



UCDMA021 Sanctions

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	Quiz/Knowledge Checker	20
Summary		2
Total duration of all topics		305

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
Decision Maker	All topics	305 mins
Account Developer Decision Maker	All topics	305 mins



Show Slide 01 – UCDMA021 Sanctions



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



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 Decision Maker, Account Developer Decision Maker (AD DM 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 decision makers and 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
- 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
- explain how to provide a basic/detailed explanation of why a sanction applies to the claimant

- the actions to take when a claimant has a change of circumstances that affects their daily reduction rate.

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.



What type of decisions do DMs make?



Examples:

- **Basic Entitlement, Awards and Restrictions. For example: Living Together as a Married Couple; Habitual Residency Tests.**
- **Universal Credit Elements. For example: Carer Element; Housing Element.**
- **Capability for Work or Work-Related Activity.**
- **Capital, Income and Students. For example: Notional Earnings; Capital Disregards.**

- **Work-Related Requirement Failures (Sanctions).**

This learning focusses on sanctions.



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**, 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.



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**, 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.

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, followed by a fixed period of 7, 14 or 28 days.



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.**

Sanctions During a Period of Nil Entitlement

Any sanctionable failures in an Assessment Period where a claimant is not entitled to Universal Credit because of earnings, change to income must not be applied to the award. These sanctions are cancelled by the system so that they do not impact the claimant in future. The DM must not use any cancelled sanction in the calculation of the TORP or for escalation purposes.

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 to register with a specified employment agency by 20 May 2015, but fails to do so. On 23 May 2015 she notifies her Work_Coach 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 worksearch 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.

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 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 i.e. 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.

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



This case study is designed to help the learners understand how reduction periods already served and time away from Universal Credit can affect future awards.

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. Here 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:

Paul 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 i.e. $91 - 69 = 22$)

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 claimants 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.



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.

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 or intervention" 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 Worksearch.



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**, 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 explanations are 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"

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
- basic/detailed explanations to the claimant.
- the actions to take when a claimant has a change of circumstances that affects their daily reduction rate.

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 contacting the claimant's previous or current employer
- 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.



- 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).

Notifying the Claimant of a Sanctionable Failure

The action to take when notifying the claimant of a sanctionable failure depends if you are in conversation with the claimant, or if they have been identified as having complex needs.

If you are not in conversation with a claimant who does not have complex needs, and the claimant has not already been in contact to explain their reasons for FTA, you must send them a Good Reason Gather notification.

There are different notifications, depending on the sanction level. These can be found in the **Sanctions Hub** in **About Universal Credit**.

Populate the appropriate notification with details of the failure, and the date the information must be returned by. This will be 8 calendar days from the date of posting.

Post the notification and upload a copy to DRS.

You will also access the HTK Horizon Portal and send the claimant an SMS text message, using template 'UC-FTA'

Set a CAMLite task for an account developer as follows:

- Task Type: Failed to Attend
- Sub Type: Action Required
- Start task From: 8 days from today's date
- 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

Set a second CAMLite task as follows:

- Task Type: Failed to Attend
- Sub Type: Action Required
- Start Task From: 14 days from today's date
- SLA: 3 days
- Notes: FTA dd/mm/yyyy. If no engagement UC74 required for doubt of entitlement

You can set the **Start Task From** for a longer period where the claimant needs to seek information or evidence from a third party, or has an agent or representative

If there are multiple sanctionable failures the agent gathers Good Reason for each sanctionable failure and completes a notification for each failure.

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.

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 provides 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.

Where 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 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 worksearch 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 New Style JSA 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.

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 i.e. 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 and the claimant has not provided 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: 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. 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.

Decision Maker Determines that Further Evidence is Required

When the DM receives the sanctionable failure referral, they may determine that they need further information from the claimant or from the claimant's current or previous employer.



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.

