

# Withdrawn

**This publication has been withdrawn.**

It is no longer current.

## Department for Work and Pensions

### **Mandatory Work Activity provider guidance: incorporating Universal Credit (UC) guidance (February 2016)**

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

**For the most up to date information regarding Universal Credit, including UC live areas and claimant groups please refer to the [GOV.UK](http://gov.uk) website.**

Universal Credit commenced roll-out April 2013 in the North West of England and continues to expand nationally. Providers must note that once Universal Credit is awarded, claimants will not be entitled to current benefits, even if they have a change of circumstances. Claimants who move area will remain a Universal Credit claimant and Universal Credit processes and systems will continue to apply for this individual.

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 rollout areas may be subject to amendments and changes at short notice. Please check your Live Running Memos regularly.

Further information about Universal Credit for Providers of DWP Programmes is to be found on [DWP's Universal Credit Toolkit](#) page for Partner Organisations:

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## Chapter 1 – Introduction to Mandatory Work Activity

[Introduction to Guidance](#)

[Background to MWA](#)

[The aims of Mandatory Work Activity](#)

[Critical Success Factors](#)

### 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 provider 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](#)' in 2010; 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 a community benefit work placement for up to 30 hours a week (unless restrictions have been agreed) over a period of four consecutive weeks.

1.6 Referrals will be made from May 2011 to 1 March 2016, with the last claimants leaving provision in April 2016. The prime providers and the CPAs are:

Mandatory Work Activity Prime Providers		
CPA	CPA Name	Provider
CPA1	South East	Atos
CPA2	South West	Rehab Jobfit LLP

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CPA3	London	Seetec
CPA4	East of England	Seetec
CPA5	East Midlands	Ingeus
CPA6	West Midlands	ESG
CPA7	North West	learndirect
CPA8	Yorkshire and Humber	Interserve
CPA9	North East	Ingeus
CPA10	Scotland	learndirect
CPA11	Wales	Rehab Jobfit LLP

### **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

[Introduction](#)  
[Claimant Group](#)  
[Claimant Eligibility](#)

### 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-Incapacity Benefit (IB) / Ex- Employment and Support Allowance (ESA).
- 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 work coaches and their managers to decide who is appropriate for referral to MWA.

2.6 Jobcentre Plus work coaches 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, a work coach may decide a further referral is

## Mandatory Work Activity Provider Guidance

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)

**For the most up to date information regarding Universal Credit, including UC live areas and claimant groups please refer to [GOV.UK](http://GOV.UK)**

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

- 18-24 year olds.
- 25+.
- NEET (Not in Employment, Education or Training).
- Ex-Incapacity Benefit (IB) / Ex- Employment and Support Allowance (ESA).

#### Eligibility

From 29<sup>th</sup> April 2013 Universal Credit claimants subject to the intensive work search regime are eligible to be referred to MWA.

To make a new claim to Universal Credit, claimants (and their partner if they have one) must meet certain conditions.

The eligibility conditions for new claims to UC will change over time as UC rolls out to new areas. For up-to-date eligibility criteria in the Universal Credit Live Service please refer to [GOV.UK](http://GOV.UK). Further information about Universal Credit for Providers of DWP Programmes can be found on [GOV.UK](http://GOV.UK)

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 and the claimant's Universal Credit award will be adjusted accordingly. For example, if a Universal Credit 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).

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You will recognise a Universal Credit claimant by the PRaP Purchase Order number beginning with 2.

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

Official letters contained in the Annexes to this Guidance are amended for Universal Credit 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

[Introduction](#)

[MWA Pre-start Action](#)

[Referrals](#)

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

[Sourcing Placement](#)

[Engagement Activity](#)

[Multi Agency Public Protection Arrangements \(MAPPA\) cases](#)

[Clerical Referrals -Special Customer Record Cases \(SCR\) inc. MAPPA cases given SCR status](#)

### Introduction

3.1 This is the action you need to take to ensure a claimant starts MWA. Prior to this, the Jobcentre Plus work coach will have identified a suitable claimant, told them about the referral and that you will be in touch to confirm their placement start date. It is important that momentum is maintained and the claimant starts a placement at the earliest opportunity (within the process and timescales detailed in the following paragraphs).

### MWA Pre-start Action

3.2 During this process you must:

- **engage with the claimant;**
- **issue official start notification; and**
- **ensure PRaP is updated appropriately within 24 hours.**

<p><b>Consequence:</b> 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.</p>
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### Referrals

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

3.4 Where appropriate, referrals, including those where there has been a warm handover, will be notified to you through the PRaP system. The referral will not be available to you in PRaP until the day following the JCP referral. It should also be noted that while the vast majority of referrals will be made through PRaP, there maybe a very small number of referrals sent to you clerically; which we cannot use the PRaP system for, such as Special Customer Records (SCR) (further information regarding SCRs can be found in [Chapter 2 of Generic Provider Guidance](#) and paragraphs 3.35 to 3.50 of this chapter)

## Mandatory Work Activity Provider Guidance

3.5 You must check PRaP every day and ensure all updates are made within 24 hours of their occurrence.

3.6 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.

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

3.8 The Jobcentre Plus work coach 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**

3.9 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 Mandatory Activity Notification letter to them before their return

3.10 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.

3.11 However, if 14 days or more have elapsed since the last day on provision, it will be treated as an initial referral rather than a re-referral for balance of time.

**Note:** Paragraph 3.22 below refers to claimant representation and the associated timescales – note that these are only relevant for the first notification. A notification due to “balance of time” is not considered a first notification, unless you are referring the claimant to a different placement from the one they were participating on before the break that lead to the current “balance of time” referral.

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

#### Referrals

Universal Credit claimants are referred to MWA via the Work Services Platform (WSP), the UC IT system.

There is 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 Purchase Order number beginning with 2.

However, not all pertinent details about your participant will transfer electronically. This means that Universal Credit will also send you some additional information clerically on a newly designed Additional Information for PRaP Referral form (UCPR1). A UCPR1 form will be issued in every case where a UC claimant is referred to MWA.

This additional information will appear on the template in the “Part 4: Additional Information” field and will be completed by the work coach. 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 amount of information it contains will be at the discretion of the work coach, and this will depend on the claimants personal circumstances.

The Additional Information for PRaP Referral form (UCPR1) will be sent to you by post on the same day the PRaP referral is made. 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 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 face to face 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 accept this information by phone so the programme start is not delayed.

### Changes of Circumstances

Following a referral, if there are any changes of circumstance for a Universal Credit claimant, a UC78 form will be issued to the Provider by post detailing the change of circumstance.

## **Sourcing Placement**

3.12 You have 20 working days from the Jobcentre Plus referral to ensure a suitable community benefit placement is sourced and the claimant starts the placement.

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3.13 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).

