A large decorative graphic on the left side of the slide, composed of several overlapping, curved, and angular shapes in two shades of blue: a medium blue and a lighter sky blue. The shapes create a sense of movement and depth, resembling a stylized ribbon or a series of connected planes.

UCFS25 GEN: Sanctions and Failure to Attend

Part 4 – Aim and Objectives

This module aims to give a full explanation of Universal Credit sanctions and how they impact on a claimant's award.

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

- state the different sanction levels and durations
- state which sanctionable failures are pre-claim failures
- state what the total outstanding reduction period is
- describe what compliance and compliance condition mean
- describe the different factors that can affect the sanction duration
- describe how you would you explain a decision to a claimant.

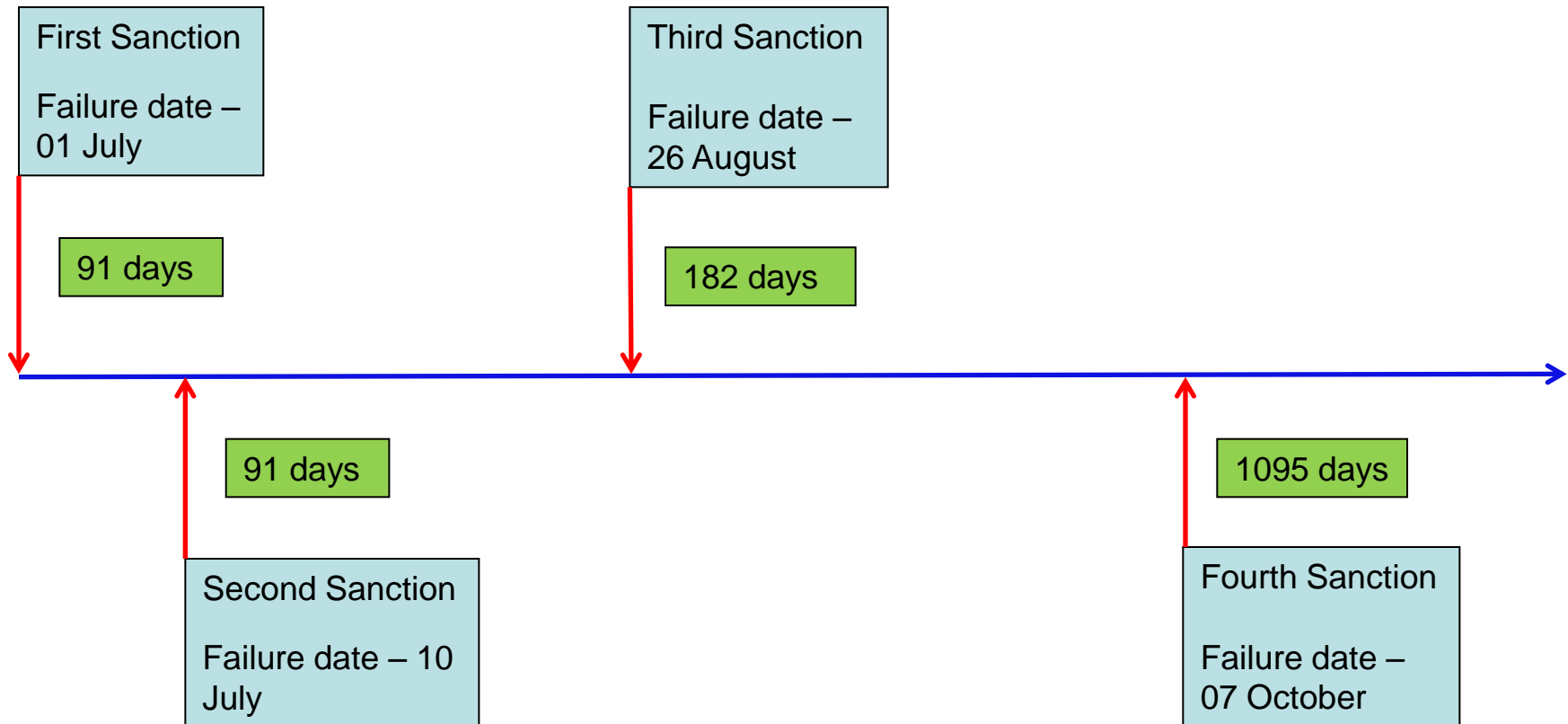
Current sanctionable failure within 14 days of the most recent previous sanctionable failure

The claimant has multiple higher level sanctionable failures for failing to apply for specific job vacancies without a good reason.

| <u>Date of failure</u> | <u>Is previous failure within 14 days?</u> | <u>Sanction Duration</u> |
|----------------------------|--|------------------------------|
| 05/06/2017 | N/A | 91 days |
| 18/06/2017 | Yes | 91 days |
| 27/06/2017 | Yes | 91 days |

3 x 91 days sanctions imposed. No sanction escalates to 182 days, as each failure occurs within 14 days of the most recent previous failure.

