



# **UC25 GEN Sanctions and FTA Part 4 – Sanction Duration**

Facilitator Led Brief  
v14.0

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## Sanction Duration



**Show Slide Deck 2**

**Slide 1 – UCFS25: Sanctions and Failure to Attend**

## Module Aims and Objectives



**Show Slide 2 – Module Aim and Objectives**



**Allow time for the learners to read the slide.**



**There is quite a bit of technical information in this learning.**

**However, It is important that you emphasise to the learners that they are not expected to retain all the information from this learning.**

**The Full Service system makes most of the sanctions calculations. This learning is designed to give learners an understanding of how sanction durations are calculated, and where they can get information from if they need to explain a sanction to a claimant.**

**In previous topics we discussed sanctions levels and durations.**

We also discussed how sanctions drive engagement, with increased sanction durations for repeated non-compliance.

In this topic we will look at how sanction duration is calculated, and the different factors that can affect sanction durations.

## Escalation

Sanctions are a key part of Universal Credit because they support conditionality by:

- ensuring that a claimant experiences the consequences of a failure to meet a requirement, and
- increasing in length for repeated non-compliance.



**What do we mean by an increase in sanction length for repeated non-compliance?**



**Expect learners to say that if there is more than one sanction of the same level, the second or subsequent sanctions could be longer. This is known as escalation.**

You may need to explain to a claimant why a sanction is a different length to a previous sanction, when it was for the same reason.

That's why it's important to know how escalation works.



Direct the learners to Sanctions in Universal Learning.

Ask them to read the section: Escalation of Sanctions.

**DWP Social Intranet Home > Organisation > Universal Credit > Universal Learning > Sanctions > At a glance – Sanctions > Escalation of Sanctions**

Alternatively, the following hyperlink can be used:

**[Escalation of sanctions](#)**



**Check the learners' understanding and answer any questions before moving on.**

When deciding if escalation applies, only the most recent previous sanctionable failure at the same level as the current failure is considered.

Escalation will apply if this failure occurred:

- more than 14 days before the current sanctionable failure, **or**
- within 365 days of the current sanctionable failure.



**To calculate the 14 and 365 days period, the date of the sanctionable failure is day 1, then count backwards. For example, if the date of the current sanctionable failure is 05/07/2017, the 14 day period ends on 22/06/2017 and the 365 day period ends on 06/07/2016.**



The following slide is designed to show how multiple sanctions do not escalate when they occur within 14 days of the previous one.



Show Slide 3 – Current sanctionable failure within 14 days of the most recent previous sanctionable failure

This slide is animated – Mouse click or Enter 10 times.



The following slide is designed to show how multiple sanctions escalate.



Show Slide 4 – Escalation Higher Level Sanction example

This slide is animated - the timeline is already visible.

Select **Enter: First Sanction**.



**How long is the sanction duration?**

Select **Enter** to display the answer.



**91 days.**

**It's a first higher level sanction.**

Select **Enter: Second sanction** – the failure occurs within 14 days of the previous failure.



**How long is the sanction duration?**

Select **Enter** to display the answer.



**91 days.**

**As you can see, this failure occurred within 14 days of the previous one. Therefore, it does not escalate.**



**Select Enter: Third sanction – the date of this failure is over 14 days after the most recent previous sanctionable failure date.**



**How long is the sanction duration?**

Select **Enter** to display the answer.



**182 days.**

**As this failure occurred over 14 days after the most recent previous failure at the same level but within 365 days of it, the sanction duration escalates.**



**Select Enter: Fourth sanction.**

**This sanction is over 14 days after the previous sanctionable failure date, but within 365 days. This sanction will also escalate.**



**How long is the sanction duration?**

Select **Enter** to display the answer.



**1095 days.**

**This failure occurred over 14 days after the most recent previous failure but within 365 days of it. Therefore, the sanction duration escalates.**

**The claimant's most recent previous sanction duration was 182 days, so the duration is 1095 days.**

## **Pre-claim Failures**

The duration of sanction can also be affected by the type of failure.

There are certain higher level sanctionable failures that occur before a Universal Credit claim. These failures are known as pre-claim failures.