3.14 It is not necessary (although it is 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.

3.15 In cases where the JSA claimant has an availability restriction agreed, the MWA placement will take up 75% of this time (e.g. if a JSA 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.

### Universal Credit (UC)

In cases where the claimant has an availability restriction agreed with a Jobcentre Plus work coach, you will be told how many hours they are expected to participate on the MWA placement. Any restrictions will be part of the information that Jobcentre Plus sends to you through PRaP and the UCPR1 form. If claimants are expected to undertake other work-related activities, this will be in addition to the time they are on the MWA placement.

3.16 Placement opportunities 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.

3.17 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

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

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

- the issuing of a formal notification letter – Mandatory Activity Notification (MWA MAN01 / MWA UC MAN01) - see letter at Annex 2 and Annex 2A. **Please note: do not combine these annexes** - Use a separate letter depending on whether a person is a UC claimant or not;

## Mandatory Work Activity Provider Guidance

- details of the work placement including why it is considered suitable for the claimant, start date and time, duration of placement, hours of attendance, location;
- the claimant's responsibilities while on placement;
- identification of any additional support requirements the claimant has (e.g. travel, childcare etc.) and, where appropriate, arrange to have these in place for the duration of the placement – see also Chapter 7 of this guidance
- communication of your feedback and complaints procedure to the claimant
- advising the claimant that they can, if they want to, make representations to you regarding the suitability of the proposed placement before it commences;
- the consequences of failure to participate and MWA sanction regime (You may wish to refer to [Jobseeker's Allowance \(JSA\) - GOV.UK](#). As well as general information there is a factsheet entitled "Jobseeker's Allowance Sanctions" that can be downloaded which gives some useful information on this subject for JSA claimants); and
- the requirement for the claimant to continue to attend Fortnightly Job Search Review (FJR) and to be actively seeking and available for work.

3.20 The initial Mandatory Activity Notification letter must be issued in **hard copy**. Whilst you can of course communicate with a claimant's in their preferred style e.g. by telephone or text, the initial Mandatory Activity Notification letter must be issued as a hard copy and for this letter, 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 and when the letter was issued to the claimant.

3.21 You must allow reasonable notice between the date of issuing the notification and the work placement start date (a minimum of 2 working days prior to the placement start date). If the letter is posted, you must allow sufficient time for the notification to reach the claimant after date of postage. By convention, a letter sent by first class post, is deemed to have been received on the **second working day after posting** (Saturdays, Sundays and Bank Holidays are not included). Longer time frames will be needed if writing to the claimant by second-class post.

3.22 You also need to ensure you provide the claimant with an adequate opportunity to make representations as to the suitability of the MWA placement they will undertake before the start of the MWA placement (we recommend notifications are received by claimants at least 5 working days before the placement starts). **NOTE:** This timescale is only required for the first notification and any subsequent notifications (i.e. if a placement is changed following a representation by the claimant) will only need to adhere to the minimum 2 working days timescale described in paragraph 3.21 above.

3.23 If the claimant fails to engage, you **must still issue** them with the formal Mandatory Activity Notification letter. Any record of engagement activity should be kept in case a doubt is raised if the claimant subsequently

fails to start their work placement (in which case you would take action as per Para 6.8 re possible DMA action). 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.

### Claimant Representation

3.24 If a claimant raises a representation with you as to the suitability of a specific placement (as per paragraph 3.22) there will be three possible outcomes, once you have considered these representations:

- i. the placement is still appropriate and you will inform the claimant of this (providing the reason for the decision) and of the need to attend the mandated placement as detailed in their Mandatory Activity Notification Letter; or
- ii. you decide that the placement is not appropriate and an alternate placement must be sought and the claimant referred to that new placement. You will need to issue a new Mandatory Activity Notification Letter detailing the new placement details; or
- iii. during the representation the claimant provides information that raises doubt on the appropriateness of the referral to the MWA programme (rather than the suitability of the placement) e.g. a change of circumstances. In these cases advice **must be** sought from Jobcentre Plus, who will advise as to what further action needs to be taken including, if necessary, the cancellation of the referral, as in Chapter 5 paragraph 5.8. This is because **in all cases** a decision on good reason is for the Secretary of State (i.e. a DWP member of staff) to make and not at the discretion you (the provider).

3.25 In all cases you are required to record the outcome of any representations made to you including the reasons why the claimant is nonetheless required to undertake activities or placement and that this has been communicated to the claimant.

3.26 You must ensure that in every case the claimant starts their MWA placement within 20 working days from the date of referral. This includes where a claimant representation is made i.e. if a representation is upheld and an alternate placement is sourced, this still needs to be undertaken to meet the 20 working days deadline.

3.27 If the claimant tells you that they cannot attend their work placement on the start date, you may change the details in the formal Mandatory Activity Notification letter which you must then re-issue to the claimant (using the same timescales as described in paragraph 3.21 above). You must also take action as per Para 6.8 re possible DMA action.

### Multi Agency Public Protection Arrangements (MAPPA) cases

3.28 MAPPA cases that have not been given Special Customer Record status will be referred through PRaP. You will receive the referral, minus the address, postcode and contact telephone number.

3.29 The Jobcentre Plus nominated officer will contact your nominated officer to discuss any risks or restrictions that should be in place for each MAPPA referral. They will forward to you a copy of the MAPPA J form which will detail the restrictions. Risks or restrictions will be different for every MAPPA case.

3.30 The MAPPA J form and any other clerical documents for each claim must be held securely, with restricted access, following the same process as you would for SL2's.

3.31 The Jobcentre Plus nominated officer will also provide you with the participants contact details.

3.32 You can set up regular electronic records on your IT systems for MAPPA participants. However, the record must only contain information regarding the day to day running of the placement and should be marked that it is a MAPPA case and that further information can be obtained from your nominated officer. Therefore, access to this record does not need to be restricted.

3.33 If it is deemed appropriate, the Jobcentre Plus nominated officer may also issue letters to the participant which you would normally have issued.

3.34 Further explanatory information about MAPPA cases is contained in [Generic Provider Guidance Chapter 2 – Delivering DWP Programme Provision](#).

### **Clerical Referrals**

#### **Special Customer Records (SCR) - including MAPPA cases given SCR status**

3.35 Participants who have been granted Special Customer Record status will always be referred to you clerically using the SL2 clerical referral form.

3.36 There may be occasion when a MAPPA participant is given SCR status. You must ensure that you treat these cases as you would any other SCR participant.

3.37 Further explanatory information about SCR cases and what action you need to take is contained in [Generic Provider Guidance Chapter 2 – Delivering DWP Programme Provision](#).

3.38 You must ensure you have a full understanding of who these participants are and how you should deal with them. You must ensure full compliance with the SCR clerical record process.

