs, sets a task for the AD to book an interview for the Work Coach to explain the decision to the claimant. The task details are:

Task Type: General Clerical Task

Sub Type: Action Required

SLA: 1 day

Notes: "Complex needs outcome decision. LT54 uploaded to DRS on dd/mm/yyyy. Book Explanation of decision (DMA) Interview.

On receipt of the task, the AD telephones the claimant to book the interview.

If the call is successful, the AD will explain the reason for the call and arrange the interview with the owning Work Coach or, if they are not available, with the next available Work Coach. The interview must be booked within one week of the call.

Follow existing processes to book the appointment on WSP. The default time for the interview is 10 minutes. The AD should override this to 20 minutes.

Update **CAMLite Contact History** with details of the call and action taken.

The AD must bear in mind that, at the point they contact the claimant to book the interview, the claimant may not have received the sanction decision notification, and that there may be more than one sanction decision.

If the call is unsuccessful, the AD should book the interview with the owning Work Coach or, if they are not available, with the next available Work Coach, following existing processes to book the appointment on WSP. As the call has been unsuccessful, the AD should also consider varying the length of the interview, allowing the Work Coach sufficient time to conduct the interview.

Update **CAMLite Contact History** with details of the action taken.



Refer the learners to **Handout 04 – Explanation Checklist**



Sanction explanations were covered in more detail in UCDMA020 Explaining Sanction Decisions.

Additional information can be found in "About Universal Credit" under "WSP action – explanations, reconsiderations and appeals for Universal Credit decisions"



The following section is for Telephony Agents only. Much of the detail in it is covered in Topic 02, which they are not required to undertake. You may wish to excuse the other learners from this section.

Telephony Agent action when the Claimant Provides Good Reason Evidence

When a claimant is asked to provide evidence of good reason, they may contact the Service Centre by phone to provide the evidence. In these circumstances, the Telephony Agent (TA) takes the following action:

Ask the claimant for details of the sanctionable failure, as recorded on the **Good Reason Gather** letter. If the claimant does not have the letter, you can find the information in **Notes** on the relevant **WSP doubt**.

Select **Doubt** from the **Information** menu. This displays all related doubts raised for the claimant.

Identify the relevant doubt and select the relevant doubt **Notes** for the relevant notification reference number, for example **UC71**.

The claimant may have multiple referrals, so may have received more than one notification, so you need to check for any other sanctionable failures awaiting evidence and ask the claimant to provide good reason for each of them.

Update each **WSP** doubt.

You need to be aware that your role when explaining sanctionable failures is to help the claimant understand the sanctions process and provide a clear and concise explanation.

There needs to be clarity for claimants on why a sanctionable failure has occurred and you should be able to explain to the claimant:

- how sanctions work
- escalation of sanctions
- how to comply (for low and lowest sanctions)
- what they need to do to avoid a further sanction
- what to expect and do if they receive a sanction
- what financial help may be available when a sanction reduces their Universal Credit award

. Explain to the claimant that:

- they did not do what they were asked to do on their Claimant Commitment, or
- through their own actions, they have lost paid work or pay (including zero hours contracts), or
- failed to apply for/accept a job

When giving information, present it in a clear, concise way and ensure the claimant understands what they have been told and they are clear on what they need to do next.

Observe the claimant's reactions to be sure that they understand what is being said to them. Pitch the information at a level that suits the claimant without being patronising.

Use language that the claimant understands and avoid using jargon. For example, do not use the words "escalation" or "doubt".

Do not refer to low, lowest, medium and high level sanctions instead say "your payment have been cut/reduced for xx number of weeks".

Give the claimant the opportunity to explain the reasons for their actions or non-compliance, via a **Good Reason Gather notification** and **Good Reason Gather template**.

There are different Good Reason Gather letters, depending on the failure. These can be found in the **Sanctions Hub** in **About Universal Credit**.

Every effort should be made to gather this information at the point the doubt is raised. In exceptional circumstances, or where this is not possible, allow the claimant 10 calendar days to provide this information.

Explain that, once the **Good Reason Gather** has been completed, a decision will be made.

If the claimant is unable to understand ask whether a member of their household is available to help them, or are they aware of the support available from intermediaries such as Citizens Advice or Age UK, and if they have access locally to these services.

Complete the relevant Good Reason Gather Notification with details of the claimant's reasons, word for word.

Type the details into the notification or template, so that they can be copied and pasted into the **WSP Doubt Notes**.

For low and lowest level sanctions, include any compliance activity and whether the claimant has complied.

For Multiple Sanctionable Failures, gather evidence for each of the failures and update each of the **WSP Doubts** raised, recording word for word what the claimant says and completing **Good Reason Gather** notification for each failure if appropriate.

Where the sanctionable failure is **Loss of Pay** or **Loss of Paid Work**, form **UC84/84a** is issued to the claimant at the same time as the **Good Reason Gather** notification.

Loss of Pay/Loss of paid work requires the **UC84/UC84a** to be completed by the claimant asking for consent to contact their employer. This is legally required to enable the DM to contact the claimant's Employer.

Ask the claimant to complete and sign the **UC84/UC84a** and return it immediately.

If the sanctionable failure is Loss of pay/employment through misconduct, tell the claimant that a DM will make a decision once the **UC84/84a** is returned. The DM will make a decision on the information the claimant provides on the **UC84/84a** and a good reason gather is not required.

(Note: If the DM requires further information from the employer, they may contact the employer by telephone in order to obtain the relevant information.

If the employer can't be contacted or declines to give the required information over the phone, the DM posts a UC101form. The consent form is part of the UC84/UC84a.

If a claimant:

- has not returned form UC84/UC84a, or
- has returned the UC84/UC84a but has not completed the 'employer consent' part of the form

the DM cannot sanction for LV/misconduct, or suspend Universal Credit because of the non-return/non-completion of the forms.

If a claimant completes the UC84/UC84a in the office, the WC must ensure the consent part of the form has also been completed.

If there is sufficient information on a UC84 or from the information provide by the claimant, there is no necessity for the DM to contact the employer either by telephone or by posting the **UC101**.

If a **UC84/UC84A** has not been issued to the claimant, is outstanding or has not been completed and returned, a **UC101** should not be issued to the employer.

Further information can be found in About Universal Credit – try inputting ‘Gathering Additional Evidence on a Sanctionable Failure’

Certain employers have requested that we do not send them the **UC101**.

The full list of these employers can be found in the **Sanctions Hub** in **About Universal Credit**.

For all other sanctionable failures, update the specific doubt **Notes** with the claimant's reasons. If there is a Good Reason Gather template relating to the doubt, use the questions on the template to gather good reason from the claimant and copy and paste the answers into **Notes** in **WSP**.

For low and lowest level sanctions, this will include any compliance activity and if the claimant has complied. Compliance only applies to low and lowest level sanctions.

Compliance - Low or Lowest level Sanctionable Failures

If the sanctionable failure is Low or Lowest level, you must determine if the claimant has complied.

Discuss compliance with the claimant and explain what the claimant must do to comply, if they have not done so already. The compliance activity will be on their Claimant Commitment. Undertaking the compliance activity will stop the open ended part of a sanction.

It should always be possible for the claimant to comply. If this is not possible, book the claimant an appointment with the owning Work Coach so that they can offer an alternative.

Explain to the claimant that undertaking the compliance activity will stop the open ended part of the sanction building and that they must tell us as soon as they complete the compliance activity.

Explain to the claimant that, if they attend the rearranged interview or provide evidence of the required compliance condition at their interview, compliance will be taken from today's date.

The compliance date is must be noted on **WSP** to ensure the opened ended element of the sanction is terminated on the correct date.

Ensure that the claimant understands clearly what they must do to comply. Use language that the claimant will understand. For example, if the claimant tells you that they have now got an up to date CV, but the first available appointment with the Work Coach is in 3 days, tell them once the Work Coach has seen the CV and it is of a required standard, compliance will be taken from today's date.

For multiple sanctionable failures at Low and Lowest level, explain each of the compliance conditions to the claimant and what they need to do to comply.

Set a task on **WSP** to the Work Coach/Assistant Work Coach asking them to consider updating the Claimant Commitment and setting work related requirements. Task note: "Good Reason Gather completed. Consider reviewing Claimant Commitment".

Where the sanctionable failure is Fail to Attend, the date of compliance is the date the claimant contacts Universal Credit to arrange a new appointment, providing the claimant attends the appointment.

If you need to book an appointment or verify or review requirements, book the next available appointment with the owning Work Coach.

Where the claimant has not yet complied, this will provide them with the earliest opportunity to do so. If the claimant did not fulfil the original requirement and a new requirement needs setting, the Work Coach will review the requirement set on the Claimant Commitment..

Good Reason Provided

If the claimant has provided evidence of good reason, refer to the Decision Maker immediately, using existing processes.

However, where the claimant has provided good reason for **Loss of Pay** or **Loss of Paid work** but the **UC84/84A** has been posted to the claimant for the claimant's signature/consent to contact the previous employer, do not refer to the Decision Maker. Instead, set a CAMLite task to check for evidence received.

- Task Type: General Clerical
- Sub Type: Action Required
- Start task From: 10 Calendar days
- SLA: 3 days
- Notes: Sanctionable failure evidence received? AR code and brief description of failure (agent should include details of complex needs if appropriate)
Multiple Sanction if applicable
- Assigned To: UC - Work Services

For multiple sanctionable failures, create a case in CAMLite and create a task for each sanctionable failure so the tasks

can be put into one case.

The claimant must return the notification within 7 calendar days. However, set the task to mature after 10 calendar days to allow for post and upload to DRS.

You can set the date for longer than 7 days where the claimant:

- needs to seek information or evidence from a third party
- has an agent or representative
- has complex needs, for example a health condition, life event, personal circumstances that may have prevented them from replying at this time (these may include a pre-existing health condition or existing caring or parental responsibilities that may be relevant)

System Action - Agent Portal

There may be occasions where a claimant has a dual claim for both Universal Credit and JSA(CNS). This needs to be identified and included in the **WSP Doubt Notes** to ensure the DM is aware, as the DM uses different legislation when making a decision on a JSA(CNS) claim.

