Withdrawn

This publication is withdrawn.

This publication is no longer current. For referrals made from April 2017, read the <u>New</u> Enterprise Allowance phase 2 provider guidance.



New Enterprise Allowance Provider Guidance

Version: v8.0 (May 2016)

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Section 1 – Claimant Group and Claimant Referrals

This section covers:

- Introduction
- Claimant Group/Eligibility
 - Jobseekers Allowance (JSA)
 - Employment & Support Allowance (ESA)
 - Dependant Partners
 - Income Support (IS)
 - o Universal Credit (UC)
 - o Identification / Marketing of scheme to claimants
 - Other exclusions from scheme
- NEA Mentoring Referrals
- Managing Special Customer Record cases (SCR)
- Managing Multi-Agency Public Protection Agreement cases (MAPPA)

Introduction

- 1.01 New Enterprise Allowance (NEA) is aimed at supporting claimants to start their own business. NEA will support the creation of a business under any structure as long as the claimant has a genuine aspiration to build a sustainable business that will be based in Great Britain.
- 1.02 The New Enterprise Allowance scheme is designed to support the move into self-employment for those people who want to start their own business. NEA can provide mentoring support (Provider led) and financial assistance in the form of the NEA weekly allowance (administered by Jobcentres) to claimants who satisfy eligibility and are referred to the scheme by Jobcentre Plus Advisers / Work coaches. Claimants will also have access to the BIS Start-Up Loans scheme should they need additional start-up financial support.
- 1.03 This DWP Provider Guidance supports you, the Prime Provider, in the delivery of the NEA scheme on behalf of the Secretary of State for Work and Pensions. It forms part of your contract and provides guidance on processes and requirements, contract details and the legal arrangements for delivery.
- 1.04 This guidance must be read in conjunction with:
 - The Invitation to Tender (ItT);
 - <u>DWP Generic Provider Guidance</u> useful hyperlinks have also been embedded throughout this Specific Guidance.
- 1.05 If there is any conflict between the contract and this guidance, the contract takes precedence. If there is any conflict between the specification and this guidance in relation to DWP's internal procedures and processes, this guidance takes precedence.
- 1.06 You must ensure that any organisations with which you have a sub-contractual relationship also have access to, and read, this guidance and associated documents at

Paragraph 1.04 above.

Claimant Group / Eligibility

- 1.07 New Enterprise Allowance is available to the following claimants aged 18 and over and their dependant partners (*where indicated) aged 18 and over:
 - Jobseekers Allowance (JSA) (*including dependant partners)
 - Employment & Support Allowance (ESA) (*including dependant partners)
 - Income Support (Lone parents or people claiming as sick)
 - Some Universal Credit (UC)

Jobseekers Allowance (JSA)

- 1.08 Eligibility commences from the date JSA (Income based or Contributory based) is awarded in all but the following instances:
 - A claimant sanctioned for leaving their last employment voluntarily or for dismissal due to misconduct, is not eligible for NEA until their claim has been in place for 13 weeks.
 - A claimant who ceased running their own business at any point in the 3 months
 prior to the claim date is not eligible for NEA until they have a continuous claim
 of 13 weeks. Additionally, their proposed business idea must be demonstrably
 different from the business that had ceased trading before they made their
 claim.
- 1.09 For all JSA claimants, eligibility for NEA ends at the point they are referred to Work Programme or another mandatory employment programme (i.e. a claimant taking part in Work Programme provision is not eligible for NEA). Eligibility resumes when Work Programme provision or another mandatory employment programme has been completed.
- 1.10 Claimants already running a business, on a part-time basis, and claiming JSA must not be helped through NEA unless they are proposing to set up a new full-time business in an entirely different sector. Where you identify a claimant is already running a business and not proposing to set up a new full-time business you should refer the claimant back to the JCP adviser / Work coach.
- 1.11 JSA 'credits only' claimants are eligible for NEA providing they meet the above criteria.

Employment & Support Allowance (ESA)

1.12 Eligibility commences from the date benefit / group status is established. If a claimant has been referred to the Work Programme they are not eligible for NEA. Eligibility resumes once the claimant has completed Work Programme.

Note: ESA claimants who ceased running their own business at any point in the 3 months prior to the claim date are not eligible for NEA until they have a continuous claim of 13 weeks. Additionally, their proposed business idea must be demonstrably different from the business that had ceased trading before they made their claim.

- 1.13 ESA claimants under permitted work rules are not eligible to participate in NEA because the starting of a business must take them off benefit.
- 1.14 ESA Work Related Activity Group (WRAG) 'credits only', Support Group and Assessment Phase claimants are eligible for NEA.

Dependant Partners

- 1.15 New Enterprise Allowance (NEA) is available to partners of JSA and ESA claimants aged 18 and over.
- 1.16 Eligibility commences from the date benefit / group status is established. Where dependent partners wish to participate in NEA, both the claimant and partner must fulfil the NEA eligibility criteria.
- 1.17 The dependant partner of a claimant who ceased running their own business at any point in the 3 months prior to the claim date is not eligible for NEA until they have a continuous claim of 13 weeks.
- 1.18 The dependant partner of a claimant who is on the Work Programme or who is due to start the Work Programme is eligible for NEA.

Note: The dependant partner of a claimant who ends their claim can remain on NEA if the dependant partner has already been referred by Jobcentre Plus.

Income Support customers (Lone Parents or people claiming as sick)

1.19 Eligibility commences from the date benefit / group status is established for people claiming as sick and lone parents claiming Income Support (IS) on the grounds of being a lone parent. This includes lone foster parents and single people with a child placed with them prior to adoption.

Note: IS claimants who ceased running their own business at any point in the 3 months prior to the claim date are not eligible for NEA until they have a continuous claim of 13 weeks. Additionally, their proposed business idea must be demonstrably different from the business that had ceased trading before they made their claim.

1.20 If a claimant has been referred to the Work Programme they are not eligible for NEA. Eligibility resumes once the claimant has completed Work Programme.

Note: To be eligible for NEA the Lone Parent must start a business that takes them off benefit. Lone parent's claiming I.S who remain on I.S and want to start child-minding in their own home are not eligible to participate in NEA.

Universal Credit (UC)

- 1.21 Eligibility commences from the date benefit / group status is established in the following UC groups:
 - all work related requirement;
 - the 'work preparation'; and
 - the Work Focussed Interview only (Ione parent with a child under the age of 3).

Note: UC claimants who ceased running their own business at any point in the 3 months prior to the date benefit / group status is established are not eligible for NEA until they have a continuous claim of 13 weeks. Additionally, their proposed business idea must be demonstrably different from the business that had ceased trading before they made their claim

1.22 If a claimant has been referred to the Work Programme they are not eligible for NEA. Eligibility resumes once the claimant has completed Work Programme.

Identification / Marketing of scheme to claimants

- 1.23 Jobcentre Plus will inform eligible Individuals about the NEA Mentoring Scheme. Eligible Individuals will be referred to you by Jobcentre Plus.
- 1.24 You / your partnership activities can be marketed through media other than Jobcentre Plus services; however, you will need to ensure that the NEA eligibility criteria is made clear in any marketing materials. Marketing activity must direct interested people to Jobcentre Plus in the first instance, so their eligibility can be confirmed and Jobcentre Plus can track participation and take-up effectively. Any marketing or promotional material relating to the delivery of this contract must in the first instance be sent to and agreed with your JCP CPA Single Point of Contact.

Other exclusions from scheme

- 1.25 Because the weekly NEA allowance paid upon the commencement of trading is designed to help the participant build up their business, NEA is not appropriate for a claimant who is taking a job offered by an employer on a self-employed basis.
- 1.26 NEA can be used to support any legal business that is registered in Britain for tax purposes, however there are some business areas where you need to take care especially in the adult leisure/entertainment industry, to ensure that you do not support an illegal business or bring the DWP into disrepute. In these cases you should contact your JCP CPA Single Point of Contact for additional advice.

NEA Mentoring Referrals

1.27 JCP Advisers / Work coaches will refer eligible claimants by contacting you by telephone and arranging a one-to-one, face-to-face initial assessment. You must have a designated point of contact to field and manage phone calls to book these appointments.

Note: In cases where a joint business idea is proposed and claimants are eligible for NEA support, claimants will be individually referred to NEA. You will be able to claim the relevant start / outcomes for each claimant referred.

- 1.28 The JCP Adviser / Work coach will make a referral in the Labour Market System (LMS) or Work Service Platform (WSP) used to refer UC claimants, which will create a referral in the Provider referrals and payment (PRaP) System. The referral information sent via PRaP will include:
 - Full name (including title) and National Insurance number;
 - Address and (where available) a contact telephone number;
 - If a claimant has informed JCP that they have a health condition:
 - The claimant attendance arrangements; and
 - Activities already undertaken and details of qualifications (where available).
 - Adviser name, office name & office address

Note: For UC claimants referred via WSP, not all the pertinent information (detailed above) will be sent via PRaP. The information that cannot be sent via PRaP will be sent to you clerically via fax / post on a Universal Credit NEA Referral & Feedback form (NEA1 – UC (2015) 01/15).

- 1.29 You will be notified via PRaP when a claimant has informed JCP that they have a health condition / disability, however this will not include what their disability is. Claimants with disabilities may require reasonable adjustments and additional support/arrangements. You should ensure that this information is sought as part of the referral telephone call / Initial assessment (where appropriate).
- 1.30 The JCP Adviser / Work coach will also notify you of any claimant participation restrictions which you must record and take into account when planning delivery.
- 1.31 **Please Note**: The referral will not be available to you in PRaP until the day following the JCP telephone 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 made clerically, not through PRaP e.g. Special Claimant Records (SCR). See Managing SCR cases for further information

- 1.32 Upon receipt of the referral in PRaP you should 'acknowledge' the referral ASAP. One of the following results must be recorded:
 - Accept referral
 - Reject referral, including the rejection reason (see paragraph below)
- 1.33 Situations may arise where JCP make a referral which is inappropriate. In these cases and only these cases, there are processes to correct the error. See Annex 1 for the action to take.

Managing Special Customer Record cases (SCR)

- 1.34 Certain participants are allocated Special Customer Records (SCR) status. This is determined by HMRC Special Section D (SSD) in Newcastle for cases where unrestricted access to participant's data poses a demonstrable risk to the individual's safety.
- 1.35 These participants must not have their details held on any electronic systems. Further information regarding managing SCRs is available in Chapter 2 of DWP Generic Provider Guidance.
 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/332517/pg-chapter-2.pdf
- 1.36 Further information regarding claiming NEA Start fee's and Outcomes for SCR cases is available in Section 5 SCR cases

Managing Multi-Agency Public Protection Agreement cases (MAPPA)

1.37 MAPPA are the statutory arrangements for managing sexual and violent offenders. MAPPA is not a statutory body in itself but is a mechanism through which agencies can better discharge their statutory responsibilities and protect the public in a co-ordinated manner. Further information regarding managing MAPPA cases is available in Chapter 2 of DWP Generic Provider Guidance. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/332517/pg-chapter-2.pdf

Section 2 - The Initial Referral / Assessment Activity

This section covers:

- Initial assessment meeting and suitability / Self-Employed prospects
- Communicating your feedback and Complaints Procedure
- Re-referring claimants who did not attend the initial assessment meeting / did not start
- Identifying additional support requirements
 - Travel Expenses
 - o Funding Childcare
 - Access to Work support
- Conditionality while participating on NEA

Initial assessment meeting and suitability/Self- Employed prospects

- 2.01 You must conduct an initial assessment with the claimant to test their suitability for the scheme (within10-working days of the telephone referral date). You must notify JCP via PRaP of the outcome of the initial assessment meeting within 5 working days of the initial assessment. If the claimant is accepted onto the scheme the assessment date will be considered the claimants start date on the scheme.
- 2.02 The following outcomes from the initial referral must be recorded in PRaP:
 - Start (claimant agreed to start scheme);
 - Did not start (claimant attended initial assessment but it was decided that the claimant would not to take up the offer of support / scheme or business proposition does not have a reasonable chance of success);
 - Did not attend interview:
 - Cancel No Contact (used for ineligible referrals, see annex 1)
- 2.03 All outcomes of the Initial Assessment will be recorded on PRaP within 5 working days of the assessment.
- 2.04 The initial assessment meeting must be conducted face-to-face (physically in the same room) except for in a exceptional circumstance and should cover:
 - the claimant's business proposition, and whether their business idea has a reasonable chance of success:
 - Whether the claimant is likely to be able to produce a Business Plan within 8 weeks; and,
 - Whether the claimant has a reasonable chance of launching a business and succeeding in self-employment.