3.39 The clerical completion and return of SL2 Forms for Special Customer Records (SCR) participants should always be undertaken by your Nominated Officer who must ensure that “SCR participant” is clearly marked at the top of each form.

3.40 All information on SCR participants whether received from Jobcentre Plus or generated by yourselves must be stored securely at all times. Further information is contained in [Generic Provider Guidance Chapter 8 - Information Security](#).

### **Action to Take**

3.41 A Jobcentre Plus nominated officer will telephone your nominated officer to inform them that a clerical referral form SL2 will be issued for a claimant who has a SCR. During the call, relevant details will be disclosed in line with the agreed level of claimant sensitivity. The degree of sensitivity will vary from one claimant to another. On receipt of the phone call, you should follow the guidance at paragraphs 3.12 to 3.17 to source a placement.

3.42 Jobcentre Plus will complete parts 1 and 2 of the SL2 and send it to your nominated officer via secure courier or special delivery. The SL2 will contain the claimant’s name and National Insurance number, but not their address.

3.43 When a placement has been secured, you will need to telephone the Jobcentre Plus nominated officer to notify them of the following:

- Details of the placement
- Start date
- Start time
- Venue

3.44 The Jobcentre Plus nominated officer will telephone the claimant with the placement details, then complete the formal Mandatory Activity Notification letter and issue it to the claimant.

### **Notification of Start for Claimant with SCR**

3.45 Follow the guidance at paragraphs 4.3 to 4.4 to confirm that the claimant has started the placement. Following confirmation, complete part 3 of the SL2; and return page 1 securely to the Jobcentre Plus nominated officer. To claim a payment, see paragraph 3.57.

### **Claimant with SCR Ceases to Claim JSA between Referral and Start**

3.46 Jobcentre Plus will notify you if the claimant ceases to claim JSA. You must complete part 3 of the SL2 and indicate ‘failed to start’ by annotating the appropriate box. Return page 1 securely to the Jobcentre Plus nominated officer.

### **Claimant with SCR Completes MWA**

3.47 This paragraph should be read in conjunction with paragraphs 4.22 to 4.24. Complete part 4 of the SL2 by inputting the end date (date last attended placement) in the 'actual end date' box and enter 'completed MWA' in the 'other reason' box. Return the SL2 securely to the Jobcentre Plus nominated officer. Follow the guidance at paragraphs 4.23 to 4.24 to issue the feedback form.

### **Claimant with SCR Leaves MWA before Completing Placement**

3.48 This paragraph should be read in conjunction with Chapters 5 and 6, and Annex 6 for leaver reason definitions. Where a claimant leaves MWA before completing their allotted time, and you do not know the reason why, you must contact the Jobcentre Plus nominated officer to ask them to contact the claimant to establish the reason for non-attendance. To notify Jobcentre Plus, you must complete part 4 of the SL2 form by inputting the end date (date last attended placement) in the 'actual end date' box. Complete the 'other reason' box and enter the appropriate 'leaver' reason in the space provided, e.g. 'found work', 'no longer engaged', 'no longer eligible', or 'transferred', and return the form securely to the Jobcentre Plus nominated officer.

### **Claiming a Start Payment for a Claimant with SCR**

3.49 To make a claim for a claimant with SCR you must have written confirmation that the claimant has started on their placement. You then need to send a copy of the completed SL2 (page 1) and a completed PRaP11 MWA claim form (see [Annex 10](#)) by secure post to:

Provider Payment Validation Team  
Department for Work and Pensions  
Room GW33  
Quarry House  
Quarry Hill  
Leeds  
LS2 7UA

3.50 Payments will be made into your nominated bank account within 30 days of receipt of a correct claim.

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

[Introduction](#)

[High Level Requirements](#)

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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 20 working days from the date of referral by the Jobcentre Plus work coach to start the claimant on a work placement.

4.4 A claimant is defined as 'starting' once they attend their placement. 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. It is expected that**

**you will be able to have this information and input the start date to PRaP within 24 hours of the placement start.**

**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 work coach.

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 Mandatory Activity 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 consecutive 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. Where there are no agreed restrictions all MWA placements are for 30 hours per week activity and within 90 minutes travel by public transport of the claimant's home address.

4.17 Standards of attendance and timekeeping should be explained to each claimant (and a note kept of when this happened and what was included in case there are any queries at a later date), 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 or the placement host 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 consecutive 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 (less if restrictions have been agreed), 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 consecutive 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'. This must be done within **24 hours** of the placement ending.

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 to see if the reason for absence can be accepted**
- **either keep claimant for remaining weeks, but send them a formal Mandatory Activity Notification letter upon their return, or return them to Jobcentre Plus and take DMA action as appropriate**

**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. If a claimant goes on holiday in the United Kingdom, then they will not be able to complete their 4 week placement and a DMA referral for non-participation should be made by

the provider. If the holiday is abroad then JCP should be notified immediately and they will advise you of the action to take.

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

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 claimant has been referred to MWA, if they subsequently request a holiday, this will be refused. If a claimant informs you that they are unable/do not wish to attend/complete the placement because they will be away from home, you must advise the claimant to contact the Service Centre to inform UC. If a claimant fails to attend/participate you must send a compliance doubt referral to the UC Service Centre.

Changes of circumstances for Universal Credit claimants will be notified to you by post on form UC78.

### **Sickness**

5.4 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 Mandatory Activity 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 5.11.

### **Absence Due To Reasons Other Than Sickness or Holidays**

5.5 Whilst participating in MWA, claimants may request time off for a variety of reasons e.g.

- To attend to domestic emergencies, e.g. the death, serious illness or accident of a close relative or close friend.
- 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, members of patient and public involvement forums.
- Jury Service

**Note - This list is not exhaustive.**

5.6 If a claimant informs you that they are unable to attend the placement for any reason, you must phone your contact in Jobcentre Plus who will check if the reason for absence can be accepted. If at all possible, written evidence should be supplied from the claimant to support their absence.

5.7 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 and the claimant can remain on provision, 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 Mandatory Activity Notification letter.
- If Jobcentre Plus advises that the reason **is** allowable, **but** that the person will be unable to remain on provision, then action should be taken as per paragraph 5.11 to return the claimant to Jobcentre Plus
- If Jobcentre Plus informs you the reason is **not** allowable, you must return the claimant to Jobcentre Plus, following the actions at paragraph 5.11. You will also be required to make a DMA referral for non-participation as in para 6.3

### **Change of Address**

5.8 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 (i.e. within 90 minutes travel by public transport of the claimant's home address), you do not need to make any changes to the claimant's placement arrangements.

5.9 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 Mandatory Activity Notification letter providing details of the new placement and the dates the claimant is required to attend.

5.10 If the claimant has changed address and moved outside your CPA, you should return the claimant to Jobcentre Plus, following the steps in paragraph 5.11.

