



UCFS25 GEN Sanctions and FTA Part 1 – Overview

Facilitator Led Brief
v15.0

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Delivering Sanctions Learning



Show Slide 01, from Slide Deck 1 – Module Title



This is the first in a suite of modules about sanctions.

There are 2 Slide Decks, supporting the Sanctions modules.

Slide Deck 1 supports Parts 1, 2 and 3

Slide Deck 2 supports Parts 4, 5 and 6

The module timings are:

Module	Module title	Duration
UCFS25	Sanctions Overview	100 minutes
UCFS25	Referring Sanction Doubts	120 minutes
UCFS25	Failure to Attend	85 minutes
UCFS25	Sanction Duration	120 minutes
UCFS25	Open-Ended Sanctions	45 minutes
UCFS25	Explaining Sanction Decisions	90 minutes
Total duration		560 minutes



Learners will be asked to research Universal Learning.

The links below are provided, for those with accessibility requirements.

Universal Learning > Sanctions > At a glance–Sanctions

[Universal Learning - Sanctions](#)

Ensure that they can access the Universal Credit chapters of Advice for Decision Making.

It can be found by following this filepath:

DWP A to Z > A > Advice for Decision Making > Universal Credit (UC) chapters.

[ADM: Universal Credit Chapters](#)



It is recommended that you prepare flipchart with the relevant headings on separate pages:

- at the beginning of the claim
- when the claimant has agreed to take an action and there may be a sanction if they do not do it
- when the claimant has done something that could result in a sanction unless they can show good reason
- when a sanction has been imposed and the claimant asks why

Module Aims and Objectives



Show Slide 02 – Module Aims and Objectives



Allow time for learners to read the slide.

Previously, we learnt about commitments and the importance of setting requirements.

This learning focuses on what we must do when the claimant fails to meet their agreed requirements.

Each time the claimant fails to meet a mandatory requirement we must consider whether a sanction may apply. A sanction is a reduction in the claimant's award.



How do claimants find out about sanctions?



When the claimant accepts their commitments, they are directed to read 'About reduced payments (Sanctions)'.

It stays as a link in the claimant's journal, so they can refer to it again.



Ask learners to find out more about sanctions from Universal Learning.

Direct them to Universal Learning.



Find the ‘Sanctions’ topic on the left-hand side.

Read Introduction – Policy Intent only.

Ask learners to think about what they read and discuss the role that sanctions play in Universal Credit.

Expect the following points to be covered:

- **the aim of sanctions is to focus claimants on moving towards work, into work, or increasing their pay**
- **requirements should always be achievable**
- **the claimant should be aware that if they do not meet their requirements there are consequences**



Learners should be aware that sanctions are not something that we expect to impose.

Ideally, we would not use them, as claimants would take all agreed action to meet their requirements.

Sanction Levels



CONVERSION LEARNING ONLY:

Learners should be aware of the sanction levels.

Signpost them to the relevant sections of Universal Learning, then move to ‘Exercise – identifying doubts’.

You have read that there are 4 sanction levels.

The sanction reasons are linked to the levels. Sanction length is also dependent on the level.

Find out more about them now.



At present the low level sanction information is more clearly explained in Advice for Decision Making (ADM).

For the activity below, refer learners to the ADM for information about low level sanctions.



Ask the learners to work together in two groups and give each group some flip paper.

Assign the groups to consider one of the following:

- higher and medium level
- low and lowest level

Refer the learners back to the sanctions section in Universal Learning.

Also refer the group researching low level sanctions to the Universal Credit chapters of Advice for Decision Making. They should access Chapter K5: Low Level Sanctions, paragraph K5015.



Ask the groups to note the following on flipchart:

- the reasons sanctions are imposed
- the lengths of the sanctions at that level (just the number of days)
- the regimes that are affected by sanctions of that level



After 5 minutes ask a representative from each group to feed back to the other groups.



Expect the learners to have identified the following.