Where a job was a zero hours contract with an exclusivity clause, the claimant will have good reason for not accepting such work and a sanction should not be imposed

Contacting the Claimant

If you need further information from the claimant, you 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 **UC101** 'Employer information template' with a copy of the 'Contacting your last employer' consent form signed by the claimant.

If the call is successful and the claimant is able to give the information over the phone, record their reasons, word for word. You must read back the responses to the claimant for confirmation.

Record the reasons in **WSP** specific **Doubt Notes**.

If the reasons provided by the claimant raise further doubts (for example, against the claimant's work availability requirements) you should consider raising further sanctionable failure referrals.

Tell the claimant that all information received will be considered and they will be notified of a decision in due course.

If the call is unsuccessful or the claimant is not able to provide the information over the phone, send a **UC69 Good Reason Gather Further Information Request** notification. This can be found in the **Sanctions Hub** in **About Universal Credit**.

Set a CAMLite task as follows:

- Task Type: Decision Maker Complex
- Sub Type: Sanction Decision
- Start task From: 10 Calendar days
- SLA: 3 days
- Notes: AR code, date of sanctionable failure dd/mm/yyyy and brief description. Awaiting further good reason gather from claimant. Date of sanctionable failure Multiple Referrals

- Assigned To: UC-DM complex

In all cases, update the **WSP Doubt Notes** and **CAMLite Contact History** with the action taken.

Contacting the Claimant's Current or Previous Employer – UC101

If you need further information from a current or previous employer, send form **UC101**, which can be found in the **Sanctions Hub** in **About Universal Credit**.

You must have the claimant's consent to contact their previous or current employer before you can send the **UC101**. The claimant gives their consent on **form UC84/UC84A**

If a claimant has either:

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

you 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 you have the claimant's consent, Complete the **UC101** using information from the **UC84/UC84A** on **DRS** and **WSP** specific **Doubt Notes** and **Employment History**.

Send the **UC101** to the employer and upload a copy to DRS.

The following task will be set for an employer request for further information:

Set a CAMLite task as follows:

- Task Type: Decision Maker Complex
- Sub Type: Sanction Decision
- Start task From: 14 Calendar days
- SLA: 3 days
- Notes: AR code, date of sanctionable failure dd/mm/yyyy and brief description Awaiting UC101 from Employer. Decision required. Date of sanctionable failure. Multiple Referrals
- Assigned To: UC- DM complex

Update **WSP Doubt Notes** and **CAMLite Contact History**.

When the task matures, check DRS to establish if a reply

has been received from the employer. If a reply has been received, use the evidence provided by the employer when making the decision.

If a reply hasn't been received, DM makes the decision using the available evidence.

Circumstances in which Form UC101 must not be issued

The UC101 must not be issued if

- the **UC84/UC84A** has not been issued, is outstanding, or the consent form has not been completed and returned by the claimant
- a **UC101** was sent to the same employer for the same period of employment on an earlier claim
- the claimant was employed outside Great Britain
- the claimant was self-employed
- the claimant was employed by an employment agency on a temporary basis, the contract has been terminated and they produce evidence showing the end date of the contract or employment
- the claimant was discharged from a holiday camp or centre at the end of the season or was employed as a Royal Mail Christmas temporary employee

- the claimant last worked as a variety artiste, actor or dancer
- there is an oil rig worker's contract of employment held on DRS
- the claimant is covered by an employer's redundancy list
- the claimant has provided a termination notice stating the dates of employment and the reason for the termination
- the employer is known to be insolvent

The following employers are known not to return the UC101:

- Accenture
- Angard Staffing (for Royal Mail Christmas staff)
- City Facilities Management
- ESSO Petroleum
- ROC UK LTD
- Royal Mail
- Virgin Media.

In these circumstances, make your decision on the available evidence.

Giving the Claimant a Chance to Comment

If a clear allegation of misconduct has been made, the evidence must be put to the claimant for comment before a sanction can be imposed.

