

## **Mandatory Work Activity Provider Guidance – Incorporating Universal Credit (UC) Guidance (August 2013)**

### **Universal Credit (UC)**

Universal Credit is part of DWP and will roll out during 2013 beginning with Phase 1 Pathfinder in the North West of England from April onwards. Whilst this principally affects MWA Contract Package Area (CPA) 7, Providers must note that should a Universal Credit claimant move out of the Pathfinder area, they will remain a Universal Credit claimant and Universal Credit processes and systems will apply for this individual in the new CPA.

If your programme participant is a Universal Credit claimant, some parts of this provider guidance will now vary.

**Variations are highlighted throughout using these grey boxes.**

Where clearly indicated, MWA Providers should follow the slightly amended instructions in these grey boxes when providing MWA to Universal Credit claimants.

You should note that Phase 1 is a **Pathfinder** and, as such, may be subject to amendments and changes at short notice. Please check your Live Running Memos particularly vigilantly during this period.

Full information about Universal Credit for Providers of DWP Programmes is to be found on DWP's Universal Credit Toolkit page for Partner Organisations: <https://www.gov.uk/universal-credit-toolkit-for-partner-organisations>

## Mandatory Work Activity Provider Guidance

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## Chapter 1 – Introduction to Mandatory Work Activity

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### Introduction to Guidance

1.1 This is the programme specific guidance for Mandatory Work Activity (MWA).

1.2 You need to use this guidance in conjunction with the generic guidance. You will use the Provider Referrals and Payment (PRaP) system to receive your referrals, claim payments and record claimant activity. Guidance on the use of PRaP can be found in the UPK Help function embedded within PRaP

### Background to MWA

1.3 The Coalition Agreement set out a number of major welfare to work reforms, including a core integrated welfare to work programme plus a number of additional measures, designed to support people in finding employment. Mandatory Work Activity (MWA) was announced in ‘Universal Credit: a welfare that works’; it will contribute to the DWP Structural Reform Plan.

1.4 MWA commenced in May 2011 across Great Britain in 11 contract package areas (CPAs). The arrangements with providers are made under section 17B of the Jobseeker’s Act 1995. One prime provider operates in each CPA.

1.5 MWA provides, for up to 30 hours a week, for four weeks, a community benefit work placement.

1.6 Referrals will be made from May 2011 to 31 March 2015, with the last claimants leaving provision in April 2015. The prime providers and the CPAs are:

<b>Mandatory Work Activity Prime Providers</b>		
<b>CPA</b>	<b>CPA Name</b>	<b>Provider</b>
CPA1	South East	Atos
CPA2	South West	Rehab Group
CPA3	London	Seetec

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CPA4	East of England	Seetec
CPA5	East Midlands	Ingeus
CPA6	West Midlands	ESG
CPA7	North West	JHP Group
CPA8	Yorkshire and Humber	Interserve
CPA9	North East	Ingeus
CPA10	Scotland	JHP Group
CPA11	Wales	Rehab Group

### The Aims of Mandatory Work Activity

1.7 MWA is intended to help claimants move closer to the labour market, enabling them to establish the discipline and habits of working life, such as attending on time regularly, carrying out specific tasks and working under supervision while delivering a contribution to the community.

### Critical Success Factors

1.8 The Critical Success Factors against which DWP will judge the success of MWA are:

- Re-enforce the responsibilities associated with claiming Jobseeker's Allowance (JSA).
- Provide jobseekers with the disciplines associated with employment while at the same time enabling them to make a contribution to the local community.
- Increased job search activity and greater engagement with other back to work support from jobseekers who participate.
- Increase off-flow rates from JSA, as part of the wider support available through Jobcentre Plus.

## Chapter 2 - Claimant Eligibility

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## Introduction

2.1 This section provides details of the claimant group who will be referred and the eligibility conditions for MWA.

## Claimant Group

2.2 Claimants who will benefit from participating in MWA are those for whom a work placement would provide the focus and discipline that is a key requirement of finding, securing and retaining employment.

2.3 Claimants who are referred to MWA may have been out of work for some time; it is possible that some claimants may never have worked. The skills, work history, level of education, and attitude to work will vary greatly within the target group.

## Claimant Eligibility

2.4 MWA is for Jobseekers Allowance (JSA) claimants who are 18 years plus, which may include:

- JSA 18-24 year olds.
- JSA 25+.
- JSA NEET (Not in Employment, Education or Training).
- JSA Ex-IB.
- JSA lone parents.
- JSA Joint claims.
- Carers who are claiming JSA.

2.5 JSA is a benefit for people who are unemployed and capable of work. To be eligible, the claimant must be actively seeking and available for work. Claimants in this group are assessed as ready to look for and take up work immediately. It is up to advisers and their managers to decide who is appropriate for referral to MWA.

### Universal Credit (UC)

MWA is for Universal Credit claimants who are subject to All Work Related Requirements and who are subject to the intensive regime. Claimants must be 18 years and over, which may include:

- 18-24 year olds.
- 25+.
- NEET (Not in Employment, Education or Training).
- Ex-IB claimants.
- Lone parents.
- Joint claims.
- Carers.

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2.6 Jobcentre Plus personal advisers are able to refer a claimant to MWA at any point in their claim, though the majority of claimants are unlikely to be referred until week 13. However, if a claimant was previously referred to MWA but did not start, an adviser may decide a further referral is appropriate for a claimant much earlier in their claim. Claimants are unlikely to be referred if they are participating in any other type of provision.

2.7 Claimants who are part of joint claims to JSA will be eligible for MWA provision. Referrals will be made on an individual basis based on the suitability of the claimant. Both members of a joint claim could be referred to MWA if suitable, however this would be treated as two referrals in the same way as if two separate individuals were referred.

2.8 MWA is mandatory for all claimants who are referred. There is no voluntary access to MWA.

### **Universal Credit (UC)**

#### Eligibility

From 29<sup>th</sup> April 2013 Universal Credit claimants whose Universal Credit award equates to the above legacy benefits (see alternative para 2.4 and 2.5, above) will also be eligible to be referred to MWA.

In the Universal Credit Pathfinder area, the cohort of claimants which are in-scope is restricted to claimants who:

- live in the specified postcode area but are not homeless, in supported or temporary accommodation or a homeowner
- are single, with no dependent children, a British citizen and aged between 18 years and 60 years and 6 months
- are fit for work
- do not have a claim for Jobseeker's Allowance (JSA) or Employment and Support Allowance (ESA) that ended in the last two weeks, except where ESA ended due to a decision that the claimant no longer has limited capability for work
- are not pregnant, and have not given birth within the last 15 weeks
- are not receiving existing benefits or tax credits or awaiting a decision on, or be appealing against, a decision not to award any of those
- are not in receipt of Disability Living Allowance (DLA) or Personal Independence Payment (PIP)
- have expected take home pay no higher than £330 per month and do not have savings in excess of £6,000
- do not have any caring responsibilities
- are not self-employed or in education
- do not or have to rely on an appointee, and
- have a valid bank account and National Insurance Number

This limitation of scope will mean that, initially, there will be relatively few Universal Credit claimants referred to MWA. This is expected to increase over time.

Once a claimant has met the Universal Credit entry criteria and is awarded Universal Credit, any changes of circumstances the claimant has will be taken into account **within** Universal Credit and the claimant's Universal Credit award will be adjusted accordingly. So for example, if a UC claimant moved to a different part of the country, was found to have limited capability for work or a partner joined their claim they would remain within Universal Credit (as long as they continued to meet basic eligibility criteria).

You will recognise a Universal Credit claimant by the PRaP referral code 02.

Throughout this guidance, all references to Jobseekers Allowance (JSA), in the context of eligibility and mandatory attendance, should be understood to include Universal Credit.

Official letters contained in the Annexes to this Guidance are amended for Universal Credit Pathfinder use (only). Where appropriate, **please ensure you amend** any free text documentation or letters to your participants substituting Universal Credit for JSA.

## Chapter 3 – Referrals

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[Balance of Time \(BoT\) & Re-Referrals](#)

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### Introduction

3.1 This is the action you need to take to ensure a claimant starts MWA. Prior to this, the Jobcentre Plus personal adviser will have identified a suitable claimant, told them about the referral and that you will be in touch to confirm their placement start date.

### MWA Pre-start Action

3.2 During this process you must:

- **engage the claimant;**
- **issue official start notification; and**

- **ensure PRaP is updated appropriately within 24 hours.**

**Consequence:** Failure to carry out the action in this chapter will result in the claimant failing to start. This will have an impact on the payments you receive.

## Referrals

3.3 You may receive a call from Jobcentre Plus at the time the adviser makes the referral. This will be dependent on the agreement between you and Jobcentre Plus. This is known as a warm handover.