Note: In cases where a joint business idea is proposed you should also consider whether the business proposition can sustain the participants.

Note: Once referred for an initial assessment providers must not conduct a pre-sift in advance of the initial assessment.

- 2.05 An 'exceptional circumstance' could be where the face-to-face meeting has been arranged but due to circumstances outside the claimant and providers control (e.g. adverse weather conditions / travel disruptions) the meeting cannot take place on the agreed date or re-arranged within 10 working days of the telephone referral. In these circumstances alternative methods of communication (e.g. use of IT technology) can be considered / used.
- **Note**: Where distance or length of time of travel is a factor, Initial Assessments may be conducted via telephone if no other options are available. This should be by exception and not the norm. This will only apply for referrals made from 1st April 2016.
- 2.06 Wherever possible you should notify your DWP Performance Manager of all 'exceptional circumstances' in advance. Where it is not possible to notify in advance, you should still report the case to your Performance Manager at the earliest opportunity so they can monitor the number/type of exceptional cases.
- 2.07 You must keep a written log of the initial assessment with claimants, including signed confirmation from claimants that the initial assessment has taken place.
- 2.08 Where a claimant is to be referred to a sub contractor following the initial assessment or the initial assessment is conducted by a sub contractor, you need to ensure the claimant is informed that information will be shared between yourself and the sub contractor in relation to the claimant's participation in NEA.
- 2.09 Where you intend to refer the participant to a Volunteer Mentor you need to ensure the participant has given written consent for you to share their personal data with the Volunteer Mentor. See annex 2 for an example template which may be used to obtain consent. Where you intend to share more information than the suggestions listed on the template, you should add the additional details to your template. DWP would also remind you of your responsibilities relating to the protection of personal data and your requirement to adhere to the Data Protection Act.
- 2.10 The outcome of all initial assessments (e.g. Reason for 'Did not start') should also be notified to the JCP adviser / Work coach via the NEA feedback form 'NEA1 (2015) 01/15' see annex 3 ('NEA1 UC (2015) 01/15' for UC claimants) within all cases within 2 working days of the assessment.

Communicating your feedback and complaints procedure

2.11 You must ensure that you fully explain your comments and complaints procedure to each participant as part of the initial assessment process. For further information

- regarding Complaint Resolution please see <u>Chapter 2 of Generic Provider Guidance</u> and the Core briefing pack for provider's complaints resolution.
- 2.12 You must have an appropriate complaints process across the whole supply chain to attempt to resolve participant's complaints. Where complaints cannot be resolved, a participant can complain to the Independent Case Examiner (ICE). ICE will mediate between the prime Provider and participant to attempt to broker a resolution.
- 2.13 If a resolution cannot be agreed between either party, ICE will undertake a full investigation of the complaint. If the complaint is upheld at this stage, in part or in full, then the prime contractor will be charged a fee of £5,000 and will also be liable for any financial redress recommended by ICE. In the event that the complaint against the prime contractor or sub-contractor is dismissed, no fee shall be payable. Any fees in respect of complaints that have been upheld against the prime contractor or the sub-contractor and any financial redress due to the claimant shall be paid within four (4) weeks of the date of the ICE final investigation report.

Further information regarding complaint resolution can be found at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/261107/core-briefing-pack-for-Providers-complaints-resolution.pdf

Re-referring claimants who did not attend the initial assessment meeting / did not start

- 2.14 JCP advisers / Work coaches will be notified that the claimant failed to attend the Initial Assessment meeting/did not start NEA via the NEA feedback form 'NEA1 (2015) 01/15' see annex 3 ('NEA1 UC (2015) 01/15' for UC claimants). The action you take in PRaP (recording 'did not attend interview' / 'did not start') will also close the referral in LMS.
- 2.15 JCP advisers / Work coaches will then establish the reasons why the claimant may have failed to attend / start and will establish if NEA remains appropriate. Where JCP establish that NEA remains appropriate for a claimant they will make a new referral, following the same process in which the original referral was made (ringing the Provider, booking a further initial assessment meeting and making a new electronic referral through PRaP).

Identifying additional support requirements

Travel Expenses

2.16 Local delivery is deemed to be essential to the successful delivery of NEA, as a result you are not expected to provide travel expenses for participants. Participants experiencing issues with travel costs for participation in NEA need to discuss these with their JCP adviser / Work coach.

Funding Childcare Costs

2.17 Childcare costs are not the responsibility of NEA Provider, however in exceptional circumstances may be covered by a discretionary payment from JCP. In such cases you should refer the participant back to their JCP adviser / Work coach.

Access to Work support

2.18 Access to Work support is not available during the Pre Start-up period of NEA, It is your responsibility to provider any support required. Participants will be able to apply for Access to Work support once they have ended their claim to benefit or reported a change of circumstances to register a trading start if they are claiming UC and commenced trading. Further information regarding Access to Work can be found here: https://www.gov.uk/access-to-work

Conditionality while participating in NEA

- 2.19 All participants who start NEA Mentoring are expected to engage fully in the scheme and complete the NEA Mentoring phase (pre start-up phase) within 8 weeks. Exceptionally this can be extended to a maximum of 12 weeks.
- 2.20 NEA participants remain subject to the conditionality associated with their benefit receipt. For JSA claimants the condition to be 'actively seeking paid employment' is replaced by a requirement to participate fully in the Mentoring phase of the NEA. This will mean:
 - Attending all appointments with Mentor / Adviser / Mentoring Provider organisation (or their representative) where given at least 24 hours notice of the appointment:
 - Doing things each week to develop the business proposal; and,
 - Telling Jobcentre Plus within 2 working days if the business idea is no longer being pursued and/or the Mentoring relationship ends.
- 2.21 Whilst on NEA Mentoring Pre start-up period, participants will remain on JSA and therefore will be required to attend the Jobcentre for jobsearch reviews (generally fortnightly) and confirm they are continuing to meet agreed conditionality requirements. Wherever possible JCP will arrange a suitable time to ensure that this or any other required attendance does not impact negatively on the claimant's attendance with a mentor / Adviser.
- 2.22 Within 5 working days of a claimant starting NEA the JCP adviser / Work coach must conduct an interview with JSA participant to agree conditionality during the initial 8 weeks pre start-up period. JCP will then make arrangements to review the participant's progress at the 8 week stage and reconsider conditionality based on the next steps.
- 2.23 Participants in receipt of UC or other benefits, such as Income Support or the Employment and Support Allowance, remain subject to their usual benefit conditionality whilst they are participating in the NEA mentoring phase. However, they are expected to complete the NEA Mentoring pre start-up phase within the same 8-12 weeks as JSA participants. The JCP adviser / Work coach will also make

arrangements to review the participant's progress at the 8 week stage.

Note: From October 2013 the claimant commitment began rolling out for UC claimants and JSA claimants returning from / completing the Work Programme and new JSA claimants.

2.24 NEA participation is voluntary for all eligible groups, and participants can leave the scheme at any time without threat of a benefit sanction. However, JSA participants must inform Jobcentre Plus within two work days of their decision to leave the scheme otherwise they may incur a sanction. Where you become aware that the claimant has left the scheme you should notify the JCP adviser / Work coach via the NEA feedback form – 'NEA1 (2015) 01/15', see annex 3. ('NEA1 – UC (2015) 01/15' for UC claimants)

Section 3 - Pre & Post Start-up period

This section covers:

- Business Advisers / Volunteer Mentor relationship
- Pre Start-up period / Business Planning
 - o Business Plan (Minimum Criteria)
- Business Plan approval process
- Commencement of trading / NEA allowance
 - NEA weekly allowance

Business Advisers / Volunteer Mentor relationship

- 3.01 Following the initial assessment meeting and agreement by the participant to start on the scheme, you should immediately start working with the participant to support them in developing a Business Plan. We expect you to be able to undertake some business planning activities prior to matching the participant with a Business Adviser and / or Volunteer Mentor.
- 3.02 Business Adviser and / or Volunteer Mentor should work with participants while they are preparing to become self-employed (the pre Start-up Period) and for a period of at least 26-weeks to support them in the early months of Trading (the Post Start-up Period).
- 3.03 You may also use a range of mentoring support and business advice through the duration of the participant's time on the scheme. For example, through the use of group sessions and business planning workshops.
- 3.04 You should match each participant with a Business Adviser and / or Volunteer Mentor. as soon as possible during the pre / post start-up period.
- 3.05 Where you refer the participant to a Volunteer Mentor you need to ensure the participant has given written consent for you to share their personal data with the Volunteer Mentor before the meeting. See annex 2 for an example of the consent template
- 3.06 You should ensure there are sufficient Business Adviser and / or Volunteer Mentors to work with NEA participants.
- 3.07 You should ensure that for each of the matched relationships that you set up between participant and expert, at least half of the Mentors / Advisers must be acting in a voluntary capacity.
- 3.08 You should ensure the Business Adviser / Volunteer Mentors have the right skills and experience to provide business Mentoring support, advice and guidance to NEA participants, and have the relevant accreditation if necessary.
- 3.09 Business Adviser / Volunteer Mentors must have business experience and the appropriate skills needed to support participants to prepare for self-employment and

develop a viable Business Plan that demonstrates the business's sustainability potential. Business Adviser and / or Volunteer Mentors will be expected to understand the local business landscape and be candid with participants, but at the same time have the ability to listen and empathise.

- 3.10 During the participants time on NEA you must ensure that the Business Adviser and / or Volunteer Mentor is providing appropriate mentoring and business advice, including making an initial assessment of the participant's needs, helping them to prepare a Business Plan during the Pre start-up period and provide access to on-going support during the 26 week trading period. See Section 6 for further details of evidencing requirements.
- 3.11 Business Adviser and / or Volunteer Mentors will also be expected to look to signpost participants to other local partners as a source of business support and funding.

Pre Start-up period / Business Planning

- 3.12 During the pre start-up period there must be at least two face-to-face meetings (in addition to the initial assessment) between the Business Adviser and / or Volunteer Mentor and the participant.
- 3.13 You must keep a written log of each meeting and contact that takes place with participants, including with Business Adviser and / or Volunteer Mentors. You must obtain signed confirmation from participants for each face-to-face meeting that takes place. See Section 6 for further details of evidencing requirements.
- 3.14 During the pre start-up period you must provide guidance and mentoring to support the participant in preparing for self-employment and developing their Business Plan.
- 3.15 Following the initial assessment / start, the participant will have 8 weeks to work with the Business Adviser and / or Volunteer Mentor to produce and have the Business Plan approved by you.
- 3.16 In exceptional circumstances, the pre start-up period can be extended to a maximum of 12 weeks. This must be agreed with the participant's JCP adviser / Work coach. At the JCP 8 week conditionality / review meeting, the JCP adviser / Work coach will review the participant's progress and any extension request (where appropriate). In advance of the JCP review at the end of week 7, you should send the NEA feedback form 'NEA1 (2015) 01/15' ('NEA1 UC (2015) 01/15' for UC claimants) to the JCP adviser / Work coach providing details on progress and outlining any extension requests. See annex 3 for details of the form.
- 3.17 Following the review meeting, the JCP adviser / Work coach will notify you of the decision on any extension request.
- 3.18 Very exceptionally, there is a possibility for the Business Plan to be submitted to you for assessment after the 12 week maximum pre start-up period, however there will be no additional funding available and it will be done at your discretion.