However, if there is not enough evidence to prove misconduct, you must not ask the claimant to give further evidence that would help justify a sanction.

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 contacting the claimant's previous or current employer
- 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 record, edit and remove a sanction outcome on the Agent Portal
- explain how to record a sanction outcome in WSP
- 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
- state the actions to take when a claimant has a change of circumstances that affects their daily reduction rate.

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.



Action to take when a sanction is not imposed

This is a new process. At the time of publishing, it was not possible to have a simulation or screenshots. The action detailed below lists the steps to take to record a not imposed sanction on the Agent Portal.

However, by practising the **Recording a Sanction on the Agent Portal (Sanctions Portlet)** simulation detailed below, the learners will gain an understanding of what the **Payment Management: Sanctions** screens look like.

You may wish to get the learners to practise the simulation before describing the action below.



Show Slide 25 – Recording a Sanction on the Agent Portal (Sanctions Portlet)



The learners will now have the opportunity to see and practice recording a sanction on the Agent Portal (Sanctions Portlet).

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 Sanction on the Agent Portal (Sanctions Portlet)" simulation.

On the Claim Administration homepage, select **Payments Management: Sanctions**

Select **Add New**, this displays **Add Conditionality Sanction**

Note: The **Manually Consumed** checkbox is left unchecked unless a portion of the sanction has already been consumed manually, prior to the sanction being added to the portlet. For example, the first assessment period was paid manually as the claim was in error status.

Select the **No** radio button

This displays the **Confirm Add Conditionality Sanction** screen - **submit - Payment MANAGEMENT - SANCTIONS - notif generated**

Enter the **Date of Conditionality Failure** field via the dropdown box

Enter the **Date of Decision** field via the dropdown box

Select the **Yes** radio button in Check the Requirements met/lifted (if known)

Populate the **Date Requirements met/lifted** field (if known)

Enter the **Date of Good Reason letter/conversation** field via dropdown box

Populate the **Sanction Level** field – the available options are: **Higher, Medium, Low** and **Lowest**

Populate the **Reason for Sanction** field (the available options will display once the **Sanction Level** has been selected)

Once the **Reason for Sanction** is selected the **Sanction Reason Code** (AR Code) will be displayed.

The **Notification Personalisation** section displays mandatory fields if completion is required.

Automated Notifications Personalisation

Notifications that are automated will require specific information to be input within the **Notification Personalisation** section.

Not all notifications are automated, so will not need this information to be input

Personalisation fields must not start with a capital letter, end with a full stop or other punctuation mark and must not contain 'you' 'your' etc. The text input here will appear mid sentence on the automated notification, for example "did not update and provide copy of CV" or "did not apply for vacancy with Boots".

The mandatory fields are driven by the **Reason for Sanction** option selected.

The majority of these fields have auto-populated dropdown options. However, where the field to be completed is free text, the DM must be specific and be mindful of:

- the text they input will appear in the middle of a sentence, so should not begin with a capital letter or end with a punctuation mark
- the text they input must be specific to the requirement set
- the language they use must be free from jargon and

abbreviations

When completing the **Particular, Specific Work Search Action, Work Prep Requirement** and **Required action to comply** fields avoid using of "you", "you're", "your", "they", as the wording will also be used in the partner notification.

Read the automated notification so that the wording, grammar and tense you use fits into the sentence you are constructing.

The DWP Communications Standards site provides useful help on written communications, and includes sections on tone of voice and an A to Z style guide.

Select **Next** and **Submit**. This returns you to the **Payment Management: Sanctions** screen.

If a manual notification is required, access the relevant claimant/partner notifications from the **Sanctions Hub** in **About Universal Credit**.

Update **CAMLite Contact History** and upload the LT54 to **DRS**.

Action to Take When a Sanction is Imposed



This is a revised process. At the time of publishing, it was not possible to have an amended simulation or screenshots.

The **Recording a Sanction on the Agent Portal (Sanctions Portlet)** simulation detailed below will give the

learners an understanding of what the **Payment Management: Sanctions** screens look like.