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

5.11 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 paragraph 4.23) and send to Jobcentre Plus.

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

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

5.13 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.

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

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

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

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5.16 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 5.11.

5.17 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 paragraphs 3.9 to 3.11).

### **Change of Circumstance Notified by DWP**

5.18 Up to close of business on 20 November 2015 DWP will notify you of a change of circumstances by telephone

5.19 From 23 November 2015 the following process will apply (for UC Change of Circumstance process using a UC78, please see UC guidance following paragraphs 3.11 and 5.3 of this document):

- For those providers who have agreed this, Jobcentre Plus offices will notify you of a change in the participant's circumstances by emailing the CEPD1 form to the designated inbox address you provided to DWP.
- For those providers who have not agreed to the use of unencrypted email, the CEPD1 form will be posted to you by Jobcentre Plus (without a telephone call being made).

### **Please Note:**

All notifications for Special Customer Record (SCR) and Multi-Agency Public Protection Arrangements (MAPPA) customers will remain clerical notifications and will not be sent via email. For further information with regards to MAPPA and SCR cases and what action you need to take please refer to [Generic Provider Guidance Chapter 2 – Delivering DWP Programme Provision.](#)

### **List of Changes DWP will notify provider of**

- Address (include transfer of Jobcentre Plus District)
- Additional support/reasonable adjustments (for example New Work Capability Assessment outcome)
- Admission/discharge hospital
- Appointee/Power of Attorney
- Caring responsibilities

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- Change of benefit (for example, off JSA to IS/ESA)
- Change to participant's conditionality
- Changes that affect participant's work-related requirements (for example jury service, civic duties, domestic emergency, easements for domestic abuse/violence)
- Claim termination/benefit ends
- Death
- Imprisoned/leaves prison
- JSA Extended Period of Sickness
- Name
- Part-time education
- Period of sickness (restrictions and duration)
- Restrictions (for example, attendance)
- Starts/end work (including part-time, voluntary, self-employed, permitted)
- Signing day/cycle
- Telephone number.

5.20 On receipt of the notification of participant change of circumstances:

- ensure that the participant has been referred to you or your sub-contractors
- if referred by email, check that only one change of circumstances form has been attached to the email
- if you have received a change of circumstances form for a participant who has not been referred to you or your sub-contractors, or an email containing more than one customer record, or an email sent to an address other than your designated inbox please address you must notify DWP (see also paragraphs 5.21 and 5.23 below).

5.21 To mitigate the risk of data being lost, DWP Operational Security has restricted the number of client records (i.e. CEPD1 form) that may be transmitted via the unencrypted email process to a maximum of one client record (i.e. one CEPD1 form) per email. **If more than one client record per email is sent via the unencrypted email process, this will constitute a security breach and must be reported to DWP as per current instructions (see [Generic Provider Guidance, Chapter 8 – Information Security, Paragraphs 25 to 28](#)).**

5.22 If you receive more than one CEPD1 form in an email and you are satisfied that the participants are attached to you or your sub-contractors, you may process the change as normal as well as reporting this as a security incident to DWP Operational Security (see [Generic Provider Guidance, Chapter 8 – Information Security, Paragraphs 25 to 28](#)).

5.23 If you receive a CEPD1 form for a participant who is not attached to you or your sub-contractors, you must report the security incident (see

[Generic Provider Guidance, Chapter 8 – Information Security, Paragraphs 25 to 28](#)) and then delete the email and CEPD1 form(s).

5.24 The notification will be sent on a CEPD1 form from individual Jobcentre Plus email inbox addresses. The format of the JCP email addresses will be 'name@dwp.gsi.gov.uk'

5.25 To mitigate the risk of information other than that permitted by DWP security, each email sent by Jobcentre Plus will adhere to the standard email protocols listed below.

5.26 You will receive only one CEPD1 form per e mail

5.27 The standard wording displayed in the email "Subject Box" will be:

**CEPD1\_Mandatory Work Activity\_CPA number\_participant surname\_last three digits of participants NINO**

For example:

**CEPD1\_\_Mandatory Work Activity\_CPA11\_Sample\_56\_C**

5.28 The only email attachment will be the completed CEPD1 form

**Note:** It **will not** be possible for you to notify DWP of participant change of circumstances via unencrypted email. **You should continue to use processes contained within paragraphs 5.3 to 5.17 where you are reporting change of circumstances information to DWP.**

### **Contingency Process**

5.29 There may be occasions when due to circumstances such as IT failure you are temporarily unable to receive change of circumstances via unencrypted email from JCP offices.

5.30 In these circumstances you must ensure that your District Third Party Provision Manager (TPPM) is kept informed of the situation and how long you anticipate it lasting.

5.31 The TPPM will inform JCP colleagues of the situation and they will temporarily suspend the use of unencrypted email.

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5.32 If you anticipate the situation will continue for 48 hours or longer you must revert to the Change of Circumstances clerical contingency of receiving the CEPD1 through the post until the problem is resolved and you are able to use the unencrypted email again.

5.33 Your District TPPM should be kept updated and prior to you starting to use the contingency arrangements you must inform the TPPM when these arrangements will start. Also before you begin to use the unencrypted email process again you must notify the TPPM.

5.34 If JCP have an I.T. failure, your District TPPM will notify you if the problem will last for longer than 48 hours, and that JCP will revert to the contingency arrangements of sending the CEPD1 form through the post.

5.35 Once resolved, your TPPM will notify you when you can expect to start receiving electronic change of circumstances forms again.

## Chapter 6 - Failure to Comply and Entitlement Doubts

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[Raising a doubt clerically](#)

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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, within **two** working days. **NOTE:** If using a clerical process to make the referral, you must include a copy of the initial Mandatory Activity 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 Mandatory Activity 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 Mandatory Activity Notification letter (without the previous agreement of the provider, and a change to the requirements set out in the formal Mandatory Activity Notification letter and given to the claimant).

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- Losing a place on a MWA placement through misconduct.

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

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;
- voluntarily leaves employment or they lose employment through misconduct.

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 work coach 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 Mandatory Activity Notification letter), you should notify Jobcentre Plus and raise a doubt.

You must take the following steps:

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1. Access PRaP and record that the claimant did not start (DNS) within 24 hours of the claimant failing to start the placement. . This is done by taking 'request cancellation of referral' action in PRaP.
2. Complete the DMA referral form (see annex 3/3B) and send it to the Jobcentre Plus decision maker 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 Mandatory Activity 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. **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.**

6.11 It is expected that all claimants will 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. **See Note at paragraph 6.10 – a provider cannot make good cause decisions and as such you must seek (and follow) advice from JCP regarding if a reason is acceptable.**

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 by making a DMA referral.