Group 1:

Higher level sanctions

- cease paid work or lose pay through misconduct
- cease paid work or lose pay voluntarily without good reason
- without good reason fail to apply for a particular vacancy notified to the claimant
- without good reason fail to take up an offer of paid work



Higher level sanction duration is fixed at:

- 91 days
- 182 days
- 1095 days
- For eligible 16/17 year olds: 14 days or 28 days

Higher level sanctions can apply to claimants in the intensive work search regime.

A higher level sanction can also apply to a claimant in the 'working enough' regime who loses work through misconduct or leaves work, or reduces their pay voluntarily.

Medium level sanctions

Without good reason:

- fail to undertake all reasonable work search action
- fail to be able and willing immediately to take up paid work (or more paid work, or better paid work)



Group 1 continued:

Medium level sanctions run for:

- 28 days
- 91 days
- For eligible 16/17 year olds: 7 days or 14 days

Medium level sanctions can only apply to claimants in the intensive work search regime.



Group 2:

Low level sanctions

Without good reason:

- fails to carry out specific work search action directed by the DWP or provider without good reason
- fails to meet a specific work preparation requirement
- fails to provide evidence or confirm they are meeting requirements
- failure to attend (FTA) a meeting at the jobcentre or provider



Group 2 continued:

- **fails to report any specified changes in their circumstances relevant to work related requirements**

Low level sanctions have 2 components to work out the duration: an open-ended period and a fixed period.

The fixed period is:

- **7 days**
- **14 days**
- **28 days**

Low level sanctions can only apply to claimants in the:

- **work preparation regime**
- **intensive work search regime**

Lowest level sanctions:

- **fails to attend or participate in a work focused interview without good reason**

Lowest level sanctions are open-ended and do not have a fixed period.

Lowest level sanctions only apply to claimants in the work focused interview regime.



Claimants in the light touch regime are in the all work related requirements group.

That means they are subject to the same requirements as someone in the intensive work search regime.

However, only mandatory activities are subject to sanctions and we do not mandate claimants in the light touch regime.



The only requirement is for them to report all changes of circumstances.

They will also be subject to higher level sanctions if they leave work or lose pay voluntarily or through misconduct.



Leave the flipcharts up for the learners to refer to later in their learning.

You can see that low and lowest level sanctions have an open-ended period.

That means sanctions of those levels usually last until the claimant takes the action they were required to take.

For example, FTA is low or lowest level.

The open-ended period will last until the claimant rebooks their missed meeting and then attends.



A claimant taking the action they were required to take is called 'compliance'. We will find out more about open-ended sanctions and compliance later.



Allow time for learners to consider the listed failures and how they link to requirements.

They may identify that leaving voluntarily and misconduct are failures that do not have as clear a link to requirements.



These sanctions are imposed when the claimant's action means they have to claim (or claim more) Universal Credit.



One of the reasons we apply a sanction is when the claimant fails to apply for a particular vacancy notified to the claimant, without good reason.

What do we mean by 'particular' and 'notified'?



Expect learners to cover the following points:

- this has to be a specific vacancy
- the vacancy must be suitable for the claimant, taking their circumstances into account
- it must be reasonable to expect the claimant to apply

- the claimant must have been notified about it. That means we have alerted the claimant to it, perhaps by journal
- we have to keep a record, for example, on the commitments
- there must be a time limit
- we must also have explained the consequences if they fail to apply, within the time limit



Sanctions apply to Universal Credit.

When there is a 'dual' claim, meaning a claim for Universal Credit and New Style Jobseeker's Allowance or Employment and Support Allowance, the sanction only applies to Universal Credit.

Exercise – identifying doubts



The following slides have examples to help learners identify different types of doubt.



**Show Slide 03 – Could this be a sanctionable failure?
(1/4)**



Anna did not attend an interview skills course. She agreed to go and it was noted on her commitments.

This is failure to comply with a work preparation requirement (low level).



**Show Slide 04 – Could this be a sanctionable failure?
(2/4)**



Brian agreed to apply for a job that his Work Coach had notified him about. He failed to apply within the time limit agreed.

Brian has failed to apply for a particular vacancy without good reason (higher level).