This information can be found on the Agent Portal by selecting **Claim Admin**, then **View Claim Data**, then **Current Award**.

This produces a summary of all award information including a list of the benefits that the claimant receives.

System Action WSP

To record the doubt on WSP, follow existing processes with the following amendments.

For **Fail to be available to take up work** and **Fail to undertake all reasonable work search activity**, input the **To** date. This will be the period for which the claimant has not been available or the period for which the claimant has failed to undertake all reasonable worksearch activity (each 7 day period).

Multiple Referrals - ensure you raise a separate **WSP doubt** for each doubt identified.

If you are not in conversation with the claimant or the claimant has been unable to provide their reasons whilst in conversation, set the **Evidence Requested** radio button to **YES**. Allowances should be made for Bank Holidays.

WSP sets an automatic task when the **Evidence Requirements** radio button is set to **Yes**.

If all the evidence has been gathered, leave the radio button the default setting **No**.

When the WSP task matures, the owning Work Coach will complete the task, no further action is required.

WSP Notes

Records brief details of the sanctionable failure and the date of the failure.

If appropriate, add "No further evidence requested". This will inform the DM they are making a decision on the **Notes** displayed in '**Doubt** notes

If the claimant has a low or lowest level sanction, record details of:

- the date claimant contacted us to arrange compliance
- the day before the requirement was no longer appropriate to the claimant;
- the day before the claimant moves into the No work related requirement group;
- the date the award terminates (other than to become part of a couple);
- the day before the coach no longer requires the claimant to carry out the activity

- if claimant has given consent to contact the previous employer for loss of pay or loss of paid employment
- for Zero hour contract claimants, the note must include any exclusivity clause information and/or associated evidence provided by the claimant
- complex needs and if the claimant is homeless and/or is using the Universal Credit outlet as a c/o address
- also record if complex needs were taken into consideration when the requirement was sent and also when making the decision to raise the sanctionable failure.
- where the claimant has a dual claim for JSA(CNS) and UC
- if there are multiple sanctions to be considered by the DM "MULTIPLE SANCTIONS dd/mm/yyyy".

Select **Save**

CAMLite

Update **CAMLite contact history** with details of any action taken, including multiple sanctionable failures if required

Fail To Attend sanctionable failures

If the sanctionable failure is Fail to Attend an interview/appointment, book the claimant the next available appointment with the owning Work Coach.

Where the claimant has not yet complied, this will provide them with the earliest opportunity to do so. It also gives the Work Coach the opportunity to review the claimant's requirements, update the Claimant Commitment and set new requirements where required.

Check **WSP** for any other sanctionable failures awaiting evidence and ask the claimant to provide good reason for each of them and update each WSP doubt

For multiple sanctionable failures, each doubt **Notes** should be updated by selecting the relevant doubt **Notes** and **Add new note**. Copy and paste the notes from the good reason gather template if applicable into the **WSP** doubt **Notes**.

In the **Notes** include the date the Good reason gather was completed and uploaded to DRS, compliance details and whether complied or not complied, date and time of any Work Related Interview that has been booked, and the date of claimant contact.

Select outside the **Notes** box to **Save**.

Upload the completed **Good Reason Gather** to **DRS** marked 'No CAMLite action required'

Update **CAMLite contact history** with all action taken including multiple referrals.

Topic 01 Summary



Show Slide 18 – Topic Summary

In this topic you have learned about:

- the policy intent that underpins the sanction regime for Universal Credit
- the sanction process and the main computer systems used
- the escalation process
- pre-claim failures and how they affect escalation
- sanctions made out of sequence and how they affect escalation
- reserved decisions and their effect on reduction periods
- state the actions to take when a claimant has a change of circumstances that affects their daily reduction rate
- basic/detailed explanations to the claimant.

Topic 02 Gathering Evidence and Recording a Failure on WSP



Show Slide 19 – Topic 02 Gathering Evidence and Recording a Failure on WSP



Show Slide 20 – Topic 02 Objectives

Objectives

By the end of this topic, with the aid of any reference material, you will be able to:

- explain how to record a failure on WSP
- explain how to refer a failure to the DM on WSP
- describe the process for gathering evidence/further evidence
- explain the process for gather evidence from claimants with complex needs
- determine the time to give claimants to provide good reason
- describe the process for recording evidence required on WSP
- explain how to check if evidence has been received.

Introduction

Doubt referrals for a failure to meet a work-related requirement are made either via a CAMLite task or directly from a Third Party Provider.

The doubt referral must be recorded on WSP.



Show Slide 21 – Recording a Failure on WSP

Recording a Failure on WSP



The learners will now have the opportunity to practice recording a Failure on WSP.

To view the simulation, the learners should follow this pathway:

DWP Homepage >> A to Z Index >> L >> Learning >> Operational Learning >> Universal Credit >> Resources >> Simulations >> UCDMA Simulations >> UCDMA021

Select the See It, Try It or Know It links for the "Recording a Failure on WSP" simulation.

Gathering Evidence



Ask the learners what evidence they might require to make their decision.



Expected answers to include:

- the Claimant Commitment – this will detail the requirements that claimant must undertake
- the claimant's sanction history – WSP
- the Total Outstanding Reduction Period (TORP)
- a statement from the Work Coach as to whether any easements apply
- any good reason information provided by the claimant - DRS or WSP
- details of the failure
- the date of failure
- details of any compliance conditions – this may be for work preparation action or a requirement to attend a Work Focused Interview.
- information gathered on loss of pay, or paid work forms from the employer, if appropriate
- details of activities completed by the claimant (for example work search).

Claimant with Complex Needs

If the claimant has complex needs, you must try to contact them by telephone to gather good reason evidence. This will help the DM when making their decision and will also safeguard the claimant journey.

For low and lowest level sanctions, it will also help the claimant comply at the earliest opportunity.

Action to take when the call is successful

Select the relevant **doubt** on **WSP**. This Displays the **Doubt Associated View** screen which shows the full sanction history, sanction periods and sanction levels.

This information is needed to explain the impact of any future Sanctions/doubts.

View **doubt history** to establish the impact of the sanctionable failure on the claimant's Universal Credit. If the claimant has had sanctionable failures at the same level within the last 364 days, the sanction may escalate.

Explaining a sanctionable failure to a claimant

When explaining sanctionable failures to the claimant, your role is to help the claimant understand the sanctions process and to provide a clear and concise explanation.

The claimant needs to be clear why a sanctionable failure has occurred and you should be able to explain to them:

- how sanctions work
- escalation
- how they can comply (for low and lowest sanctions)
- what they need to do to avoid a further sanction
- what to expect and do if they receive a sanction
- what financial help may be available when a sanction reduces their Universal Credit award

Explain the failure to the claimant, for example they have not done what they were asked to do on their Claimant Commitment, or they have lost paid work or pay through their own actions.

Note: The loss of pay or paid work may have happened prior to the start of a Universal Credit award (pre-claim failure).

When giving the explanation, use language that the claimant understands and avoid using jargon. For example, do not use the words "escalation" or "doubt".

Do not refer to low, lowest, medium and high level sanctions. Instead, you could use "your payments have been cut/reduced for xx number of weeks".

When giving information, present it in a clear, concise way and ensure the claimant understands what they have been told and they are clear on what they need to do next.

Observe the claimant's reactions to be sure that they understand what is being said to them. Pitch the information at a level that suits the claimant without being patronising.

If there are multiple sanctionable failures, you must explain each one to the claimant.

Give the claimant the opportunity to explain the reasons for their actions or non-compliance. This is done via a **Good Reason Gather notification** and **Good Reason Gather template**.

There are different Good Reason Gather letters, depending on the Sanction Level. These can be found in the **Sanctions Hub** in **About Universal Credit**.

Explain that, once the **Good Reason Gather** has been completed, a decision will be made.

The Complete the relevant Good Reason Gather Notification, word for word, with the claimant's reasons or use the relevant Good Reason Gather template, where appropriate.

Type the details into the notification or template, so that they can be copied and pasted into the **WSP Doubt Notes**.

For low and lowest level sanctions, include any compliance activity and whether the claimant has complied.

For Multiple Sanctionable Failures, gather evidence for each failure and update all the **WSP Doubts** raised, recording word for word what the claimant says.

If the claimant provided evidence of good reason, refer to the Decision Maker immediately, using existing processes.

For multiple sanctionable failures, create a case in CAMLite and create a task for each sanctionable failure so the tasks can be put into one case.

For loss of pay or loss of paid employment, form **UC84/84A** is required for consent to contact their previous employer. It may be necessary to post the **UC84/UC84a** to the claimant for their signature.

If this is case, do not refer to the Decision Maker. Instead, set a CAMLite task check for evidence received.

- Task Type: Failed to Attend
- Sub Type: Action Required
- Start task From: 10 Calendar days
- SLA: 3 days
- Notes: Sanctionable failure evidence received? AR code and brief description of failure (agent should include details of complex needs if appropriate)
Multiple Sanction if applicable
- Assigned To: UC - Work Services

Explain to the claimant that they need to return this form. If the claimant refuses to give their consent, tell them that the Decision Maker will make their decision based only on the evidence provided.

Action to take when the claimant is unable to provide evidence during the call, or the call is unsuccessful

If the claimant is unable to understand what you are telling them and what they need to do, ask whether a member of their household is available to help them. Are they aware of the support from organisations such as Citizens Advice or Age UK, and can they access this support.

If this is not possible or the call is unsuccessful, take the action detailed earlier for issuing a Good Reason Gather notification.

Compliance – Low and Lowest Level Sanctions

Where the sanctionable failure is low or lowest level, the original requirement will also have a compliance condition.

