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Work Choice Live Running Memo LR54

To: Work Choice Providers

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Memo Serial No: LR 54 (Revised 24 April 2017)

Date: 24/4/17

Subject: Work Choice Provider Guidance for the 2017 Contracts' Extension Period in England and Wales

Action: For Information and Action

Timing: Immediate

Note: This revised LRM 54 contains a clarification to line 15a in the summary table below and replaces the previous version of LRM 54 dated 21 April 2017.

Information

For the 2017 contracts' extension period (in England and Wales only) Work Choice Provider Guidance has been split into two sets:

1. The final iteration of pre-extension guidance which continues to apply to all referrals to Work Choice contracts in Scotland, and to referrals made to Work Choice contracts in England and Wales PRIOR to the extension period which came into effect from April 2017.
2. Revised guidance which applies to all referrals to Work Choice made during the contracts' extension period in England and Wales i.e. from 25th April 2017 for contracts originally awarded in 2010, and from 7th April 2017 for Remploy.

Providers must ensure they refer to the correct guidance, which is determined by the date the (potential) participant was referred to the programme.

The revised and updated guidance will be available to view on [GOV.UK provider guidance website](#) - from 25 April 2017.

Action

You will have read the initial iteration of the extension period guidance, which was supplied to you on BRAVO in March 2017. For your convenience we set out the principle changes again here; please note, this iteration contains a few small additional updates which highlight the implications, for participants, of ultimate programme closure.

Some similar small changes were necessarily made to the Pre-Extension Provider Guidance, mainly to reflect the time bound nature of the Work Choice contracts.

Summary of Changes to Work Choice Provider Guidance for Extension Period Commencing April 2017

This at-a-glance summary table is for your convenience, but it is a précis; you should read every Section and Annex of Provider Guidance in full.

Section number	Title / Contents	Principle Additions and/or Amendments
All	<p>All Post-Extension Guidance Sections are now prefaced with this statement.</p> <p>Pre-Extension Guidance Sections have a similar statement.</p>	<p>This Section pertains to all referrals to Work Choice during the contracts' extension period in England and Wales effective from April 2017; specifically from 25th April for contracts originally awarded in 2010, and from 7th April for Remploy.</p> <p>For guidance pertaining to all referrals to Work Choice made prior to this extension period please see the previous version of Work Choice Provider Guidance which has been retained on GOV.UK for reference: https://www.gov.uk/government/collections/dw-p-provider-guidance</p>
1	Work Choice Introduction and Overview	From 25 th April 2017 [7 th April for Remploy] the Work Choice programme was re-designed as a three-stage, modular, specialist provision

		<p>delivered either by yourself as a Prime Provider or through your sub-contractors. The three stages are:</p> <ul style="list-style-type: none"> • Referral or Introduction; • Module One – The Work Choice Pre-employment Support Module; • Module Two – The Work Choice Employment Support Module. <p>Work Choice provision will continue to be used as Match Funding for DWP’s European Social Fund (ESF) 2014-2020 for participants referred to the Work Choice programme prior to the 2017 extension. But Work Choice Provision for participants referred during the new contracts extension period in England, commencing April 2017, will not be used as match funding.</p>
2	Referral – Sources and Procedures	<p>Amended:</p> <p>...if required and with the customer’s informed permission, the DEA may be able to provide additional information informally e.g. by phone call, all-party case conference or verbal exchange. This is sometimes termed a “Warm Handover”</p>
3	The Initial Provider Interview	<p>Added:</p> <p>If appropriate you should mention that, due to programme closure, no participant can remain in the programme beyond the end-date of your contract.</p>
4	Module 1 – Work Entry Support / The Work Choice Pre-Employment Support	<p>Amended:</p> <p>The Work Choice programme design-expectation is that, normally, up to six months in Module One, Work Choice’s Pre-</p>