**Show Slide 05 – Could this be a sanctionable failure?
(3/4)**



Caroline identified a job she could apply for, but she didn't do so. This will not be a higher level failure because Caroline identified the vacancy herself.

To be a higher level failure the work coach has to set a requirement to apply for a particular job vacancy.

If the work coach has evidence that Caroline has failed to take all reasonable action to obtain paid work it can be submitted for a decision (medium level).



**Show Slide 06 – Could this be a sanctionable failure?
(4/4)**



Dave agreed to set up a LinkedIn account, but changed his mind. He set up another online account.

This could be a failure, if the decision maker was satisfied that Dave has failed to take all reasonable action to obtain paid work.

The decision maker may find that the alternative action Dave has taken is reasonable in his circumstances.

You would refer the case for a decision (medium level).



Training providers may also identify doubts, for example, when a claimant has failed to meet requirements on training.

They notify us by sending a form and we take action to refer to the decision maker.

A new agent led process (ALP) is due to clarify the process to follow. Watch for updates.



Check if learners have any questions before moving on. They will have more time to practice identifying doubts during the skills practice module that follows.



CONVERSION LEARNING ONLY:

Move on to ‘Examples – gathering evidence’ to check understanding about their role in gathering evidence for the decision maker.

Good Reason

Next we will find out more about good reason.



When a claimant ceases paid work or loses pay through their misconduct good reason is not considered.

When there is a misconduct case we collect evidence about the facts from the claimant and employer.

When the claimant has failed to take agreed action their Universal Credit payments are reduced, unless they show good reason for the failure.

Your role is to gather information to help the decision maker make a sound decision about whether the claimant had good reason.

In most cases decision makers make sanction decisions.

In FTA cases case managers can make simple good reason decisions. Case managers may also make sanction decisions when a claimant fails to attend a mandatory work search review and does not provide any information to any information to explain why, as long as the claimant has no complex needs.

That is why it is important for you to know what is meant by good reason and how it is applied when considering whether a claimant should be sanctioned.

Additionally, there may be occasions when you need to explain the outcome of a decision to a claimant and having knowledge of good reason will help you with this.

There is a legal requirement to give the claimant every opportunity to provide good reason.



Think about good reason.

How do you think it should be defined?



Good reason can be defined as meaning some fact or evidence that would probably cause a reasonable person to act (or fail to act) as the claimant did.

When making the decision the decision maker would take all of the relevant circumstances into account.

The Decision Maker's Role

You collect the claimant's statement about their reasons, including any evidence to support good reason. You consider whether these reasons match a list of predefined acceptable good reasons only in FTA cases. If their reason is not on that list you refer to the decision maker.

Before making a decision, the decision maker must be satisfied that the claimant has been given an adequate chance to explain why they have not complied with requirements.

When making a decision they must establish the facts and consider if the claimant acted as a reasonable person would have done in similar circumstances.

In particular, they will consider the following points:

- what would be reasonable to expect someone to do in the particular circumstances? For example, was the action or failure to act preventable?
- how would someone in work react in a similar situation?
- what did the claimant do or fail to do that was different to what the required action was?
- what the claimant's reasons were for their action or failure to act as required?



A decision maker can only make their decision if all the required information is fully recorded on the relevant ALP. Ensure you use the correct to-dos otherwise decisions will not be made. To submit a to-do to a decision maker, the Done button in the Refer to Decision Maker to-do should be pressed. This creates a Make a Decision to-do for a decision maker to consider.



What circumstances do you think might contribute to good reason for a failure to meet a work related requirement?



If learners are not sure, ask them to reflect on their previous learning, including easements.



Expect learners to mention the following examples of a claimant's circumstances:

- **being a victim of domestic violence, bullying or harassment**
- **caring responsibilities**
- **being disadvantaged, for example, homeless**
- **having a mental health condition or disorder, disability, or learning difficulties**
- **having a domestic emergency**

- **there is, or there is a risk of, significant harm or unreasonable physical or mental stress to the well being of the claimant or others**
- **having a sincere religious or conscientious objection**
- **having a child who has been affected by death or violence**
- **having certain temporary circumstances, for example attending court**

This list is not exhaustive.