3.19 **Note**: at the end of the 8 week pre start-up period (or 12 weeks where extended) JSA participant will resume normal conditionality and will be expected to resume normal jobseeking activity.

Business plan (minimum criteria)

- 3.20 The content of business plans will differ between individuals, however each business plan should include sufficient information to demonstrate the viability of the business idea. We expect each plan to include the following as a minimum:
 - A full description of the business idea including how and where will trading take place. This will help give an indication of income and overheads
 - Business Financial Planning
 - Business cash-flow:
 - Incomings
 - Outgoings (Overheads such as insurance, rent, business rates, stock/equipment costs etc)
 - Personal budget plan
 - How will you manage financially whilst your business develops?
 - What will your income be?
 - How will you make loan repayments etc.?
 This will help individuals ensure they can manage financially on what might be a low income when they first start trading
- 3.21 The participant will need to demonstrate that their Business Plan is viable and that the business has sustainability potential.

Business Planning approval process

3.22 You must review the Business Plan submitted by the participant and consider whether it is at a suitable standard for the participant to move into self-employment and commence trading.

Note: In cases where two or more participants submit a joint Business Plan you should also consider whether the business plan can sustain the participants.

3.23 You are required to administer an approval process for the participant's business plan. You are required to retain copies of participant's completed Business Plan and recommendation / feedback. See Section 6 for further details of evidencing requirements.

- 3.24 The Business Advisor / Volunteer Mentor can recommend to the Provider that a participant's business plan is of a suitable standard to be assessed. The Business Advisor / Volunteer Mentor should not be part of the assessment process.
- 3.25 Participants can submit their Business Plan for consideration on more than occasion, where it is initially declined, at your discretion. Considerations when deciding whether a re-submission should be approved will include, but are not limited to:
 - the proportion of the 8-week Pre Start-up Period that has passed; and
 - the likelihood that the Business Plan can be raised to the acceptable standard in the time remaining.
- 3.26 You can only claim once for a 'Completion of a Pre Start-up Period Fee' regardless of the number of times the Business Plan maybe assessed by you.
- 3.27 When the Business Plan is approved you should notify the JCP adviser / Work coach of the date the Business Plan was approved using the NEA feedback form 'NEA1 (2015) 01/15' See annex 3 ('NEA1 UC (2015) 01/15' for UC Claimants). Confirmation of Business plan approval is required before the JCP adviser / Work coach can process any claim for NEA allowance.
 - **Note:** Prior to commencing trading UC Claimants will attend a 'Gateway Interview' which will assess whether they are in 'gainful self-employment' for UC purposes and if the meet the criteria for being 'genuinely trading' to receive the NEA allowance.
- 3.28 From the date the Business Plan is approved, the participant has a further 13 weeks to make the decision to sign off benefit and start trading. Note: JSA participants will resume normal conditionality and will be expected to resume normal job seeking activity during this period.
- 3.29 Where participant's have an approved Business Plan, you should sign post / notify the participant of companies which provide BIS Start-up loans.

Commencement of Trading / NEA allowance

- 3.30 For those Participant's who successfully submit their Business Plan and start trading within the 13 weeks period following the pre start-up period you must continue to offer access to Mentoring support for the first 26-weeks from the commencement of trading. The minimum requirement is for you to offer the minimum of two meetings with a Business Adviser and / or Volunteer Mentor during this period.
- 3.31 At the point the participant makes the decision to trade (during the 13 weeks decision period) they should contact their JCP adviser / Work coach in the first instance. Where the participant notifies you of their decision to trade, you should check / direct the participant to their JCP adviser / Work coach for them to check eligibility for NEA allowance, process the claim and close existing claim to benefits, where appropriate (e.g. JSA).

- 3.32 You should also advise the participant to register their business with HMRC.
- 3.33 Before you make a claim for the 'Commencement of trading outcome' you are required to satisfy yourselves that the participant has signed off JSA/ESA/IS and commenced trading or reported a change of circumstances to register a trading start if they are claiming UC. Evidence to confirm commencement of trading could include: (Note, the list below is neither prescriptive nor exhaustive).
 - HMRC registration
 - Confirmation of NEA allowance claim (letter issued to claimant by JCP) where claimed by participant
 - Proof of benefit claim closed (letter issued to claimant by JCP)
 - Bank statement showing details of recent transactions/earnings
 - Invoices, purchase orders received/sent recently which are clearly in relation to the running of business

NEA weekly allowance

- 3.34 To support participants to make the transition from benefits and become self sufficient, during the 26 weeks of trading, eligible participants are entitled to an NEA allowance administered by JCP. An NEA weekly allowance of £65 is paid for the first 13 weeks of trading followed by a weekly allowance of £33 for the remaining 13 weeks.
- 3.35 The NEA weekly allowance aims to support the participant in the early months of trading. It is disregarded by HMRC for income tax, NI (but not Class 2 contributions) and tax credit purposes. It is also disregarded for the purposes of Housing Benefit and child maintenance. Claimants will have to contact their Local Authority to confirm if any reduction they receive in their council tax bill is affected.
- 3.36 The allowance is payable subject to all the qualifying conditions being met:
 - have closed their claim, where applicable (JSA,ESA,IS) to commence trading their business on a full-time basis (ie at least 16 hours per week). Note UC claimants may not close their claim, they should however have notified a change of circumstance to JCP.
 - have progressed through the mentoring stage of NEA and hold a valid Business
 Plan; that is one that has been 'approved' by the Provider within the last 13 weeks
 Note: if the NEA participant has not been able to commence trading within 13
 weeks of their Business Plan being approved, for reasons beyond their control, JCP
 may exercise discretion to extend this period within reason.
 - have signed an EU de minimis statement (EU regulations limit the amount of financial aid that can be given to commercial undertakings; NEA participants must, therefore, sign a statement confirming that receipt of the weekly allowance will not take them over permissible limits)

- have submitted their application for the weekly allowance to Jobcentre Plus within 5 weeks of the (JSA,ESA,IS) claim termination date or notification of a change of circumstances, for UC claimants.
- have a bank, building society or post office account. This can be either a personal
 account or a business account. Payments of the NEA weekly allowance can only
 be made direct to an account; a Post office Card Account meets this criteria
- not be participating in Work Programme.
- 3.37 JCP will administer and review the entitlement to NEA allowance with the participant at week 6,12,19 of the 26 week trading period. Should the participant notify you that they have ceased trading or you become aware that the participant may not be entitled to the allowance you should notify the JCP adviser / Work coach immediately.

Section 4 - Participation, absences and changes of circumstances

This section covers:

- Allotted time / Breaks in participation / re referrals
 - o Breaks during the pre trading period
 - o Breaks during the 26 weeks trading period
- Participant Changes of Circumstance
 - o Participant changes address
- Participant holiday
- Leavers
- Participant Changes Business Idea
- Unacceptable Behaviour
- · Christmas and New Year opening

Allotted Time / Breaks in participation / re-referrals

4.01 The maximum NEA Allotted time period is 66 weeks. Allotted time is continuous and starts at the point of referral to NEA via PRaP. This is the maximum period of time in which all outcomes for a participant can be achieved. 66 weeks will be for exceptional circumstances only and allows for re-referrals to complete the remaining weeks on the pre start-up period & breaks during the 26 week trading period.

Breaks during pre trading period

- 4.02 If a participant who previously started NEA then dropped-out of NEA during the Mentoring pre start-up stage enquires about returning to the scheme, assuming they are eligible, (e.g. not started on Work Programme / within the 66 week allotted time) JCP advisers / Work coaches will use their discretion in deciding whether or not rereferral is appropriate.
- 4.03 If the participant wishes to pursue the same business idea the JCP adviser / Work coach will ring you to explain the circumstances of the case and discuss the feasibility of the participant resuming the Mentoring relationship at the point they left, subject to not being recorded as a leaver in PRaP. If you agree, the participant can then re-start the scheme.
- 4.04 The participant will only receive the balance of time.(e.g. if the participant has previously completed 3 weeks, they will have the remaining 5 weeks to complete their Business Plan. **Note**: Extension requests (upto 4 weeks) may also be considered upto the maximum duration for the pre start-up stage (12 weeks).
- 4.05 Where a participant has being recorded as a <u>leaver</u> in PRaP, a new referral will be made and the 66 weeks allotted time will start again.

Breaks during the 26 week trading period

- 4.06 If a participant who ceased to trade (due to sickness) during the 26 week trading period enquires about returning to the scheme, assuming they are eligible, (e.g. not started on Work Programme, break not exceeded 13 weeks, within the 66 week allotted time and not being recorded as a Leaver in PRaP) JCP advisers / Work coaches will use their discretion in deciding whether or not the participant can re-start. The JCP adviser/ Work coach will ring you to explain the circumstances of the case and discuss the feasibility of the participant resuming support. Note: The maximum break allowed during the trading period is 13 weeks.
- 4.07 The participant will only receive the balance of 26 weeks trading.(e.g. if the participant has previously completed 15 weeks, they will have the remaining 11 weeks, subject to not exceeding the total 66 week allotted time to trade. **Note:** You will only be able to claim the 'Completion of 26 week trading outcome fee' where the participant has completed the 26 week trading within the allotted time.
- 4.08 Where a participant has being recorded as a <u>leaver</u> in PRaP, the participant is not eligible to return to NEA.

Participant Changes of Circumstances

- 4.09 It is the responsibility of the participant to notify JCP of any change in their circumstances that occur whilst they are on any element of NEA. Where a participant informs you of a Change of Circumstance (CoC), you are to direct the participants to immediately report the change to JCP.
- 4.10 From 23rd November 2015 for Current Benefit participants (JSA, Income Support and ESA) you will be notified of the following Change of Circumstances (CoC) via unencrypted email by the CEPD1 form or via the **Contingency Process** below.
 - Address (includes transfer of JCP District)
 - Additional support / reasonable adjustments (e.g. New Work Capability outcome)
 - Admission / discharge hospital
 - Appointee / Power of Attorney
 - Caring responsibilities
 - Change of benefit (e.g. off JSA to IS/ESA)
 - Changes to participant's conditionality
 - Changes that affect participant's work-related requirements (e.g. Jury service, civic duties, domestic emergency, easements for domestic abuse/violence)
 - Claim termination / benefit ends
 - Death
 - Imprisoned / leaves prison
 - JSA extended period of sickness
 - JSA to NEA weekly allowance
 - Name

- Part-Time education
- Period of sickness (restrictions and duration)
- · Period of sickness during mentoring phase
- Starts / ends work (inc p/t, vol, s/e, permitted)
- Telephone number

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.

- 4.11 On receipt of the notification of participant change of circumstances: ensure that the participant has been referred to you or your sub-contractors.
- 4.12 if referred by email, check that only one change of circumstances form has been attached to the email
- 4.13 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).
- 4.14 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)**
- 4.15 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).
- 4.16 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 on how to do this Generic Provider Guidance, Chapter 8 Information Security) and then delete the email and CEPD1 form(s).

- 4.17 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'
- 4.18 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.
 - You will receive only one CEPD1 form per e mail
 - The standard wording displayed in the email "Subject Box" will be:

CEPD1_New Enterprise Allowance_CPA number_participant surname_last three digits of participants NINO

For example:

CEPD1__New Enterprise Allowance_CPA11_Sample_56_C

Note: It **will not** be possible for you to notify DWP of participant change of circumstances via unencrypted email.