3.4 All referrals, including those where there has been a warm handover, will be notified to you through the PRaP system. You must check PRaP every day and ensure all updates are made within 24 hours of their occurrence.

3.5 You are expected to accept all referrals received from Jobcentre Plus. A referral may be rejected only in exceptional circumstances i.e. where Jobcentre Plus specifically instructs you to reject the referral. For example, if Jobcentre Plus makes a referral in error.

3.6 There are **no** circumstances where you can make the decision to reject a referral.

3.7 The Jobcentre Plus adviser will notify you either at the point of referral, or within 24 hours of the referral, of any special circumstances the claimant may have which you need to take into account when sourcing a placement.

## Balance of Time (BoT) and Re-referrals

3.8 A small number of claimants who have left MWA before completing their allotted time may be required to complete the remaining weeks. Claimants will only be re-referred to complete full weeks. For example, if a claimant has completed two days, they will be referred back for three weeks. In these instances, send a new formal notification letter before their return

3.9 You will not be paid a further start fee (see A6.7 definition) for these claimants. Jobcentre Plus will make the referral for BoT via a separate re-referral which will not attract a further payment in PRaP. The re-referral will state how much longer the claimant is required to spend on their MWA placement.

3.10 However, if more than 14 days or more have elapsed, it will be treated as an initial referral rather than a re-referral for balance of time.

## Universal Credit (UC)

### Referrals

Universal Credit claimants will be referred to MWA via the Work Services Platform (WSP), the IT system which replaces LMS.

During Pathfinder there is expected to be IT integration between WSP and PRaP so you will receive PRaP referrals in the same manner as now. You will recognise a Universal Credit claimant by the PRaP referral code 02.

However, not all pertinent details about your participant will transfer electronically during Phase 1 Pathfinder. This means that Jobcentre Plus will also send you some additional information clerically on a newly designed Additional Information for PRaP Referral form (UCPR1).

This additional information will appear on the template in the “further information” field and will be completed at the Work Services Coach discretion. It will usually contain information about the participant’s employment aspirations, availability restrictions and any special arrangements that may be required (e.g. accessibility requirements, specific support needs, balance of time information etc.)

The Additional Information for PRaP Referral form (UCPR1) will be sent to you on the same day the PRaP referral is made, by 24 hour secure courier. If you have not received the template by the 4<sup>th</sup> working day from the date of referral you should contact the Work Services Coach who has made the PRaP referral. A duplicate will be issued immediately.

Note: Providers may start the usual engagement activities by telephone without having received the Additional Information for PRaP Referral form (UCPR1). If the initial engagement activity is by interview the template must have been received first as it will contain information in respect of any special arrangements that may need to be in place. If however, there is a warm handover it is acceptable to communicate this information by phone so the programme start is not delayed.

### **Sourcing Placement**

3.11 You have 15 working days from the Jobcentre Plus referral to ensure a suitable community benefit placement is sourced and the claimant starts the placement.

3.12 You must source placements across a range of sectors. Due to the short timescale associated with this provision, you are expected to source placements where Disclosure & Barring Service checks (in Scotland Protecting Vulnerable Group checks) are not required (previously referred to as CRB checks).

3.13 It is not necessary (although it’s desirable wherever possible) for the placement to be in the same sector or type of work as the claimant’s job goal,

as MWA is designed to help the claimant develop disciplines associated with employment. Claimants cannot choose their placements.

3.14 In cases where the claimant has an availability restriction agreed, the MWA placement will take up 75% of this time (e.g. if a claimant is only required to be available for work for 20 hours a week, they should spend 15 hours a week on the MWA placement). Any restrictions will be part of the information that Jobcentre Plus sends to you through PRaP.

3.15 Placements must be **additional** to any existing or expected vacancies. You must ensure that employers are not taking advantage of MWA as a source of labour at the expense of employing workers in the open labour market.

3.16 It is vital that the placements are of community benefit; you can find full guidance on the community benefit criteria at Annex 1. You must seek clearance from your performance manager before placing any claimants in a private sector placement.

### Engagement Activity

3.17 Prior to start you are required to conduct engagement activity with the claimant.

3.18 How the engagement activity is undertaken is at your discretion but it **must** include as a minimum:

- the issuing of a formal notification letter (see template at Annex 2);
- details of the work placement including start date and time, duration of placement, hours of attendance, location;
- the claimant's responsibilities while on placement;
- the consequences of failure to participate and MWA sanction regime; and
- the requirement for the claimant to continue to attend Fortnightly Job Search Review (FJR) and to be actively seeking and available for work.

3.19 The initial notification letter must be issued in **hard copy**. It is not acceptable to use electronic methods such as email or text. You may hand the letter direct to the claimant, or send it by post. You should keep a record of how the letter was issued to the claimant.

3.20 You must allow reasonable notice between the date of issuing the notification and the work placement start date. If the letter is posted, it is deemed to have been received on the **second working day after posting** (Saturdays, Sundays and Bank Holidays are not included). For example, if you are telling a claimant to start their work placement on a Monday, you must have posted their letter on the Wednesday of the previous week at the very latest.

3.21 If the claimant tells you that they cannot attend their work placement on the start date, you may change the details in the formal notification letter which you must then re-issue to the claimant. You must also take action as per Para 6.8 re possible DMA action.

3.22 If the claimant fails to engage, you **must still issue** them with the formal notification. Any record of engagement activity should be kept in case a doubt is raised if the claimant subsequently fails to start their work placement. You should note, however, that attending a session (e.g. induction or similar) that is not part of the four week work placement, is **not** mandatory. You should therefore not raise a doubt if the claimant fails to attend such an activity.

## Chapter 4 - Start, Time on Placement and Completion

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### Introduction

4.1 This section covers notifying Jobcentre Plus that the claimant has started on a placement. It also sets out your responsibilities and the claimant's responsibilities whilst on the placement, and how to inform Jobcentre Plus that the claimant has completed MWA.

### High Level Requirements

4.2 During this process you must:

- **start the claimant on placement;**
- **ensure the claimant completes the placement; and**
- **ensure PRaP is updated appropriately within 24 hours.**

### Notification of Start

4.3 You have up to 15 working days from the date of referral by the Jobcentre Plus personal adviser to start the claimant on a work placement.

4.4 A claimant is defined as 'starting' once they attend their placement.

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You must ensure that the claimant has started on the placement and be able to provide **written** evidence of this should DWP request it as part of payment and validation action. As a minimum you must:

- ensure the placement organisation has confirmed they are able to provide the placement for the required duration;
- have written evidence that the claimant has attended the placement;
- ensure the claimant has completed any necessary induction and health and safety requirements; and
- ensure the claimant is aware of the standards of behaviour, their responsibilities and required attendance arrangements and emergency procedures.

### **4.5 Only when you can confirm that the conditions at paragraph 4.4 have been met may you register the start on PRaP.**

**Consequence:** Failure to input the details will mean you will not receive payments; and failure to provide written evidence will mean that payments may be recovered.

### **Claimants who cease to claim JSA between referral and start**

4.6 If a claimant stops claiming JSA in the period between the referral and the MWA placement, you will be notified by the Jobcentre Plus adviser.

4.7 Once you receive this notification, you must update the PRaP claimant referral by taking 'request cancellation of referral' action and selecting the reason 'no contact'.

### **Time on MWA**

#### **Participation during the placement period**

4.8 You are responsible for ensuring that the claimant attends the placement as instructed. You should make clear to them the possible consequences of failing to participate, i.e. that it could result in a sanction of their benefit.

4.9 If public holidays or other business closures fall within the four week placement, you should ensure that the claimant's initial notification letter sets out precisely when the placement organisation expects them to attend. For example, over the Christmas and New Year period, there are three public holidays, and there may be additional days you and your placement hosts may choose to close. The claimant will not be expected to make up any time lost due to business closure on the public holidays or any additional days.

4.10 Whilst on MWA, the claimant is required to attend the Jobcentre for fortnightly job search reviews, and to confirm that they are continuing to meet JSA conditionality (actively seeking and available for work).

4.11 It is the claimant's responsibility to contact Jobcentre Plus to arrange a suitable time (wherever possible) to ensure that this attendance does not impact negatively on their MWA placement.

4.12 Whilst on MWA, claimants are required to be actively seeking work, and therefore may be required to attend an interview for a job. In these circumstances you will need to be flexible and allow the claimant time to attend. It will be at your discretion to obtain evidence of any invitations to interviews.

### **The MWA Placement**

4.13 The placements delivered through MWA should include activity that provides direct or indirect benefit to the local community. You should be able to clearly describe to DWP the community benefits the placement is delivering. Annex 1 provides further information on community benefit.

4.14 Each claimant is expected to participate fully in a placement which will last four weeks, for up to 30 hours per week (unless restrictions have been agreed). With the claimant's agreement, the placement can include weekend working.