Escalation – Higher Level Sanction Example



Pre-claim Failures and Escalation

| <u>First Failure</u> | | <u>Second Failure</u> | <u>Escalation applies</u> |
|----------------------|---|-----------------------|-------------------------------|
| Pre-claim Failure | → | Pre-claim Failure | No |
| Pre-claim Failure | → | In-claim Failure | No |
| In-claim Failure | → | Pre-claim Failure | Yes |

Escalation Exercise (1/4)

On 29/01/2017 Jamilla is sacked from her job due to misconduct.

She claims Universal Credit on 05/02/2017.

The DM determines that a higher level sanction applies. Jamilla has no previous sanctions



What is the sanction period?



91 days – this is Jamilla's first higher level sanction

Escalation Exercise (2/4)

Jamilla finds a full-time job and leaves Universal Credit.

However, on 03/07/2017 Jamilla leaves this job and claims Universal Credit on 10/07/2017.

The DM determines that Jamilla left this job for no good reason.



What is the sanction period?



91 days – This is Jamilla's second higher level sanctionable failure and the previous failure is within 365 days (but not 14 days) of the current failure.

However, the first failure was a pre-claim failure, so cannot be counted when determining if escalation applies.

Escalation Exercise (3/4)

On 15/09/2017 Jamilla refuses to apply for a job properly notified by her Work Coach.

The DM determines that Jamilla had no good reason for failing to apply for the job.



What is the sanction period?



91 days – This is Jamilla's third higher level sanctionable failure and the previous failure is within 365 days (but not 14 days) of the current failure.

However, the most recent previous sanctionable failure is a pre-claim failure, so cannot be counted when determining if escalation applies.

Escalation Exercise (4/4)

Jamilla finds a full-time job and leaves Universal Credit.

However, on 30/10/2017 Jamilla leaves this job and claims Universal Credit on 02/11/2017.

The DM determines that Jamilla had no good reason for leaving the job.



What is the sanction period?



182 days – This is Jamilla’s fourth higher level sanctionable failure and the most recent previous failure is within 365 days (but not 14 days) of the current failure.

However, although the current sanctionable failure is a pre-claim failure, the most recent previous sanctionable failure is not. Therefore, it is taken into account when determining escalation.

Days to be deducted from the reduction period (1/2)

Stacy ceases paid work on 09/06/2017.

She claims Universal Credit on 11/07/2017.

The DM determines that she does not have good reason and imposes a higher level sanction of 91 days.



What is the actual reduction period?

Days to be deducted from the reduction period (2/2)