Discuss compliance with the claimant and explain what they must do to comply, if they have not already done so. The compliance activity will be on their Claimant Commitment.

You must ensure that the claimant understands clearly what they must do to comply if they have not already done so.

Explain to the claimant that undertaking the compliance activity will stop the open ended part of the sanction building and that they must tell us as soon as they complete the compliance activity.

The compliance date may be the date of contact, so it must be noted on WSP to ensure the opened ended element of the sanction is terminated on the correct date.

For example, the claimant has failed to attend a work-related interview on 31st March. They contact Universal Credit on 1st April to book a new appointment but the owning Work Coach cannot see them until 3rd April. Providing the claimant attends the interview on the 3rd April, compliance is taken as the 1st April.

For multiple sanctionable failures, explain each of the compliance conditions to the claimant and what they need to do to comply.

The claimant must always be in a position to comply, and must be offered an alternative if the original compliance activity on the Claimant Commitment is no longer reasonable or possible.

If you consider that this is the case, book the next available appointment with the owning Work Coach.

If the claimant has not yet complied, this provides them with the earliest opportunity to do so. If the claimant did not fulfil the original requirement and a new requirement needs setting, the Work Coach will review the requirement set on the Claimant Commitment.

Gathering Evidence – System Action

Agent Portal

There may be occasions where a claimant has a dual claim for both Universal Credit and JSA (CNS).

This needs to be identified and included in the **WSP Doubt Notes** to ensure the DM is aware, as they use different legislation when making a decision on a JSA (CNS) claim.

This information can be found on the Agent Portal by selecting **Claim Admin**, then **View Claim Data**, then **Current Award**.

WSP

To record the doubt on WSP, follow existing processes with the following amendments.

For **Fail to be available to take up work** and **Fail to undertake all reasonable work search activity**, input the To date. This will be the period for which the claimant has not been available or the period for which the claimant has failed to undertake all reasonable work search activity (each 7 day period).

Where you have requested evidence, set the **Evidence Requested** radio button to **YES**. Allowances should be made for Bank Holidays.

WSP sets an automatic task when **the Evidence Requirements** radio button is set to **Yes**.

If all the evidence has been gathered, the radio button should be left at the default setting **No**.

When the WSP task matures the owning Work Coach will complete the task, no further action is required.

Records brief details of the sanctionable failure and the date of the failure in **Notes**.

If appropriate, add "No further evidence requested". This will inform the DM they are making a decision on the **Notes** displayed in **Doubt** notes

If the claimant has a low or lowest level sanction the agent must record details of :

- the date claimant contacted us to arrange compliance
- the day before the requirement was no longer appropriate to the claimant;
- the day before the claimant moves into the No work related requirement group;
- the date the award terminates (other than to become part of a couple);
- the day before the coach no longer requires the claimant to carry out the activity

For Zero hour contract claimants, the note must include any exclusivity clause information and/or associated evidence provided by the claimant.

Record details of Complex Needs and if the claimant is homeless and/or is using the Universal Credit outlet as a c/o address.

Where the claimant has a dual claim for JSA (CNS) and UC, this will need to be noted.

Include "MULTIPLE SANCTIONS dd/mm/yyyy" if there are multiple sanctions to be considered by the DM.

CAMLite

Update **CAMLite contact history** with details of any action taken, including Multiple sanctionable failures if required.



Universal Credit claimants are not required to apply for, or take up work that is offered on a zero hours basis when the contract contains an **exclusivity clause**. To make a decision on a sanction the DM needs to know whether the job was a zero hours contract with an exclusivity clause because in these cases the claimant will have good reason for not accepting such work and a sanction should not be imposed. In all cases a referral is required to the DM.

Checking if Evidence has been Received

The CAMLite task set to check if evidence has been received will either mature or you will receive an automated Scanned Correspondence task if evidence is received by post.

When determining if sanction action can be completed, the AD must carry out specific systems checks to see if there has been a change of circumstances or if the claimant has started work.

CAMLite

View Claimant Contact History to establish if there has been a change of circumstances or claimant contact. If the claimant has made contact with Universal Credit, this may mean that the claimant has complied.

View all outstanding tasks for evidence of a change of circumstances or evidence received, for example started work or declaration of sickness, and white mail.

WSP

View the Claimant Record and check the Personal section checking for any change in their personal circumstances. This could include special arrangements, special needs, health barriers, homelessness, carer's marker, WCA action,

domestic violence.

View the full record to establish if there have been any changes since the work-related requirement was set which would mean that the requirement was no longer reasonable for example. on or before the date the work-related requirement was due to be completed, the claimant became a full time carer.

Check Notes in the General screen for claimant contact or Work Coach actions which may affect the failure.

Check if there are any appointments that have been conducted or booked since the failure.

This could mean that the claimant has complied or intends to comply.

DRS

View the mail/evidence received, and look for any mail that relates to a change of circumstances.

Check if the Good Reason Gather letter has been returned by the claimant.

Agent Portal

Access the **Earnings Management** Home Page, view **Real Time Earnings and Earnings** to establish if the claimant has been in paid employment.

CIS

Check for evidence of any recent legacy benefit changes.

If the claimant has had a change of circumstances on or before the date of the sanctionable failure, consider whether there is still a sanctionable failure.

If there is still a sanctionable failure or, the claimant has not had a change of circumstances, and they have provided evidence of good reason, refer the doubt to the DM.

If you consider that a sanctionable no longer exists, close the **Doubt** in the ribbon on WSP.

Select **Not Pursued** from the **Outcome** field.

In the **Decision Made On** field, enter the relevant date from the **Calendar** - this will be today's date.

Populate the **Decision Made By** field with your name.

To notify the claimant, complete a **UC105** notification.

If the claimant has a partner, complete **UC380**.

Post the notification(s) to the claimant/partner and upload a copy to **DRS**.

Repeat this process for multiple failures.

Sanctionable Failure Still Exists - No evidence of Good Reason

Where there is still a sanctionable failure and the claimant has not provided evidence of good reason, identify if the claimant has complex needs.

If they do not, and the failure is Fail To Attend a work related interview, consider if any of the Treat as Straightforward (TaS) provisions apply.

If any of the TaS provisions apply, a referral to the DM or ADDM is not required. Take the action detailed in earlier Topic 01.

Close the doubt on WSP.

No Evidence Received and Claimant has Complex Needs

If a claimant, who has been identified as having complex needs, does not provide the evidence requested, determine if they have been sent a reminder letter giving them an extension of time to provide the evidence requested.

If they have, consider if the TaS provisions apply and take the action as detailed earlier in the learning.

If they haven't, consider if they can deal with calls and notifications from DWP.

If yes, make an outbound call to the claimant explaining the purpose of the call, ensuring the claimant understands the sanctionable failure and what they have to do next – as per earlier learning.

Call Successful

If the call to the claimant is successful, complete the relevant Good Reason Gather, following the process detailed earlier in this topic.

If the sanctionable failure is Low or Lowest level, you must determine if the claimant has complied and, if not explain compliance and what the claimant needs to do.

Refer the doubt to the DM, as per earlier learning.

Set a CAMLite task to the DM as follows:

- Task Type: Decision Maker complex
- Sub Type: Sanction Decision
- Start task from: Todays date
- SLA: 3 days
- Notes: AR code, date of sanctionable failure dd/mm/yyyy and brief description. If the claimant has Complex needs record that this has been considered by the Agent. Also record if the claimant has provided further evidence. Multiple Sanction if applicable
- Assigned to: UC-DM complex

If you consider that the claimant does not fully understand the importance of supplying the information and they do not have access to any support networks, you must arrange a visit to gather the good reason information. This is detailed later in the learning.

Call Unsuccessful or a Time Extension is Appropriate

If the call is unsuccessful or a time extension is appropriate, send a reminder letter to the claimant. The appropriate letters are:

- UC38 Higher and Medium level sanctions
- UC38A Low level sanctions

Post the letter to the claimant and upload a copy to DRS.

For multiple sanctionable failures, send an appropriate notification of each failure.

Set a CAMLite task to check if evidence received:

- Task Type: General Clerical
- Sub Type: Action Required
- Start task From: 10 Calendar days
- SLA: 3 days
- Notes: Sanctionable failure evidence received?
Further request for evidence, claimant has complex needs, AR code and brief description of failure.
Multiple Sanction if applicable
- Assigned To: UC - Work Services.

When a DWP Visit is Needed

Where you consider that the claimant does not fully understand the importance of supplying the information and the consequences of failing to provide it, or has failed to respond **Good Reason Gather** notifications, refer the case to DWP Visits.

When completing DWP Visiting Referral Tool, include your own email address.

When the visiting officer has completed their action, you will receive an email from them informing you of the outcome.

You will then decide whether it is necessary to continue with the sanctionable failure referral.

For example, the claimant may have had a change of circumstances that means the original requirements are no longer appropriate.

Record the action taken in **Notes** on the relevant doubt in **WSP**.

WSP and CAMLite Action

A record of all action taken must be noted on **WSP Doubt Notes**.

Record a brief outcome of the action taken, including, visit requested, awaiting evidence, call successful or unsuccessful, complex needs considered, extension for evidence etc. Note the UC Notification number that was sent to the claimant.

If you were in conversation with the claimant and good reason evidence has been gathered, copy and paste it from the **Good Reason Gather** notification.

Where the claimant has not provided further evidence and does not have complex needs, note this. This informs the DM they are making a decision on the **Notes** displayed in **Doubt** notes.

Include "MULTIPLE SANCTIONS dd/mm/yy" if there are multiple sanctions to be considered by the DM.

Update **CAMLite Contact History** with brief details of the action taken.

Topic 02 Summary



Show Slide 22 – Topic 02 Summary

In this topic you have learned how to:

- explain how to record a doubt and referral on WSP
- describe the process for gathering evidence/further evidence
- explain the process for gather evidence from claimants with complex needs
- determine the time to give claimants to provide good reason
- describe the process for recording evidence required on WSP
- explain how to check if evidence has been received.