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 When making a DMA referral you must take the following steps:

1. Access PRaP and input an end date (the date the claimant last attended the placement) within 24 hours of the claimant not attending and select the appropriate leaver reason.
2. Complete a DMA referral form (see Annex 3/3B) and send it to the Jobcentre Plus decision maker 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 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 5.11 to return the claimant to Jobcentre Plus.

### **Provider Direct**

6.19 To help reduce inappropriate DMA referrals due to a provider not being aware of recent change of circumstances, Provider Direct was 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. The expectation is that providers will have contacted Provider Direct before making a DMA submission. For further information please refer to the [Provider Direct Provider Guidance](#)

6.20 Please note that if advice is given by Provider Direct that a DMA referral is not required please make a note of this advice and do not make the DMA referral.

### **DMA referrals by unencrypted e-mail**

6.21 For specific Universal Credit guidance please see the [Universal Credit section following paragraph 6.31](#).

6.22 You will make MWA DMA referrals to a specific Labour Market Decision Making (LMDM) team. In the majority of cases this will be via

## Mandatory Work Activity Provider Guidance

unencrypted email rather than by post. LMDM teams will also send sanction decision notifications back to you via unencrypted email.

6.23 The unencrypted e-mail process must be built into your IT systems and internal processes to allow for the raising of MWA DMA referrals via e-mail.

6.24 To make an unencrypted MWA DMA e-mail referral you are required to:

- Complete the MWA1 (email) form (see [Annex 3B](#)).

**Please Note:** A copy of the Initial Mandatory Activity Notification letter and/or other documents is not required. No other documents may be attached to the e-mail; all relevant information must be noted on the MWA1 (email) form itself.

- Ensure that the correct email address for the return of the sanction decision, queries or further correspondence is included in the MWA1 (email) form.

**Please Note:** This must be the approved generic in-box address not the individual work coach address.

- Ensure each e-mail sent by you **ONLY** contains the following standard content. No other information may be transmitted by email:

Standard wording to be displayed in email 'Subject Box':

- MWA1
- Claimant's surname
- NINO (only last 3 characters)

**E.G. 'MWA1 Smith 78A'**

Standard wording to be displayed in email 'Narrative Box':

- Sender contact details

Email attachment:

- Completed MWA1 (email) form.

**Please Note:** The standard content for decisions from the LMDM team back to you is as follows:

Standard wording to be displayed in email 'Subject Box':

- MWA1
- Claimant's surname
- NINO (only last 3 characters)
- DECISION

**E.G. 'MWA1 Smith 78A DECISION'**

Standard wording to be displayed in email 'Narrative Box':

- Decision Maker contact details

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### Email attachment:

- Outcome decision document

6.25 The completed form should be sent to: [MWAANNESLEY.LMDMREFERRALS@DWP.GSI.GOV.UK](mailto:MWAANNESLEY.LMDMREFERRALS@DWP.GSI.GOV.UK). No other email address should be used for MWA DMA unencrypted email referrals. **Please Note:** For Universal Credit please see specific Universal Credit guidance following paragraph 6.31 for the email address to be used for Universal Credit referrals.

6.26 It is a key security requirement that **only one** MWA1 (email) form is included per email. You cannot, for example, include several MWA1 (email) referrals for the same claimant in one email.

6.27 You must ensure your supply chain understand the processes and requirements e.g. to reiterate a key security requirement that only one MWA DMA form is included per e-mail.

6.28 While we expect that the vast majority of DMA referrals will be made via e-mail, there maybe a very small number that you may need to make clerically, for example, Special Customer Records (SCR) cases (further information regarding SCRs can be found in [Chapter 2 of Generic Provider Guidance](#)), disruption in IT services ([Annex 9 - Clerical Contingency](#)) or where you have not agreed to use the unencrypted process.

6.29 Further information regarding the use of unencrypted email for MWA DMA action can be found in [Annex 9](#) of this guidance.

### **Raising a Doubt Clerically**

6.30 To raise a doubt clerically you must securely send a clerical copy of the referral form (see [Annex 3](#) or [Annex 3A](#)) to the LMDM team at this address:

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 [Chapter 8](#) of the generic provider guidance.**

### **Fraud Prevention**

6.31 If you suspect that a participant is committing fraud you should follow the procedures outlined via the National Fraud Hotline: <https://www.gov.uk/report-benefit-fraud>

## Universal Credit (UC)

### Provider Direct

Note that, currently, **the Provider Direct service cannot be used** for queries about claimants in receipt of Universal Credit, as the agents do not have access to the relevant IT systems.

### 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 level sanction if, without a good reason, they:

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

In Universal Credit a higher level sanction will lead to a reduction in a claimant's UC payment for a fixed 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 a sanction is applied to their Universal Credit. If the JCP work coach decides it is appropriate, a new referral to MWA could be made at any time, including pending a decision on a compliance doubt.

### Raising a Compliance Doubt Process

Where appropriate, you will make MWA compliance doubt referrals to a Universal Credit Service Centre Decision Making (UCDM) team. This will be via unencrypted email or by post. UCDM teams will send sanction decision notifications back to you via the method that you made the referral..

General information about this process can be found in paragraphs [6.21 to 6.29](#) and [Annex 9](#). These **must** be read in conjunction with this specific Universal Credit guidance. **Please note:** When reading paragraphs 6.21 to

## Mandatory Work Activity Provider Guidance

6.29 and Annex 9, please substitute MWA1-UC (email) for any reference to MWA1 (email).

The standard wording for UC referrals will be as follows:

Standard wording to be displayed in email 'Subject Box':

- MWA1UC
  - Claimant's surname
  - NINO (only last 3 characters)
- E.G. 'MWA1UC Smith 78A'**

Standard wording to be displayed in email 'Narrative Box':

- Sender contact details

Email attachment:

- Completed MWA1-UC (email) form.

**Please Note:** The standard content for decisions from the UCDM team back to you is as follows:

Standard wording to be displayed in email 'Subject Box':

- MWA1UC
  - Claimant's surname
  - NINO (only last 3 characters)
  - DECISION
- E.G. 'MWA1UC Smith 78A DECISION'**

Standard wording to be displayed in email 'Narrative Box':

- Decision Maker contact details

Email attachment:

- Outcome decision document

To make an unencrypted email UCDM compliance doubt referral you need to complete the MWA 1UC (email) form (see [Annex 3D](#)), using the associated completion notes (See [Annex 3E](#)), as required, for reference.

The completed referral form should be sent to:

[Uclmdma.provider@dwp.gsi.gov.uk](mailto:Uclmdma.provider@dwp.gsi.gov.uk). **No other email addresses should be used for MWA DMA unencrypted email referrals.**

**Please Note:** It is a key security requirement that **only one** MWA1-UC (email) form is included per email.

**Please note:** If you are using unencrypted email, any additional information requested by the Universal credit Decision Maker (UCDM) must not be communicated by unencrypted email. Any additional information must be communicated to the UCDM by letter or telephone.