4.15 The days and hours of the placement are not prescriptive, but they should adhere to the Working Time Regulations 1998.

4.16 Any restrictions will be part of the information that is sent to you through PRaP; and you will need to take this into account when arranging the placement. Time spent travelling to and from the placement does not form part of the hours of attendance on the placement.

4.17 Standards of attendance and timekeeping should be explained to each claimant, establishing key principles upfront, which could include:

- ensuring absences are minimised (e.g. to arrange routine GP appointments for evening surgeries where possible);
- notifying unplanned absences to you as soon as possible (e.g. for sickness, domestic emergencies etc), emphasising that failure to do so could result in sanction action.

4.18 You must not give any incentive payments or rewards to the claimant for participation in MWA.

4.19 You are expected to keep evidence of the hours a claimant spends on the work placement. How you record this is not prescribed, but as a minimum, should include the date, start and finish times, the placement organisation name, contact details and feedback form.

4.20 It is acceptable for claimants to complete their allotted time on more than one placement, so long as they complete four weeks in total, and evidence is kept of the reason for placement transfer. We would expect a timely transition from one placement to another, enabling the claimant to complete their, up to 30 hours, that week where possible.

4.21 You must supply a contact landline telephone number for the claimant to use to contact you while they are on their MWA placement.

### **Completing MWA**

4.22 Once the claimant has completed their four weeks, you must access PRaP and enter the date the claimant completed MWA (i.e. the last date the claimant attended the placement) and select the leaver reason 'completed provision'.

4.23 You must provide feedback on the claimant's participation during the placement, to enable the Jobcentre to take forward and build on any progress made during MWA. Therefore, when a claimant leaves MWA, you must liaise with the placement organisation to complete a feedback form and send it to Jobcentre Plus. You may develop your own form, which as a minimum should:

- document how the claimant performed during the placement;
- verify the claimant's attendance; and
- be returned to Jobcentre Plus within 10 working days of the claimant leaving MWA.

4.24 The claimant will then return to Jobcentre Plus for further activity and support.

## **Chapter 5 - Absences during MWA and other special circumstances**

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### **Introduction**

5.1 This section covers how to deal with absences from MWA and other special circumstances.

### High Level Requirements

5.2 During this process you must:

- **clarify with the claimant the reason for the absence**
- **contact Jobcentre Plus**
- **either keep claimant for remaining weeks, but send them a formal notification letter upon their return, or return them to Jobcentre Plus**
- **Note - In all cases a decision on good reason is for the Secretary of State to make and not at the discretion of the provider. If there is any doubt at all in any individual case or consideration of further information or further evidence is required a DMA referral should be made.**

### Absences from MWA

#### Holidays

5.3 Claimants will not be referred to MWA if they have a pre-booked holiday which would fall during the four week placement. Once a claimant has been referred to MWA, if they subsequently request a holiday, this will be refused.

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If a UC claimant has a pre-booked holiday which would fall during the four week placement they would still be expected to attend and fully take part in the MWA as normal. The MWA placement should not be postponed to allow a claimant to start or finish a holiday. Once a customer has been referred to MWA, if they subsequently request a holiday, this will be refused. If a customer informs you that they are unable/do not wish to attend/complete the placement because they will be away from home, you must phone your contact in Jobcentre Plus who will confirm whether this is a holiday and advise what steps to take.

#### Sickness

5.4 JSA regulations allow two periods of sickness in a 12 month period.

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5.5 If a claimant informs you that they are unable to attend their placement due to sickness, you must contact Jobcentre Plus who will check the claimant's previous sickness record and inform them that the claimant is absent due to sickness.

- Jobcentre Plus will decide if the claimant can continue on provision or if they must be returned to Jobcentre Plus.
- If you are advised that the claimant will continue to participate, you will be expected to deliver the remainder of the placement time on the claimant's return from absence. You must agree a date with the claimant when they are expected to return to complete the remaining number of hours in that week and remaining weeks on the placement. It is your responsibility to keep in touch with the claimant during their absence. When the claimant returns, you must give them a new formal notification letter.
- If the decision is not to continue, you will be advised to return the claimant to Jobcentre Plus following the actions at paragraph 5.17.

### Domestic Emergency

5.6 Whilst participating in MWA, claimants may request time off to attend to domestic emergencies, e.g. the death, serious illness or accident of a close relative or close friend.

5.7 If a claimant informs you that they are unable to attend the placement due to a domestic emergency, you must phone your contact in Jobcentre Plus who will check if the reason for absence can be accepted.

5.8 Jobcentre Plus will decide if the claimant can continue on provision or if they must be returned to Jobcentre Plus.

- If Jobcentre Plus advises the reason **is** allowable, you must agree a date with the claimant when they are expected to return to complete the remaining number of hours in that week and remaining weeks on the placement. It is your responsibility to keep in touch with the claimant during the absence due to domestic emergency. Upon the claimant's return, you must give them a new formal notification letter.
- If Jobcentre Plus informs you the reason is **not** allowable, you must return the claimant to Jobcentre Plus, following the actions at paragraph 5.17.

### Civic Duties

5.9 Whilst participating in MWA, claimants may require time to attend to unexpected civic duties such as reserved forces training, life boat personnel, part-time fire brigade duties, school governors, volunteer special constables, lay member of police authorities, youth offender panels and members of patient and public involvement forums. **This list is not exhaustive.**

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5.10 When a claimant contacts you to say they are unable to attend the placement due to a civic duty, you must advise the claimant to phone Jobcentre Plus. You should also ask for written evidence from the claimant to support their absence.

5.11 Jobcentre Plus will advise how you should proceed.

- Jobcentre Plus may advise that the civic duty is temporary, and they have agreed a date for the claimant's return to complete the remaining number of hours in that week and the remaining weeks left on placement. You must give the claimant a new formal notification letter when they return.
- If Jobcentre Plus informs you that the civic duty isn't temporary, you will be advised to return the claimant to Jobcentre Plus, following the actions at paragraph 5.17.

### **Jury Service**

5.12 If a claimant is required for jury service whilst participating in MWA they will need to be returned to Jobcentre Plus, following the actions at paragraph 5.17.

5.13 The claimant may be returned to complete their balance of time if the jury service finishes within 14 days of their last day on placement. Upon their return, you must give the claimant a new formal notification letter.

### **Change of Address**

5.14 If you are notified that the claimant has changed address, but is still resident within your CPA and within acceptable travelling distance to the placement, you do not need to make any changes to the claimant's placement arrangements.

5.15 If the claimant has changed address, is still within your CPA but the placement is outside acceptable travelling distance, you are expected to source a placement within acceptable travelling distance from the claimant's new address. A placement should be sourced and the claimant started within 10 days of notification of the change of address. The claimant should then complete the remaining full weeks on MWA with the new placement organisation. You must issue a new formal notification letter providing details of the new placement and the dates the claimant is required to attend.

5.16 If the claimant has changed address and moved outside your CPA, you should return the claimant to Jobcentre Plus, following the steps in paragraph 5.17.

### **Returning claimant to Jobcentre Plus**

5.17 In the circumstances above, you need to take the following steps to return the claimant to Jobcentre Plus:

1. Issue the leaver letter (see Annex 4) advising the claimant they are no longer required to attend the placement.
2. Input the end date to PRaP (the date the claimant last attended the placement) and select the appropriate 'leaver' reason (see Annex 5 for leaver definitions).
3. Complete the claimant's feedback form (see Chapter 4 paragraph 4.23) and send to Jobcentre Plus.

5.18 If a claimant's claim to JSA ceases as a result of a domestic emergency and they subsequently reclaim, the Jobcentre Plus personal adviser will consider if a new referral to MWA is appropriate.

### **Claimants on probation or with curfew restrictions**

5.19 Some claimants entering MWA may have penalties imposed by the legal system.

5.20 Probation interviews should be arranged around participation, and any community service hours should be completed outside of MWA participation. However, you may be able to adjust placement hours to assist the claimant. It is the claimant's responsibility to arrange changes around probation etc with the probation service.

5.21 Any curfew restrictions must be disclosed to you so that any potential conflict can be planned into the claimant's work placement.

5.22 It is not possible to convert a community service placement into an MWA placement.

### **Starting part-time work during MWA participation**

5.23 If a claimant starts part-time work whilst participating in MWA, you must advise the claimant to contact Jobcentre Plus immediately if they haven't already done so. Jobcentre Plus will:

- confirm the part-time work with the employer; and
- advise you of the date the claimant will cease MWA.

The claimant is expected to continue to participate in MWA until their part-time work starts. When the claimant leaves MWA to start part-time work, you must follow the guidance in paragraph 5.17.

5.24 If the claimant fails to start the part-time work, you will be advised of this by Jobcentre Plus. The claimant will then be re-referred to complete their balance of time (see Chapter 3 paragraphs 3.8 to 3.10).