Topic 03 Agent Portal and WSP Action



Show Slide 23 – Topic 03 Agent Portal and WSP Action



Show Slide 24 – Topic 03 Objectives

Objectives

By the end of this topic, with the aid of any reference material, you will be able to:

- explain how to, edit and remove a sanction outcome on the Agent Portal
- explain how to record a migrated legacy sanction on the Agent Portal
- describe what a compliance condition is, and actions to take when a compliance condition is met or lifted
- describe the Conditionality Earnings Threshold and how it impacts on sanctions

Introduction

When the DM or ADDM makes a sanction decision, they complete an LT54. Information from the LT54 is used to update both the Agent Portal and WSP.

Details of what information to include on the LT54 was covered in Topic 01.

The DM or ADDM uses the information on the LT54 to record details of the sanction decision outcome on the Agent Portal (Sanctions Portlet and WSP).

Recording a sanctionable failure outcome on the Agent Portal (Sanctions Portlet)

Previously, only outcomes that resulted in a sanction were recorded on the Agent Portal.

However, due to the automation of certain decision notifications, all outcomes are now recorded.

The DM records a sanction on the Agent Portal when it is a new sanction which is a complex decision.

The ADDM records a sanction to Agent Portal when it is a new sanction decision that is non-complex.



The Payment Management Sanctions screen holds details of the claimant's current and previous sanction history.

The details of any outstanding sanction will continue to be held on this screen when a claim is closed.

This means that if a new claim is made, the sanction details will populate the new claim and the deductions continue as normal, with the TORP automatically adjusting to account for the period when the claimant was not on Universal Credit.

A complete sanction summary is held on the claimant's Work Services Platform (WSP) record.

Editing a Sanction on the Agent Portal (Sanctions Portlet)

A sanction can be edited in the following circumstances:

- a compliance condition has been met or lifted subsequent to the original sanction
- the claimant moves into the nil entitlement conditionality group
- it has been revised/reconsidered
- an appeal outcome is in the claimant's favour
- it has been recorded in error



Show Slide 25 – Editing or Removing a Sanction on the Agent Portal (Sanctions Portlet)



The learners will now have the opportunity to see and practice editing a sanction, and to record compliance details on the Agent Portal (Sanctions Portlet).

There are two simulations for the learners to try.

To try the Edit a Sanction simulation, the learners should follow this pathway:

DWP Homepage >> A to Z Index >> L >> Learning >> Operational Learning >> Universal Credit >> Resources >> Simulations >> UCDMA Simulations >> UCDMA021

Select the See It, Try It or Know It links for the "Edit or Remove a Sanction on the Agent Portal (Sanctions Portlet)" simulation.



There have been changes to how a sanction is edited on the Sanctions Portlet but it has not been possible to amend the simulation.

Inform the learners that there are two additional fields that may need completing:

- **Requirements met/lifted (if a low or lowest sanction applies)**

- **Date requirements met/lifted (if a low or lowest sanction applies)**

Removing a Sanction in the Agent Portal (Sanctions Portlet)

A sanction is removed when:

- it has been revised/reconsidered
- an appeal outcome is in the claimant's favour
- it has been recorded in error.

Actions to Sanctions During an Assessment Period of Nil Entitlement

These Actions are required to ensure that any sanctionable failures that occur in an Assessment Period where the claimant has a nil entitlement to Universal Credit are not applied.

The Nil entitlement could be due to earnings, change to income.

Any sanctions that are imposed in an assessment period of nil entitlement must be cancelled and the claimant must be notified and given the reasons why.

Claimant in No Work Related Requirements Regime – nil entitlement due to earnings

When a claimant is no longer entitled to Universal Credit due to earnings, you will receive a system generated task as follows:

- Task Type: Conditionality
- Sub Type: Conditionality Changed
- SLA: 1 day

When you receive this task, take the following action:

WSP

- cancel any future appointments that that they claimant may have
- amend the claimant's conditionality in WSP as NWRR Working enough, with the reason Individual over CET
- update WSP notes with: 'Claimant is nil rated due to earnings. Claimant Commitment not required while nil rated'

Agent Portal

- edit the Date of Compliance to the first day of the assessment period in which the claimant became nil due to earnings (the system automatically lifts the sanction from the first day of the assessment period following the date the claimant moved into nil entitlement)
- manually calculate the sanction duration and considers arrears if the sanction is already displayed in the Sanction History section
- mark the task as complete

Nil Entitlement Action when a Suspension has been Lifted

Agent Portal Action

Navigate to the Agent Portal and select **Payments: Sanctions** – this will display current and previous sanctions.

Identify any current sanctions with a decision date on or after the start date of the assessment period of nil entitlement.

Select **view** – this will show **Date of Conditionality Failure** the **Date of Decision** and the **Reason for the Sanction** fields make a note of the information from each field.

Identify any sanctions with a decision date after the end date of the assessment period of nil entitlement (including the current assessment period).

Select **view** – this will show **Date of Conditionality Failure** the **Date of Decision** and the **Reason for the Sanction** fields, make a note of the information from each field.

Removal Process

There is a **Remove** button alongside the sanctions.

Select the **Remove** button alongside the sanctions that occurred during the period of nil entitlement.

Select **Manual Override** as the **Reason for Removal** from the drop down menu

Select **Next** button this takes you to confirm/remove conditionality sanction, select the **submit** button. This takes you back to the **Sanction Summary** screen.

Where more than 1 sanction is to be removed repeat the removal process for each sanction

Notifying the Claimant

Access complete and sent a UC197 to the claimant and partner as appropriate.

When completing the UC197 input the **Date of Conditionality Failure, Date of Decision** and **Reason for Sanction** that is cancelled .Ensure that the **Sanction Ended** paragraph is retained complete the remainder of the letter as per the instructions.

Upload the UC197 (s) to DRS.

WSP Actions

Navigate to the claimant record on WSP.

Select **Doubt** from the Common Menu.

Select **Decision**.

The options for a revised decision are:

Allowed

Sanction Applies

Cancelled

Select **Cancelled**.

Select **Save and Close** from the ribbon.

Select **Notes**, and **Add a New Note** populate the notes field as follows:

Sanctionable failure occurred on dd/mm/yyyy, decision made on dd/mm/yyyy. Sanction auto cancelled as failure occurred during an assessment period of nil entitlement. This sanction must not be used to calculate the duration/escalation of sanctions at the same level, UC197 issued.

Select **Save and Close**.

If there is more than 1 sanction to be cancelled, update WSP for each one.

CAMLite Action

Create a CAMLite Task to the DM

If sanction(s) have been cancelled and there have been no further sanctions identified, the AD sets the following task:

- Task Type: Non-Complex Decision
- Sub Type: Sanction Decision
- start Task From: Today's date
- SLA: 3 Days
- Notes: Update DMACR only. Sanctionable failure(s) occurred on [dd/mm/yyyy], decision made on [dd/mm/yyyy]. Sanction(s) cancelled as failure occurred during an assessment period of nil entitlement UC197(s) issued and WSP updated
- Assigned To: UC - DM Non-Complex

If sanction(s) have been cancelled and there have been further sanctions identified, the AD sets the following task:

- Task Type: Decision Maker Complex
- Sub Type: Sanction Decision
- Start Task From: Today's date
- SLA: 3 Days
- Notes: 'Update DMACR. Sanctionable failure(s) occurred on [dd/mm/yyyy], decision made on [dd/mm/yyyy]. Sanction(s) cancelled as failure occurred during an assessment period of nil entitlement, UC197(s) issued and WSP updated. further Sanction(s) have been identified which requires reconsideration'
- Assigned To: UC - DM Complex

Update CAMLite Contact History, close task and all claimant records.

Consider any Under/Overpayments.

Actions on Receipt of a System Generated Task

At the end of the current assessment period the claimant has nil entitlement and:

- a sanctionable failure has occurred during that assessment period
- a DM has determined that a sanction applies for that failure

The system will automatically cancel that sanction and produce a system generated CAMLite task with the following information:

Task Type: Sanction

Sub Type: Sanction Cancelled - Nil UC

SLA: 3 days

Open the task and navigate to the Claimant Record on the Agent Portal.

Select **Payments:Sanctions**

Select **ViewPayment Sanctions**

Identify previous sanctions with a status of Auto Cancel – Nil Entitlement.

Select **View** note the **Date of Conditionality Failure** the **Date of Decision** and the **Reason for Sanction**.

Account Developers needs to check if the auto cancelled sanction is for any of the reasons below:

UCH/001 Loss of employment through misconduct High

UCH/002 Leaving employment voluntarily

UCH/003 Lose pay through misconduct

UCH/004 Lose pay voluntarily

These sanctions will need to be re-input deducting the number of days from the TORP that would have been served in the AP where the claimant had nil entitlement. See [Entering a sanctionable failure decision on the Universal Credit Agent Portal](#)

If the sanction is for any other reason than those listed above then the process below should be followed.

Use this information to populate a UC197 for the claimant and partner if appropriate.

Update WSP populate the notes as follows:

Sanctionable failure occurred on dd/mm/yyyy, decision made on dd/mm/yyyy. Sanction auto cancelled as failure occurred during an assessment period of nil entitlement. This sanction must not be used to calculate the duration/escalation of sanctions at the same level, UC197 issued.

Create a CAMLite task for a Non-Complex DM to update DMACR with the cancellation of the sanction.

Task as follows:

Task Type: Non-Complex Decision

Sub Type: Sanction Decision

Start Task From: Today's date

SLA: 3 Days

Notes: Update DMACR only. Sanctionable failure occurred on dd/mm/yyyy, decision made on dd/mm/yyyy. Sanction auto cancelled as failure occurred during an assessment period of nil entitlement. UC197(s) issued and WSP updated.