**Ask the learners to give examples of pre-claim failures.**



**Pre-claim failures are where the claimant has:**

- **voluntarily ceased paid work or lost pay for no good reason, or**
- **ceased paid work or lost pay through misconduct; or**
- **failed to take up an offer of paid work for no good reason.**



Escalation does not apply if the most recent previous higher level sanctionable failure is a pre-claim failure.



**The following slide shows a simple view of when pre-claim failures affect escalation.**



**Show Slide 5 – Pre-claim Failures and Escalation**

**This slide is animated – Select Enter 6 times.**



**A claimant could also leave work or lose pay during their claim. Whenever the claimant leaves work during the claim, you should always check the reasons.**

**If the claimant left voluntarily or was dismissed for misconduct, refer the failure to the Decision Maker.**



**Check if the learners have any questions or issues before moving on.**

**They will have a chance to work through examples later.**



**The following 4 slides give the learners the opportunity to work through an exercise, and show how the time-bound limits (14 and 365 days), and pre-claim failures affect the duration.**

**It does not illustrate days to be deducted from the reduction period. That will be covered later.**



**Show Slide 6 – Escalation Exercise (1/4)**

**This slide is animated – Select Enter to the question and allow time for responses.**

**Select Enter again to reveal the answer.**



**Show Slide 7 – Escalation Exercise (2/4)**

**This slide is animated – Select Enter to the question and allow time for responses.**

**Select Enter again to reveal the answer.**



**Show Slide 8 – Escalation Exercise (3/4)**

**This slide is animated – Select Enter to the question and allow time for responses.**

**Select Enter again to reveal the answer.**



**Show Slide 9 – Escalation Exercise (4/4)**

**This slide is animated – Select Enter to the question and allow time for responses.**

**Select Enter again to reveal the answer.**



**Issue Escalation Exercise**

**Put the learners in pairs or small groups and ask them to work through the examples.**



**Advise the learners that they should use the relevant Universal Learning to help them.**

**Allow up to 10 minutes before going through the answers.**

### **Example 1 - Amanda**

Amanda fails to take up an offer of paid work and can give no good reason. A sanction is imposed. 5 weeks later Amanda fails to apply for a particular notified vacancy, again showing no good reason. A second sanction is imposed.



**Will the second sanction escalate?**



**Yes, it will escalate.**

**The most recent previous sanction at the same level is not a pre-claim failure, and occurred within 365 days (but not 14 days) of the previous failure.**

### **Example 2 – Brendan**

Brendan fails to undertake all reasonable work search action one week. He gave no good reason and a sanction is imposed. The following week he fails to be able and willing to take up paid work immediately and gives no good reason for this failure, so another sanction applies.



**Will the second sanction escalate?**



**No, it won't escalate.**

**Both sanctions are at the same level, but the second failure occurs within 14 days of the previous one.**

**Example 3 - Carly**

Carly fails to prepare her CV as directed by her Work Coach and a sanction is imposed.

A month later she fails to undertake all reasonable work search action and a second sanction is imposed.



**Will the second sanction escalate?**



**No, it won't escalate.**

**The sanctions are not at the same level.**

**The first failure is a low level sanction, while the second failure is a medium level sanction.**

**Example 4 – Durud**

Durud leaves his job and applies for Universal Credit. He cannot show good reason for leaving. A sanction is imposed.

Three months later he fails to apply for a particular notified vacancy and again, shows no good reason. A second sanction is imposed.



**Will the second sanction escalate?**



**No, it won't escalate.**

**The most recent sanction at the same level is a pre-claim failure. Therefore, it cannot escalate.**

#### **Example 5 – Durud**

A month after failing to apply for that particular vacancy Durud finds a job.

Unfortunately he becomes involved in some petty theft in the workplace and he is dismissed for misconduct after 2 months. He applies for Universal Credit. A sanction is imposed.



**Will the second sanction escalate?**



**Yes, the sanction will escalate.**

**Although the current failure is a pre-claim failure, the most recent sanction at the same level, which occurred with 365 days but not 14 days, is a not a pre-claim failure.**

## Days to be deducted from the reduction period

Where the sanctionable failure is a pre-claim failure, the reduction period is reduced by the number of days from the day after the date of failure up to and including the day before the date of the claim.