## Chapter 6 - Failure to Comply and Entitlement Doubts

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[High Level Requirements](#)

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### Introduction

6.1 This section covers the action you need to take to raise an entitlement doubt because the claimant has failed to comply with the requirements of Mandatory Work Activity.

### High Level Requirements

6.2 During this process you must:

- identify a compliance doubt
- send a DMA referral form to Jobcentre Plus
- issue leaver letter to claimant
- update PRaP system

### Claimant fails to participate

6.3 Participation in a MWA placement is mandatory for all claimants referred to this provision. If a claimant fails to comply with the requirements of MWA, you must send a DMA referral form to the decision maker (details at paragraph 6.15), within **two** working days. You must include a copy of the initial notification letter you issued to the claimant, annotated to show whether it was issued by hand or posted, together with any other supporting evidence.

Failure to participate in or complete MWA is defined as any of the following:

- Refusing a place on a MWA placement when notified of the requirement to attend in the formal notification letter, demonstrated by a failure to attend the first day.
- Failure to attend or participate in any meeting or activity, having been notified of the requirement to attend the meeting or activity in the formal notification letter (without the previous agreement of the provider, and a change to the requirements set out in the formal notification letter and given to the claimant).
- Losing a place on a MWA placement through misconduct.

6.4 The DMA referral form can be found at Annex 3.

6.5 When completing the DMA referral form it is important to supply as much information as possible relating to the circumstances surrounding the failure to comply. This will enable the Jobcentre Plus decision maker to make a timely decision based on the facts available.

6.6 A claimant may lose their Jobseeker's Allowance and National Insurance credits if without a good reason they:

- fail to participate in Mandatory Work Activity;
- refuse, or fail to apply for, or accept if offered, employment which an employment officer has informed them is vacant or about to become vacant;
- do not take advantage of a reasonable opportunity of employment.

Jobseeker's Allowance and National Insurance credits will not be paid (or will be paid at a reduced rate, depending on an individual's circumstances) for:

- 13 weeks for a first failure; or
- 26 weeks if DWP previously decided that JSA should be sanctioned because the claimant failed without a good reason to do any of the above activities within 52 weeks (but not within 2 weeks) of their previous failure; or
- 156 weeks if DWP previously decided that JSA should be sanctioned on two or more occasions because the claimant failed without a good reason to do any of the above activities within 52 weeks (but not within 2 weeks) of their last failure.

Once sanctioned, a claimant may be referred back to complete balance of time if less than 14 days have elapsed since the claimant left provision. If 14 days or more have elapsed and the Jobcentre Plus adviser decides it is appropriate, a new referral to MWA could be made at any time, including pending a decision on sanction action.

6.7 It is very important that action is taken within the timescales outlined in paragraph 6.3 to enable a sanction to be raised against the claimant as soon as possible.

### **Claimant Fails to Start**

6.8 If the claimant **fails to start the placement** (i.e. doesn't attend as they have been instructed in the formal notification letter), you should make every effort to establish the reason. You will be expected to notify Jobcentre Plus and raise a doubt.

You must take the following steps:

1. Access PRaP and record that the claimant did not start (DNS). This is done by taking 'request cancellation of referral' action in PRaP.

## Mandatory Work Activity Provider Guidance

2. Complete a DMA referral form (see annex 3) and send it to the Jobcentre Plus decision maker (see paragraph 6.15) within two working days of the claimant failing to start MWA.
3. Issue a leaver letter to the claimant advising them that they are no longer required to attend the MWA placement.

6.9 Supporting evidence should be kept, including a copy of the formal notification letter which was sent to the claimant detailing the date, time and location of the placement.

6.10 If a claimant contacts you to say that they cannot attend their work placement on the start date specified in the letter, you must only rearrange in **extreme circumstances**. Please see the chapter on absences for guidance on this (Chapter 5). If you are unsure, please contact your local JCP contact, who can advise you.

6.11 It is expected that all claimants start their work placement on the date specified in the letter. If the claimant cannot start on the date specified, and the reason they give is not acceptable, you must raise a doubt.

6.12 Please note that a claimant contacting you to inform you that they cannot attend **does not** mean they are exempt from being referred for a sanction.

### **Claimant Fails to Attend after Initially Attending**

6.13 If you are notified by the placement organisation that the claimant has failed to attend (FTA) their work placement after initially attending, you should make every effort to contact the claimant to establish the reason for non-attendance. If you are unable to contact the claimant, you will be expected to notify Jobcentre Plus.

6.14 If a claimant contacts you to say that they cannot attend their work placement on a specific day, then you may have to raise a doubt. It is expected that all claimants attend every day of their work placement. Please see the chapter on absences for guidance on this (Chapter 5). If you are unsure, please contact your local JCP contact, who can advise you.

6.15 Please note that a claimant contacting you to inform you that they cannot attend **does not** mean they are exempt from being referred for a sanction.

6.16 You must take the following steps:

1. Access PRaP and input an end date (the date the claimant last attended the placement) and select the appropriate leaver reason.
2. Complete a DMA referral form and send it to the Jobcentre Plus decision maker (details at paragraph 6.15) within two working days of the claimant failing to attend.

3. Issue a leaver letter to the claimant advising them they are no longer required to attend the MWA placement.
4. Complete the claimant's feedback form and send to Jobcentre Plus within 10 working days of the failure to attend (see Chapter 4 paragraph 4.23 for feedback form details).

### **Unacceptable behaviour and claimant exclusion**

6.17 You may experience a wide range of behaviours from the claimant group referred to MWA. This may include those claimants who exhibit difficult, aggressive or sometimes violent behaviour. However, you cannot select the claimants with whom you work. Generic guidance provides further details.

6.18 If a claimant's behaviour is such that effective participation is not possible, in the first instance you must discuss this with Jobcentre Plus. If a decision is made to exclude due to misconduct, a doubt must be raised and the claimant must be returned to Jobcentre Plus. In this circumstance, follow the action at paragraph 6.12 to return the claimant to Jobcentre Plus.

### **Raising a Doubt**

6.19 Decision Making and Appeals (DMA) is carried out by a central team based in Annesley Benefit Centre (see paragraph 6.16 below).

6.20 When you raise a compliance doubt, you must complete the DMA referral form at Annex 3, print it out and send securely to:

National MWA Team  
Annesley Benefit Centre  
Waterfront House  
Lakeside Court  
Sherwood Business Park  
Annesley  
Nottinghamshire  
NG15 0DS

**For further information about sending documents securely, you should refer to the generic provider guidance.**

6.21 To help reduce inappropriate referrals due to a provider not being aware of recent change of circumstances Provider Direct has been introduced as a telephone helpline service for providers. It is only for use when a claimant has failed to participate in a mandated activity, including Mandatory Work Activity, and you have been unable to contact them. For further information please refer to the Provider Direct Provider Guidance:

<http://www.dwp.gov.uk/docs/pg-man-work-provider-direct.pdf>

## Universal Credit (UC)

### Sanctions

There are some slight differences in sanctions for Universal Credit claimants. These are:

A Universal Credit claimant participating in MWA may receive a work related requirement higher sanction if, without a good reason, they:

- don't take part fully in Mandatory Work Activity;
- don't apply for jobs they've been told to apply for by Universal Credit
- don't take up an offer of paid work

In Universal Credit a higher sanction will lead to a reduction in a claimant's UC payment for a certain period of time.

These sanctions will last for:

- 91 days (13 weeks); or
- 182 days (6 months) if the claimant has already had a sanction for not meeting one of these requirements in the previous 365 days (but not the previous 14 days); or
- 1095 days (3 years) if they've had sanctions for 2 or more incidents that happened in the previous 365 days (but not the previous 14 days).

Universal Credit claimants may be referred back to complete balance of time after they get a sanction. If the Work Services Coach decides it is appropriate, a new referral to MWA could be made at any time, including pending a decision on sanction action.

### Raising a Doubt Process

Raising a doubt under Universal Credit Pathfinder will be conducted in the same way as presently. There are discussions under way to produce a new process but this will not affect the pathfinder. Any new process will be published when completed.

## Chapter 7 – Additional support

### [Introduction](#)

### [Support whilst on Placement](#)

#### [Childcare](#)

#### [Travel Expenses for MWA](#)

#### [Travel Expenses to Interviews](#)

#### [Additional Support](#)

#### [Financial Assistance](#)

## Introduction

7.1 This section covers your responsibilities to ensure claimants have the practical and financial support they need to undertake activities whilst participating in their MWA placement.

## Support whilst on Placement

### Childcare

7.2 Claimants on MWA should never be worse off by virtue of the requirement for participation. You will therefore be responsible for funding childcare for a claimant's children where a need is identified.