Assigned To: UC - DM Non-Complex

Update CAMLite Contact History, close task and all claimant records.

Recording Compliance Information on the Agent Portal and WSP

Compliance information must be recorded on the Agent Portal and WSP to ensure that the claimant's record is accurately maintained.

The action to take on the Agent Portal action is similar to editing a sanction.

How compliance details are recorded on WSP depends on whether the DM has made a decision.

Agent Portal Action

Please follow the action as detailed in the "**Recording Compliance Details on the Agent Portal (Sanctions Portlet)**" simulation covered earlier.

WSP Action to Take when a Decision has been made

A decision has been made and the claimant has completed the compliance action or the requirement has been lifted.

For Work Preparation Activities / Work Related Requirements and failed to Attend Interviews:

select **doubts** from the common menu

select the related doubt from the list presented

Select the **decision** hyperlink

Complete the **Compliance Date** field

Complete the **doubt notes** for the relevant doubt

Select **Save and Close**

When entering a compliance date for an open ended sanction, the earliest of the following is recorded:

- the day before the compliance condition is met
- the day before the requirement no longer applies because the claimant is in the No Work Related Requirements (NWRR) conditionality group.
- the date of claim termination (other than to become part of a couple) and that is the last day for which a reduction will apply for the open-ended period

Update notes within the screen with details of compliance, date of failure, compliance condition and date claimant complied

Where the above actions are undertaken by a Work Coach you will receive the following task :

Task Type: Generic Clerical

Sub Type: Action Required

Start Task From: Today's Date

SLA: 3 days

Notes: Claimant has complied dd/mm/yyyy, compliance activities & details of sanction

Assigned To: UC – Work Services



Show Slide 26 – Recording Compliance Details on the Agent Portal (Sanctions Portlet)



To try the Record Compliance Details simulation, the learners should follow this pathway:

DWP Homepage >> A to Z Index >> L >> Learning >> Operational Learning >> Universal Credit >> Resources >> Simulations >> UCDMA Simulations >> UCDMA021

Select the See It, Try It or Know It links for the "Recording Compliance Details on the Agent Portal (Sanctions Portlet)" simulation.

Considering an Under/Overpayment

To consider if there has been an under/overpayment, navigate to the claimant's Award Summary screen in the Agent Portal and access the relevant assessment period(s).

If the date of compliance falls in a previous assessment period, consider whether the claimant has been under/overpaid.

Note: you may receive a CAMLite task from the DM asking you to consider this.

Action to Take when a Decision Has Not Yet Been Made

If the claimant failed to complete a Work Preparation Activity, select the **Work Preparation Activity** from the **Common** menu.

Select the **action to be reviewed** tick box.

Change the **Completed** field from **No** to **Yes**.

Select **Save and Close**.

Update **Notes** with details of compliance, date of failure, compliance condition and date claimant complied.

When entering a compliance date for an open ended sanction, the earliest of the following is recorded:

- day before the compliance condition is met
- day before the requirement no longer applies because the claimant is in the No Work Related Requirements (NWRR) conditionality group
- day before the claimant is no longer required to undertake the activity (for low level sanctions only)
- the day before the claimant is no longer required to undertake the activity

- the last date of entitlement (other than to become part of a couple)
- the first day of the assessment period in which the claim is being terminated

If the entered Additional Fixed Period or Date of Compliance means that the calculated sanction duration exceeds the individual's TORP of 1095 days, the following message appears:

"Adding this sanction means the TORP is exceeded. Please refer to the Sanction Specialist team."

In these cases, close the sanction portlet as the sanction cannot be added until the Sanction Specialist team have completed their action.

Send an email to the Specialist team with the following:

- claimant's name
- claimant's NINO
- date of sanctionable failure (to be added)

Select **Save and Close**

Set a CAMLite task to the DM to tell them the date that the claimant has complied with requirements:

- Task type: Decision maker complex
- Task sub type: Sanction decision
- Start task from: Todays date
- SLA: 3 days
- Task notes: Include claimant has complied, compliance date, compliance activities and details of sanction.
- Assigned to: UC-DM complex

Notifying the Claimant of the Decision

Once all system action has been taken, you must notify the claimant/partner of the decision.

- Access the appropriate notification letter from the Sanctions Hub in About Universal Credit.
- Complete it with all the relevant information gathered from WSP and the LT54.
- Print and posts letter to the claimant/partner
- Upload a copy to the Document Repository System (DRS).

- Update CAMLite Contact history with the action taken.

Notifying a Claimant with Complex Needs of the Decision

When the DM or ADDM makes a sanction decision and identifies that the claimant has complex needs, they will set a task for AD to book an interview for the Work Coach to explain the decision to the claimant.

- Task Type: General Clerical Task
- Sub Type: Action Required
- SLA: 1 day
- Notes: "Complex needs outcome decision. LT54 uploaded to DRS on dd/mm/yyyy. Book Explanation of decision (DMA) Interview.

On receipt of the task, the AD will make a telephone call to the claimant to book the interview.

If the call is successful, the AD will explain the reason for the call and arrange the interview with the owning Work Coach or, if they are not available, with the next available Work Coach. The interview must be booked within one week of the call.

Follow existing processes to book the appointment on WSP. The default time for the interview is 10 minutes.

The AD should override this to 20 minutes.

Update CAMLite Contact History with details of the call and action taken.



The AD must bear in mind that, at the point they contact the claimant to book the interview, the claimant may not have received the sanction decision notification, and that there may be more than one sanction decision.

If the call is unsuccessful, the AD should book the interview with the owning Work Coach or, if they are not available, with the next available Work Coach, following existing processes to book the appointment on WSP.

Where the call is unsuccessful, The AD should consider varying the length of the interview, allowing the Work Coach sufficient time to conduct the interview.

Update CAMLite Contact History with details of the action taken.

Recording a Migrated Legacy Sanction on the Agent Portal

During the pre-population process, only any remaining, unspent, legacy sanctions that will impact the Universal Credit award need to be migrated and will be recorded WSP within the claimant's general notes.

These sanctions need to be input the Agent Portal so that an accurate sanction record for the claimant is maintained.



Ask the learners what Legacy Sanction information is recorded on WSP



Ensure that all of the following points are covered:

- Nature of the failure
- AR Code
- Sanctionable failure date
- Level of the sanctionable failure
- Duration
- Date decision made
- Days already consumed



Legacy sanction details cannot be recorded on the Agent Portal until the claimant has had an interview with the PASA.

A generic clerical CAMLite task is set for the AD once this PASA interview has been completed.



Due to the short timescales, it was not possible to get a simulation or screenshots of the Agent Portal action. Therefore, for this release, the information is detailed on PowerPoint slides.



Show Slides 28 - 31 – Recording a Migrated Legacy Sanction on the Agent Portal

Once all the relevant Legacy sanction information has been recorded on the Agent Portal, access letter **UC138 Legacy Sanction Notification** from **About Universal Credit**.

If the claimant has a partner, **access UC381 Legacy Sanction Notification – Partner**.

Populate the notification(s) with the required information, and post to the claimant/partner.

Upload a copy of the notification(s) to DRS and exit the claimant's record on the Agent Portal.

The Conditionality Earnings Threshold

Sanctions usually remain in place until exhausted. However, there is an exception to this.

This exception is where the sanctioned claimant has had earnings above their individual Conditionality Earnings Threshold (CET) for a total of 26 weeks since their last sanctionable failure.

The period in employment above the CET does need not be continuous.

In such cases for that claimant, all unexpired sanctions are terminated, that is the Total Outstanding Reduction Period (TORP) is reduced to zero from:

- the start of the Assessment Period in which they attained 26 weeks of work

or

- the start of any new claim to UC after sustaining 26 weeks of work



What is the Conditionality Earnings Threshold?



The Conditionality Earnings Threshold (CET) ensures that claimants who are in work and earning, or are in a household with earnings, above a reasonable level will not be asked to carry out work-related activity.

If the claimant's individual earnings exceed their individual CET then they will be placed in the NWRR Conditionality group – working Enough Regime.

Joint claimants also have a Household CET, the household CET is the sum of each claimant's individual CET.



How is the Conditionality Earnings Threshold calculated?



The individual Conditionality Earnings Threshold for a claimant is the amount that a worker of the same age and circumstances would be paid at the National Minimum Wage hourly rate multiplied by the claimant's expected hours.

The individual CET is calculated for a claimant by multiplying the hours they may be expected to be engaged in work related activity (expected hours), by the National Minimum Wage rate that applies to them. This figure is then multiplied by 52 and divided by 12 to give a monthly figure.

This amount is rounded down to the nearest whole pound, to give the claimant their individual CET.

For claimants in the all work-related requirements group, the expected number of hours is set at 35 per week.

For claimants in the Work Focused Interview group only or the Work-Focused Interview and Work Preparation requirement group, the expected number of hours is set at 16 hours per week.

For claimants in the No Work Related Requirements regime, sanctions are lifted after the claimant has been in paid work at an amount equal to or above 16 x their National Minimum Wage (NMW) for a cumulative total of 182 days since their last sanctionable failure.



The CET also applies to Apprentices and self-employed in the start-up period and self-employed claimants where the Minimum Income Floor applies.

Earnings above CET for 182 Days

If the number of days with earnings at or over the claimant's individual CET is 182, you must notify the claimant that the sanction has been lifted.

Opens and view the CAMLite task. This task is an automated system task.

The CAMLite task will be as follows:

Task Type Sanction

Sub Type Sanction Lifted - 182 Days

SLA 3 days

Obtain, complete and issue relevant notification to claimant (and partner, if applicable)

Relevant notifications are :

UC94 (claimant notification)

UC98 (partner notification where applicable)

UC94/UC98 can be found in About Universal Credit Supporting Docs

Upload to DRS and update CAMLite **contact history** with all the action taken.

Update **notes** on WSP **claimant record** with – claimant has been earning for cumulative total 182 days so all unexpired sanctions have been lifted.

mark task as complete and close all claimant records.