You may wish to walkthrough the simulation with the learners and highlight the changes described below.

When selecting **Add New**, the **Add Conditionality Sanction** screen displays.

There is a new field, **Impose Sanction**, with **Yes/No** radio buttons

Select the **Yes** radio button

After **Date of Decision**, there is a new field - **Date of Good Reason letter/conversation**. Enter the date via the dropdown menu.

Once the **Reason for Sanction** has been populated, the **Notification Personalisation** section will display any mandatory fields that must be completed.

Follow the guidance on completing these fields as detailed in earlier in this learning.

If the **Duration** entered means the claimant's Total Outstanding Reduction Period (TORP) is above 1095 days, the following message will appear "**The Duration entered means the individual's TORP is above 1095 days. Please enter [x] days**".

Enter the number of days quoted in the message and record this on the LT54.

If the duration of the sanction is anything other than the standard number of days, the system displays the following message: "The sanction duration you have entered is not one of expected value, please check this is correct before proceeding."

- the standard number of days for higher level sanctions are 91, 182 and 1095 days
- the standard number of days for medium level sanctions are 28 and 91 days

Inputting a non-standard amount should only occur when entering a legacy sanction or when the TORP is exceeded.

If the sanction is low level, populate the **Additional Fixed Period (days)** field (taken from the LT54) and for a low/lowest level sanction, the agent also enters the **Date of Compliance**.

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)

For all sanctions, ensure that the **Apply Standard Rules** radio button is set to **Yes**.

Note: **Apply Standard Rules** only applies to Migrated Legacy Sanctions.

When the sanction has been recorded, a message appears informing you if a notification will be automatically generated by Universal Credit overnight.

The automated decision notifications are listed in Topic 01.

If the system is not able to generate the notification, a warning message appears. In these circumstances you must consider creating a manual notification.

Note: For Low and Lowest Level sanctions, where the claimant has complied and sanction is being edited with the compliance details, a notification is generated which supersedes the original notification.

Compliance Action

If the LT54 does not hold any compliance activity for a Low or Lowest sanction, determine if a manual notification to the claimant/partner is required.

If a manual notification is required, access the relevant claimant/partner notifications from the **Sanctions Hub** in **About Universal Credit**.

If you consider that the Claimant Commitment needs updating. For example, you consider the compliance activity to be unreasonable, send a **WSP** task to the owning Work Coach "**Please consider review of Claimant Commitment following Sanction Decision**".

You should also send this task if the claimant is persistently incurring sanctionable failures.

You must also record the sanction details on **WSP**. This is covered later in this topic.

Claimant Has Complex Needs

If you impose a sanction on a claimant who has complex needs, an appointment must be booked with the Work Coach so that they can explain the decision to the claimant.

Set a CAMLite task to the AD as follows:

- Task Type: Generic Clerical Task

- Sub Type: Action Required
- Start Task From: This will be today's date
- SLA: 3 days - **Change the SLA to 1 day**
- Notes: Complex needs outcome decision LT54 uploaded to DRS on dd/mm/yyyy. Book 'Explanation of decision (DMA) interview. Multiple Referrals
- Assigned to: UC-Work Services

This action the AD takes is covered later in this topic.

Update **CAMLite Contact History** and upload the LT54 to **DRS**.

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 26 – 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.



Show Slide 27 – 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.



This is an amended process. At the time of publishing, it was not possible to have a simulation or screenshots. There are the new steps in addition to the simulation. You may wish to get the learners to practise the simulation and highlight the new steps detailed below as they go through 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)

When the DM/ADDM has recorded a new sanction on the Agent Portal, and are aware that a compliance condition has been met or lifted, they edit that sanction.

This is because the compliance date cannot be input when the sanction is recorded.

This action may also be instigated by the Work Coach. However, as they do not have the have permission to amend the claimant's record on the Agent Portal, they create a CAMLite task for the AD to update the Agent Portal.