7.3 Childcare for attendance on placement and the engagement activity should be funded from the time the child is left with an accredited carer to the time the claimant collects the child. Childcare must be provided by:

- carers registered with Ofsted (Office for Standards in Education), the Scottish Commission for the Regulation of Care or Welsh equivalent;
- a carer accredited under the Childcare Approval Scheme, run on school premises out of school hours or as an out of hours club by a Local Authority; or
- schools or establishments exempted from registration under the Children's Act 1989 or operated on Crown property.

7.4 For specific information on registered childcare in the area you should contact the relevant local authority. Details of Government Law can be obtained from the Children's Act 1986 (c.41) [Children's Act 1989](#)). Information on childcare can be found at <https://www.gov.uk/find-family-information-service>

7.5 Payment cannot be authorised for friends or family members unless they are in one of the categories outlined above. The child must satisfy the age requirement, and must be a dependant of and residing with the claimant who must be in receipt of child benefit for the child/children in question.

7.6 Jobcentre Plus currently sets its costs for childcare up to the Tax Credit limits. Current information can be found at <https://www.gov.uk/childcare-tax-credits>

7.7 You must not recommend particular childcare facilities to claimants. This is to ensure that neither DWP nor you can be held liable for the safety of the children. It is the parents' responsibility to decide with whom they entrust the care of their children.

7.8 You may choose to arrange crèche facilities within your own premises. However, it is the parents' choice whether their child uses the facility. You should also ensure that any crèche facilities adhere to current legislation.

7.9 Claimants' relevant childcare costs are included in the overall contract price. DWP will not refund or make further contributions toward your childcare disbursement.

### **Travel expenses for MWA**

7.10 You are responsible for funding the claimant's travel costs during their time on the placement and attendance at any engagement activity if deemed appropriate. You may need to make arrangements with the claimant in advance to enable them to travel to their placement; this should be resolved directly with the claimant.

7.11 The claimant is responsible for meeting their travel costs for attending their Jobsearch reviews.

### **Travel expenses to job interviews**

7.12 MWA claimants may be able to get help with expenses from the Flexible Support Fund, and should be directed to their Jobcentre Plus office to discuss this before they travel

### **Additional support**

7.13 Additional support is defined as any support that allows a claimant who needs extra help to attend and participate fully in provision (e.g. clothing and specialist equipment). You must, as part of your obligations under the duties in the Equality Act 2010, take the necessary steps to obtain and provide special aids or services that might be needed for participation.

7.14 It is your responsibility to fund any additional support required. Whilst on MWA, the claimant is not eligible for payments from the Jobcentre Plus Flexible Support Fund to pay for items they may need to support them whilst on placement.

### **Financial assistance**

7.15 In all cases you must keep a record of any action taken by you and the claimant, including details of any payments made. These payments will be disregarded for the purpose of tax calculation and benefit entitlement.

## **Chapter 8 - Financial Procedures**

[Introduction](#)

[Start Fee](#)

[Payments to Providers](#)

[PRaP Operational Support Team \(POST\)](#)

[Irregularities and Potential Fraud](#)

### **Introduction**

8.1 This section sets out what we expect of you in terms of financial procedures for MWA, including your responsibility to minimise the risk of fraud within the provision delivered.

### **Start Fee**

8.2 You are paid once the claimant has started their MWA placement. This recognises the importance given to setting up and starting the claimant on a work placement quickly, and ensuring robust processes are in place for timely exchange of information between Jobcentre Plus and you thereafter.

8.3 When you enter the MWA placement start date onto PRaP, you are declaring all activities at 4.4 have been completed and are available for evidencing should they be requested by DWP. Once the start date has been entered onto PRaP, this will trigger a payment to be made via Bankers' Automated Clearing Services (BACS). DWP will validate payments periodically throughout the life of the contract.

8.4 Only one start fee will be payable for each claimant per period of allotted time.

8.5 Contract values for MWA are fixed.

8.6 You are expected to maintain robust systems of internal control which must include appropriate checks, monitoring and evidence to ensure only claims for payments to which you are entitled are made. We will monitor the systems you implement.

8.7 As part of the Provider Assurance Team (PAT) review process, PAT will test your systems around the start payments and, if appropriate, select a sample of starts paid to ensure that the systems are operating as described and are effective. If the PAT review identifies problems, PAT can ask you to provide evidence for a wider sample of claimants. If you are unable to provide sufficient information to satisfy us that the attachments are legitimate, we can ask you to repay.

### **Payments to Providers**

8.8 All payments will be made via the Provider Referral and Payment system (PRaP). Please note that we can only make direct payments to UK and NI bank accounts.

## **PRaP Operational Support Team (POST)**

8.9 The PRaP Operational Support Team (POST) will carry out administration and approval functions to support your referrals and payments on PRaP. Further information and full details of the POST role can be found in the PRaP UPK guidance, which is available within the PRaP on-line help function.

## **Irregularities and Potential Fraud**

8.10 You have a responsibility to minimise the risk of fraud within the provision delivered. Funding should be safeguarded against fraud and serious irregularity on the part of your directors, employees or sub-contractors. Such abuse would include false or misleading claims for fees, whether designed to gain immediate financial advantage, or overstate performance.

8.11 Deliberate and/or persistent non-compliance with prescribed standards of delivery would also be subject to investigation if a possible financial impact was identified.

8.12 In such instances we may contact you to pursue enquiries relating to potential abuses of funding. Our remit will be primarily to investigate fraud and financial irregularity, but it can in certain circumstances extend to non-compliance with contract and guidance.

8.13 You should therefore ensure that all staff involved in the delivery and management of contracts are fully aware of the risks and consequences of any falsification, manipulation, deception or misrepresentation. Occurrence of fraud within any individual programme could lead to the termination of all contracts held by you, as well as civil or criminal proceedings against those implicated.

## **Chapter 9 - Performance Management, Delivery Standards and Evidencing Requirements**

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[Service Delivery Standards](#)

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## Introduction

9.1 This section details what we expect of you in terms of performance delivery for MWA. It also outlines how you will supply Jobcentre Plus with required performance and management information (MI).

## Service Delivery Standards

9.2 The success of MWA will be measured against a series of delivery standards and the critical success factors at paragraph 1.8, to ensure that the policy intent of the programme is delivered. We consider this to be a shared responsibility between you and our performance managers.

9.3 Delivery against respective responsibilities will be monitored through a combination of existing performance management practices, local provider engagement meetings and a range of service delivery standards.

9.4 You are expected to actively manage the provision to ensure appropriate action takes place. Following referral, the outcome will be either:

- the claimant starts and completes provision; or
- a sanction doubt is raised; or
- the claimant leaves benefit.

9.5 When the Jobcentre Plus personal adviser decides a referral to MWA is appropriate it is important that momentum is maintained and the claimant starts a placement at the earliest opportunity. The measures to identify that timely access to provision, appropriate communication channels and robust processes are in place will include:

- Start and/or end dates input onto PRaP within 24 hours of the claimant starting or leaving their MWA placement.
- At the point of referral the personal adviser will contact you by telephone (if this is the agreed local practice) to inform you a referral to MWA is being made. It is expected Jobcentre Plus will be able to get through first time in at least 80% of cases.
- You will need to ensure that in every case the claimant starts their MWA placement within 15 working days from the date of referral.
- A contact landline telephone number should be supplied by you for the claimant to use to contact you while they are on their MWA placement.
- When a claimant fails to comply, you will be expected to raise a sanction doubt to Jobcentre Plus within two working days, so that a decision maker can consider if a sanction is appropriate.
- Claimant feedback forms should be completed and returned to Jobcentre Plus within 10 working days of the claimant leaving MWA.
- You must keep documentation to support the placement start date and future attendance; we may request this documentation at any time.

- You should ensure that the environment is conducive to achieving the desired outcomes for the claimant; and ensure that minimum health and safety standards, as laid down in legislation, are met at all times.

### **Assurance Processes**

9.6 It is essential that we can provide assurance to the taxpayer that publicly funded provision is delivering a quality service, and value for money has been obtained. This will be measured using the following:

- Your representation at local performance meetings as agreed with us at post-tender negotiations.
- Your annual self assessment and associated action plan that shows how you will address areas for improvement and build on strengths.
- The performance management process outlined below.

### **Performance Management and Account Management**

9.7 The MWA contracts will be managed by account managers and performance managers. Your performance is based on an assessment of performance priority which considers a range of factors including contract value, compliance with the contract, performance and security.

9.8 You will be responsible for managing the arrangements with the placement organisation and also the performance of your sub-contractors, including addressing poor performance. You will need to ensure that all systems and processes used for the monitoring and recording of performance are robust, provide a clear audit trail of evidence, and give confidence to us that you and your supply chain are delivering the programme in accordance with your overall contractual obligations.