Topic 03 - Summary



Show Slide 32 – Topic 03 Summary

In this topic you have learned about:

- recording, editing and removing a sanction on the Agent Portal
- recording a sanction outcome in WSP
- recording a migrated legacy sanction on the Agent Portal
- compliance conditions and the actions to take when a compliance condition is met or lifted
- the Conditionality Earnings Threshold and how it impacts on sanctions

Topic 04 Third Party Provider Referrals and Outcomes



Show Slide 33 – Topic 04 Third Party Provider Referrals and Outcomes



Show Slide 34 – Topic 04 Objectives

Objectives

By the end of this topic, with the aid of any reference material, you will be able to:

- explain how to action a doubt referral made by a Third Party Provider
- describe the action to take following compliance
- describe the action to take when compliance is disputed
- describe the action to take when the Third Party Provider identifies a work search or work availability doubt.



Community Work Placement ending

The DWP CWP programme will end on 27th October 2016. The final date a WC can refer a claimant to CWP is 31st March 2016. UC192 Failure to participate in Community Work Placements will be deleted on 27/10/2016.

Mandatory Activity

While participating on the Work Programme, claimants can be required to undertake specific action – this is known as Mandatory Activity.

The Mandatory Activity can be anything the provider considers will help a claimant enhance their employment prospects and develop the skills and disciplines associated with a normal working environment, for example, attend a CV workshop, attend on time, work as part of a team.

Where a provider decides that a claimant has to undertake a Mandatory Activity, they will issue the claimant with a Mandatory Activity Notification (MAN) which will:

- specify the action that claimant is required to undertake
- when, or by what date, they must undertake the action
- that the action is mandatory
- what evidence, if any, they must supply to demonstrate completion
- state the potential consequences should they fail to comply.



Where the Provider mandates the claimant to apply for a vacancy or take up a job, they issue a Mandatory Employment Notification instead of the MAN.

This is because a failure to apply for, or take up a job attracts a higher level sanction.



In the guidance issued to Third Party Providers, different terminology is used.

The preferred terminology for a sanctionable failure referral is a "compliance doubt referral".

The MAN will also include a compliance condition, should the claimant not carry out the original requirement. This is because the claimant may be subject to a sanction, comprising of an open ended element and a fixed period, if they fail to undertake a mandatory activity.

The compliance condition is the action that the claimant needs to take to stop the open ended element of the sanction building.

DWP Pre-approved Compliance Conditions List

A list of compliance conditions have been pre-approved by DWP to replace the need for a provider to contact the service centre for agreement each time they wish to mandate a claimant.

The pre-approved compliance conditions are:

- Contact the provider to attend appointment (or to agree a date for future attendance if the provider can't arrange for same day) and attend that re-arranged appointment
- Undertake agreed work preparation activity (or agree to undertake this activity at an agreed future date where it cannot be completed same day) and complete the work preparation activity
- Supply specific information (relevant to work-related requirements)
- Attend appointment/placement with a third party, for example, college, Work Placement, skills training course, or agree a date for future attendance where the third party cannot arrange it for the same day and attend that appointment or placement

Third Party Provider Referral Action

If the claimant fails to undertake a mandatory activity, the Third Party Provider makes a sanction referral to the service centre.

Providers will make these referrals either by:

- an unencrypted email to a dedicated Single Point of Contact (SPOC) or Inbox
- postal notification

Note: Currently, Bangor Service Centre has sole responsibility for this in-box. Any responses to go back to the provider will be sent from this in-box.

If post is the preferred method of the Provider, the Postal Address will be MOU, Universal Credit, Post Handling Site B, Wolverhampton, WV99 1AJ.

In these cases, a CAMLite task will be forwarded from the MOU stating that white post has been received. Retrieve the post item from DRS and action accordingly.

Work Programme Providers will make referrals on forms UC193, UC192ELR and UCDMA02ELR.

Community Work Placement Providers will make referrals on forms UC192, UC192ELR and UCDMA02ELR.

All Providers will use form UC191 when a claimant fails to apply for, or accept a job.

Action to take when a referral is received from a Third Party Provider

Where a referral is received by email, check to ensure that the email address is on the pre-approved list of provider email addresses.

If the email address is not on this list, forward the email to DWP CEP UC Queries (cep.ucqueries@dwp.gsi.gov.uk). The DWP Performance Manager will subsequently advise the provider to submit the form via the MOU, so that it can be actioned clerically.

Delete original email from Provider.

If the email address is on the approved list, or the referral has been made by post, check that the work related activity/compliance condition the claimant has been asked to do is on the pre-approved list.

If the work related activity/compliance condition isn't included on the compliance condition list, return the referral to the Provider, explaining why it has been returned.

If the email address is on the approved list, the referral has been made by post and the work related activity/compliance condition is on the pre-approved list, check if the email is for a Live Service or Full Service claim.

If the referral is for Full service, forward the referral to Bangor Service Centre.



Advise learners to refer to the 'Sanctions Hub' in About Universal Credit for more information. From within the Hub, they should select the link to 'Provider sanctionable failure referrals' to access the approved list of provider email addresses.

Recording the Sanction Doubt Referral on WSP

To record a sanction doubt referral on WSP from a Third Party Provider, please follow the process from the **"Recording a Failure"** simulation you undertook earlier in this learning.

Once the doubt has been recorded on WSP, record the following in Notes:

- brief details of the sanctionable doubt, for example "claimant failed to start on WP". Use the exact wording the Provider has used on the form and include the name of the form received from the provider which has been uploaded to DRS
- how the doubt referral was received from the Provider for example. post or email. This is needed to notify the provider of the outcome of the doubt referral
- upload a signed copy of the UC193, MWA1(UC), UC191, UC192, UC192ELR or UCDMA02ELR to DRS
- update Doubt notes on WSP with all the evidence relating to the doubt including the date and any reasons the claimant may have given for the failure, and record a list of all the evidence available including that held on DRS and/or the date it was uploaded/sent to MOU. It should also include any contact with the Provider had with the claimant, and any conversations with the claimant since the failure was identified.

Set a WSP task to notify the owning Work Coach that the Third Party Provider has referred a sanctionable doubt. This can be found by selecting the **Administration** hyperlink.

Within the Notes field in the task, note "Provider sanctionable failure raised. Consider any further action". For example, contact claimant, book WRI.

Set a CAMLite task to the DM:

- Task Type: Decision Maker Complex
- Sub Type: Sanction Decision
- Start Task By: Today's date
- SLA: 3 days
- Notes: AR code, date of sanctionable failure dd/mm/yyyy and brief description. If the claimant has complex needs, record that this has been considered by the agent. Also record if the claimant has provided further evidence.

Notifying the Claimant of the Failure and Gathering Good Reason Evidence

The AD notifies the claimant of the Third Party Provider doubt and requests evidence of good reason for the failure.

If the failure is a Higher level sanction, populate letter UC71.

If the failure is a Low level sanction, populate letter UC70.

Both letters can be accessed in the **Sanctions Hub** in **About Universal Credit**.

Post the letter to the claimant and upload a copy to **DRS**.



Third Party Providers can only raise sanctionable failure doubts for Higher and Low level sanctions.

Set a Generic Clerical CAMLite Task to check if Good Reason evidence has been received.

Task Type: Generic Clerical

Task Sub Type: Action Required

Start Task From: This will be 10 calendar days after the Good Reason gather letter was issued

SLA: 3 days

Notes: Sanctionable failure evidence received? AR code, date dd/mm/yyyy and brief description of failure

Assigned to: UC-Work services

Checking if Evidence has been Received

The General Clerical task, detailed above, will mature or the AD will receive an automated Scanned Correspondence CAMLite task confirming that evidence has been received.

On receipt of either task, follow the processes detailed in Topic 02 for checking if evidence has been received.

Notifying the Third Party Provider and Claimant of the Decision Outcome

Once the DM/ADDM has made their decision, they notify the claimant and the Third Party Provider of the decision outcome.

Provider Notification

Access notification **UC136 - Outcome of your potential sanction referral** from the **Sanctions Hub** on **About Universal Credit**.

Complete the notification with the required information.

How the referral was received from the Provider will determine how the DM/ADDM sends the decision back to the Provider.

If the referral was received by email, attach the notification to the email and send to the Provider, ensuring that you use the correct pre-approved email address.

The Provider's email address can be found on About Universal Credit in form **UC137 (Work Programme DMA email address list)**.

The standard wording to be shown in the email Subject field is: Claimant's surname, NINO (last 3 digits only), Decision.

Only one notification must be sent per email.

If the referral was received by post, print the notification letter and post it to the Provider.

The Provider's address can be found in the District Provision Tool.

The **UC136** notification must contain the following information:

- office address
- Provider name
- the claimant's name and NINO (last 3 digits only)
- date of referral
- date of decision
- outcome of the decision, whether or not a sanction has been imposed
- details of the compliance condition.

Claimant meets the compliance condition following a sanction

When the claimant meets the compliance condition the Provider will notify the AD on form UC194.

The open-ended sanction stops building and, for low level sanctions only, a fixed length sanction of the appropriate length will be added to the claimant's Total Outstanding Reduction Period.

To update and maintain an accurate record, follow the compliance action covered earlier in Topic 03.

WSP action following compliance

The action to update WSP once the Third Party Provider has notified that the claimant has complied will depend on whether or not a sanction exists.

To determine this, select Doubt from the Common menu – this displays the Doubt Associated View window, which will tell you if a sanction exists.

Claimant has complied and a sanction exists

If the claimant has complied and a sanction exists for the failure, the compliance date and the appropriate fixed period element (if a low-level sanction) must be recorded on WSP by taking the following action:

- access the appropriate sanction decision
- input the appropriate date, from the UC194, in the Compliance Date field – the compliance date is the date the claimant re-engages, for example, the date the claimant attended a work club, attended college course, provided CV
- record in the Doubt Notes box the fixed period element following compliance – for example, "open-ended part ends on 29/05/2014. Fixed period 14 days" (as in the original DM decision input to WSP)
- update the Agent Portal that the compliance has been met (as detailed in Topic 03).