On maturity of the CAMLite task, the following is displayed:

- Task Type: Decision Outcome
- Sub Type: Sanction
- Start Task From: Today's Date

Notes: Claimant has complied or sanction lifted on (dd/mm/yyyy), insert details of the compliance and the reason(s) for lifting the sanction

If the LT54 holds compliance details for a Low or Lowest Level sanction, check if the date of compliance met/lifted is within the current Assessment Period.

View **Award Summary** from the **Claim Information** section on the **Claim Admin** homepage for the Assessment Period.

If date of compliance met/lifted isn't within the current Assessment Period, set a CAMLite task to the AD to consider any potential under/overpayment:

- Task type: Generic clerical
- Task sub type: Overpayment Action
- Start task from: Today's date
- SLA: 1 Day
- Notes: "Consider potential under/overpayment. Low/lowest sanction applied, compliance date DD/MM/YYYY"
- Assigned To: UC – Work services

You should also set this task for the AD if you identify an under/overpayment.

If the date of compliance met/lifted is within the current Assessment Period, identify the relevant sanction on the **Payment Management: Sanctions** screen.

Select **Edit** to add compliance details.

In the **Reason for editing** field, there is a new option - **Compliance met**. Select this option from the dropdown menu.

If the **compliance condition** was **Met**, select the **Yes - met** radio button.

There is a new field to complete – **Action Taken To Comply** – This is a free text box and should be completed with the action the claimant has taken to comply.

If the **compliance condition** was **Lifted**, select the **Yes** radio button.

When the edited sanction has been submitted, the **Payment Management: Sanctions** screen is displayed.

For Low or Lowest Level sanction, a message is displayed informing you that the Sanction has been added or amended and if a notification will be automatically generated by Universal Credit overnight.

If the system is unable to generate the notification, a

warning message displays and you must consider creating a manual notification.

If a manual notification is required, access the relevant claimant/partner notifications from the **Sanctions Hub** in **About Universal Credit**.

When the **Date of Compliance** field is edited, the following message may appear:

"Potential over sanction, please check all data entered"

This message indicates that the claimant may have been underpaid Universal Credit. Therefore, you must consider if any arrears are due to the claimant.

Note: From 29 November 2016, a daily scan is run to identify any claimants that have been sanctioned for an incorrect period and may be due arrears of Universal Credit.

The action to take on receipt of this scan can be found in About Universal under the heading Over sanctioned cases.

If a manual notification to the provider is required, take the action detailed earlier in this learning.

Update **CAMLite Contact History** with details of the action taken and upload the LT54 to **DRS**.

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.



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.



Show Slide 28 – Recording Sanction Details on WSP

Recording Sanction Details on WSP



The learners will now have the opportunity to see and practice recording sanction details 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 Sanction Details on WSP"** simulation.



Prior to this WSP release, the AD recorded sanction information on WSP. The DM/ADDM will now take this and all subsequent action. Please emphasise this point to the learners.

There has been a change to the process which is not in the simulation.

Tell the learners that they have to complete the following steps in addition to the action detailed in the simulation.

Where the sanction is Low or Lowest Level and the claimant has complied

If the claimant has complied or the requirement has been lifted, populate the **Duration** field and select **Save and Close**. The **Compliance date calendar** look up is displayed.

Select this and input the compliance date, then select **Save and Close**.

If the claimant has not complied, select **Yes** on the **Duration Open ended** radio button and then select **Save and Close**.

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

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 the **related doubt** from the list presented

Select the **decision** hyperlink.

Complete the **Compliance Date** field.

Update **Notes** field.

Update the **Agent Portal** as per earlier learning.

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 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 warning message "Adding this sanction means the TORP is exceeded. Please refer to the Sanction Specialist team" displays, please take the action described earlier in this topic.