9.9 You must appoint appropriate named contacts who will work with our account manager and performance managers to ensure that MWA is delivered as specified in the contract, and that required standards and performance levels are met.

### **Performance and Management Information**

9.10 You may be invited to discuss your performance regularly at provider engagement meetings (PEMs) which will focus on performance, delivery and claimant experience; Jobcentre Plus and strategic partners will also be invited to attend.

9.11 We will use management information from PRaP for the ongoing management of the provision and for discussion with individual providers.

9.12 As we are committed to transparency on how our programmes are working, you will need to be aware that MI may also feed into published official statistics on MWA. Consequently you must treat information you have

access to as restricted, and for your use only, ahead of formal publication. Official statistics may also cover performance expectations at your level.

### **Provider Assurance Team**

9.13 The primary purpose of the Provider Assurance Team is to provide the DWP Contracted Claimant Services Director with an assurance that:

- payments made to DWP Contracted Employment Programme(CEP) providers are in accordance with DWP and Treasury requirements;
- public funds and DWP data are protected; and
- value for money has been obtained.

9.14 This is achieved through the operation of a national standard risk based approach to provider assurance work.

9.15 The Provider Assurance Team will operate at a national level enabling them to present CEP providers operating across regions with a single view of the effectiveness of their systems.

9.16 The work of the Provider Assurance Team is carried out primarily by visiting you to review the internal control systems you have in place to manage the risks to DWP in relation to CEP expenditure and claimant data. This will also include the arrangements you have in place for your sub-contractors.

### **Jobcentre Plus and Third Party Provision Managers**

9.17 During the lifetime of the contracts, there will be regular interactions between you and Jobcentre Plus staff to ensure the effective delivery of provision and services to claimants.

9.18 Jobcentre Plus is committed to making its premises available to their local strategic and service delivery partners, when and where spare capacity exists. For the initial engagement with the claimant, you may wish to consider the use of Jobcentre Plus premises on an ad hoc basis as the first option if your service delivery model requires premises. You must contact the Jobcentre Plus district manager if you wish to use this option.

9.19 If any Jobcentre Plus premises are made available for your use, it will be conditional that you use them solely for the purpose of performing your obligations under the MWA contract. You should note that there is no national agreement in place entitling you to use Jobcentre Plus premises.

9.20 You will be regarded as a licensee for the duration of the contract, and have no right to exclusive possession of the Jobcentre Plus premises. Any use of Jobcentre Plus premises will be at the Jobcentre Plus manager's discretion.

9.21 The role of the third party provision manager (TPPM), or designated district person, is to act as the link between you, Jobcentre Plus (except on information normally passed through PRaP) and advisory team managers (ATMs).

9.22 For the purpose of MWA, the TPPMs or designated district person's main activities are to:

- ensure the continued successful relationship between you and Jobcentre Plus;
- ensure that where problems may arise these are rectified or escalated immediately;
- discuss with you cases where claimants have not had a start registered within 15 working days of referral, and establish why;
- discuss with you cases where claimants who have reached four weeks of participation who have not satisfied their MWA requirement, and establish why;
- escalate quality issues raised by claimants and advisers; and
- liaise with you to resolve any claimant complaints.

### **Jobcentre Plus Single Point of Contact**

9.23 Jobcentre Plus will appoint a single point of contact (SpOC) to support the implementation and delivery of MWA for each CPA. They will act as a contact point and take responsibility for co-ordinating communications within the CPA between providers and district representatives.

### **Quality**

9.24 Our expectation is that you will invest in and be active in your own improvement and development through a process of continuous self-assessment and action planning. This process will eventually be reviewed as part of the provider assurance process.

### **Programme Evaluation**

9.25 Evaluation of the programme will seek to determine the success of MWA provision. We will analyse MI and conduct qualitative research with DWP staff, claimants and you to build up a picture of the support delivered. Researchers will wish to visit and interview you as part of the evaluation. You will be contacted in advance of any fieldwork. You are expected to fully co-operate with MWA evaluation activity we commission.

### **Collection of MI**

9.26 We will collect data on the following:

- claimants entering the programme;

- referrals;
- starts;
- timings within the process; and
- payments.

**This list is not exhaustive.**

This data will be presented by contract package area, and will be supplied to DWP officials and providers to ensure that there is effective and efficient performance monitoring.

### **Complaints Process**

9.27 You must have an appropriate complaints process across your whole supply chain to resolve claimants' complaints. You must explain your complaints process to the claimant in your first contact with them.

9.28 You should refer to the [Complaint Resolution Core Briefing Pack](#) for providers and the [DWP Claimant Charter](#) when reviewing your processes.

9.29 Where a claimant is unhappy about the service they receive from you and raises a complaint you should ensure that you follow each step of your detailed process robustly in order to bring the complaint to a satisfactory conclusion.

9.30 After following all steps in your process you must include in your final response to the claimant a standard text which signposts the claimant to contact ICE should they wish to pursue their complaint. The text can be found in annex 8)

9.31 ICE will mediate between you and the claimant to broker a resolution. If a resolution cannot be agreed between either party, ICE will undertake a full investigation of the complaint. To ensure that a thorough investigation can take place, you MUST provide all the papers which relate to the complaint. The ICE office will ask for these when required. If a complaint is upheld against you at this investigation stage, £5,000 will be recovered from you to go towards funding the ICE service for provider complaints in the following year.

## Annex 1: Community benefit guidance

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[Defining principles](#)

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[Examples of community benefit](#)

[What is not community benefit?](#)

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[Ensuring claimants are not exploited by employers](#)

### Introduction

A1.1 The work placements delivered through MWA should deliver work that provides direct or indirect benefit to the local community. You should, if required, be able to clearly describe the community benefits the placement is delivering.

### Defining principles

A1.2 The community benefit of a MWA placement should:

- be of benefit to the community **in addition to** the benefit of employing the individual;
- directly create, or significantly contribute to the creation of, tangible and lasting benefit to the community, or particular groups or individuals within the community;
- be clearly demonstrated in the placement activity, and not be an 'add on'; and
- where the placement does not directly benefit the community, there must be clear demonstrable evidence that the placement organisation's business objectives are to deliver community benefits.

A1.3 A community benefit placement must be of benefit to the community **over and above** the benefit of providing a placement to the individual. This means the role can include:

- Working directly towards the community benefit goal of the host organisation. In this case the duties of the claimant would contribute directly towards the benefit to the community. An example of this could be the employee working with the public on a community project.
- Working indirectly towards the community benefit goal of the host organisation. In this case the duties of the claimant would contribute indirectly towards the benefit to the community, as the duties of the claimant would be contributing towards the work of the organisation which delivers community benefit. An example of this could be the employee working 'behind the scenes' on the organisation of a community project.

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- Working towards the profit of the host organisation, providing that the majority of the role is dedicated towards delivery of benefit to the community.

A1.4 Examples of organisation types that come under this definition include:

- Local Authorities and Councils;
- Government Departments and Agencies;
- Charities and third sector organisations;
- Social Enterprises; and
- Environmental Agencies.

This list is not exhaustive.

### Questions to consider

A1.5 It may be useful to use the following questions when considering whether a placement demonstrates community benefit:

- What will the placement deliver? What is the output?
- How will the placement benefit the community?
- Who in the community will it benefit?
- Is the benefit to the community visible and lasting?
- Would it be obvious to the taxpayer / member of the public that the placement provides community benefit?
- If the placement does not appear to demonstrate direct involvement in the community benefit, does it have a supporting role in the project? (e.g. an administrator organising a new outreach project for vulnerable people could be demonstrating community benefit.)

### Examples of community benefit

A1.6 The following sets out three ways in which community benefit could be demonstrated. It is not an exhaustive list, but a job with clear community benefit may include:

**Social benefits** - for example, projects that:

- engage with and/or support vulnerable groups;
- support crime prevention or reducing anti-social behaviour;
- improve the physical, emotional or mental well being of the community;
- improve access to public services for vulnerable groups.

**Environmental benefits** - for example, projects that:

- regenerate, renovate or restore public areas, buildings, houses and amenities;
- promote or support recycling or energy efficiency and conservation;

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- promote or support nature conservation;
- promote an awareness of and respect for the natural environment.

**Cultural benefits** - for example, projects that:

- extend or improve access to cultural, sporting, or educational opportunities for vulnerable or marginalised groups;
- encourage or promote understanding between different communities and/or generations.

### What is not community benefit?

A1.7 The following examples fail to demonstrate sufficient community benefit:

Where **giving a person employment** is claimed as the community benefit:

- Providers have said “by employing a JSA claimant, we are helping the individual to find sustainable employment”. This is a necessary requirement of MWA, but is not sufficient on its own to demonstrate a direct benefit to the community.

Where ‘**green jobs**’ are presumed to automatically have community benefit:

- Although we welcome the creation of green jobs, being green does not automatically mean that a job provides community benefit as its main objective. It is still necessary to describe what the community benefit is, in line with the principles above.