	Module	<p>Employment Support Module, should be adequate for most participants, however, should you believe that an individual participant would benefit from extra time in Module One, a further six months can be allowed, by exception i.e. up to a maximum of twelve months in total.</p> <p>Please note: this extension is no longer at your discretion; you are required to consult your DWP Performance Manager in all cases.</p>
5	Module Two – The Work Choice Employment Support Module	<p>Added or amended:</p> <p>Access to Work is an important tool in enabling your Module Two participant to progress from Work Choice Employment Support to independent working. You must be familiar with its provisions and consider recommending it to your participant at every appropriate opportunity. You will find full information on the Access to Work programme in Annex 6 of this guidance.</p> <p>Module Two – Work Choice Employment Support Module – is normally expected to last for up to 12 months. However, and exceptionally, disabled participants may be permitted to remain in Module Two for up to two years or until the close of the Work Choice programme, whichever is the sooner.</p> <p>Please note: this extension is no longer at your discretion. This additional time is designed to assist participants who may need longer or more intensive support and you are required to consult your DWP Performance Manager in all cases to agree that any extension is warranted. <u>Final approval should be sought and confirmed by email, which should be retained by you for audit purposes.</u></p> <p>Participation in the Work Choice programme is</p>

		<p>entirely voluntary. If your participant declines appropriate Module Two in-work support then they would exit the programme. Their Leaver Plan should, of course, emphasise that they may approach their DEA to request Retention support at a later date if they should need it, but you should make them aware that this is necessarily time-bound by last referrals date and the closure of the programme.</p>
6	<p>Obsolete (formerly Module Three)</p>	<p>For all referrals to the Work Choice programme during the 2017 contracts extension period, the Work Choice programme has been modified to be a two-module programme. This section (i.e. formerly Module Three) is, therefore, obsolete.</p>
7	<p>Returning to the programme</p>	<p>NOTE: The right to return to the Work Choice programme, in the circumstances set out in this Section, is necessarily constrained by the closure of the programme and the final referral dates. Any former participant who returns to the programme during the 2017 extension period (see above) will be referred as a New Start and the Post-April 2017 Guidance will apply.</p> <p>We want to give people the confidence to fulfil their potential by ensuring they are aware they can return to Work Choice for support if the need arises, for as long as the programme is admitting new referrals.</p> <p>When participant leaves Work Choice you must explain their returning rights i.e. how to regain access to the Work Choice programme in their particular circumstances not omitting an indication of the time limits imposed by the end of your contract. This must be recorded on their Leaver Plan.</p>

8	Retention	No significant changes
9	Development Planning and Leaver Reports	You must ensure your participants understand what is meant by progression and what steps you and your participant could take towards progressing into unsupported work. You must stress the advantages whilst ensuring participants understand the prospects for returning to the programme if needed. If appropriate you should remind your participant that your support is time-bound by the closure of the Work Choice programme.
10	Distance Travelled	No significant changes
11	Financial Incentives	No changes
12	Self-Employment	No changes
13a	Working with Supported Businesses	<p>Supported Businesses will receive guaranteed financial payment for each protected full time place of £4,800 per annum. This payment will be made until at least 31st October 2018.</p> <p>You are required to make direct full payments to the Supported Business of £4,800 per annum per full time equivalent place (FTEP), until at least 31st October 2018, under the terms specified in the contract, Specification and the Provider Guidance. The Supported Business can only expect to receive guaranteed financial payments up to the level of protected places agreed in the contract.</p> <p>For participants placed with a Host Employer after 25th October 2015, DWP will pay a</p>

		<p><u>maximum</u> of 26 weeks. NOTE: the duration of any hosted-out placements will necessarily be curtailed as Work Choice contracts draw to a close.</p> <p>Should the place be unfilled after twenty-six weeks have elapsed, the protected supported place will be regarded as lost and no further payment will be made. However DWP may exercise discretion. Any request to extend the 26 weeks period should be sent to the Employment Provision Policy Team by e-mail. Upon receipt of the request DWP will make a decision before the place reaches week twenty-six when the protected place will be lost.</p> <p>NOTE: DWP reserves the right to reduce the twenty-six week period before a protected place will be regarded as lost. DWP will notify you of the length of the shorter period and that shorter period will apply to any protected place which is unfilled at the time of, or after, DWP gives the notification.</p>
14a	Guidance for Supported Businesses	<p>Supported Businesses will receive guaranteed financial payment for each of their protected full time places of £4,800 per annum until at least 31st October 2018. This is subject to accepting the sub-contractual arrangement with your Prime Provider.</p> <p>Please note: For participants placed with a Host Employer after 25th October 2015, DWP will only pay a maximum of 26 weeks. If the participant doesn't return to the Supported Business the place will be regarded as vacant and there will be a 13 week paid period followed by 13 week unpaid period to allow</p>