Each case would be considered on its own merits by the decision maker.



In FTA cases you make simple good reason decisions.

We will consider FTA and simple decisions later.

Examples – Gathering evidence

For the following examples, please consider if there is enough evidence for the decision maker to make a good reason determination.



Show Slide 07 – Gathering Evidence (1/2)



Yes, there is enough evidence for the decision maker to determine whether Diane had good reason.

Diane has provided a statement showing that she researched the support that she would need.

She checked the availability of local child-minders and after school provision, but there was nothing suitable for the day and hours she needs.

Based on the information given, the decision maker should be able to make a decision. (Diane had good reason).



You may also discuss whether the claimant has the right level of expected hours, based on circumstances.

Work coaches may need to discuss that with the claimant and ensure that future job opportunities are for a work pattern that suits the claimant's circumstances.

Case managers may need to set a to-do for the work coach to have the discussion.



Show Slide 08 – Gathering Evidence (2/2)



No. The decision maker is unable to make a good reason determination on the evidence available.

Nick has forgotten to attend the skills assessment.



We need to establish whether Nick had any arrangements in place to remind himself of the assessment. For example, setting a reminder on his phone, or noting it on a calendar.

Additionally, we would have to identify if there were any other factors that could have contributed to him forgetting.

For example:

- **does he have a medical condition that affects his memory?**
- **was he on medication, with side effects that include forgetfulness?**
- **had there been a domestic emergency at the time that pre-occupied him?**
- **have his literacy skills (which have yet to be assessed) affected his ability to record a complete answer in his journal?**
- **did he get help completing his journal?**

Responses to these questions will inform the decision maker's decision.

Sanctions and your role

We have discussed the reasons for sanctions and when good reason applies.

Now we'll consider more about your role and the decision maker's role in the process of considering sanctions.



Show Slide 09 – Considering sanctions



Here are 4 statements. Who do you think is responsible for each of these tasks?



By the end of the following discussion, expect learners to acknowledge that the work coach, case manager and decision maker all have a role.



They should work together to support the claimant.



Expect the answer to include the points listed below:

- **everyone in the sanctions process is responsible for explaining sanctions**
- **work coaches and case managers are responsible for identifying when a claimant has failed to meet requirements**



- the person who identified the doubt is responsible for referring it for a decision (work coach, case manager)
- the person who makes the referral is responsible for gathering evidence and recording it accurately - the information recorded on the ALP is vital as it forms the basis of the decision maker's decision
- gathering evidence is an important part of making a quality referral to the person making decisions
- the person who makes the decision is responsible for ensuring their decision is fair, based on the facts
- decisions are usually made by the decision maker, but simple decisions could also be made by a work coach or case manager



What do you think could happen if all the information required on the ALPs is not gathered?



This could result in the decision maker:

- cancelling the referral because they cannot make a valid decision
- asking for further information

- asking for a new referral containing the complete information
- making the wrong decision leading to additional work arising from a mandatory reconsideration or appeal

We must ensure the decision maker can make a decision without asking for further information.



CONVERSION LEARNING ONLY:

Now move onto ‘Communicating about sanctions’ (page 28).

It includes an exercise that supports later skills practice sessions in the sanctions learning.



After discussing the slide, ask learners to discuss their role in more depth.

Allow time for learners to reflect on their role in setting and explaining requirements, which they explored earlier in their learning journey.



Learners may identify the following points are part of their role:

- working with the claimant to set clear requirements.
Explain whether requirements are mandatory or voluntary, in the commitments

- ensuring that it is clear what the claimant needs to do and what they should do if they cannot carry it out, as well as the consequences
- ensuring all mandatory requirements set are reasonable and achievable for each claimant, taking their circumstances into account
- clearly explaining exactly what is required and by when, each time a requirement is set
- checking the claimant's understanding of the potential sanction and its impact when requirements are set
- helping claimants understand sanctions, so that they feel encouraged to meet requirements
- recognising when claimants fail to take a required action
- when a doubt or failure is identified, gathering the reasons why the claimant failed to take the required action and recording them accurately
- referring doubts to the decision maker promptly
- making simple decisions, where it is appropriate to do so
- explaining sanction decisions

- **making it clear to claimants that, if they fail to meet a requirement without good reason, they will receive a sanction**
- **explaining the next steps that a claimant can take when a sanction has been imposed**

Communicating about sanctions

We've discussed your role and an important part of that is to support the claimant in understanding sanctions.