For low level sanctions, the AD sends form UC96 to the claimant (and, if applicable UC379 to their partner), uploads a copy to the Document Repository System (DRS) and updates CAMLite Contact history with the action taken. For

lowest level sanctions, the AD will send UC96a to the claimant and UC378 to their partner

If the system is not able to generate the notification, a warning message appears. In these cases, you must consider creating a manual notification.

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

Select **Save and Close**

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)
- 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

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 details of 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.

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, all unexpired sanctions for that claimant 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 sanctioned 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.

Topic 03 - Summary



Show Slide 29 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 30 – Topic 04 Third Party Provider Referrals and Outcomes



Show Slide 31– 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. CWP will end on 27th October 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.



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 i.e. 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 to

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 32 – 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 Reconsiderations and Appeals



Show Slide 33 – Topic 05 Reconsiderations and Appeals



Show Slide 34 – 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 which outcome notification to issue to the 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 35 – 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 36 – 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 favourable recon on WSP"

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 i.e. 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

Decision Maker Action Following a Reconsideration or Revised Decision

Once the DM has made their revised decision, they need to update both WSP and the Agent Portal with the revised decision details.

WSP Action

In WSP Claimant doubt screen, select the specific doubt. This opens the individual doubt screen.

Select Decision and input the decision details from the LT54. This will include the level, duration, reduction rate, open ended (Yes or No) and outcome.

The options for a revised outcome are:

- allowed
- sanction applies
- cancelled.

Save and close. This returns you to the Doubt screen.

Select Notes, and add a new note. Populate the note with details of the decision and outcome. Include any change to level or duration of sanction. If the DM has upheld the decision, this should also be included.

Select Save and close.

Action to take if the request is withdrawn or original decision upheld

Where the original decision is upheld or the claimant withdraws their request for reconsideration, follow existing processes for issuing the Mandatory Reconsideration Notification. This can be found on the **Sanctions Hub**.

Action to take if the original decision is favourable

Where the original decision is revised in the claimant's favour, you must determine if any subsequent sanctions also need revising.

If they do, these must also be recorded on WSP once you have made the revised decision(s).

In WSP select the appropriate doubt from the **Doubt** screen.

Select **Decision** and input the decision details from the LT54.

Select **Save and close**.

Select **Notes**, and add a new note with details of the revised decision(s).

Select **Save and close**.

Recording the Revised Decision on the Agent Portal

The DM updates the Agent Portal with the outcome of the reconsideration.

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



Why does the DM need to identify if any subsequent sanctions need to be revised?



If subsequent sanctions have escalated, they need to be revised, as the sanction durations will be incorrect.



Show Slide 37 – Action when subsequent sanctions need to be revised

Example

The claimant has had three higher level sanctions imposed.

First sanction on 01/10/2013 – 91 days.

Second sanction on 01/11/2013 – 182 days.

Third sanction on 01/08/2014 – 1095 days.

The first sanction is revised. This means the second and third sanctions must be reconsidered, as the sanction lengths are incorrect.

The sanction dated 01/11/2013 now become the first sanction – 91 days, and the sanction dated 01/08/2014 now becomes the second sanction – 182 days.

In effect, this is the escalation process in reverse.

When the DM revises a decision, they complete a new LT54 for each one and uploads them to DRS.

The revised decision(s) must also be recorded on WSP.

In **WSP** select the appropriate doubt from the **Doubt** screen.

Select **Decision** and input the decision details from the LT54.

Select **Save and close**.

Select **Notes**, and add a new note with details of the revised decision(s).

Select **Save and close**.



The process for recording the referral and outcome detailed above must be repeated for all subsequent sanctions revised by the DM.

Notifying the Claimant of the Mandatory Reconsideration Outcome

The DM notifies the claimant of a favourable outcome of their reconsideration request or a revised decision.

For favourable reconsiderations, complete letter **UC99** for the claimant and **UC178** for their partner, if appropriate.

For revised decisions, complete letter UC197. Send a copy to the claimant's partner, if appropriate.