Contingency Process

- 4.19 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.
- 4.20 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.
- 4.21 The TPPM will inform JCP colleagues of the situation and they will temporarily suspend the use of unencrypted email.
- 4.22 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.
- 4.23 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.
- 4.24 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.
- 4.25 Once resolved, your TPPM will notify you when you can expect to start receiving electronic change of circumstances forms again.

Participant changes address

- 4.26 CP will notify you if a participant changes their address and also if the change affects the participant's participation.
- 4.27 Once the participant has started NEA, if the change of address means that the participant continues to attend a JCP office within the current CPA, their participation on the scheme will be unaffected. However, if the change means that the participant will attend at a JCP office outside the CPA, you will be expected to consider if continued participation is appropriate.
- 4.28 If the participant remains in the local travel to work area participation should continue (participants are not required to participate in any location which would normally take the participant more than 90 minutes via public transport to travel to or from their home).
- 4.29 If the participant moves address to a CPA where commuting to the scheme is unreasonable your delivery requirements will cease and the participant should be recorded as a completer in PRaP. See Leavers. However, where possible and where suitable arrangements can be put in place (e.g. where you have a delivery presence in the new CPA, or choose to deliver the scheme through a sub-contracting arrangement) you should continue to work with participants and will remain eligible to claim for outcomes provided definitions are met. JCP will contact you to discuss ongoing participation where a claimant moves CPA.

Participant holiday

- 4.30 Where a participant plans to go on holiday during the 8 week Pre start-up period you should refer the participant back to their JCP adviser / Work coach.
- 4.31 Prior to the start of trading if the participant is going on holiday (home or abroad), the JCP adviser / Work coach will consider if it might be more appropriate for the participant to delay launching their business, and therefore their claim for the allowance, until they return.

Leavers

- 4.32 Where a participant notifies you they no longer wish to participate in the Pre start-up period or ceases trading, you should refer the participant to their JCP adviser / Work coach and notify the JCP adviser / Work coach using the NEA feedback form 'NEA1 (2015) 01/15' See annex 3 ('NEA1 UC (2015) 01/15' for UC claimants).
- 4.33 Where it is clear the participant will not be returning to scheme within the 66 week allotted time period you should record the participant as a completer in PRaP, using the following reasons:
 - Completed Provision; or
 - Deceased

Should there be any doubt as to whether the participant may return (e.g. short term sickness) you should not record a completer reason in PRaP.

Participant changes business idea

4.34 Where the participant changes their business idea while participating in NEA, the actions you take will depend on where the participant is in the scheme.

Change during Start up period

4.35 Should the participant change their business idea during the pre start-up period (Prior to Business plan sign off), you should, where possible / time permitting, work with the participant to re-develop their Business plan to accommodate any changes. If this cannot be accommodated in the time remaining (including any extension requests) you should record the participant as completing provision.

Subject to discussion and agreement with the JCP adviser / Work coach a new referral will be made in PRaP where the participant wishes to develop a new business idea.

Change following business plan sign off

4.36 Should the participant change their business idea following the sign off of the business plan you should record the participant as completing provision. Subject to discussion and agreement with the JCP adviser / Work coach a new referral will be made in PRaP where the participant wishes to develop a new business idea.

Change following commencement of trading

- 4.37 Should the participant change their business idea following commencement of trading and wish to cease trading and develop a new business idea you should record the participant as completing provision.
- 4.38 In this case, where the participant has ceased running their own business at any point in the 3 months prior to re-claiming benefits the participant is not eligible for NEA until they have continuously claimed benefits for 13 weeks.

Note: In all the scenarios above the proposed business idea must be demonstrably different from the previous business idea / business that ceased trading before.

Unacceptable Behaviour

- 4.39 Participants on DWP provision have a responsibility to behave in an appropriate manner, just as they would if they were in employment and you must explain what constitutes appropriate behaviour as part of the participant's initial assessment.
- 4.40 Where cases of misconduct or unacceptable behaviour by claimants arise, you must immediately deal with it in the most appropriate manner.
- 4.41 If a claimant's behaviour is such that effective participation is not possible, in the first instance you must discuss this with JCP adviser / Work coach. As a last resort a decision may be made to exclude from provision (further information regarding unacceptable behaviour can be found in Chapter 2 of Generic Provider Guidance)

Christmas and New Year opening

- 4.42 Where you are closed, the period of closure will be counted towards completed weeks for Completion of 26 weeks trading Outcome fee purposes (up to a maximum of 7 working days).
- 4.43 You must ensure your designated point of contact for the booking of Initial Engagement Meetings is resourced where JCP referral offices are open over Christmas and New Year.

Section 5 – PRaP Actions / Claiming Outcomes / Validation

This section covers:

- PRaP Actions
 - Start Fee PRaP action
 - o Completion of Pre Start-up Period Fee PRaP action
 - Commencement of trading Outcome Fee PRaP Action
 - o Completion of 26 weeks trading Outcome Fee PRaP Action
- Validation Action
 - o Pre-payment Validation for Completion of 26 weeks trading outcome fee
 - Pre-payment Validation for UC Participants
 - Post-payment Validation for starts fee, completion of pre start-up period fee,
 Commencement of trading Outcome fee / Completion of 26 weeks trading outcome fee
 - o Post Payment Validation for UC Participants
 - o **Extrapolation**
- PRaP Operational Support Team (POST)
- Irregularities / Potential Fraud
- Special Customer Records

PRaP Actions

- 5.01 There are points within NEA where you must ensure you update NEA referrals on the PRaP system. Below are the key actions required:
 - Acknowledge each NEA referral.
 - Record where a participant agrees to start NEA within 5 working days of the initial assessment meeting.
 - Record where a participant has failed to attend their initial assessment meeting within 5 working days of the failure to attend.
 - Where making outcome claims, record all details in relation to the outcomes i.e. start, completing pre start-up period, start trading and completion of 26 week trading in the Job Details screen, prior to the claims.
 - Recording a completion reasons where a participant leaves NEA and will not return or following the completion of 26 week trading outcome fee claim.
- 5.02 You will use the PRaP system to receive referrals and to record participant activity. When a NEA Mentoring Start date, Completion of pre start-up period date, Starting Trading Date or completion of 26 weeks Trading date are entered into PRaP it will prompt the system to release a payment, subject to validation by DWP (See section 6 Evidence Requirements for further information on evidence required.)
- 5.03 You will therefore need to have met relevant security requirements when contracts go live. More information on the PRaP system can be found at:

https://www.gov.uk/government/publications/Provider-referrals-and-payments-prapsystem-for-dwp

- 5.04 It should be noted that while the vast majority of referrals will be made through PRaP, there may be a very small number of referrals made clerically, not through PRaP. These are cases where JCP has granted the participant 'Special Customer Record Status' due to certain personal circumstances. See SCR cases for further information regarding claiming NEA Start fees and Outcomes for SCR cases.
- 5.05 Direct access to PRaP will be limited to NEA Prime Providers / Contract Holders.
- 5.06 DWP will use Management Information (MI) presented by PRaP for the on-going management of the scheme and for discussion with individual Providers.
 DWP also requires you to gather & provide MI on a monthly basis, See annex 4 in relation to MI requirements.
- 5.07 The following outcomes can be claimed for NEA:
 - Start Fee:
 - Completion of Pre Start-up Period Fee;
 - Commencement of Trading Outcome Fee; and,
 - Completion of 26 weeks Trading Outcome Fee.

Definitions are detailed in annex 5.

Start Fee- PRaP action

- 5.08 A **Start Fee** will be paid when the participant has been accepted onto NEA. You need to record the Start in the PRaP system, which will trigger payment of the Fee.
 - 5.09 You will be required to input dates into PRaP to confirm the start:
- **Date 1** & **Date 2** should be the same date and be the date the participant agreed to start NEA.
- 5.10 You have a responsibility to ensure that starts you record on PRaP are valid. You are required to retain evidence of the initial assessment, which supports the conditions of the claim and fully meets the definition as detailed in <u>Section 6</u>.
- 5.11 You are required to make this evidence available for testing by DWP and other external bodies when requested, and it must be retained.
- 5.12 Failure to record a start date on PRaP will result in non-payment of the **Start Fee**.

Completion of Pre Start-up period fee - PRaP action

5.13 A **Completion of pre Start-up period fee** can be claimed in PRaP when a participant has been notified of the outcome of the assessment of their Business Plan.

- 5.14 A **Completion of pre Start-up period fee** can only be claimed after a start fee date is recorded on PRaP.
- 5.15 Only one **Completion of pre Start-up period fee** can be claimed for a participant per period of allotted time, regardless on the number of times a Business Plan maybe assessed by you.
 - 5.16 You will be required to input dates into PRaP to confirm the outcome:
 - **Date 1** Should be the start date on the scheme (date used for start fee outcome).
- **Date 2** Should be the date you assessed the business plan and notified the participant.

Note: You are also required to input information into the 'job details' screen. As the participant will not be trading at the point you claim the 'Completion of Pre Start-up period' some fields may not require populating, in these circumstances you should complete the field with 'N/A'. In the date field input the date you assessed the business plan.

Commencement of trading Outcome fee - PRaP action

- 5.17 A **Commencement of trading Outcome fee** can be claimed following both the commencement of trading and signing off benefit / notification of change, where the participant is on UC.
- 5.18 A **Commencement of trading Outcome fee** can only be claimed after a Completion of a Pre Start-up fee start fee date is recorded on PRaP.
- 5.19 You will be required to input dates into PRaP to confirm the outcome:
 - **Date 1 & Date 2** Should be the same dates and be the date the participant commenced Trading.

Note: You are also required to input information into the 'job details' screen.

Completion of 26 weeks trading Outcome fee - PRaP Action

- 5.20 A **Completion of 26 weeks of trading Outcome fee** can be claimed when a participant has been trading in a self-employed capacity and off benefit for a cumulative period of 26 weeks and within the 66 week allotted time. (UC claimants should have reported/maintained the change of circumstance for 26 weeks).
- 5.21 A **Completion of 26 weeks of trading Outcome fee** can only be claimed after a Commencement of trading Outcome fee date is recorded on PRaP.
 - 5.22 You will be required to input dates into PRaP to confirm the outcome:

Date 1 - Should be the date that 26 week trading commenced (date used for Commencement of trading outcome fee).

Date 2 – Should be the date the participant completed a cumulative 26 weeks trading.

Note: You are also required to input information into the 'job details' screen.

- 5.23 For the **Completion of 26 weeks trading Outcome fee** the individual must have cumulatively been in self employment for a 26 week period (a week is defined as a 7 day period). Where there is a break in self employment and 26 weeks cumulative trading is not achieved within the 66 weeks allotted time, you are not eligible to claim a Completion of 26 week trading Outcome.
- 5.24 Before submitting a claim for a Completion of pre Start-up period fee,
 Commencement of trading Outcome fee or Completion of 26 weeks trading
 outcome fee, you must satisfy yourself that you are entitled to do so and that the
 claim meets the definitions detailed in annex 5.
- 5.25 For all claims you are required to maintain a robust system of internal control which must include appropriate checks, monitoring arrangements and adequate records to demonstrate that you are entitled to make the claims. The records maintained need to be sufficient not only to support a claim for the outcomes, but also to allow internal management checks, scrutiny from other external bodies and DWP validation checks. See evidencing requirements at Section 6.
- 5.26 DWP does not prescribe the way in which you should track individuals or record information about their self employment. There is however specific information that you are required to input to the PRaP system, via the 'job details' screen when you submit the claim. This includes the following self-employment details:
 - The contact details of the self employed individual including the business address, contact name, full business telephone number and e-mail address;
 - job title; start date of trading period (day after ceasing benefit claim / notifying CoC for UC claimants);
 - end date of 26 week trading period;
 - the number of hours worked each week;
 - the working pattern;
- 5.27 This information must be provided for each claim and failure to provide all or part of this information may result in the payment, being recovered, if DWP invalidates the outcome as a result.