**Show Slide 10 - Days to be deducted from the reduction period (1/2)**

**Select Return or click mouse to reveal question.**



**Show Slide 11 - Days to be deducted from the reduction period (2/2)**



**There are 31 days between the date Stacy left her job (09/06/2017) and the date she claimed Universal Credit (11/07/2017).**

**These days are deducted from the 91 day sanction period. Therefore, the reduction period is 60 days.**

## Consecutively Running Sanctions

We have discussed how sanctions can escalate. Now we will look at how sanctions are applied when the claimant has more than one.

When the claimant has more than one sanction, they run consecutively.

This means that they are applied in order, one after another against the claimant's Universal Credit award.



**The following slide shows that the FTA sanction does not take effect until the misconduct sanction has ended, even though it occurred within the misconduct reduction period.**



**Show Slide 12 – Consecutively Running Sanctions**

**Mouse click or Enter 5 times to show how the FTA sanction applies after the misconduct sanction has ended.**

## Total Outstanding Reduction Period

Sanction periods that have not yet been applied to a claimant's award are added together.

This figure forms the Total Outstanding Reduction Period - the TORP.

So, the TORP is the total of all sanction periods that have been imposed on a claimant but which have not yet been applied to their award.

Each member of a joint claim couple has their own TORP.

The maximum TORP is 1095 days (3 years). If a sanction would mean that the TORP would exceed this figure, the sanction duration is reduced accordingly.

For example, the claimant's current TORP is 1000 days. He receives a higher level sanction of 182 days. When added to the TORP, this would exceed the 1095 limit. Therefore, the sanction is reduced to 95 days.



**When discussing a sanction with a claimant, you must explain it in terms that they will understand. Remember to avoid jargon. For example, never say TORP or include it on a claimant's journal.**



## 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 applied to the new Universal Credit award.



### **Show Slide 13 – Applying a Reduction to a New Award – Example**



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

Paula claims Universal Credit on 06/04/2017. After serving 7 waiting days, her first assessment period starts on 13/04/2017.

Select **Enter** to reveal the date Paula's first assessment period starts.

On 24 May Paula fails to apply for a job.

Select **Enter** to reveal the date of sanctionable failure.

On 01/06/2017 the DM determines that Paula failed to apply for the job without good reason.

Select **Enter** to reveal the date of decision.



**This is Paula's first sanction. How many days will it be for?**

Select **Enter** to reveal the length of the sanction.



**91 days.**

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.



**On what date will this sanction take effect from?**

Select **Enter** to reveal the date the sanction takes effect from.



**13/05/2017.**

**Paula's assessment period starts on the 13th of each month. The DM makes their decision on 01/06/2017, so the sanction takes effect from 13/05/2017.**



**On what date will the sanction end?**

Select **Enter** to reveal the date the sanction will end.



**The sanction will end on 11 August – 91 days from 13/05/2017 to 11/08/2017.**



**The end date would change if a fraud penalty is imposed, as the sanction is suspended.**

Paula finds a full-time job and starts work on 19/06/2017. Her earnings are at a level that takes her off Universal Credit.

Select **Enter** to reveal the date Paula starts work.

Paula doesn't receive her first month's salary until 21/07/2017. Therefore, she continued to receive Universal Credit up to and including 12/07/2017.

Paula's job ends and she claims Universal Credit again from 24/07/2017.

Her assessment period starts on 13/07/2017.

Select **Enter** to reveal the start date of the assessment period.



**Show Slide 14 – TORP to be applied to the New Award (1/2)**



**How many days has Paula's Universal Credit been reduced by her sanction?**



**61 days.**

**AP1 13/05/2017 – 12/06/2017 = 31 days**

**AP2 13/06/2017 – 12/07/2017 = 30 days**



**Show Slide 15 – TORP to be applied to the New Award  
(2/2)**



**What is the TORP to be applied to Paula's new award?**



**30 days (13/07/2017 – 11/08/2017)**

**The TORP equals the sanction duration (91 days) minus  
the number of days already served and/or spent off  
benefit (61 days).**

The sanction runs from the first day of the assessment  
period (AP) for the relevant number of days, unless it  
immediately follows another sanction.