		<p>the Business to find a replacement</p> <p>NOTE: the duration of any hosted-out placements will necessarily be curtailed as Work Choice contracts draw to a close.</p>
15a	Performance and Management Information	<p>Work Choice Key Performance Indicators (KPIs) for the post-Contract Extension period are set out in Schedule 3 Appendix A of your contract and comprise the following:</p> <ul style="list-style-type: none"> a. Key Performance Indicator 1: total Short Job Outcomes as a percentage of Starts; b. Key Performance Indicator 1a: Supported Short Job Outcomes as a percentage of Starts; Note: this KPI has been removed for the 2017 contract extension period and replaced by Performance Indicator 2a (see below). c. Key Performance Indicator 1b: Unsupported Short Job Outcome as a percentage of Starts; Note: this KPI has been removed for the 2017 contract extension period and replaced by Performance Indicator 2b (see below). d. Key Performance Indicator 2: Note: this KPI has been removed for the 2017 contract extension period. e. Key Performance Indicator 3: Sustained Job Outcome as a percentage of Starts; <p>The Work Choice Programme has three national Performance Indicators (PIs) for the post-Contract Extension period:</p> <ul style="list-style-type: none"> a. Performance Indicator 1: Job Entries as a percentage of Starts; b. Performance Indicator 1a: Supported

		<p>Job Entries as a percentage of Starts;</p> <p>c. Performance Indicator 1b: Unsupported Job Entries as a percentage of Starts;</p> <p>d. Performance Indicator 2a: Supported Short Job Outcomes as a percentage of Starts;</p> <p>e. Performance Indicator 2b: Unsupported Short Job Outcomes as a percentage of Starts;</p>
16a	Financial Procedures	No changes
Section 17	Payment Validation	No changes
Section 18	Quality, Continuous Improvement, Assessment and Evaluation	No changes
Section 19	Customer Choice	No changes
Section 20	Work Choice Wage Incentive	The Work Choice Wage Incentive was introduced in July 2012 and will remain in place until the Work Choice programme closes. The last available date that a Work Choice Wage Incentivised period can begin will appear here in due course.
Annex 1a	Provider Referrals and Payment System (PRaP)	No changes

Annex 2	Work Choice Forms	No significant changes
Annex 3	Working with Sub-Contractors	You will need to have in place suitable arrangements for checking that health and safety requirements are also met by any sub-contractors. You must also bring this Provider Guidance, including all amendments, variations, updates and changes to the attention of all sub-contractors.
Annex 4	Compatibility with Other Provision	No changes
Annex 5	Permitted Work	Description of Permitted Work replaced by link to GOV.UK / Permitted Work
Annex 6	The Access to Work Programme	<p>For queries regarding claims, reimbursements and changes in participants' personal details, Access to Work should be notified via this contact number: 0345 268 8489.</p> <p>Where there is an imminent job start, you may wish to consider funding any initial payments. Please note that support should not be purchased until approval has been received. If you decide to purchase any support before approval is received it is at your own risk. Please discuss this with your Contact Team.</p>
Annex 7	Identifying Statutory Referral Organisations (SRO)	We would not expect SRO referrals to take up more than 20% of your Starts Profile. Please note: DWP reserve the right to restrict the percentage of SRO-sourced starts towards the end of the Work Choice contracts.

Annex 8	Marketing and Publicity	No changes
Annex 9	Work Choice ESF Match	No longer included in extension guidance – ESF Match does not apply to participants referred during the April 2017 extension.
Annex 10	Work Choice Prime Providers	Working Links and Ingeus contact name updated
Annex 11	List of Abbreviations	No changes

Further Information / Contact Details

If you have any queries about this Live Running Memo please consult your Performance Manager or contact the Work Choice Policy Team via:

disabilityemploymentprovisionpolicy.enquiries@dwp.gsi.gov.uk