Note You will be required to input this information into PRaP for the following claims / outcomes:

- Completion of pre Start-up period fee.
- Commencement of trading Outcome fee.
- · Completion of 26 weeks trading outcome fee.

Validation Action

- 5.28 DWP will validate claims (Start fee, Completion of pre Start-up fee, Commencement of trading outcome fee & Completion of 26 week trading outcome fee) to the extent it deems necessary. This may include: Pre-payment & Post payment sampling checks and the application of extrapolation.
- 5.29 As part of any Post payment validation, where DWP identifies erroneous outcomes, not only will these be recovered, but the error rate will also inform any extrapolation calculation which will be applied across untested like for like claims from the same period.
 - **Note:** Validation / extrapolation, is applied to each contract, regardless of the number of contract's a provider may hold.
- 5.30 The following paragraphs broadly outline the Departments validation methodology. You should read this section in conjunction with Chapter 5 Generic Provider Guidance Evidencing and Validating Payments.
- 5.31 If you have any queries about an NEA fee claim you have submitted on PRaP please send an e-mail entitled 'Payment Query' to NEATEAM.PPVT@DWP.GSI.GOV.UK In the body of your e-mail please provide the PO number, the date the claim was entered on PRaP and details of the nature of your query. The NEA Provider Payment Validation Team (PPVT) will endeavour to respond to all e-mail enquiries within 24 hours of receipt.
- 5.32 If you have queries relating specifically to processes or policy please e-mail your enquiry to Provider Payment and Validation (PPVT) inbox at PPVT.SHEFFIELD@DWP.GSI.GOV.UK.

Pre-payment Validation for Completion of 26 weeks trading outcome fee

- 5.33 Completion of 26 weeks trading outcome fee is subject to an Off Benefit Check (OBC) before being released for payment. This automated check is an interface with PRaP and the Customer Information System (CIS), the departmental system that holds benefit history details.
- 5.34 The check is to determine whether the individual has ceased the claim for benefit / remained off-benefit for 26 weeks. The check is against the following benefits:
 - Jobseekers Allowance (JSA);
 - Employment Support Allowance (ESA);
 - Income Support (IS); and
 - Universal Credit (UC)

Note: UC participants may not have ceased their claim to benefit. See pre-payment Validation – for UC participants for the action to take with UC participants.

- 5.35 If the claim fails the OBC, PPVT will check for Mortgage Interest Run On and any CIS false failure information. If after checking the claim is then payable PPVT will release the hold for payment. If the claim is deemed a fail (the individual doers not remain off benefit for a cumulative 26 weeks (182days) this claim will be backed out of PRaP.
- 5.36 Once the **Completion of 26 weeks trading outcome fee** has been backed-out of PRaP, the line will be available for you to re submit another **Completion of 26 weeks trading outcome fee** assuming that the claim becomes valid at a point in the future.
- 5.37 It is expected that the necessary steps will have been taken to further establish their validity of the claim and the information supplied with it.

Pre-payment Validation – for UC Participants

- 5.38 Where there is a UC Interest you are required to enter the prefix 'Uni Cred' in the Employer Name Field of the Employment Details screen on PRaP. This can be recorded at any time but must have been added before submitting any Commencement of Trading Outcome or Completion of 26 Week Trading Outcome claims. Taking this action will allow PPVT to identify UC Interest cases and apply the correct validation methodology and criteria.
- 5.39 All claims that include open records of UC will fail the automated OBC and will be placed on-hold. PPVT will filter all UC **Completion of 26 weeks trading Outcome fee** and conduct pre-payment validation for each claim before being released for payment.

Post-payment Validation for Start fee, Completion fee, Commencement of trading Outcome fee / Completion of 26 weeks trading Outcome fee.

- 5.40 At the discretion of DWP, DWP will randomly select a period / sample size of payments against each contract / outcome claimed.
- 5.41 PPVT will access The Central Payment System (CPS) to validate Start Fees, Pre Start Up and Commencement of Trading outcomes prior to contacting the participant. It can also be used to help with the validation of Completion of 26 Week Trading Outcomes, but only to assist during the phone call to participants to clarify their trading start date if they cannot recall. If a claim cannot be positively validated using the information available on CPS, DWP will then seek to positively validate the claim by contacting the participant directly,, using the information supplied by you at the point of submitting the claim, to check the claim is valid, resulting in:

Pass: depending on the outcome sampled, the participant and/or departmental systems confirms the start date is on or before the date you supplied for NEA,

completion date of pre Start-up period, commencement of trading date or completion date of 26 week trading (information obtained from participant only).

Technical Pass (Completion of 26 week Trading Outcome Fee only): the participant has completed 26 weeks of trading at the point of validation and is within the 66 week allotted time – but the dates identified from the participant differ from those you have entered on PRaP.

Technical fail (Commencement of Trading only): the participant and/or departmental systems confirm that there is a valid claim but the details differ on PRaP i.e. the date confirmed by participant is later than the date supplied by yourself. Where the date is earlier this will result in a pass. The individual payment (and any related invalid payments) is recovered.

Where a claim, during validation, has resulted in a technical fail, the individual payment (and related payments) are recovered and the claim is backed-out of PRaP. PPVT will notify you by e-mail of the correct details. You are entitled to resubmit the claim(s) once you have satisfied yourself that the claim is valid.

Fail: Participant or departmental systems provide information which means the condition for payment, as set out in the outcome definition, has not been met.

Unable to Validate: PPVT have not been able to contact the participant despite exhaustive attempts or they are unwilling/unable to provide the information and details on departmental systems to do not validate the claim.

- 5.42 In cases where PPVT is experiencing difficulty making contact with the individual, we may contact you to confirm the details you have supplied in PRaP. PPVT will also contact you where you have submitted incorrect or incomplete information (e.g. incomplete telephone numbers). You are required to establish the correct information and supply PPVT within the specified timescale. If you do not provide the detail that enables PPVT an attempt at validation, the claim will fail validation.
- 5.43 Providers must not remove job details from the mandatory fields in PRaP at any time. Should you identify any data input errors (e.g. incorrect dates / invalid claim), you can request for it to be removed / amended using the required form PRaP 14 as detailed in annex 6.

Note: When you request a claim to be removed (backing out) the POST team will check whether any other fees already paid would be adversely impacted by the changes requested. If so, the form will be rejected and returned to the provider with an explanation for the rejection. You will be asked to review the request and if appropriate, resubmit the form to include all payments to be backed out.

5.44 PPVT will keep management information about claims that have been submitted inaccurately and/or incomplete. This will be used to inform other activities that may take place, for instance, consistently submitting poor quality claims could indicate a weakness in providers' systems and feedback of this nature may therefore inform

Provider Assurance Team activities see <u>Chapter 6 of the Generic provider Guidance</u> Chapter 6 - Provider Assurance

Post Payment Validation - for UC Participants

5.45 Where there is a UC Interest you are required to enter the prefix 'Uni Cred' in the Employer Name Field of the Employment Details screen on PRaP. This can be recorded at any time but must have been added before submitting any Completion of Pre Start-up Outcome, Commencement of Trading Outcome or Completion of 26 Week Trading Outcome claims. Taking this action will allow PPVT identify UC Interest cases and apply the correct validation methodology and criteria.

Extrapolation

- 5.46 All claims that fail post-payment validation contribute to the error rate for extrapolation. The rate is calculated using the total number of errors divided by the total number of outcomes in the sample.
- 5.47 Once all the checks have been completed, including those that have been reviewed, you will receive an extrapolation report that details the validation decisions against the sample to enable you to reconcile against your claims. The report includes the error rate and the total amount of money to be recovered (if applicable). The report will be sent before any invoice is raised.
- 5.48 Providers should be aware that a review process is in place for all failures, and these can be challenged proportionately. See Chapter 5 Generic Provider Guidance Evidencing and Validating Payments for full details.

PRaP Operational Support Team (POST)

5.49 The PRaP Operational Support Team (POST) will carry out administration and approval functions to support Provider referrals and attachment payments on PRaP.

Irregularities / Potential Fraud

- 5.50 You have a responsibility to minimise the risk of fraud within the programmes delivered. Funding should be safeguarded against fraud and irregularity on the part of directors, employees or subcontractors. Such abuse would include false or misleading claims for payments, whether designed to gain immediate financial advantage or overstate performance.
- 5.51 Deliberate and/or persistent non-compliance with prescribed standards of delivery would also be subject to investigation if a possible financial impact was identified.
 In such instances DWP may contact you to pursue enquiries relating to potential abuses of funding. Their remit will be, primarily, to investigate fraud and financial

- irregularity but it can in certain circumstances extend to non-compliance with contract and guidance.
- 5.52 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 as well as civil or criminal proceedings against those implicated.

Special Customer Records

- 5.53 Where you have a Start, Completion of Pre Start-up Period, Commencement of Trading Outcome or Completion of 26 week Trading Outcome fee to claim for a participant who is granted Special Customer Records (SCR) status (as determined by HMRC Special Section D (SSD), you are required to submit the claim on the relevant form(s) annex 7 You must only submit claims on these forms on the rare occasions that SCR status is granted.
- 5.54 Completion of the appropriate form(s), depends on the type of claim being submitted, and should be printed off and completed manually.
- 5.55 DWP will only accept claims submitted on these forms where SCR status is granted by SSD, and will reject any claim where the status has not been granted.
- 5.56 This clerical process mirrors the PRaP automated process; therefore you are required to provide all information regarding employment details that you would normally submit in PRaP on the appropriate claim form and supporting annex, if applicable.
- 5.57 The Provider Payment Validation Team will validate claims to the extent it deems necessary. Incomplete forms will not be actioned and will be returned.
- 5.58 Send your fully completed claim form to:

Joyce Hughes
Provider Payment Validation Team (PPVT)
Department for Work and Pensions
Finance Group
Contracted Employment Provision Directorate
Dominick House
St Albans Road
Wallasey
CH44 5XY

5.59 Further information regarding sending information to DWP is available in Chapter 8 of DWP Generic Provider Guidance, paragraph 36.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/260426/pq-chapter-8.pdf

- 5.60 Further information regarding managing SCRs is available in Chapter 2 of DWP Generic Provider Guidance.

 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/332517/pg-chapter-2.pdf
- 5.61 All clerical documents carrying personal information should be retained securely in line with the Data Protection Act Principles.

 http://ico.org.uk/for organisations/data protection/the guide/the principles

Section 6 – Evidence Requirements

This section covers:

- Evidence Requirements
 - o <u>Table 1 Evidence Requirements</u>

Evidence Requirements

- 6.01 You must keep evidence that can support delivery of the scheme as specified within this provider guidance document.
- 6.02 You are required to satisfy yourselves that you only submit accurate claims for payments that you are entitled to.
- 6.03 You are required to maintain a robust system of internal control which must include appropriate checks, monitoring arrangements and adequate records to demonstrate that you are entitled to make the claim.
- 6.04 You must keep information to support your claims and submit it to DWP when requested and as part of the claim process. This can include information about the individual and their employment / job details.
- 6.05 You must make available for testing by DWP and other external bodies the information kept to support your claim.
- 6.06 Table 1 lists the documentation that must be retained as a minimum.
- 6.07 Documentation must be:
 - Properly organised (it is recommended that all the required information for an individual participant is held on a personal file linked to a contract number, which is cross-referenced to a main file to aid retrieval of specific documents to support audit activity);
 - Maintained in good condition to protect the integrity of the information; and,
 - Secure, controlled and easy to access if and when required for audit purposes throughout the retention period.
- 6.08 A document retention policy must be in place and submitted to DWP within four weeks of the contract start. This must include details on how the policy will be implemented, maintained and monitored by the Prime Provider.
- 6.09 The Prime Provider (including their supply chain) can be audited by DWP Internal Auditors.