## Mandatory Work Activity Provider Guidance

Whilst UC compliance doubt referrals can be made via unencrypted e-mail, there may be cases that you must refer clerically. If the participant is identified as a Special Customer Record (SCR) or they have Multi-Agency Public Protection Arrangements (MAPPA) status, the completion of the MWA1-UC remains clerical (even if you use unencrypted emails). These participants must not have their details held on any electronic systems. The process for raising a sanction doubt will remain clerical for these participants. Further information regarding SCRs and MAPPA cases can be found in [Chapter 2 of Generic Provider Guidance](#)) and further information on disruption in IT services can be found in [Annex 9 - Clerical Contingency](#).

All **clerical** compliance doubt referrals for Universal Credit claimants are sent to Wolverhampton Mail Opening Unit (MOU).

When you raise a compliance doubt for a Universal Credit claimant, you must complete the compliance doubt referral form at [Annex 3A](#) print it out and send securely to:

Universal Credit  
Post Handling Site B  
Wolverhampton  
WV99 1AJ

Further information can be found in [Generic Provider Guidance, Chapter 8 – Information Security](#)

## 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 financially 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 Job search 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**

## Mandatory Work Activity Provider Guidance

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 paragraph 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 Northern Ireland 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. The PRaP support team can be contacted as follows:

- The email address [<prap.support@dwp.gsi.gov.uk>](mailto:prap.support@dwp.gsi.gov.uk)
- The Support Team telephone number **0345 604 5406**

### **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**

[Introduction](#)

[Service Delivery Standards](#)

[Assurance Processes](#)

[Performance Management and Supplier Management](#)

[Performance and Management Information](#)

[Provider Assurance Team](#)

[Jobcentre Plus and Third Party Provision Managers](#)

[Jobcentre Plus Single Point of Contact](#)

[Quality](#)

[Programme Evaluation](#)

[Collection of MI](#)

[Complaints Process](#)

### **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. These actions are:

- the claimant receives explanation of the MWA placement and why it is considered suitable for the customer, and is given opportunity to raise a representation; and
- the claimant starts and completes provision; or
- a sanction doubt is raised; or
- the claimant leaves benefit; and
- updates are made to PRaP within required timescales

9.5 When the Jobcentre Plus work coach decides a referral to MWA is appropriate it is important that momentum is maintained and the claimant starts a placement at the earliest opportunity and within 20 working days of

## Mandatory Work Activity Provider Guidance

referral. 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 work coach will contact you by telephone (if this is the agreed local practice) to inform you a referral to MWA is being made.
- You are expected to contact the claimant and undertake an initial engagement meeting/discussion to outline details of the placement, claimant responsibilities and consequences of non-attendance. This information will be supported by a Mandatory Activity Notification Letter which must be issued as a hard copy to the claimant.
- the Mandatory Activity Notification Letter should be received by the customer 5 working days prior to the start of the placement to allow the customer good time to make representations to the Prime Contractor if they believe the placement is not suitable;
- Prime Contractors are required to record and consider all representations they receive. In the event of a customer raising a representation, the Prime Contractor will consider it and either:
  - Inform the customer that they have considered their representation and the mandated placement stands, providing reasons for the decision; or
  - Refer the customer to an alternative placement; or
  - Refer back to JCP for further advice in the event of a change that brings participation on MWA into doubt;
- You will need to ensure that in every case the claimant starts their MWA placement within 20 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.

## Mandatory Work Activity Provider Guidance

- 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.

### **Validation**

9.7 Pursuant to the terms of the contract, DWP reserves the right to validate individual or a reasonably representative (statistically valid) sample of claims for payment made by the Prime Contractor. DWP may (but is not obliged to) conduct validation activity including (but not limited to):

- Request written evidence that a claimant has attended the placement; and/or
- Contact the claimant; and/or
- Contact the claimant's placement organisation.

9.8 Identification of an error or over-claim may result in DWP recovering payments, including through the extrapolation of error rates across the total population of paid claims from which any sample is drawn. The error rate will include a proportion of payments/claims which DWP has been unable to conclusively validate or invalidate. Such 'unable to validate' claims will be apportioned in line with the claims that have passed or failed validation. DWP will recover monies in line with the adjusted error rate. In order to perform this adjustment a statistically valid sample will be used that is representative across the total paid claim population.

### **Performance Management and Supplier Management**

9.9 The Contract will be managed using the DWP Performance Management and Supplier Management structure. Supplier Management is the strategic relationship management between the Prime Contractor (across all DWP Provision) and DWP. 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.

9.10 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.

9.11 You must appoint appropriate named contacts who will work with our supplier 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**

9.12 You may be invited to discuss your performance regularly at contract performance reviews (CPRs) which will focus on performance, delivery and claimant experience; Jobcentre Plus and strategic partners will also be invited to attend.

9.13 We will use management information from PRaP for the on-going management of the provision and for discussion with individual providers.

9.14 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**

9.15 The primary purpose of the Provider Assurance Team is to provide the DWP Contracted Employment Provision 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.

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

9.17 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.

9.18 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 supply chain.

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

9.19 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.

9.20 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.

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9.21 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.

9.22 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.

9.23 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).

9.24 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 20 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 work coaches; and
- liaise with you to resolve any claimant complaints.

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

9.25 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**

9.26 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**

9.27 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 cooperate with MWA evaluation activity we commission.

### **Collection of MI**

9.28 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**

9.29 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.

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

9.31 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.

9.32 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 (Independent Case Examiner) should they wish to pursue their complaint. The text can be found in [Annex 8](#) of this guidance.

9.33 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 the investigation stage a £5,000 contribution to cost will be recovered from you

## Annex 1: Community benefit guidance

[Introduction](#)

[Defining principles](#)

[Questions to consider](#)

[Examples of community benefit](#)

[What is not community benefit?](#)

[Unsuitable types of activity](#)

[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.

## Mandatory Work Activity Provider Guidance

- 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;

## Mandatory Work Activity Provider Guidance

- 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 of 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.