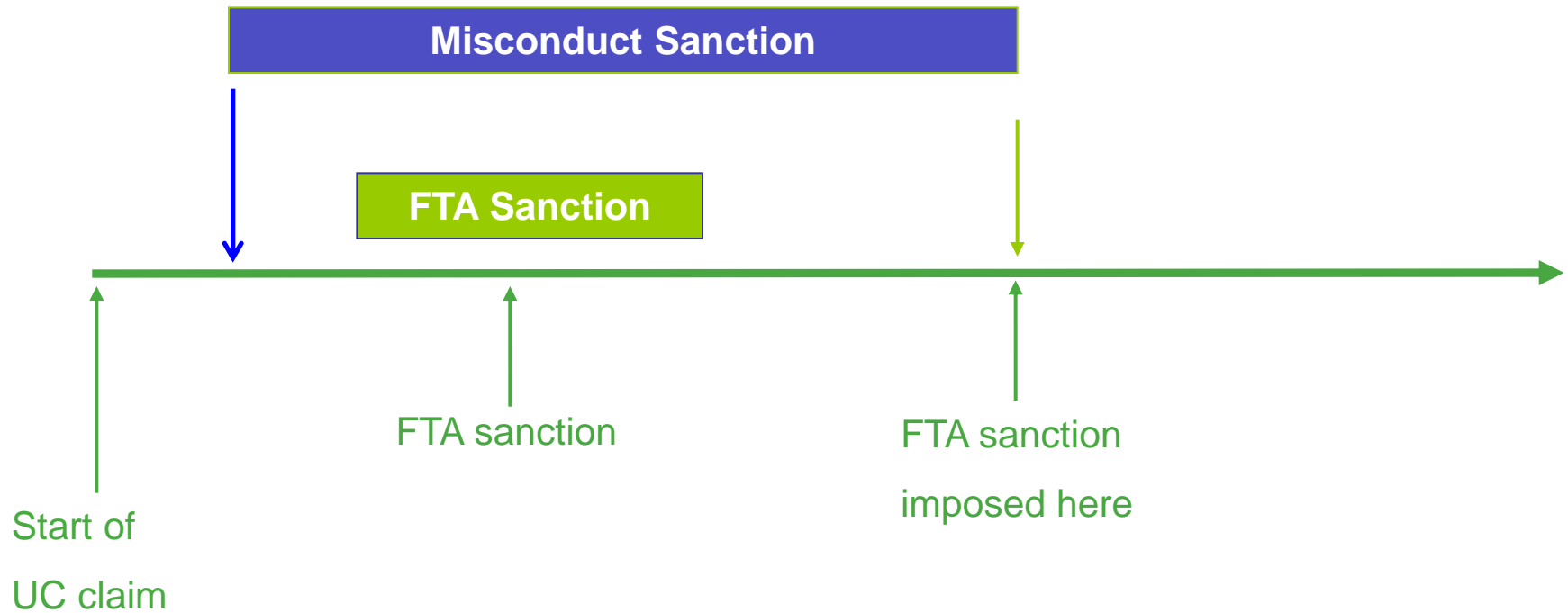


There are 31 days between the date Stacy left her job (09/06/2017) and the date she claimed Universal Credit (11/07/2017).

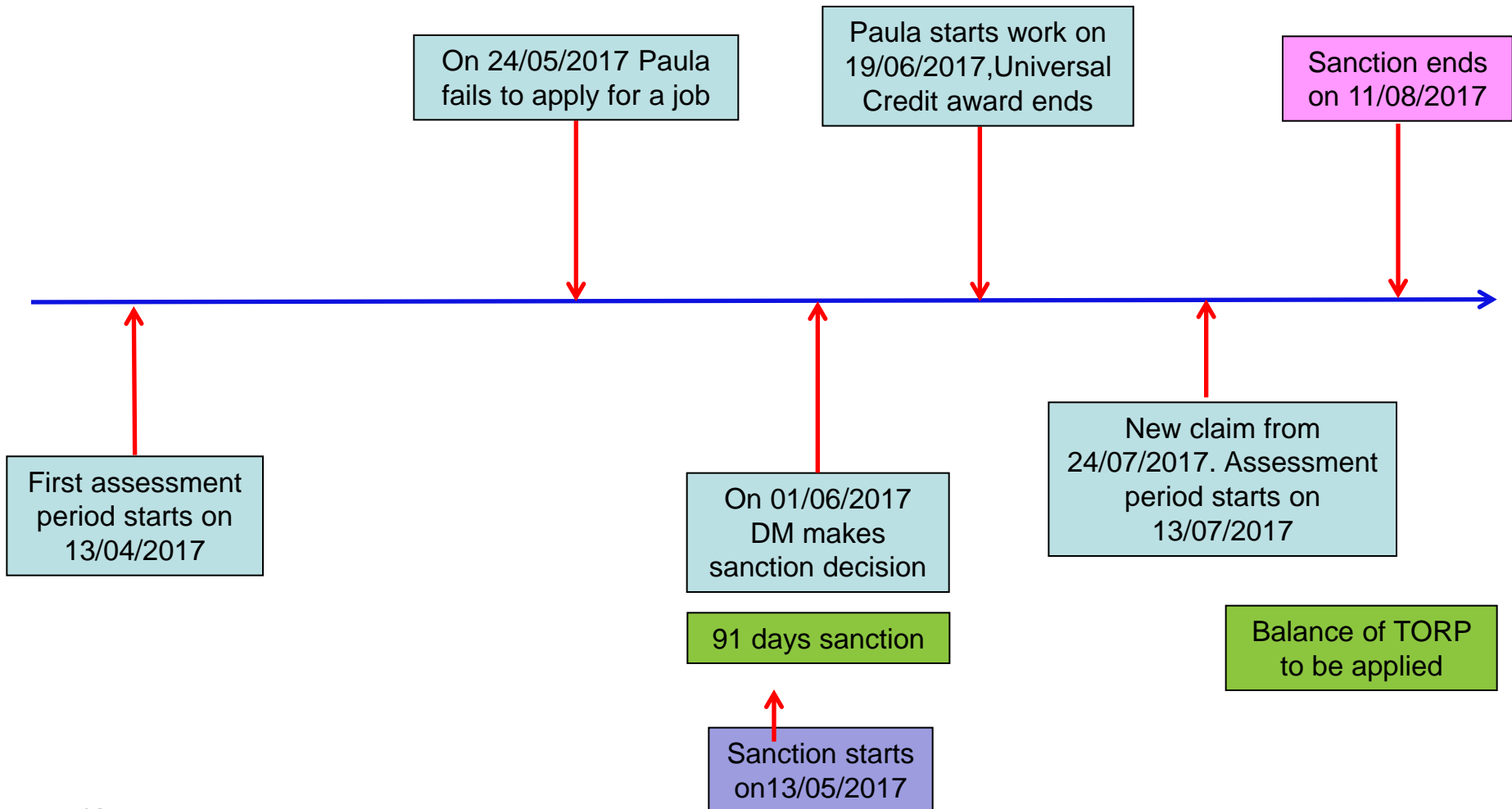
These days are deducted from the 91 day sanction period.