**Sanction length is shown as estimated on the Full  
Service system until the end of the AP.**

**This allows us to take into account any change of  
circumstances that may affect it.**



**Another addition to the TORP should be any unspent sanction periods from legacy benefits like JSA or ESA.**

**While Policy intent is that sanctions are migrated from legacy benefits there is no process in place at present to support it.**

**In addition, sanctions applied to legacy awards within the last year count towards the escalation of Universal Credit sanctions, but there is no system to prompt this action.**

## Termination of Sanctions

A final point about sanctions and the TORP.

Sanctions will remain in place until exhausted subject to three exceptions. Find out more in Universal Learning.



**Direct the learners to Universal Learning:**

**DWP Social Intranet Home > Organisation > Universal Credit > Universal Learning > Sanctions / At a glance - Sanctions**

Alternatively, the following hyperlink can be used:

**[Termination of Sanctions](#)**



**Ask whether they found any information that they could use to support and encourage claimants.**

**Expect learners to discuss how claimants may be encouraged to find work if they know outstanding sanctions will terminate if they work and earn above their CET for at least 6 months.**

### **Determining the Indicative Daily Reduction Rate**

Next we will consider the amount of the reduction.

This is an overview to help you to explain how any sanction deductions are calculated.

The daily reduction rate is the amount by which a claimant's Universal Credit is reduced when a sanction has been imposed.

It is indicative at the point the decision is made, as the claimant's circumstances may be different at the end of the assessment period.



**What factors might affect the amount of the indicative daily reduction rate?**



**Expect the answers to include:**

- The claimant's labour market regime.
- Age of the claimant (and partner if they have one).
- The level of sanction - lowest level sanctions only.
- Whether the claimant is claiming as a single person or in a joint claim.
- Whether in a joint claim both claimants are being sanctioned at the same time.



**Direct the learners to the Universal Learning about indicative daily reduction rates:**

**DWP Social Intranet Home >> Organisation >> Universal Credit >> Universal Learning >> Sanctions / At a glance - Sanctions**

**[Daily sanction amounts](#)**



**The amount of deduction is a proportion of an amount equal to the amount of the claimant's standard allowance.**

**What does this mean in practice?**



**In its simplest terms, a reduction amount is taken from Universal Credit award rather than specifically from the Standard Allowance.**

**Usually, this means that the claimant is left with an amount equivalent to the full amount of any additional amounts paid to them, for example, amounts for children, or housing.**

**However, the reduction could mean the claimant receives no Universal Credit for the period of the sanction. For example, if they receive the standard allowance with no additional amounts.**

**Additionally, where a claimant's standard allowance has been reduced, for example, because they receive earnings, the sanction reduction could affect other parts of the award, such housing costs.**



**Before moving on, check that the learners have seen the rates for joint claims and 16/17 year olds.**

The daily reduction rate varies for claimants in different age groups, because there are different standard allowance amounts for claimants who are under 25 compared to those that are 25 or over.

The indicative rate may change by the time it comes to actually applying the reduction to the award if there is a change of circumstances.

Full Service determines the percentage of standard allowance sanctionable.



The system calculates the amount of UC award the claimant will receive, based on details of:

- the current UC award
- the standard allowance
- the number of days of the assessment period
- the number of days the sanction applies for

If the claimant asks for an explanation of how their award has been calculated, you can refer to Sanctions Universal Learning to support you.



**Ask the learners if they have any questions or issues, before moving on.**

## Sanctions and Compliance

When a work-related requirement is set for a claimant, they must always be in a position to achieve that action by the agreed deadline to comply with the requirement.

A compliance condition should be included in the commitments at the same time as the original work-related requirement.

A compliance condition is the requirement that a claimant needs to complete in order to stop the open-ended period of a sanction building, and to start the fixed period.

It is important that the compliance condition and the consequences of failing to comply are explained to the claimant at the time the original requirement is set, so that they are fully aware of how they can stop the open-ended period building.

For low level sanctions, the compliance condition will usually be the original requirement. However, where this is not appropriate or no longer reasonable, it will be a suitable alternative requirement as specified.