These letters can be found in the **Sanctions Hub**.

Upload a copy to DRS.

As the revised decision may cause a potential under/overpayment, you need to create a CAMLite task as follows:

- Task Type: Payment
- Sub Type: Assessment Period OP/UP check
- Start Task From: Today's date
- SLA: Urgent 1 day
- Notes: 'Reconsideration completed, see LT54 decision in DRS in DRS dated (dd/mm/yyyy), consider issuing UC15 Reconsideration appeal to Debt Management'
- Assigned To: UC – Work services

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 (AD) to record this on WSP.

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 process for dealing with appeals is covered in UC053 Reconsiderations and Appeals.

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

- 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

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.

Lapsing an appeal

Although HMCTS may have accepted an appeal, the DM can still consider revising the decision under appeal.

When the DM revises a decision in the claimant's favour and the claimant is satisfied with the revised decision, the DM can lapse the appeal. Record this action on WSP as follows:

- Select the relevant **Doubt** from the **Doubt Associated View** screen.
- Open the **reconsideration record** and select **Allowed** from **Appeal Outcome**.
- Enter the date of the decision in **Decision made on**.
- Enter your name in **Decision made by**.
- Select **Save and close** twice to close the doubt record and return to the claimant record
- Select **Notes** and Add new note (populates notes with a WSP note saying 'Appeal referred on xx/xx/xxxx (date) lapsed following revised decision'.
- Select **Save and close**.

The DM:

- update the Universal Credit Agent Portal with outcome of the lapsed appeal. (Edit or remove a sanction on Universal Credit Agent Portal covered earlier in the learning)
- determine if there are any subsequent sanctions at the same level dated within 12 months of the original sanction decision date. If sanctions exist, you should reconsider these.



Preparing and submitting appeal responses is covered in other Decision Maker learning.

Appeal Outcome Action

HMCTS send the appeal outcome to DWP.

The DM receives a task stating that an appeal outcome is held on DRS.

The DM accesses DRS and views the appeal documents. If the appeal is favourable, and the DM considers that a Written Statement of Reasons is not required the DM:

- record the date that the appeal outcome was received and that it is held in DRS.
- send the documents to DRS to be scanned. These are marked 'No CAMLite action required' to prevent a

CAMLite mail received task being created.

- update the Agent Portal (if the appeal outcome changes the Universal Credit award) with the decision, checks if there has been any under or over payment and record this on a UC6.
- close all claimant records

If the outcome of the appeal upholds the original decision the DM sends all the relevant appeal documents to DRS to be scanned. These are marked 'No CAMLite action required' to prevent a CAMLite mail received task being created.

If the outcome of the appeal changes the Universal Credit award update the Agent Portal with the decision and checks if there has been an under or over payment and records on a UC6.

closes all claimant records.

If the outcome of the appeal is returned 'Appeal reinstated' the DM:

- create a manual CAMLite task for the AD with the following details:

Task Type: Generic Clerical

Sub Type: Action Required

Start Task From: 3 calendar months from today's Date

SLA: 3 Days

Notes: Claimant is appealing decision dates dd/mm/yyyy, has appeal outcome been received, check DRS

Assigned To: UC – Work Services

- consider if the appeal was struck out before a response was prepared. In this is the case another will need to be prepared and submitted within the 28 day time limit.
- send all relevant appeal documentation to DRS to be scanned. Marked 'No CAMLite action required'
- close all claimant records

For other appeal outcomes, CAMLite Contact history is updated and all relevant documents are sent to DRS marked 'No CAMLite action required'.

In all cases the DM considers whether Debt Management needs to be notified of the mandatory reconsideration/appeal request and/or the mandatory reconsideration/appeal outcome. They must check CAMLite notes to confirm if the appropriate action has already been taken to prevent duplication.

Debt Management must be notified of the request or outcome using the appropriate form.