Therefore, the reduction period is 60 days.

Consecutively Running Sanctions



Applying a Reduction to a New Award - Example



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

TORP to be Applied to the New Award (2/2)

Question



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).

Compliance – unnecessary hardship

Gregor fails to attend a job fair. The DM finds that he had no good reason for the failure and imposes a low level sanction.

The end of Gregor's assessment period is in a week's time.

The next jobs fair is in a month's time. However, if we set the compliance condition to attend that jobs fair, Gregor will not be able to comply for a month.

His Universal Credit will be cut and the sanction will remain open-ended until he complies.

Gregor will not be able to access Recoverable Hardship Payments because he has not yet met the compliance condition.

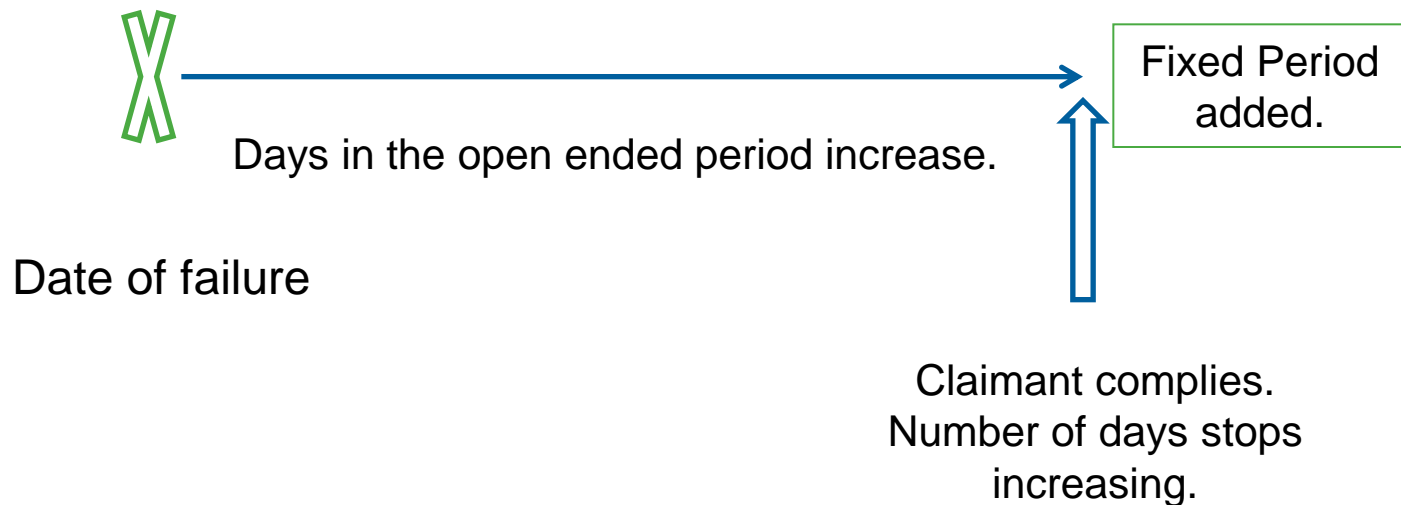
Therefore, a different compliance condition must be set – one that Gregor will be able to meet before the end of the assessment period.

Low level sanctions and compliance

Low level sanctions run from date of failure until the claimant complies with the requirement. This is called the open-ended period.

Once they comply with the requirement the open-ended period ends.

It is followed by a fixed period.



Compliance Condition – Example 1

Naveed fails to attend an interview with his Work Coach on 20/04/2017 without good reason.

He had been given a compliance condition to contact his Work Coach to rebook and attend another interview.