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: Mandatory Activity Notification Letter - MWA MAN 01  
(For Non – Universal Credit Claimant only)**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/420933/mwa-man-1-annex-2.docx.rtf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/420933/mwa-man-1-annex-2.docx.rtf)

**Annex 2A: Mandatory Activity Notification Letter - MWA UC  
MAN 01 (For Universal Credit Claimant only)**

**Universal Credit**

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

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/420934/mwa-man-1-uc-annex-2a.docx.rtf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/420934/mwa-man-1-uc-annex-2a.docx.rtf)

### **Annex 3: DMA Referral Form - clerical**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/420935/mwa-1-annex-3.docx.rtf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/420935/mwa-1-annex-3.docx.rtf)

### **Annex 3A: UC DMA Referral Form – clerical**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/420939/mwa-1uc-annex-3a.docx.rtf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/420939/mwa-1uc-annex-3a.docx.rtf)

### **Annex 3B: DMA Referral Form – email**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/420950/mwa-1email-annex-3b.docx.rtf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/420950/mwa-1email-annex-3b.docx.rtf)

### **Annex 3C: DMA Referral Form – email Completion Notes**

#### **MWA1 (email) Mandatory Work Activity DMA Referral Form Completion Notes**

##### **General**

- **Do not** use this process for those participants who have been identified as needing to use a clerical process e.g. Special Customer Record (SCR) cases
- Your reply may be shown to the participant or anyone acting on their behalf
- The Decision Maker may contact you if further information is required
- Please ensure you include as much information as possible and tick all boxes that apply
- **Do not** attach any additional documents to the MWA1 (email) form or to the email itself.
- When asked to enter a date please use the following format – DD/MM/YYYY e.g. 01/01/2014
- When asked to enter a time please use the 24 hour clock format e.g. 09:00; 10:30; 13:30; 14:00 etc.
- The completed form should be sent to (no other email address should be used for MWA DMA referrals):  
[MWAANNESLEY.LMDMREFERRALS@DWP.GSI.GOV.UK](mailto:MWAANNESLEY.LMDMREFERRALS@DWP.GSI.GOV.UK)

For specific Universal Credit guidance please see the Universal Credit section following paragraph 6.31

## Part 1 – Participant Details and Method of Notification

- Please enter the participants full name and title
- The National Insurance Number (NINO) should be input with no breaks between the characters or any additional characters e.g. no “-“between each letter/number The correct format is AB123456C.
- When inputting the telephone number, please include all known telephone numbers that you have for the participant including mobile numbers.
- When inputting the participant address, please include the full address including the postcode.
- Please input the date the notification letter was issued to the participant.
- Please choose only one method of notification i.e. either by hand or by first or second class post.
- If the notification address was posted to a different participant address than that already given please indicate this by choosing “Yes” or “No” at the relevant question. If no please include details of the address where the notification letter was issues at either the “Please use the space below to provide any further information that you think may complete the picture of events leading up to the dismissal” box in Part 3 or the “Please use the box below to provider any other relevant information” box in Part 4.

## Part 2 – Details of the MWA referral

- Input the number of hours a week that the participant was mandated for. **NOTE:** the date the participant was notified i.e. the date the notification letter was issued will have already been input in Part 1.
- Input the date the participant was required to attend the placement, the time the placement was to commence and the date when the placement was expected to end.
- Input the date the participant failed to participate.
- Input the name and address of the placement organisation
- Select the appropriate box form the following:

**Given up a place on MWA** – select this option if the participant has started the placement and subsequently gave up the place e.g. leaves voluntarily and never returns

**Lost a place on MWA through misconduct** – select this option if the participant’s behaviour is such that effective participation in the scheme is not possible (you must discuss and agree this with JCP prior to any dismissal due to misconduct)

**Failed to attend MWA** – select this option if the participant does not start MWA at all.

### Part 3- Reason for Dismissal through Misconduct

- **This part should only be completed if the participant has failed to participate due to misconduct**
- Input the reason the participant has been dismissed due to misconduct. Provide as much information as possible relating to the circumstances surrounding the dismissal to allow the Decision Maker to make a timely decision. If the participant gave an example of their actions please provide this information also.
- Select the appropriate tick box
- If a warning was given please provide the date this was given and select whether the warning was written or oral
- Include any further information which may assist the Decision Maker in making a decision. If a different address was used to issue the notification letter than the address already given in Part 1, then please include details of the different address here.
- **Do not** include any additional attachments to the document or email e.g. a copy of the notification letter issued.

### Part 4 – Reason for failing to Comply

- **This part should only be completed if the participant has failed to participate because they failed to start or started and then gave up a place**
- Input the reason the participant has given for giving up a place following a start or for failing to attend (i.e. not starting)
- Include any further information which may assist the Decision Maker in making a decision. If a different address was used to issue the notification letter than the address already given in Part 1, then please include details of the different address here.
- **Do not** include any additional attachments to the document or email e.g. a copy of the notification letter issued.

### Part 5 - Provider Declaration

- Please enter the contact details of the person/provider completing the form and by doing so, you are confirming that the form has been completed fully and accurately.
- Please include the Contract Package Area (CPA) number relevant to the submission in the box provided.
- The “Email address of the designated inbox” is the email address that has been set up specifically for your organisation to receive decision notifications from Annesley LMDM team.
- Review the checklist before sending.

## **Annex 3D: Universal Credit DMA Referral Form – email**

<https://www.gov.uk/government/publications/mandatory-work-activity-dwp-provider-guidance>

## **Annex 3E: Universal Credit DMA Referral Form – email Completion Notes**

### **MWA 1UC(email) - Completion Notes**

#### **General**

1. **Do not** use the unencrypted email process and this form for those participants who have been identified as needing to use a clerical process e.g. Special Customer Record (SCR) Cases.
2. Please complete this form and return to Universal Credit within 2 working days from the day of the transgression.
3. This form may be shown to the claimant or anyone acting on their behalf.
4. The Universal Credit Decision Maker may contact you again if further information is required.
5. Please ensure that you include as much information as possible and tick all boxes that apply.
6. Do not attach any additional documents to the MWA 1UC(email) form or to the email itself. As stated at (4), if a copy of any documentation is required the Universal Credit Decision Maker will contact you.
7. When asked to enter a time please use the 24 hour clock format e.g. 09:00; 10:30; 13:30; 14:00 etc.
8. The completed form should be sent to (no other email address should be used for UC MWA DMA referrals):  
[Uclmdma.provider@dwp.gsi.gov.uk](mailto:Uclmdma.provider@dwp.gsi.gov.uk)

#### **Part 1**

1. Enter claimant details.

#### **Part 2**

1. Enter provider details.

#### **Part 3**

1. Enter the date the claimant was told about the placement (i.e. the date the notification letter was issued). **Do not** include a copy of the notification letter issued with the unencrypted email referral.
2. Enter the dates the claimant was required to attend (i.e. the first date the claimant was required to attend and the last date the claimant was required to attend.)
3. Enter the date the claimant did not fully take part.

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4. Enter the name and address of the placement organisation.
5. Select the appropriate box.

**Lost a place on MWA through misconduct** – select this option if the claimant's behaviour means that effective participation in the scheme is not possible (you must discuss this with the Universal Credit before any dismissal due to misconduct).