Where community benefit has been **poorly articulated**:

- A number of providers who have not clearly described the community benefit that jobs deliver have failed the criterion. For example, one provider mentioned that sports coaching is the community benefit, but failed to explain why this is important within the context of the local community.

### Unsuitable types of activity

A1.8 Claimants must not be expected to engage in activities which could put them at risk, or are against their personal beliefs. It would be difficult to produce a list of unsuitable activities; if in doubt, contact Jobcentre Plus for advice. Examples might include:

- where there are doubts under the Health and Safety Act;
- where it may involve the claimant breaking the law, e.g. street sales without a licence from the local authority where a licence is required;
- working in the adult entertainment industry;
- involvement in religion or party politics.

### Universal Credit (UC)

For UC claimants, we will document unsuitable types of activity on the [UCPR1](#) Additional Information Template as described in chapter 3.

A1.9 You should take account of a claimant's personal beliefs. All claimants on MWA should be treated fairly regardless of their religion or beliefs. They should not be asked to undertake any activity which goes against their beliefs, for instance, working within certain types of industry (e.g. with food). You should also make allowances wherever possible to accommodate religious holidays and practices.

#### Ensuring claimants are not exploited by employers

A1.10 You are responsible for ensuring that claimants are not exploited.

A1.11 Employers may be tempted to get involved in the delivery of provision as a way of getting cheap labour or getting someone in to help during a busy period. This is not acceptable; placements must be **in addition** to existing or expected vacancies.

A1.12 Before arranging a work placement, you must be sure there is a genuine reason why the employer wants to offer claimants the opportunity to work with them.

A1.13 Once the claimant is working with the placement organisation, you are responsible for monitoring their progress, and in doing so, gaining assurance that they are not being exploited.

A1.14 Ultimately, any decision made about withdrawing participation with an organisation will depend on the quality of feedback you get from them, and the knowledge you have of the capability of the claimant.

## Annex 2: Initial Notification Letter (For Non - Universal Credit Customers only)

### MWA Provider Letter Wording to Customer - referral

The provider's letter to the customer must contain the following elements. The provider may add anything they wish to this letter to support their customer journey. However, the wording below **must** be included as a **minimum** to support MWA regulations.

## Mandatory Work Activity Provider Guidance

From: Provider  
 To: Customer's full name and address  
 Date letter issued:

Your Mandatory Work Activity Placement starts:

**On:** [text]

**At:** (time) [text]

**Venue:** [text] (full address of placement)

You must start your placement on this day.

***[Variable: to be included if claimant is being initially referred to MWA]***

You must participate in the Mandatory Work Activity scheme for [amount of hours per week] per week for four weeks on the following days and times.

(Input attendance start and end times for each day - if appropriate also include details of lunch breaks etc)]

***[Variable: to be included if claimant is making up a Balance of Time]***

Mandatory Work Activity is a 4 week placement. The length of this placement takes into account time you've spent on a previous Mandatory Work Activity placement. You must participate in the Mandatory Work Activity scheme for [amount of hours per week] per week for [amounts of weeks] weeks on the following days and times.

(Input attendance start and end times for each day - if appropriate also include details of lunch breaks etc)]

Day	Week 1				Week 2				Week 3				Week 4			
	Am Start	Am Finish	Pm Start	Pm Finish	Am Start	Am Finish	Pm Start	Pm Finish	Am Start	Am Finish	Pm Start	Pm Finish	Am Start	Am Finish	Pm Start	Pm Finish
Monday																
Tuesday																
Wednesday																
Thursday																
Friday																
Saturday																
Sunday																

Your last day on your Mandatory Work Placement will be [insert date].

**You must continue to attend your Job Search Reviews at the Jobcentre and actively seek employment whilst on Mandatory Work Activity.**

Should your signing time at the Jobcentre conflict with the above pattern of work, you must contact the Jobcentre to ask them to consider re-arranging your signing time to fit in with your attendance on MWA. You must then advise us immediately on [provider number] of your new signing time.

**What if I cannot attend my work placement start date?**

You must start your mandatory placement on the [insert date].

If you think you won't be able to attend on this date, please telephone us **immediately** on [Provider number (textphone:)] to explain why. You must go to your placement on this date unless we tell you that the placement can be re-arranged.

You are expected to attend your placement every day (as in the table above), If you can't go on any one day, phone <telephone number> **immediately** to explain why. You must have a good reason why you cannot attend or your Jobseeker's Allowance may be cut as detailed on the next page.

**What is Mandatory Work Activity?** (detail in this paragraph is subject to provider customer journey - this information must be conveyed prior to the placement start. Where possible provide details of the activities the customer is likely to be participating in whilst on their placement).

[insert paragraphs on MWA and how MWA will support them, what they must do to keep getting Jobseeker's Allowance and/or National Insurance Credits, what additional support is available (e.g. arrange an interpreter if you need one and travel/childcare costs) and how they can ask further questions].

**What happens if I don't start or fail to attend my placement?**

It is a condition of getting Jobseeker's Allowance (JSA) and/or National Insurance Credits that you must start your placement and continue to attend when asked to do so, unless you have a good reason. Your benefit may be affected unless we agree to any alterations to your required attendance before the start date as set out in paragraph [insert paragraph number] above.

You may lose your Jobseeker's Allowance and your National Insurance credits if, without a good reason, you:

- fail to participate in Mandatory Work Activity;
- refuse, or fail to apply for, or accept if offered, employment which an employment officer has informed you is vacant or about to become vacant;
- through misconduct, lose employment as an employed earner or voluntarily leave such employment; or

## Mandatory Work Activity Provider Guidance

- do not take advantage of a reasonable opportunity of employment with an employer for whom you have worked in the last year.

If you do fail to take part, and DWP decides that your Jobseeker's Allowance (JSA) should be sanctioned, your Jobseeker's Allowance and National Insurance credits will not be paid (or will be paid at a reduced rate, depending on your circumstances) for:

- 13 weeks, for a first failure; or
- 26 weeks if DWP has decided within 52 weeks (but not within 2 weeks) of this failure that your JSA should be sanctioned for one of the reasons listed above; or
- 156 weeks if DWP has decided within 52 weeks (but not within 2 weeks) of this failure that your JSA should be sanctioned on two or more occasions for one of the reasons listed above.

We will refer your case to a DWP decision maker if you:

- do not start the placement;
- fail to attend the placement, once started, throughout the period you are required to attend;
- are dismissed from your placement; or
- do not carry out the activities you are asked to do.

Once sanctioned, you may be required to complete the remaining time on the placement, or you could be referred to Mandatory Work Activity again for a further four week placement.

Manager (on behalf of the Secretary of State)

## Annex 2A UC Initial Notification Letter

### Universal Credit

This form has been tailored for UC claimants and includes references and instruction on the claimant commitment, sanctioning periods and UC work search requirements.

### MWA Provider Letter Wording to Customer - referral

Your letter to the customer must contain the following elements. You may add anything you wish to this letter to support your customer journey, however the wording below must be included as a minimum to support current legislation.

Provider address

Claimant's address

Date

Dear <Title> <Last name>,

To keep receiving your full Universal Credit you must fully take part in a work placement for <number of hours> a week. This placement is called Mandatory Work Activity.

#### Your placement

**Where:** [Name and full address, including telephone number, of business]

**Contact person:** [full name of employer contact person, including work telephone number]

**First day:** [day, full month, year]

**Start time:** [text]

**Last day:** [day, full month, year]

**[Variable: to be included if claimant is making up a Balance of Time]** The length of this placement takes into account time you've spent on a previous Mandatory Work Activity placement.

This table tells you when you must be at your placement.

## Mandatory Work Activity Provider Guidance

(Provider: Input attendance start and end times for each day - if appropriate also include details of breaks.)

Day	Week 1				Week 2				Week 3				Week 4			
	Am Start	Am Finish	Pm Start	Pm Finish	Am Start	Am Finish	Pm Start	Pm Finish	Am Start	Am Finish	Pm Start	Pm Finish	Am Start	Am Finish	Pm Start	Pm Finish
Monday																
Tuesday																
Wednesday																
Thursday																
Friday																
Saturday																
Sunday																

If your Work Search Review is at the same time as your placement, contact Universal Credit to see if other arrangements can be made for you to go to your Work Search Review at a time to fit in with your placement.

You must then tell us about your new Work Search Review time.

**If you can't start the placement on <day> <month>**, phone <provider name> on <telephone number> **before** <start date> to explain why. You must go to your placement on this date unless we tell you that the placement can be re-arranged.

**If you can't go on any one day**, phone <provider name> on as soon as you can to explain why.

### **What you have to do on this placement**

[Provider to give job description and expected activities here.]