Table 1 - Evidence Requirements

Timing	Process	Evidence Description	Responsibility
Day 1	Adviser / Work coach by telephone (LMS, WSP, PRaP, clerical referral to follow initial telephoned referral) – key date from which claim periods are counted. Referrals made in PRaP.		DWP
Contractual Target Within 10 Working Days of referral	Provide a face-to-face initial assessment/ pre screen of Eligible Individuals that are referred to you by Jobcentre Plus, within 10-working days of the referral date. This will include an initial assessment of the individual's self-employment prospects, their business proposition, its sustainability potential and their overall suitability for the NEA scheme. Providers must obtain signed confirmation from participants that the initial assessment has taken place. Where a participant fails to attend their initial assessment meeting Providers must return the NEA feedback form – 'NEA1 (2015) 01/15' see annex 3 ('NEA1 – UC (2015) 01/15' for UC claimants).and update PRaP (within 2 working days of the failure to attend) detailing the participant has failed to attend. Update PRaP and return the NEA feedback form – 'NEA1 (2015) 01/15' see annex 3 ('NEA1 – UC (2015) 01/15' for UC claimants).form when participant accepted onto NEA Mentoring.		Provider
As soon as possible following the Initial meeting	Participants matched with a Business Adviser and / or Volunteer Mentor.	Evidence of the initial (and subsequent) meetings taking place will be required for DWP Performance Management and audit purposes. Providers must keep a written log of each meeting and contact that takes place with participants, including with Business Adviser and / or Volunteer Mentors. Providers must obtain signed confirmation	Provider

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Timing	Process	Evidence Description	Responsibility
		from participants for each face-to-face meeting that takes place with participants. Ensure that the Business Adviser and / or Volunteer Mentor are providing appropriate Mentoring and business advice, including making an initial assessment of the participant's business proposition. Helping them to prepare a Business Plan.	
Contractual Target within 8 weeks of Participants starting scheme (can be extended to a maximum of 12 weeks)	Mentor Phase	The period from Mentor / Adviser match to Business Plan approval will be wherever possible kept tight, to 8-weeks or less. In exceptional circumstances, the pre start-up period can be extended to a maximum of 12 weeks. This must be agreed with the participant's JCP adviser / Work coach. Very exceptionally, there is a possibility for the Business Plan to be submitted after the 12 week maximum, however there will be no additional funding available and it will be done at the Provider's discretion. The participant will resume normal conditionality after the maximum 12 weeks mentoring phase has passed and will be expected to resume normal jobseeking activity,	Provider
		Evidence required records of activity that has taken place (including meetings) to develop the participant's Business Plan. Copies of NEA feedback form – 'NEA1 (2015) 01/15'see annex 3 ('NEA1 – UC (2015) 01/15' for UC claimants).requesting extension	
Contractual Target within 8 weeks of Participants	Approval process of the Business Plan. The Business Adviser	During this approval process the participant will need to demonstrate that their Business Plan is viable and that the business has sustainability potential.	Provider
starting scheme (can be extended	and / or Volunteer Mentor will make a	Evidence required, copies of participant's completed Business Plan and recommendation / feedback.	11041001
to a	recommendation	Evidence of work with the Business Adviser and / or Volunteer	

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Timing	Process	Evidence Description	Responsibility
maximum of 12 weeks)	to the Provider as to whether participants should proceed to Trading and qualify to apply for the NEA Allowance.	Mentor and other local partners to signpost participants to other sources of business support and funding that may be available; Update PRaP when participant's Business Plan has been assessed, Where appropriate copies of the NEA feedback form – 'NEA1 (2015) 01/15' see annex 3 ('NEA1 – UC (2015) 01/15' for UC claimants). confirming the Business Plan has being agreed	
Up to 13 weeks from the Business Plan assessment	Update PRaP when participant commences trading / Self-Employment. Providers need to obtain evidence to confirm the participant has commenced trading, this could include: (Note: list is neither prescriptive nor exhaustive) • HMRC registration • Confirmation of NEA allowance claim (letter issued to claimant by		Provider
During first 26 weeks of Self Employment	Business Adviser and / or Volunteer Mentors to provide on-going support for a minimum of 26-	Evidence of support the Business Adviser and / or Volunteer Mentor. provide. The minimum requirement for post Mentoring support is to offer participants at least two face to face meetings	Provider

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Timing	Process	Evidence Description	Responsibility
	weeks, once the participant has left Jobseeker's Allowance, ESA or Income Support and commenced Trading	Providers must provide evidence of the post start-up Mentoring support given or offered to participants. This could include: • A log of each contact, or attempt to contact participants. • Signed confirmation of face to face meetings that take place • Correspondence between Provider and participant that demonstrates post start-up Mentoring support given or offered.	
After 26 Weeks of Self Employment	Completion of 26 Weeks of Trading Outcome fee	 Evidence to show: participant has been in self-employment for a cumulative period of 26 weeks. As per the bullets above. 	Provider

Section 7 - Additional Information

This section covers:

- Additional Information.
 - o Fraud Prevention.
 - o <u>Data Protection</u>.
 - Legislation and Principal Regulations.
 - Diversity and Equality.
 - o <u>Accident reporting</u>.
 - o Quality.

Additional Information

Fraud Prevention

7.01 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.

Data Protection

- 7.02 In order to protect Departmental information appropriately, you must put into effect and maintain the security measures and safeguards appropriate to the nature and use of the information throughout your supply chain. All providers of services to DWP must comply, and be able to demonstrate compliance, with the Department's relevant policies and standards including the DWP Information Systems Security Standards. The Standards are based on and follow the same format as International Standard 27001, but with specific reference to the Department's use. Departmental information must not be processed outside the United Kingdom without the express written permission of DWP in line with the DWP Security Policy for Contractors and DWP Terms & Conditions.
- 7.03 Security assurance for you and your supply chain is through completing a draft security plan. You will have submitted a draft security plan as part of your response to this competition and are expected to maintain this. This will set out the security measures to be implemented and maintained by the prime provider throughout the entire supply chain in relation to all aspects of the service, including processes associated with delivery. See Generic Provider Guidance Chapter 8 further information in relation to Information Security.
- 7.04 Data security is one of the areas risk assessed by the (CEP) Provider Assurance Team. In addition data security will remain subject to spot checks by the Supply Chain Information Assurance Team (SCIAT). Furthermore, the Head of Compliance will continue to regularly report the number and outcomes of data security checks carried out during the previous quarter to the DWP Permanent Secretary.

7.05 In the event of any breach of information security which may or may not result in an investigation by the Information Commissioner's Office (ICO), DWP will consider whether a major breach of contract has occurred within the T&Cs. You will be responsible for paying any fine levied on DWP following an investigation by the ICO in relation to a provider breach.

Legislation and Principal Regulations

- 7.06 You must ensure that you and you supply chain remain compliant with current and future changes in the law and DWP Policy. For example:
 - Ensuring the NEA supports the DWP's Public Sector Equality Duty as outlined in the Equality Act 2010;
 - Providing appropriate services to ensure compatibility with the Equality Act 2010 for example, to enable communication with claimants who do not speak English as a first language or who are deaf, hearing impaired or have a speech impediment;
 - Where you are operating in an area with a high ethnic minority population, materials in the appropriate ethnic minority language must be made available on request.

Diversity and Equality

- 7.07 The Equality Act 2010 replaces all previous legislation covering discrimination. You must ensure that you and your supply chain comply with the Equality Act 2010 and also comply with and assist DWP to comply with the Welsh Language Act 1993 and other measures to promote the use of the Welsh language in Wales.
- 7.08 As you will be aware, your approach to diversity and equality is an important factor in the delivery of a DWP contract. You should refer to the Diversity and Equality Schedule in the contract documentation you have and raise any queries and issues with your performance manager.

Accident reporting

7.09 All relevant accidents and incidents should be reported to your JCP contact. In addition to your normal arrangements for managing and reporting accidents which may involve claimants on your own scheme, you must also notify your Performance Manager immediately by telephone of any relevant accident. For further information regarding Accident Reporting please see Chapter 2 of Generic Provider Guidance).

Quality

- 7.10 It is important all organisations responsible for the delivery of DWP Contracted Employment Provision are committed to raising standards. The primary responsibility for improving the quality of the scheme rests with you, and you will be expected to build and maintain a culture of continuous improvement.
- 7.11 The key elements of the DWP approach to quality improvement are:

- Generic Guidance Chapter 7 Continuous Self-Assessment.
- Generic Guidance Chapter 7 Planning for Improvement.
- The Merlin Standard.
- 7.12 This provides the basis of our approach to maintaining and improving quality in DWP Contracted Employment Provision.

Section 8 – Performance and Strategic Supplier Management, Assurance, and Evaluation

This section covers:

- Performance Management and Strategic Supplier Management:
 - o Minimum Performance Levels
 - o Minimum Service Levels
- Assurance:
 - European Social Fund (ESF) Compliance Monitoring
 - o Contracted Employment Programmes (CEP) Provider Assurance Team
- Programme Evaluation.

Performance Management and Strategic Supplier Management

- 8.01 NEA contracts are managed by Category Managers and Performance Managers. Provider performance will be based on an assessment of performance priority which considers a range of factors including contract value, compliance with the contract, performance and security.
- 8.02 You are responsible for managing the contract, including addressing poor performance, arrangements with Mentors / Advisers and also the performance of your sub-contractors. You must 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 DWP that you and your supply chain are delivering the scheme in accordance with your overall contractual obligations.
- 8.03 You must appoint appropriate named contacts who will work with the DWP Category Manager and Performance Managers to ensure that NEA is delivered as specified in the contract and that required standards and performance levels are met.
- 8.04 DWP Performance Managers will hold regular Contract Performance Review (CPR) meetings with you which will focus on achieving contractual performance and service targets and improving performance and delivery in line with the Contract. Staff representing JCP districts and Benefit Delivery Centres may also attend these meetings.
- 8.05 DWP will, in the main, use MI presented by PRaP and from assurance activities for the ongoing management of the scheme and for discussion with you. However, you must ensure that you hold and maintain data / evidence for each claimant as outlined in Section 6 and it is available on request.
- 8.06 As DWP is committed to transparency on how its programmes are working, you need to be aware that MI may also feed into published Official Statistics on NEA. Consequently you must treat information they have access to as restricted, and for your use only, ahead of formal publication. Official Statistics may also cover performance expectations at provider level.

Minimum Performance Levels

- 8.07 Once the contract has gone live, Providers will be required to deliver the following targets:
 - 50% of mentoring starts will produce a Business Plan and Start Trading.
 Providers are to support participants through the scheme to develop their Business Plan and prepare for self-employment.
 - 37.5% of mentoring starts will reach 26 weeks trading.

Note: Though not a formal performance measure as above, we expect 75% of trading starts to reach 26 weeks trading. This rate will be reviewed alongside the MPLs and will provide an indication of the quality of the scheme during the trading phase."

Minimum Service Levels

- 8.08 Providers will be expected to:
 - Recruit sufficient numbers of volunteer and or paid Business Advisers (providers should aim for at least 50% of participants to be matched with volunteer mentors.
 - Undertake 95% of Initial Assessments (IA) for participants referred onto the scheme within 10 working days of referral and the outcome recorded in PRaP within 15 working days of referral.*
 - Ensure appropriate advice, guidance and Mentoring and business support is
 given to participants throughout the Mentoring phase of the NEA. Support will
 differ in individual cases, but the minimum requirement is for participants to
 have two face to face meetings with the Business Adviser and / or Volunteer
 Mentor (this is in addition to the initial assessment). It is important that
 Providers give on-going support for the period of the Mentoring. The two face to
 face meetings are intended to represent a minimum standard and most
 participants will require far more support.
 - Ensure appropriate advice, guidance and Mentoring and business support is available to participants during the first 6 months of trading. Providers will be required to offer participants the opportunity of a minimum 2 meetings during the first 6 months they are claiming the NEA Allowance.
 - Comply with the evidence requirements as set out in Section 6
 - * This MSL applies to any referral made from 1 April 2016.