When a valid mandatory reconsideration or appeal is received against an overpayment of Universal Credit, Debt Management must be notified so that they can suspend the recovery of the overpayment. Complete and issue a mandatory reconsideration/appeal suspension notification.

When a decision is made on a mandatory reconsideration/appeal request against an overpayment of Universal Credit, Debt Management must be notified of that decision so that the appropriate action can be taken.



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



Action to take where the DM considers that a Written Statement of Reasons is required is covered in UC053 Reconsiderations and Appeals.



Show Slide 38 – 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.

Recording the Appeal Outcome on WSP(appeal not lapsed)

Once an outcome of an appeal has been determined, the DM receives a CAMLite task with the following details:

Task Type: Scanned Correspondence

Sub Type: Appeal and Recon letters

SLA: 3 Days

On receipt of the task, the DM accesses DRS to obtain copies of the appeal documents.

After viewing the appeal documents and the outcome, the DM enters the details of the appeal outcome into WSP.

To record the outcome, the DM:

- Select **Doubt** within the Doubt screen which relates to the appeal
- Select **Appeal** from the decision field
- Select **Outcome**

Select **Appeal outcome** and the relevant option as displayed:

- Allowed
- Disallowed
- Withdrawn at claimant's request
- Out of time
- Struck out

Enter the date in the **Decision made on field** (this is the date the appeal was decided on).

Enter the date in the **Decision made by** field (populate with HMCTS).

Select **Notes**

Select **Add new note** and populates with decision outcome including any change to the level or duration of the sanction.

Select **Save and close**

Outcome of the Appeal Not in the Claimant's Favour

If the outcome of the appeal is not in the claimant's favour, for example the decision is Decision upheld, Disallowed, Withdrawn or Struck out then the outcome of the appeal must be recorded in WSP.

Select **Add a new note** from the **Notes** section, records details of the revised decision and outcome in the **Notes** field and select **Save and close**.

Outcome of the Appeal is Allowed

Unless the appealed decision is for a pre-claim failure, the DM must impact the outcome of the appeal on any other sanctions imposed against the claimant.

This is because where a claimant has had a subsequent sanction imposed (at the same level as the appealed decision) the outcome of the appeal may impact upon the length of the sanction applicable for the subsequent failure.

On the **Doubt associated view** on WSP the DM:

- Select **From** in order to sort all doubts into chronological order.
- Using this information determine whether the claimant has had any sanctions (at the same level as the original sanction) imposed after the appealed sanction.

If the claimant has not had any subsequent sanctions imposed at the same level, notify the claimant (and their partner if applicable) of the outcome of the appeal by issuing UC95.

If the claimant has subsequently had another sanction imposed at the same level, the actions required are dependent upon the level of the sanction.

If the sanction is at the lowest level, there is no progression

(a claimant will receive an open ended sanction pending their compliance), therefore notify the claimant (and their partner if applicable) of the outcome of the appeal.

If the sanction is at any other level (higher level, medium level or low level) the length of the subsequent sanctions must be looked at again due to the outcome of the appeal on the succeeding decisions.

For each subsequent sanction (at the same level)select **Add a new note** from the **Notes** section and records details of the revised sanction applicable including:

- details of the appeal
- level of failure
- first, second or third failure

Selects **Save & close**.

Notifies the claimant (and their partner if applicable) of the outcome of the appeal.

Action must be taken to pay to the claimant any money that was wrongly cut from their payments in relation to a sanction that was subsequently overturned or amended. The processes are contained in Edit or remove a Sanction on Universal Credit Agent Portal and Suspensions, terminations and withdrawals which can be found on About Universal Credit.

In this topic you have learned how to:

- 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
- describe the additional action to take when an appeal outcome is received
- identify which outcome notification to issue to the claimant/partner for reconsideration and appeal outcomes.

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? – It is the same claimant throughout.

- 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 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 39 – Topic 05 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



Show Slide 40 – Module Summary

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
- actioning reconsiderations and appeals.