### **Helping you to take part in this placement**

[Provider to complete: What claimants should do to get help.

Example: We will help you with childcare costs, travel costs or an interpreter while you are on this placement.]

### **Your Universal Credit payments may be cut if you don't fully take part**

Your Universal Credit payments will be cut if, without good reason, you do not go to and fully take part in all of this work placement.

## Mandatory Work Activity Provider Guidance

This cut is called a higher level sanction. Higher level sanctions last for 91 days (13 weeks), 182 days (6 months), or 3 years, depending on how many higher level sanctions you've had in the previous 12 months.

Sanctions are explained in your Claimant Commitment pack.

While on your work placement you must:

- do everything you accepted in your Claimant Commitment, including going to Work Search Reviews
- Apply for job vacancies and attend interviews that your adviser tells you about
- do all reasonable tasks you are asked to do and meet good standards of behaviour

We will tell Universal Credit if you:

- don't go to and fully take part in all of your placement
- don't do all reasonable tasks you are asked to do
- don't meet good standards of behaviour
- are dismissed

**If for any reason you cannot complete this placement** you may be required to make up any time you have missed or to complete another placement.

If you need more information, phone <provider name> on <telephone number>.

We hope you enjoy your work placement and find it useful.

Yours sincerely,

Manager (on behalf of the Secretary of State)

We are committed to treating people fairly, regardless of their disability, ethnicity, gender, sexual orientation, transgender status, age, religion or beliefs. Please contact us if you have any concerns.

### **Annex 3 DMA Referral Form**

[MWA1 referral form](#)

### **Annex 3A UC DMA Referral Form**

[MWAUC1 referral form](#)

### **Annex 4: Leaver Letter**

#### **MWA Provider - Leaver Letter Wording to Claimant**

The provider leaver letter to the claimant must contain the following elements.

They must be included as a minimum to support MWA regulations.

From:

To: Claimants full name and address

Date letter issued:

You are no longer required to attend your Mandatory Work Activity Placement.

Your last day on Mandatory Work Activity was therefore [insert date].

If you are still looking for work you should report back to Jobcentre Plus.

**OR, FOR UC:**

You must phone Universal Credit straight away on 0845 600 0723 to find out what you need to do next.

## Annex 5: PRaP Leaver Reasons Definitions

### [Introduction](#)

### [Claimant moved outside CPA](#)

### [Claimant participation ended due to starting full time work](#)

### [Claimant participation ended due to no longer being entitled to JSA](#)

### [Claimant has left provision](#)

### [Claimant completes four weeks on MWA](#)

## Introduction

A5.1 This section covers updating PRaP when a claimant leaves MWA provision.

### **Claimant moved outside CPA**

A5.2 If the claimant has moved outside the CPA you will need to update the PRaP system, selecting 'leaver' reason 'transferred to another provider/provision' from the drop down menu.

### **Claimant participation ended due to starting full time work**

A5.3 If you are notified that the claimant has started full-time work you will need to update the PRaP system selecting 'leaver' reason 'found work'.

### **Claimant participation ended due to no longer being entitled to JSA**

A5.4 In order for a claimant to be eligible for MWA, they must remain entitled to Jobseekers Allowance (JSA).

A5.5 Should a claimant's circumstances change, their entitlement to Jobcentre Plus benefits may be affected. If a claimant's entitlement to JSA ceases, you will be notified by the claimant or Jobcentre Plus.

A5.6 There are a number of reasons why a claimant would no longer be eligible for MWA, including:

- attending Jury Service;
- a domestic emergency lasting for eight days or more; or
- sickness lasting for 15 days or more.

A5.7 You will need to update the PRaP system selecting leaver reason 'no longer eligible'.

## **Claimant has left provision**

A5.8 There are a number of reasons why a claimant would leave MWA, including:

- failing to participate and a doubt being raised;
- being excluded, and a doubt being raised; or
- no contact from the claimant, resulting in a doubt being raised.

A5.9 If you become aware that a claimant has left MWA provision, you should update the PRaP system selecting leaver reason 'no longer engaged with Jobcentre Plus/provider'.

## **Claimant completes four weeks on MWA**

A5.10 Once the claimant has completed their four weeks on MWA you will need to enter the last date they attended their placement selecting leaver reason 'completed'.

## **Annex 6: MWA Definitions**

[Introduction](#)

[Referral](#)

[Engagement Activity](#)

[Allotted Time](#)

[Allotted Time Start](#)

[MWA Placement Start Date](#)

[Start Fee](#)

[Completer](#)

[Leaver](#)

[Did not engage](#)

[Claimants referred for Balance of Time](#)

### **Introduction**

A6.1 This section describes the MWA definitions.

### **Referral**

A6.2 This is the date Jobcentre Plus makes a referral to you on LMS which you will receive the following day via PRaP (see paragraphs 3.3 to 3.7 for further details).

### **Engagement Activity**

A6.3 Engagement activity is the initial engagement between you and the claimant. This may be by any manner and media you deem appropriate,

however, it must include issuing the formal initial notification letter to the claimant, in accordance with paragraphs 3.17-3.22, before they start on a work placement.

### **Allotted Time**

A6.4 The MWA allotted time is four weeks from and including the date the claimant starts a MWA placement.

### **Allotted Time Start**

A6.5 A claimant is defined as 'starting allotted time' on MWA from and including the date the MWA placement starts.

### **MWA Placement Start Date**

A6.6 The date the claimant starts the MWA placement. You must enter this date onto PRaP within 24 hours of the claimant starting the placement (see paragraph 4.4 for further details).

### **Start Fee**

A6.7 A start fee will be paid, when you record the MWA placement start date on PRaP. At this point you are declaring that all activities at paragraph 4.4 have been completed and are available for evidencing should they be requested by DWP (see paragraphs 8.2 to 8.6 for further details).

A6.8 Only one start fee will be payable for each claimant per period of allotted time.

### **Completer**

A6.9 A completer is a claimant who has reached the end of their allotted time (see paragraph 4.22 for further details).

### **Leaver**

A6.10 A leaver is a claimant who has not completed their allotted time. Leavers are claimants who have:

- ceased to claim JSA;
- returned to Jobcentre Plus as described in Chapter 5 or
- had a MWA sanction doubt raised.

### **Did not engage**

A6.11 A claimant who has failed to start their allotted time, where an MWA placement start date has not been recorded on PRaP.

### **Claimants referred for Balance of Time**

A6.12 A claimant who has previously started their allotted time and subsequently been defined as a Leaver (see paragraphs 3.8 to 3.10 for further details).

## **Annex 7: List of Abbreviations**

ATM	Adviser Team Manager
BACS	Bankers' Automated Clearing Services
BoT	Balance of Time
CPA	Contract Package Area
CRB	Criminal Records Bureau
DNS	Did not start
DWP	Department for Work and Pensions
ESA	Employment and Support Allowance
EU	European Union
FJR	Fortnightly Job search Review
FTA	Failed to Attend
IB	Incapacity Benefits
ICE	Independent Case Examiner
JSA	Jobseeker's Allowance
LA	Learning Agreement
LM-DMA	Labour Market Decision Making and Appeal
LMS	Labour Market System
MWA	Mandatory Work Activity
MI	Management Information
NEET	Not in Employment, Education or Training
NI	Northern Ireland
Ofsted	Office for Standards in Education
PAT	Provider Assurance Team
PEM	Provider Engagement Meetings
POST	PRaP Operational Support Team
PRaP	Provider Referral and Payment system
Spec	Single Point of Contact
TIS	Travel to Interview Scheme
TPPM	Third Party Provision Manager
UK	United Kingdom

## **Annex 8: Complaints - Standard wording for your final response to the claimant.**

If you are not happy with this response, you can ask the Independent Case Examiner (ICE) to consider your complaint. You should contact them within six months from the date of this letter. The ICE service is provided by the Department for Work and Pensions (which includes Jobcentre Plus) and offers a free, impartial resolution service but does not consider matters of law or government policy. ICE can be contacted at:

The Independent Case Examiner  
Jupiter Drive  
Chester  
CH70 8DR

Phone: 0845 606 0777

Website: [www.ind-case-exam.org.uk](http://www.ind-case-exam.org.uk)

### **Parliamentary and Health Service Ombudsman**

You can also, at any time contact your MP who may be able to send your complaint to the Parliamentary and Health Service Ombudsman. The Ombudsman normally (but not always) expects you to have exhausted both the provider complaints process and the ICE service before accepting a complaint for investigation.

The Ombudsman investigates complaints that government organisations have not acted properly or fairly or have provided a poor service. To find out more, please contact:

The Parliamentary and Health Service Ombudsman  
Millbank Tower  
Millbank  
London  
SW1P 4QP

Phone: 0345 015 4033

Website: [www.ombudsman.org.uk](http://www.ombudsman.org.uk)