Assurance

Contracted Employment Programmes (CEP) Provider Assurance Team

- 8.09 The Contracted Employment Programmes (CEP) Provider Assurance Team provides the DWP with an assurance that:
 - Payments made to DWP Contracted Employment Programme Providers are in accordance with DWP and Treasury requirements;
 - Public funds and DWP data are protected; and,
 - Value for money has been obtained.
- 8.10 This work is carried out by reviewing your internal control systems to assess your ability to manage risk across four key areas:
 - **Governance Arrangements** covering your governance arrangements, systems for tracking and reporting performance and their anti-fraud measures;
 - **Service Delivery** includes your systems for starting, ending and moving claimants through the scheme and generally looks to ensure that DWP is getting the service it is paying for. This section also covers management of the supply chain;
 - Claim Procedures and Payments looks to ensure you have in place effective systems to support your claims for payment, including appropriate segregation of duties; and,
 - **Data Security** looks to ensure you have in place adequate systems to safeguard DWP data whilst it is being stored and/or transmitted around your organisations.
- 8.11 The CEP Provider Assurance Team operate at a national level enabling them to present CEP providers operating across regions with a single view of the effectiveness of their systems you will have a nominated Senior Provider Assurance Manager and therefore a single point of contact within DWP for management of assurance related issues/concerns.
- 8.12 On completion of each review, you are awarded an assurance rating from the following four categories weak, limited, reasonable and strong. You will also receive a formal report detailing the review findings including key strengths and areas for improvement; where weaknesses have been identified you are asked to complete an action plan setting out appropriate steps for improvement and this is followed up at an agreed point.
- 8.13 The rating awarded will determine the timescale for subsequent visits (dependant on resources) and this ranges from within 3 months, where the assurance level is weak up to 12-18 months where the assurance level is strong.
- 8.14 Findings from each review are routinely reported to the relevant contract manager/Category manager and other DWP stakeholders. Specific action will be taken where:

- You fail to improve on a weak or limited assurance level, the Category manager will take remedial action which may lead to breach activities if you fail to improve.
- There are suspicions that you may be acting inappropriately, the team will refer you
 to Internal Investigations who are the experts trained in the legalities and
 techniques required to do formal investigations.
- There are serious concerns around data security, these are reported through the respective channels to colleagues in Supply Chain Information Assurance Team.
- 8.15 The results of any investigations carried out by these teams will be fed back to the Provider Assurance Team and this information will be used to inform future reviews and to target specific areas for testing.
- 8.16 The Provider Assurance Team will work with you to ensure that you understand what is expected and are, therefore, adequately equipped to develop robust systems to support your service delivery model throughout the duration of the contract (for further information please see Chapter 6 of the Generic Provider Guide).

Scheme Evaluation

- 8.17 DWP may wish to undertake evaluation of the scheme, which may include one or both of in-house and externally commissioned research.
- 8.18 Researchers may wish to visit and interview you as part of the evaluation. You will be contacted in advance of any fieldwork. You are required to fully co-operate with scheme evaluation activity commissioned by DWP.

Annex 1: Inappropriate Referrals

- A1.01 Situations may arise where Jobcentre Plus (JCP) make a referral which is inappropriate. In these cases and only these cases, there are processes to correct the error.
- A1.02 When the error is discovered by JCP, they will telephone your nominated contact to advise you what has happened. Upon receipt of this telephone call, you should take no further action with the participant until further instruction from Jobcentre Plus.
- A1.03 You should advise the PRaP Operational Support Team (POST) and each Jobcentre with whom you work of your nominated contact person for these occurrences as soon as possible.
- A1.04 If you discover an error with the referral, you should immediately contact your Single Point of Contact (SPoC) at the Jobcentre concerned.
- A1.05 **Please Note**: You must not cancel or reject a referral before speaking to the SPoC as the decision as to whether the referral is incorrect lies with them.

Ineligible referrals

- A1.06 There may be a small number of claimants referred to you who later turn out not to be eligible for NEA.
- A1.07 JCP will advise you accordingly and your subsequent actions will depend on the action you have already taken.
- A1.08 Where the error is discovered and notified prior to Acknowledgement in PRaP You are required to Acknowledge Reject the referral in PRaP recording a rejection reason of 'Inappropriate Referral'.
- A1.09 Where the error is discovered and notified after Acknowledgment but prior to the NEA Start you must update PRaP in the 'Orders' tab selecting 'Cancel No Contact' (This action will close the referral in PRaP and you are not required to take any further action in relation to the claimant).
- A1.10 Where the error is discovered and notified after the NEA start JCP will advise the PRaP Operational Support Team who will arrange for the start to be 'backed-out' of PRaP. POST will then email you when this action has been completed and you must then update PRaP (within 24 hours) in the 'Orders' tab selecting 'Cancel No Contact' (This action will close the referral in PRaP and you are not required to take any further action in relation to the claimant).

If you discover the problem:

- A1.11 If you believe there has been an error with the referral, you should immediately contact the appropriate SPoC at the Jobcentre concerned.
- A1.12 **Please Note:** You must not cancel or reject a referral before speaking to the SPoC as the decision as to whether the referral is incorrect lies with them.

Duplicate Referrals

- A1.13 There may be a small number of occasions where you receive a duplicate referral for a participant. It is your responsibility to check the referrals you receive to ensure that you only receive one referral per participant.
- A1.14 If you receive duplicate referrals it is your responsibility to notify JCP. Any duplicate start fees that are paid will be recovered from you.

Where the error is discovered you must continue to work with the participant.

Annex 2: NEA Volunteer Mentor – Example Consent Template

New Enterprise Allowance (NEA)

Consent to share information with volunteer mentors

- New Enterprise Allowance provides support to eligible people who want to start their own business. One of the ways we achieve this by is working with volunteer mentors who will deliver mentoring support to help you develop a viable business plan and offer on-going mentoring during the initial trading period.
- 2. To help you in this way we need your consent to share some personal information about you with your volunteer mentor.
- 3. This will include your name, address, date of birth, telephone number and National Insurance number. [Include any other information you may share with the volunteer mentor here]
- 4. We will also ask your volunteer mentor to provide feedback on your progress, which can be shared with you, so that we can give you any additional support you need.
- 5. Any benefits you are receiving or may claim in the future will not be affected if you do not give consent. Without your consent however, we will be unable to refer you to a volunteer mentor
- 6. This information will not be passed to any other organisation who is not involved in helping you to set up your own business.
- 7. We are required by the Data Protection Act 1998, to store the information we hold about you securely and are required to destroy these records two years after your participation in the scheme has ended.

Please read and sign the consent form below if you agree to this.

I consent to [Insert NEA Provider organisation], and my volunteer mentor sharing the following information for the purpose of managing my New Enterprise Allowance support:

- my name
- · my address
- my date of birth
- my telephone number
- National Insurance number
- [List any other information you may need to share with the volunteer mentor here]

Name (Please print name in full):
NI number:
I have read the information above and understand why [Insert NEA Provider organisation] and my volunteer mentor need to share information and how it will be used.
Signature:
Date:

Annex 3: NEA Feedback form - NEA1 (2015) 01/15

View the <u>NEA1 (2015) 01/15 form</u>

- A3.01 This 'NEA1 (2015) 01/15' form must be completed and sent via e-mail to DWP at relevant points (outlined in this guidance) during the participants NEA journey.
- A3.02 The 'NEA1(2015) 01/15' form should be returned via unencrypted e-mail to an e-mail address agreed with your local Jobcentre SPOC.
- A3.03 To make an unencrypted NEA e-mail you are required to:
 - Complete the relevant sections of the 'NEA1(2015) 01/15' form and attach to a blank e-mail.
 - Ensure that the correct recipient address is input (as agreed with the local Jobcentre SPOC).
 - Ensure the e-mail **ONLY** contains the following standard content: (**Note**: No other information may be transmitted by e-mail)
 - Standard wording to be displayed in e-mail 'Subject Box':
 - o NEA1(2015);
 - Claimant's surname:
 - Last 3 characters of the claimant NINO;
 Example: 'NEA1 (2015) Smith 78A'
 - Standard information to be displayed in e-mail 'Narrative Box':
 - Sender contact details:
 - o NEA1(2015) 01/15 form.
- A3.04 It is a key security requirement that only one 'NEA1(2015) 01/15' form is included per e-mail. You cannot, for example, include several 'NEA(2015) 01/15' forms for the same / multiple participants in one e-mail.
- A3.05 No other documents should be attached to the e-mail (e.g. Action plan / Business plan) all relevant information must be recorded on the NEA1(2015 01/15) itself.

UCNEA1 (2015); Mentoring Feedback Form

- A3.06 You can obtain a copy of a blank UCNEA1 2015; Mentoring Feedback Form here.
- A3.07 At each stage where JCP require feedback on the participant's progress, (for example, the outcome of the initial assessment, feedback for the JCP 8 week review etc.), please return the completed UCNEA12015 form via fax or post to JCP, in line with the arrangements set out by your local JCP Single Point of Contact (SPOC).

A3.08 In **ALL** cases the UCNEA12015 form should be returned within 2 working days of a change in participation (for example, business plan assessment, leaver etc.).

Annex 4: Management Information Requirements & JCP Notifications

JCP Notifications

A 4.01 At various stages throughout the scheme you are expected to report on individual participant's progress to the JCP adviser / Work coach.

You should report progress by completing the NEA feedback form – 'NEA1 (2015) 01/15' see annex 2 ('NEA1 – UC (2015) 01/15' for UC claimants).

You should use the NEA feedback form – 'NEA1 (2015) 01/15' see annex 2 ('NEA1 – (2015) 01/15' for UC claimants) to:

- Report on the outcome of the initial interview;
- Report on the progress of the participants business plan and if it is likely to be completed in 8 weeks or if more time is required:
- Confirm the date the Business Plan was approved (Required to progress claim for NEA allowance); and
- Report where the participants engagement on NEA ends

MI Requirements

- A4.02 As a minimum you should capture and collate the following information for each individual on the scheme, and provide to DWP upon request:
 - Participant on scheme but not currently engaged in activities (e.g. Participant in the decision period between completion of business plan and starting trading or break in trading due to sickness)
 - Date Business plans assessed for 1st time
 - Date Business plans assessed for 2nd time or more
 - Result of Business plan assessment: approved / not approved
 - Date participant attended 1st and 2nd face-to-face meeting during the pre startup period
 - Date Loan referrals made to BIS
 - Standard Industrial Classification of Economic Activities (SIC) code that best describes the business (See the following link for a list of descriptions / SIC codes: http://www.companieshouse.gov.uk/infoAndGuide/sic/sic2007.shtml)
 - Volunteer mentor match made (Including date)

- Business Advisers match made (Including date)
- Participants Mentor / Adviser
- A4.03 DWP will obtain the following management information for individuals on the scheme from PRaP:
 - Referrals (NET & Gross)
 - Referrals awaiting acknowledgement
 - Acknowledge referrals
 - Referrals which FTA initial engagement meeting
 - Referrals which DNS scheme
 - Inappropriate referrals prior to acknowledgement
 - Inappropriate referrals post acknowledgement
 - Referrals where 10 working days have passed and no result is recorded in PRaP
 - Starts on scheme
 - Participants completing pre start-up period
 - Trading starts
 - Participants trading for 26 weeks
- A4.04 Performance will be monitored by monthly cohorts, you should therefore provide management information to DWP / Jobcentre Plus each month ensuring storage and transfer complies with the requirements of the Data Protection Act 1998.
- A4.05 The template below should be used to capture the relevant information. You should not amend the template in anyway.