Claimant has complied and no sanction exists

If a sanction decision has not yet been made on the failure, take the following action on WSP:

- select the appropriate failure from the Doubt screen
- select Notes and record details of compliance including dates copied exactly from the UC194
- Select Save and Close.

Create a CAMLite task to inform the DM that claimant has complied.

- Task type: Decision Maker complex
- Task sub type: Sanction decision
- Start Task by: This will be todays date
- SLA: 3 days
- Notes: "UC194 received. Compliance met".
- Assigned to: UC-Decision Making



This WSP Note is required as WSP does not have the functionality to hold compliance dates until a sanction is imposed and recorded.

Disputed Compliance

If the Third Party Provider has indicated on the UC194 that the claimant has not fully complied, and the claimant disputes this, the Provider will complete the "Compliance disputed" section on the UC194.

Refer the UC194 to the DM to look at the evidence and consider contacting the claimant and/or Provider for further information.

In WSP, select the specific doubt, select Notes and input exact details from the UC194 of the disputed compliance including the dates.

Create a CAMLite task to the DM to inform them of disputed compliance with Provider.

Task type: Decision Maker complex

Task sub type: Sanction decision

Start task by: This will be today's date

SLA: 3 days

Notes: "UC194 received. Disputed provider compliance."

Work Search and Work Availability Doubts

If the Third Party Provider considers there to be a doubt on the claimant's work search or work availability, they will complete form UC190 and either email it, or send it to the MOU.

If the UC190 is received by email, take the action detailed earlier to verify the Provider email address.

Upload the UC190 to DRS.

If the UC190 is sent to the MOU, you will receive a CAMLite task.

The claimant's continuing eligibility to Universal Credit must be checked. Therefore, you must book the claimant a Work-Related Interview with their Work Coach:

- Follow the guidance in "About Universal Credit, heading "Booking Appointments".
- To identify the Work Coach, select "Administration" from the Claimant Record on WSP. This will display the owing office and Work Coach.
- Send a WSP task to the Work Coach. In the Subject field, note "UC190 Entitlement doubt received".
Description: "Consider Provider doubt, WRI interview booked. UC190 uploaded to DRS".

Topic 04 Summary



Show Slide 35 – Topic 04 Summary

In this topic you have learned about:

- doubt referrals made by a Third Party Provider
- the action to take following compliance
- the action to take when compliance is disputed
- the action to take when the Third Party Provider identifies a work search or work availability doubt.

Topic 05 - Referring the Failure to a Decision Maker



Show Slide 36 – Topic Divider Slider Referring the Failure to a Decision Maker



Show Slide 37 – Topic Aims and Objectives

Aims

This topic aims to provide you with the skills and knowledge to be able to record a referral to the DM of a claimant's failure to meet a work-related requirement on WSP.

Objectives

By the end of this topic, with the aid of any reference material, you will be able to:

- how to make a referral to a DM on WSP of a claimant's failure to meet a work-related requirement
- how to notify the DM that a failure to meet a work-related requirement referral has been made

Introduction

You are referring a failure to a meet work-related requirement to the DM and that this will need to be recorded on WSP.

The following action will have already been taken:



Show Slide 38 – Gathering Evidence

- the reason for the referral has been explained to the claimant and they have been given an opportunity to provide good reason evidence
- where appropriate, what the claimant needs to do to comply has been explained to them
- you have collected all information and evidence for the referral, including any evidence provided by the claimant
- for fail to attend work-related interview cases you have determined that the failure cannot be treated as straightforward

Information and Evidence needed by the DM

The DM will need specific information and evidence so that they can make the correct decision.



What information and evidence would the DM need?

The following list is not definite and the learners may suggest other examples.



Show Slide 39 – Information and Evidence Needed by the DM



The following information must be recorded on WSP and/or is available on DRS:

- **a statement from the Work Coach or Assistant Work Coach as to whether any easements apply**
- **any good reason evidence provided by the claimant**
- **details of any compliance conditions – this may be for work preparation action or a requirement to attend a Work Focused Interview**
- **information gathered from the employer on loss of pay or paid work**
- **details of activities completed by the claimant, for example, work search**

How to Make Referrals to the DM via WSP

You will refer the sanctionable failure to a decision maker (DM) on the Work Services Platform (WSP). To do this:

- select **Refer doubt icon** from the ribbon
- enter today's date in the **Referred on** field
- select **destination field** and enter 'Decision Making' in the free text field
- record if any evidence has been received by updating the **Evidence received** radio button. This defaults to **No** and should be set to **Yes** if evidence has been received
- update **Notes** within the Doubt screen with:
 - a list of any evidence provided by the claimant including the evidence held on DRS and the date it was sent to the Mail Opening Unit
 - any relevant contact with the claimant
 - details of when the claimant has failed to attend a work-related interview and any interviews booked or conducted since the failure was identified
 - any details of compliance, for example, claimant attended with their CV

- select Save and close

This process must be repeated if there are multiple sanctionable failures.

You will now need to set a CAMLite task for the DM to alert them of the referral. The CAMLite task that you will set will depend on whether the required decision is complex or non-complex



Please direct the learners to access About Universal Credit using the search criteria “Referring a sanctionable failure to a decision maker” to learn about setting the CAMLite task for the decision maker.

Allow about 5 minutes for this activity.

Topic Summary



Show Slide 40 – Topic Summary

In this topic you have learned:

- how to make a referral to a DM on WSP of a claimant’s failure to meet a work-related requirement
- how to notify the DM that a failure to meet a work-related requirement referral has been made

Topic 06 Reconsiderations and Appeals



Show Slide 41 – Topic 05 Reconsiderations and Appeals



Show Slide 42 – Topic 05 Objectives

Objectives

By the end of this topic, with the aid of any reference material, you will be able to:

- explain how to record a mandatory reconsideration request, referral and outcome on WSP
- explain how to record a DWP instigated reconsideration and outcome on WSP
- explain how to record on WSP that an appeal has been lodged
- explain how to record an appeal outcome on WSP and the Agent Portal
- describe the additional action to take when an appeal outcome is received
- identify outcome notification to issue to claimant/partner for reconsideration and appeal outcomes.

Introduction

When a decision has been made which affects a claimant's award of Universal Credit, they have the right to ask for that decision to be reconsidered.

A claimant can only appeal to Her Majesty's Courts & Tribunals Service (HMCTS) once a decision has been reconsidered and a Mandatory Reconsideration Notice has been issued.

Mandatory Reconsiderations are always carried out by a Band C Decision Maker.



Time limits for reconsiderations and appeals are covered in UC053 Reconsiderations and Appeals.

Request for a Mandatory Reconsideration

A claimant may request a mandatory reconsideration:

- by telephone
- by letter
- at an interview with a Work Coach
- by email

Notification of the request could also come via a CAMLite task.

Reconsideration action can be instigated by DWP staff. For example, a Work Coach has identified that there is further evidence for the DM to consider, or there has been a change of circumstances.

When a decision is revised, the action to take on WSP depends on who instigated the reconsideration action.

The **Refer Reconsideration Icon** on the **WSP** ribbon must only be used when it is the claimant who has requested the reconsideration.

If a decision is reconsidered/ revised and the reconsideration action was instigated by a DWP staff member, the **Refer Reconsideration Icon** on the **WSP** ribbon must not be used.

Recording a Reconsideration Request from a Claimant on WSP

When a reconsideration request is received, the AD records it on WSP and refers it to the DM.

Set a CAMLite to the DM as follows:

- Task Type: Decision Maker Complex
- Sub Type: Mandatory Reconsideration
- **Start task from:** Today's date
- SLA: 3 days:
- Clear task by: This will automatically populate and should not be amended
- Notes: Claimant is disputing decision and is requesting a mandatory reconsideration - see UC108 held in Document Repository System(DRS) dated dd/mm/yyyy.
- Assigned to: UC -DM Complex.



Show Slide 43 – Recording a Reconsideration Request on WSP



The learners will now have the opportunity to record a reconsideration request on WSP.

To view the simulation, the learners should follow this pathway:

DWP Homepage >> A to Z Index >> L >> Learning >> Operational Learning >> Universal Credit >> Resources >> Simulations >> UCDMA Simulations >> UCDMA021

Select the See It, Try It or Know It links for the "Recording a Recon Request on WSP" simulation.

Recording a Reconsideration Outcome on WSP



Show Slide 44 – Recording a Reconsideration Referral and Outcome on WSP.



The learners will now have the opportunity to record a reconsideration referral and outcome on WSP.

To view the simulation, the learners should follow this pathway:

DWP Homepage >> A to Z Index >> L >> Learning >> Operational Learning >> Universal Credit >> Resources >> Simulations >> UCDMA Simulations >> UCDMA021

Select the See It, Try It or Know It links for the "Recording a referral and a recon on WSP" simulation.

Recording DWP Instigated Referrals and Outcomes on WSP

Reconsideration requests and outcomes instigated by DWP staff must be recorded differently in WSP from claimant requests and outcomes. This is to ensure that the claimant does not lose the opportunity to appeal.

In WSP select the appropriate doubt from the Doubt screen. The selected doubt is displayed in a new window and will include details of any explanation given.

Select the relevant doubt from the Doubt Type. The From Date is the date of the sanctionable failure.

Update WSP Decision Notes. The note must state "revised decision referral sent to the DMA Team", and must include:

- the date of the change of circumstances
- the date of any error
- why the revised decision referral is appropriate.