**Gave up a place on, or did not attend MWA** – select this option if:

- the claimant started the placement and subsequently gave up the place (for example, they left voluntarily and never returned)
- the claimant did not start MWA at all

### Part 4

**This part should only be completed if the claimant has been dismissed due to misconduct.**

1. Enter the reason the claimant has been dismissed due to misconduct. Provide as much information as possible about the circumstances surrounding the dismissal, to allow the Universal Credit Decision Maker to make a timely decision. If the claimant gave an explanation for their actions provide this information too.
2. Select the appropriate tick box.
3. If a warning was given provide the date this was given and select whether the warning was written or oral.
4. Include any further information which may help the Universal Credit Decision Maker to make their decision. **Do not** include any additional attachments to the document or the email.

**Go to part 6**

### Part 5

**This part should only be completed if the claimant did not start or started and then gave up a place.**

1. Enter the reason the claimant has given for leaving or not starting a placement
2. Include any further information which may help the Universal Credit Decision Maker to make their decision. **Do not** include any additional attachments to the document of the email.

### Part 6

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1. Enter the name, position in the company and telephone number of the person completing the form and sign the form prior to return.

## **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 0345 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**

## Mandatory Work Activity Provider Guidance

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 Mandatory Activity Notification letter to the claimant, in accordance with paragraphs 3.18-3.23, 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 a 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 3.9 to 3.11 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
CPR	Contract Performance Reviews
CRB	Criminal Records Bureau
DNS	Did not start
DMA	Decision Making and Appeal
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
LMDMA	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
POST	PRaP Operational Support Team
PRaP	Provider Referral and Payment system
SC	Service Centre
SPOC	Single Point of Contact
TIS	Travel to Interview Scheme
TPPM	Third Party Provision Manager
UCDM	Universal Credit Decision Maker
UK	United Kingdom
WC	Work Coach

## **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  
PO Box 209  
Bootle  
L20 7WA

Phone: 0345 606 0777

Website: <https://www.gov.uk/government/organisations/independent-case-examiner>

### **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)

## **Annex 9: Mandatory Work Activity DMA referrals by unencrypted email.**

- A9.1** For specific Universal Credit guidance please see the [Universal Credit section following paragraph 6.31.](#)
- A9.2** DWP Operational Security agreed an exemption to the DWP standard security requirements for transmitting personal data by email.
- A9.3** The security exemption allows you and your sub-contractors to send MWA DMA referrals to a linked Benefit Delivery Centre (BDC) Labour Market Decision Making (LMDM) Administration Team/ Service Centres (SC) and receive decision notifications back from them, via unencrypted email.
- A9.4** To mitigate the risk of data being lost, DWP Operational Security have restricted the number of claimant records that may be transmitted via the unencrypted process to a maximum of one claimant record (i.e. one MWA1(email) form) per email. **If more than one claimant record per email is sent via the unencrypted email process, this will constitute a security breach and must be reported to DWP.**
- A9.5** Only those sub-contractors who have been formally approved as sub-contractors by DWP may use unencrypted e-mail to send MWA DMA referrals. You must ensure your supply chain understand the processes and requirements e.g. to reiterate a key security requirement that only one MWA DMA form is included per e-mail.
- A9.6** Before you or your sub-contractors begin to send MWA DMA referrals via unencrypted email, you must have provided your DWP Performance Manager and your linked BDC Single Point Of Contact (SPOC) with the single point of contact names, contact details and generic inbox addresses for you and your sub-contractors whom you have permitted to use the unencrypted e-mail process, and agreed the date from which you and your sub-contractors will begin to send MWA DMA referrals via unencrypted e-mail.
- A9.7** If you wish to allow a new sub-contractor to begin to send MWA DMA referrals via unencrypted e-mail, you must contact and provide your DWP Performance Manager and your linked BDC SPOC with their single point of contact name(s), contact details and generic inbox address(es) and agree the date from which the new sub-contractor will begin to send MWA DMA referrals via unencrypted e-mail.
- A9.8** If you decide that you or one of your sub-contractors no longer wish to use the unencrypted email process, you must notify your DWP

## Mandatory Work Activity Provider Guidance

Performance Manager and linked BDC SPOC of the date you wish this change to be effective from immediately. You should agree with your linked BDC SPOC whether any outstanding decisions will either be sent to an alternative inbox address or returned clerically to an address you choose.

**A9.9** All information concerning the sanction referral, sanction review request must be contained within the MWA1 (email) form. **NO documents may be attached to the MWA1 form.**

**A9.10** To mitigate the risk of information other than that permitted by the security exemption being transmitted by either Mandatory Work Activity providers or LMDMA teams, DWP Operational security have restricted the content of the emails being sent by both parties. Each email sent by either Mandatory Work Activity providers or LMDMA teams must adhere to the standard email protocols. These protocols will also form part of the contract variation. See [Paragraph 6.24](#) for further information regarding these protocols.

**A9.11** Referrals must be emailed from specific email inbox addresses that you (and/or your sub-contractors) have designated solely for this use, to a designated LMDM email inbox address. Emails must not be sent to or from individual Mandatory Work Activity provider adviser email accounts.

**A9.12** To assist LMDM teams with the identification of referrals, providers should ensure that their inbox address follows the format below (this is the same for both Universal Credit and non-Universal Credit referrals i.e. the same inbox should be used for both);

DMA-referring provider name-CPA number@referring provider name

**A9.13** Access to your designated email inboxes should be restricted to those advisors who are required to administer the inbox, with contingency for leave and illness.

**A9.14** You will not be required to retain a record of the emails you have sent to the LMDM team. You will not be required to make any changes to your current practices around retention of the MWA1 form, decision notifications and the information on them.

### Clerical contingency

**A9.15** There may be occasions when, due to circumstances such as IT failure, you are temporarily unable to transmit referrals via unencrypted email to the BDC. In these circumstances you must ensure that the LMDM SPOC is kept informed of the situation and how long you anticipate it lasting.

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- A9.16** If you anticipate the situation will continue for **forty eight hours or longer** you must revert to making clerical MWA DMA referrals (securely posting the MWA DMA form) until the problem is resolved and you are able to use the unencrypted e-mail referral route again.
- A9.17** Your linked BDC SPOC should be kept updated prior to you starting to make clerical referrals and informed prior to you beginning to use the unencrypted e-mail process
- A9.18** If the BDC is unable to e-mail decision notifications to you due to circumstances such as IT failure, your linked BDC SPOC will contact you to inform you of the problem. If it is anticipated that the problem will be rectified within 48 hours, the BDC SPOC may ask you to temporarily stockpile any referrals to avoid the BDC inbox becoming overloaded when the system becomes available again. If it becomes apparent that the problem may continue beyond 48 hours, your linked BDC SPOC will contact you to request that you revert to making clerical referrals until further notice.

### **Annex 10: PRaP 11 MWA Claim Form**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/420969/prap11-mwa-annex-10.docx.rtf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/420969/prap11-mwa-annex-10.docx.rtf)