This is especially true when we are supporting claimants with complex needs.

Now we will consider what to say when communicating about sanctions with claimants.



The next activity allows learners to script what they would say to the claimant about sanctions to support the skills practice that learners will do later.



Pin up the prepared flipcharts (see page 4).

Ask the learners to form into 4 groups and direct each group to one of the flips.

Ask them to note what they would say to a claimant about sanctions in one of the following circumstances:

- **at the beginning of the claim**
- **when the claimant is required to do something and the penalty for not doing it could result in a sanction**
- **when the claimant has done something and they are required to show good reason, otherwise a sanction could be imposed**
- **when a sanction has been imposed and the claimant wants to know more about it**

They should consider what they would actually say in conversation with the claimant and write it down.

After two minutes ask the groups to circulate to the next flip and consider what has already been written and whether they have any suggestions.

The learners should spend two minutes considering each scenario.



Check the progress among the groups and, if necessary, remind them to communicate the message positively highlighting the claimant's responsibility to meet requirements that they have agreed.

After the groups have circulated once, display the flips and check the statements held.

Ensure the answers meet the standard of communication that has been explored earlier in the learning journey. (Both as journal entries and in discussion.)

Highlight the positive ways that we communicate the claimant's responsibilities.



Expect the following points to be raised:

At the beginning of the claim:

- **What do you understand about when a reduction can apply?**
- **If you fail to do something that you agreed to do, a sanction could apply. That means your payments will be reduced.**
- **The period that the sanction will last is linked to the reason for the sanction.**



- **Your reasons for failing to take agreed action and your circumstances are always taken into account when the decision maker considers whether a sanction applies.**
- **If you have a good reason for failing to take the action you agreed, you will not get a sanction.**

When the claimant has agreed to do something and there could be a sanction if they do not do it:

- **You have agreed to do X. If you can't do it, get in touch as soon as you can so that it can be re-arranged.**
- **If you don't do X, as agreed, a sanction may apply. You will have to give us the reason why you failed to do X.**
- **We expect you to do everything reasonable to meet the requirement, but sometimes things happen to prevent that. If this happens you should tell us as soon as possible.**

When the claimant has done something that could result in a sanction unless they can show good reason:

- **What are the reasons for failing to do what was agreed?**



- You agreed to X, but you haven't done it. What do you remember about the consequences of failing to do something that we agreed?
- Now that you have explained the reasons, I will send this to a decision maker, who will decide whether to apply a sanction. If they apply a sanction your Universal Credit will be reduced.
- Is there anything else you would like the decision maker to know?

When a sanction has been imposed and the claimant asks why:

- Remember the conditions for receiving Universal Credit include meeting certain requirements.
- When you failed to do X, I explained that a sanction may apply. The decision maker considered your reasons for the failure and decided that a sanction should apply.
- While you receive Universal Credit, you have a responsibility to take all agreed actions to move towards work, into work, or better paid work and move away from benefit dependency.



- **Sanctions are not about punishment. They are about encouraging people to job search relentlessly until they are successful.**
- **What do you know about the support that is available?**
- **Have you considered Recoverable Hardship Payments?**



Display the flipcharts for the remainder of learning about sanctions.

The learners may wish to refer to the suggestions when they come to the illustrative examples.



You may wish to ask learners to add to the lists of phrases as they continue learning about sanctions.



Show Slide 10 – Sanctions – your role



To summarise the learning so far, display the slide and briefly check if there are any questions or issues before moving on.

Module Summary



Show Slide 11 – Module Summary