The AD sets the following CAMLite task for the DM:

- Task Type: Decision Maker Complex
- Sub Type: Sanction Decision
- Start task From: Date task was created for example. today's date
- SLA: 3 days:
- Clear task by: This will automatically populate and should not be amended
- Notes: Revised decision Requested. Details of revision reason
- Assigned to : UC-DM Complex

Recording on WSP that an Appeal has been Lodged

Once a claimant receives a Mandatory Reconsideration Notification (MRN), they can appeal against the decision.

Mandatory Reconsideration Notices are recorded on:

- UC481 - no partner
- UC477 - joint claim (applicant)
- UC478 - joint claim (partner)

Claimants are informed how to appeal on the MRN, however, if the claimant requests an Appeal form they should be signposted to www.gov.uk and advised to download an appeal form by putting SSCS1 into the search

box.

They must send their appeal directly to HMCTS with a copy of the MRN.

When an appeal response request is received from HMCTS, all documents are scanned by the Mail Opening Unit (MOU).

A CAMLite task is created for the account developer with the following details:

Task type: Scanned Correspondence

Sub Type: Appeals and Recon letters

SLA 3 days

The AD opens the CAMLite task and accesses the DRS to view all documents scanned by the MOU. These documents include the appeal letter/form from the claimant, the MRN and the DL6 from HMCTS requesting the appeal response within 28 days.

DWP has a legal obligation to provide an appeal response to HMCTS within 28 days (from when DWP receives the appeal response request) unless a time limit extension has been requested.

The AD records that an appeal has been lodged on WSP and sets a CAMLite task for the DM.

In the claimant record on WSP:

- select **Doubt** link from the **Referred** menu
- select the **Doubt** that the appeal relates to (this displays details of the explanation and reconsideration)
- select **Refer Appeal**
- select the **Referred on** field
- select the **Referred by** field
- select **Destination** type Decision Maker into the free text box
- enter the **Appeal reason** and type in the reasons from the appeal letter/form this is a free text box
- enter the date in the **Appeal made on field**. This is the date the appeal letter form was received
- create a task to the DM

The CAMLite task should be set as follows:

- Task Type: Appeals
- Sub Type: Notif. of Appeals Received
- Start Task From: Set automatically as todays date
- SLA: 3 days
- Notes: Appeal lodged

Assigned to: UC- DM Complex

On receipt of this CAMLite task, the DM will take the following actions

The first action to take is to view the claimant and appeal details in CAMLite and use those details to view the appeal documents in the Document Repository System (DRS).

The DM decides if the appeal is in time or not, or if it can be treated as in time.

The DM may decide to revise the decision that is being appealed. If the decision is revised in the claimant's favour and the claimant is happy with the revision the appeal can be lapsed.

The DM will update the Agent portal with the lapsed appeal outcome and revise any subsequent sanctions.

Appeal Outcome Action on WSP (appeal not lapsed)



What are the potential outcomes of an appeal?



- **allowed - in claimant's favour**
- **disallowed – original decision upheld**
- **withdrawn at claimant's request**
- **out of time - appeal too late**
- **struck out - not enough information/evidence to proceed.**

Once the outcome of an appeal is determined the AD receives a CAMLite task as follows:

Task Type Scanned Correspondence

Sub Type: Appeals and Recon letters

SLA 3 days

Access DRS and views the appeal documents and appeal outcome.

The AD enters the outcome of the appeal to WSP.

Recording the Appeal Outcome on WSP

- select **Doubt** within the **Doubt Screen** that relates to the appeal
- select **Appeal** from the **decision** field
- select **Outcome**
- select **Appeal Outcome** from the drop down list and choose the relevant option
- enter the date in the **Decision made on** field this is the date that the appeal was decided on
- enter HMCTS in the **Decision made by** field
- select **Notes** and **Add a new note** put in the appeal outcome
- select **save and close**



Show Slide 45 – Recording an Appeal Referral and Outcome on WSP



The learners now have the opportunity to see and practice recording an appeal referral and outcome on WSP.

To view the simulation, the learners should follow this pathway:

DWP Homepage >> A to Z Index >> L >> Learning >> Operational Learning >> Universal Credit >> Resources >> Simulations >> UCDMA Simulations >> UCDMA021

Select the See It, Try It or Know It links for the "Recording an appeal and an appeal outcome on WSP" simulation.

Outcome of Appeal Allowed

Update the Agent portal with the appeal outcome.

To do this, follow the process outlined in Topic 03 for "Edit or Remove a Sanction from the UC System."

Recalculate any under/over payments.

In the **Doubt Associated** screen, identify if there are any subsequent sanctions at the same level within 12 months of the date of sanctionable failure that has been successfully appealed.

If there are no sanctions close the CAMLite task. If any sanctions exist

Where any such sanctions are identified, refer to the DM via a CAMLite task:

Task type: Decision maker complex

Sub type: Reconsideration

SLA: 3 days

Notes: Reconsideration Requested by agent previous sanction at same level allowed. Further reconsideration of same level sanction required.



The revised Appeal Won Letter - UC95 - is just a "holding letter" acknowledging the tribunal decision. This is because at the time the appeal notification is received it is not possible to say with a 100% certainty, what the impact will be until the end of the Assessment Period.



The outcome of the appeal will be notified separately to both the Universal Credit Decision Making Team and the claimant.

It is therefore possible that a claimant will receive the decision before the Universal Credit Service Centre or service outlet and may enquire about when they can expect payment.

Under no circumstances must the decision be processed or implemented via any payment system until authorisation has been received from the Decision Maker (DM).

The notification received by the claimant must not be accepted and used as evidence of the appeal outcome either to lift any related sanction, to increase entitlement or to re-open an award.

Knowledge Checker



There are 10 questions, which are designed to check the learner's understanding and knowledge.

You can choose to run this as a quiz or as a Question & Answer session.



Question 1

What are the four work-related groups?



There are four work-related groups, also known as conditionality groups:

- **No work-related requirements**
- **Work-focused interview requirements only**
- **Work focused interview and Work preparation only requirements**
- **All work-related requirements**

The group a claimant is in defines which work-related requirements can be imposed on them.



Question 2

How do Universal Credit sanctions differ from JSA sanctions?



Universal Credit sanctions run consecutively, whereas JSA sanctions run concurrently.

UC sanctions operate on a daily basis, not weekly.

UC reductions are for an amount equal to the standard allowance - JSA sanctions stop all the JSA that is in payment including any premiums.

There is no "TORP" in JSA, & the length of outstanding sanctions are not "capped" at 3 years.

Couples are treated differently - where one member of a couple is sanctioned in JSA the appropriate single-person rate is restored for the other member. In UC the sanction only applies to ½ the standard allowance in the first place.

There is no 40% reduction rate in JSA.



Question 3

What is the Total Outstanding Reduction Period (TORP)?



The TORP is the total of all sanction periods imposed on a claimant which have not yet been applied to their Universal Credit award.



Question 4

What is the maximum TORP period?



The maximum TORP period is 1095 days. If a sanction would exceed this limit, the Agent Portal (Sanctions Portlet) reduces the latest sanction period so that the TORP does not exceed this figure.



Question 5

What sanction period would you give for each of the following 3 sanctions?

1. On 10/04/2015 the claimant fails to apply for a job. This is the claimant's first sanction.

2. On 21/08/2015 the claimant is dismissed from a job for misconduct.

3. On 02/09/2015 the claimant refuses a job offer.



1. 91 days – this is the claimant's first higher level sanction.

2. 182 days – although this is a pre-claim failure, the claimant has had another sanction within the previous 364 days which was not a pre-claim failure.

3. 182 days – although this is the claimant's 3rd higher level sanction within 364 days, the sanctionable failure is within 13 days of the previous higher level sanction. Therefore, it does not escalate.

Note: The 13 days immediately before the date of the current failure means counting 13 days backwards from the day before the current date of sanctionable failure. If the previous sanctionable failure date is on day 13 or less the sanction does not escalate.



Question 6

When gathering further evidence from a claimant with complex needs, what must you do if you are unable to contact them by phone or letter?



You must arrange a visit to gather the good reason information. Complete the DWP Visiting Referral Tool to arrange the visit.



Question 7

What is the Conditionality Earnings Threshold?



The Conditionality Earnings Threshold (CET) is the level of earnings above which a claimant will not be required to carry out work-related activity.



Question 8

If a claimant has had earnings above their CET for a total of 182 days since their last sanctionable failure, what effect does this have on any existing sanctions?



In such cases, all unexpired sanctions are terminated, that is the TORP is reduced to zero.

Note: The period in employment above the CET does not need to be continuous.



Question 9

If a claimant fails to undertake a mandatory activity, how will the Third Party Provider make a sanction referral to the Service Centre?



Third Party Providers will make these referrals either by:

- **an unencrypted email to a dedicated Single Point of Contact (SPOC) or Inbox**
- **postal notification**

Note: When a referral is received by email, you must ensure that the email address is on the pre-approved list of provider email addresses.



Question 10

If a claimant is not happy with a sanction decision, they can appeal immediately to DWP.

True or false?



False (on 2 counts).

All appeals must be made directly to Her Majesty's Courts and Tribunals Service (HMCTS).

A claimant must have asked for a mandatory reconsideration AND received a Mandatory Reconsideration Notification (MRN) before they can appeal to HMCTS.



Show Slide 46 – Topic 06 Summary

In this topic you have learned about:

- how to record a mandatory reconsideration request, referral and outcome on WSP
- how to record a DWP instigated reconsideration and outcome on WSP
- how to record on WSP that an appeal has been lodged
- how to record an appeal outcome on WSP and the Agent Portal
- the additional action to take when an appeal outcome is received
- the outcome notifications to issue to the claimant/partner for reconsideration and appeal outcomes.

Module Summary



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In this module you have learned about:

- the sanctionable failure process
- actioning Universal Credit sanctionable failure referrals from Universal Credit staff and Third Party Providers
- gathering evidence
- recording the action taken on the relevant computer systems
- making a referral to a DM on WSP of a claimant's failure to meet a work-related requirement
- actioning reconsiderations and appeals