On 24/04/2017 Naveed contacts his Work Coach and books an interview for 27/04/2017. He attends that interview.



On what date did Naveed comply?



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

Compliance Condition – Example 1 Answer



Date of compliance - Naveed complied on 24/04/2017, even though his interview wasn't until 27/04/2017.



The open ended sanction period is 4 days: 20/04/2017 (date of failure) to 23/04/2017 (day before compliance).

Compliance Condition – Example 2

On 20/03/2017 Molly is given a work related requirement to update her CV and bring it to her next interview with her Work Coach on 27/03/2017.

Molly attends her interview on 27/03/2017, but says that she forgot to bring her CV with her.

As her compliance condition, Molly agrees to email the CV to her Work Coach by 28/03/2017. However, she does not email the CV until 03/04/2017.

The DM determines that Molly does not have good reason for the failure or the delay.



On what date did Molly comply?



What is the duration of the open ended sanction?

Compliance Condition – Example 2 Answer



Date of compliance - Molly complied on 03/04/2017. Even though she attended her interview on 27/03/2017 she did not bring her CV with her, and did not do so until 03/04/2017.



The open ended sanction period is 7 days: 27/03/2017 (date of failure) to 02/04/2017 (day before compliance).



On the Service you input the Date of Compliance. The Service automatically calculates the number of days from the date of failure to the day before the claimant complied.

Illustrative Examples – points to consider

In each example, the claimant has received notification of a sanction on the Universal Credit award, and they have contacted the service centre to ask for more details about the sanction.

For each example, consider the following points:

- where would you get the relevant information about the sanction from
- what is the level and duration of the sanction
- how would you explain this decision to the claimant in plain English.

Records your answers on flipchart.

Module Summary

In this learning, and by carrying out the practical exercises, you have learned about:

- the different sanction levels and durations
- pre-claim sanctionable failures
- the total outstanding reduction period
- compliance and compliance conditions
- the different factors that can affect the sanction duration
- how you would you explain a decision to a claimant.

Part 5 – Aim and Objectives

This module aims to give you an opportunity to demonstrate the skills required when ending open-ended sanctions.

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

- explain how the DM records sanctions
- demonstrate how to complete the **Ending a sanction (low level) to-do/ALP** and input the Compliance Date, to end the open-ended period

Module Summary

In this module, and by carrying out the practical exercises, you have demonstrated:

- how the DM records a sanction
- how to record the end of an open-ended period for a low level sanction

Part 6 – Aim and Objectives

This module aims to give you an opportunity to demonstrate the skills required when explaining sanction decisions.

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

- identify the information you need to help explain the decision
- demonstrate how to explain sanction decisions
- demonstrate the skills you need to explain decisions and record that an explanation has been given.

Sanction decision letter (1/2)

What if I disagree with this decision?

You can: ask us to explain, and ask us to reconsider our decision. If at the end of this you still don't agree with our decision you can appeal to an independent tribunal.

You can ask us to explain why

You, or someone who has the authority to act for you, can phone or write to us within **one month** of the date on this letter to ask us to explain our decision in writing.

You can also ask us to reconsider a decision

Tell us if you think we've overlooked, or you've more, information that affects the decision. Do this within **one month** of the date on this letter.

When we've looked at what you've told us, we'll send you a letter to tell you what we've decided and why. We call this letter a 'Mandatory Reconsideration Notice'.

When you've done this you can appeal

If you disagree with the Mandatory Reconsideration Notice, you can appeal to a tribunal.

You must wait for the 'Mandatory Reconsideration Notice' before you start an appeal.

Sanction decision letter (2/2)

If you contact us more than a month after the date of this letter, we may not be able to look at the decision again, or may only be able to change it from the date we hear from you. Give us information that proves what you tell us as quickly as possible so we can tell you if this changes our decision.

Can I get help with essential costs?

If you're aged 18 or over and need help to pay for housing costs, heating, hygiene needs or food, you may be able to get a Hardship Payment. A hardship payment would not be as much as your loss in Universal Credit payment. You (and your partner if you made a joint claim) will have to prove that you need help, are doing everything you are told to do, and understand you'll have to pay the hardship payment back when your sanction finishes.

To find out how to apply, call us on the number at the top of this letter, or speak to a work coach. For free advice on managing your money, go to www.moneyadviceservice.org.uk/universalcredit

Module Summary

In this learning, and by carrying out the practical exercises, you have learned about:

- the different sanction levels and durations
- pre-claim sanctionable failures
- the total outstanding reduction period
- compliance and compliance conditions
- the different factors that can affect the sanction duration
- how you would you explain a decision to a claimant.