For example:

- a one off event may have passed and cannot be repeated
- the same requirement is not available within a reasonable amount of time, for example a claimant failed to attend a training course and the next course is available at a date too far in the future

In these situations, the compliance condition should be changed.



**The next slide demonstrates shows an example of how not setting an achievable compliance condition could put the claimant into unnecessary hardship.**



**Show Slide 16 – Compliance – unnecessary hardship**



**Allow the learners time to read the slide and check if there are any questions before moving on.**



**For lowest level sanctions, the compliance condition will always be the requirement to attend a work focused interview.**

### **Open-ended Period of a Low or Lowest Level Sanction**



**When does the open-ended period of low level and lowest level sanctions end?**



**Refer the learners to the Universal Learning to find out the answers if required.**



**Expect learners to say that it ends the day before the date the claimant meets a compliance condition.**

**The open-ended period can also end:**

- **the day before the date the claimant falls into the no work-related requirements group (low and lowest level)**
- **in the case of a work preparation requirement, the day before the date the claimant is no longer required to take specified action (low level only)**

- the date on which the award terminates (other than because the claimant ceases to be, or becomes, a member of a couple) (Low and lowest level)



**On the Full Service system you input the actual date that a claimant complies.**



**The following slide shows a simple diagram of how a low level sanction works.**



**Show Slide 17 - Low level sanctions and compliance**

**Select Enter: The X represents the date of the sanctionable failure.**

**Select Enter: The arrow represents the open-ended period of the sanction, which continues until the claimant complies.**

**Select Enter: The fixed period starts after end of the open-ended period.**

If the sanctionable failure is for failing to attend, the open-ended period ends on the day before the claimant contacts Full Service to book a new appointment.

However, the open-ended period does not actually terminate until the claimant actually attends the interview.

Depending on the nature of the failure, a claimant may be able to comply on the same day as the failure.

For example, the claimant fails to attend appointment at 9am. He calls at 4pm the same to re-arrange a new appointment, which he subsequently attends.

The open-ended period would actually be zero.

## Compliance Examples



### Show Slide 18 - Compliance Condition Example 1

**Mouse click or Enter twice to reveal 2 questions.**



**On what date did Naveed comply?**

**What is the duration of the open-ended-period of the sanction?**



**Allow the learners time to respond before displaying the following slide to check their answers.**



### Show Slide 19 - Compliance Condition Example 1

**Answer**

**Mouse click or Enter twice to reveal 2 answers.**



**For low level sanctions only, this will be followed by the appropriate fixed period.**



### Show Slide 20 - Compliance Condition Example 2

**Mouse click or Enter twice to reveal 2 questions.**



**On what date did Molly comply?**

**What is the duration of the open-ended sanction?**



**Show Slide 21 - Compliance Condition Example 2**

**Answer**

**Mouse click or Enter twice to reveal 2 answers.**

**Select Enter again to display a note.**

## Illustrative Examples



The aim of this activity is to get the learners find the information on the Full Service needed to explain a decision to the claimant, and to think about how they will tell the claimant in plain English.

**Tariq example – Higher level sanction, escalation applies.**

**Patricia example – Low level sanction, open-ended element plus fixed period.**



**Split the learners into 2 groups and give them both examples to work through.**

**Ask them to consider:**

- **where they would get information about the sanction from**
- **the level and duration of the sanction (they should be able to work this out from the information available)**
- **how they would explain this decision to the claimant in plain English**

**Get them to record their answers on flipchart, as we will come back to this again later.**



**Show Slide 22 – Illustrative Examples – points to consider**



**Expect the learners to identify that they would find information about sanctions on the ‘Sanctions and fraud penalties’ link on the Agent Dashboard.**

**They may also need to check for information on the claimant history, for example, the DM’s decision uploaded to the relevant to-do.**

**They should check the claimant’s journal for the decision letter uploaded for the claimant.**

### **Example 1 – Tariq**

**A 182 higher level sanction is imposed, as there is a 91 days sanction at the same level within the previous 365 days.**

### **Example 2 – Patricia**

**A 10 day sanction has been applied - 3 days open-ended for non-compliance from 19/06/2017 to 21/06/2017, plus a fixed period of 7 days.**



## Module Summary



**Show Slide 23 – Module Summary**