View the MI Template

A4.06 The template should be completed and returned by e-mail to:

NEW.ENTERPRISEALLOWANCE@DWP.GSI.GOV.UK by the 5th working day following the end of the period (calendar month) the table below provides examples of the return periods.

A4.07 The following Standard wording should be displayed in the e-mail 'Subject Box':

- NEA MI;
- Month;
- o CPA;
- o Provider name.

Example: 'NEA MI (Jan15) CPA 1 – Avanta Enterprise Ltd'

Return timetable

Period:	Return due by:
5 th January 2015 – 31 st January 2015	6 th February 2015
1 st February 2015– 28 th February 2015	6 th March 2015
1 st March 2015 – 31 st March 2015	5 th April 2015
1 st April 2015 – 30 th April 2015	7 th May 2015

Annex 5: Definitions

The definitions set out below rely upon a pre-condition being met; i.e. that the previous outcome type (where it is not the start fee) has to be claimed and paid.

Start Fee Definition

"Start Fee" - means the fee payable by the Contracting Authority when an individual has been accepted onto the NEA scheme.

Providers will be eligible to claim a Start Fee once the participant has:

- participated with the Provider in an Initial Engagement Meeting; and
- been accepted onto the New Enterprise Allowance scheme.

Completion of Pre Start up Period Fee Definition

"Completion of Pre Start up Period Fee" – means the fee payable by the Contracting Authority when an individual has been notified of the outcome of the assessment of their business plan.

Providers will be eligible to claim a Completion of Pre Start up Period Fee once the participant has:

had their business plan assessed and been notified of the outcome.

Commencement of Trading Outcome Fee Definition

"Commencement of Trading Outcome Fee" – means the fee payable by the Contracting Authority when an individual has started trading and signed off benefits or a change of circumstances has been notified where the claimant is on Universal Credit.

Providers will be eligible to claim a Commencement of Trading Outcome Fee once the participant has:

 Had the Business plan signed off (i.e. accepted/agreed as opposed to rejected) and commenced trading in a self employed capacity (on or after the Start Date and within the 66 week allotted time) and either ceased (by the date the fee is claimed by the Provider) to claim JSA, ESA, and or IS; or if claiming UC, reported a change of circumstances

Completion of 26 Weeks Trading Outcome Fee Definition

"Completion of 26 weeks Trading Outcome Fee" – means the fee payable by the Contracting Authority when an individual has been trading and off benefit or if claiming UC, reported a change of circumstances for 26 weeks.

Providers will be eligible to claim a Completion of 26 Weeks Trading Outcome Fee, once the participant has:

been trading in a self-employed capacity for a cumulative period of 26 weeks
 (commencing on or after the Start Date and has for 26 weeks either remained off benefit
 (i.e. had no live claim(s) to JSA, ESA and or IS) or if claiming UC, reported/maintained a
 change of circumstances or, for example registering with HMRC that they were trading in
 a self employed capacity.

For the avoidance of doubt, where the participant has traded in a self employed capacity within a period of 7 consecutive calendar days and has, as indicated, remained off benefit during that period, the period will be considered as a week of trading.

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Annex 6: PRaP 14 form

View the PRaP 14 form

Annex 7: Special Customer Record (SCR) Claim Forms

If you require Special Customer Record Claim Forms, please e-mail your request to the PPVT inbox at PPVT.SHEFFIELD@DWP.GSI.GOV.UK.

Annex 8: Transitional Arrangements for NEA Providers

Introduction

- A8.01 This Annex is aimed at NEA Providers delivering the NEA scheme from 5th January 2015 where they <u>also</u> deliver NEA under the grant funding arrangements.
- A8.02 The guidance that follows is applicable to:
 - NEA Prime providers who are also LABs delivering the grant funded scheme.
 - Sub contractors to NEA Prime providers who are also LABs.
- A8.03 This document provides guidance on how NEA Prime providers / sub contractors manage both schemes.
- A8.04 In essence, participants from both schemes should be dealt with separately as the processes and reporting procedures are very different.

Background

- A8.05 Prior to the 5th January 2015 the NEA scheme was delivered via Lead Accountable Bodies (LABs) via a grant funding agreement.
- A8.06 Participants who were referred to the scheme on, or prior to the 31st December 2014, will continue to receive support from the LABs until they leave / complete the scheme.
- A8.07 While LAB's cannot accept any new referrals the LABs, via the grant funding agreements will continue to provide support to existing participants until the grant funding agreements end in September 2015.

Guidance

A6.08 Prime providers / sub contractors need to ensure they follow the correct processes and guidance in relation to when the participant started NEA.

Referrals made prior to 31st December 2014

A8.09 For participants who were referred on or prior to the 31st December 2014 you should continue to refer to the guidance / procedures outline in the 'Grant Offer and Terms and Conditions' letter issued when you become an approved LAB.

Referrals from 5th January 2015

A8.10 For participants who were referred from the 5th January 2015 you should refer to the NEA Provider Guidance which this annex forms part of.

Key differences

- A8.11 The following table highlights the key procedural / reporting differences between the schemes and what procedure / activities providers should follow when they are dealing with both groups of participants.
- A8.12 For detailed guidance providers should refer to the relevant guidance detailed at paragraphs 4.2 & 4.3.

Procedure	Process to follow for participants referred on or prior to 31 st December 2014	Process to follow for participants referred from 5 th January 2015
Referral	JCP referral made via phone LAB receives copy of 'NEA1 06/12' form from JCP via fax NOTE: Referrals should cease on 31 st December 2014	 JCP referral made via phone Referral made by JCP in Provider Referrals and Payment System (PRaP) Provider acknowledges receipt of referral in PRaP and conducts initial assessment face-2-face within 10 working days
Outcome of Initial referral / initial assessment	 LAB record outcome on 'NEA 1 06/12' form at part 4. Also complete part 5 where applicable. LAB returns form to JCP via fax 	 Provider records outcome in PRaP Provider completes Part(s) 1,2,3 of 'NEA1 (2015) 01/15' Provider returns form to JCP via e-mail Provider obtains / retains participant's signature to confirm attendance at initial assessment Provider claims start outcome in PRaP (where applicable)
Outcome of Mentoring meeting	 LAB record outcome on 'NEA 1 06/12' form at part 5. LAB returns form to JCP via fax 	• N/A

Consent to share participant information with JCP	LAB complete NEA consent form	No consent required but where the participant will be engaging with a sub contractor they should be made aware their information will be shared between both parties.
Conduct at least two face -2-face meeting during pre start up period	• N/A	 Provider to keep a written log of each meeting Provider obtains and retains participant's signature to confirm attendance
Progress updates / extension requests (8 week stage)	LAB record progress / extension requests on 'NEA 1 06/12' form at part 6 and returns to JCP via fax	Provider records progress / extension request on 'NEA 1 (2015) 01/15 form at part 4 and returns to JCP via e-mail
NEA engagement ends during 8 week pre-start up period	LAB record on 'NEA 1 06/12' form at part 7 and returns to JCP via fax	 Provider records in PRaP Provider records on 'NEA 1 (2015) 01/15 form at part 5 and returns to JCP via e-mail
NEA engagement ends during Trading	• N/A	Provider records in PRaP
Business plan assessed	• N/A	Provider records / claims outcome in PRaP
Business plan approved	LAB records on 'NEA 1 06/12' form at part 8 and returns to JCP via fax	Provider records on 'NEA 1 (2015) 01/15 form at part 6 and returns to JCP via email
Offer at least two support meetings during 26 week trading period	• N/A	Provider to keep a written log of offers / details of each meeting
Claiming Outcome	LAB complete Combined Monitoring & Claim form (CMCF)	 Provider claims individual outcomes in PRaP NOTE: Claims made in

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		PRaP contribute to MI
Report on Outcomes for MI	LAB Complete Combined Monitoring & Claim form (CMCF)	 Provider reports on MI outside of PRaP via Clerical MI template. See annex 4
Completion of scheme following 26 week trading	• N/A	Provider records completion of scheme in PRaP
Completion of State Aid - De Minimis Statement	LAB obtain signature from participant, retain a copy and send a copy to JCP	JCP to obtain signature from participant.

Annex 9: Glossary of terms

Action Plan	A document that specifies each element of activity.
Allotted Time	The maximum period of time in which all outcomes for a participant must be achieved.
BIS Start -Up Ioan	Provided by the Start-Up Loans Company
Business Plans	Participants Business Plan setting out business proposal, containing the mandatory elements
Business Adviser	Paid business Adviser to give specific guidance/support and/or deliver group sessions etc.
Commencement of trading Outcome fee	The fee payable by DWP/Jobcentre Plus when an individual has registered their business with HMRC
Completion of pre start-up period fee	The fee payable by DWP/Jobcentre Plus when an individual has completed their mentoring and submitted a Business Plan for assessment.
Completion of 26 weeks of trading Outcome fee	The fee payable by DWP/Jobcentre Plus when an individual has been demonstrably trading for 26 weeks within the allotted time period
Contract Package Area (CPA)	Successful Providers will be offered contracts to deliver in specific areas. Contract Package Area is the term used to describe the geographic area of the contract.
Critical Success Factors	The factors (i.e. the positive outcomes or benefits) against which the success of a scheme will be judged in order to justify the investment.
Employment and Support Allowance	ESA – an allowance payable to participants who have a disability or health condition. For NEA purposes, this refers specifically to people who have been through a Work Capability Assessment and placed in the Work Related Activity Group. It may also refer to those who are in the 'Support Group'.
Face-to-face meeting	A meeting that takes place between the participant and provider / Mentor where both parties are physically in the same room.
Income Support	For NEA purposes, recipients of IS will be lone parents who have a child under the age of 5 or recipients who are claiming as sick

Jobcentre Plus	Part of DWP, JCP provides an integrated service to people of working age. It offers help to people looking to move into work and support for people who cannot. JCP also provides services to employers wishing to fill vacancies.
JCP adviser / Work coach	Jobcentre Plus employee whose role is to provide face-to-face advice and guidance to claimants access Jobcentre Plus services
JCP District	A specified area of England, Scotland or Wales within which to deliver services to JCP participants.
Jobseeker's Allowance (JSA)	JSA – An allowance payable to participants who are out of work, or work less than 16 hours a week on average, are below pension age and are available for, actively seeking and capable of work.
Labour Market System (LMS)	JCP system used by JCP advisers to refer participants to provision
New Enterprise Allowance (NEA)	DWP scheme that aims to help eligible claimants who want to move off benefit and into self-employment
Participant	An eligible individual who uses JCP services for the purposes of preparing for work, returning to work or claiming benefits.
Performance Manager	A DWP/Jobcentre Plus employee whose role will be to measure the performance of the contract against expected outcomes.
Pre Start – Period	The period in which the Business Adviser and / or Volunteer Mentor works with the participant prior to them commencing Trading
Prime Provider	An Organisation that delivers a service directly and/or via a network of sub-contractors or a combination of both.
Provider(s)	The generic term used to describe Providers of NEA Mentoring . This includes all subcontractors involved in service delivery under the prime contractor procurement model.
Provider Guidance	Detailed guidance and information (including processes) which is provided by DWP to the successful Providers to use when delivering the contracted service.
Provider Referrals and Payments System (PRaP)	The DWP prescribed IT system which will be used to refer participants and pay Providers. Note, where PRaP is not available a clerical system will be adopted.

Provision	A term used to describe the services offered to a participant when they are participating in a government programme. These can be services provided in-house, for example, by DWP, or by organisations from the private and voluntary sector.
Start Fee	The fee payable by DWP/Jobcentre Plus when an individual has passed the Sift and been accepted onto the scheme. The Start Fee will not be payable to people who are not accepted onto the scheme.
Start up Loans	A government funded initiative that provides start-up support in the form of a repayable loan.
Trading start	Trading is when a participant has completed the Pre Start-up Period and is registered with HMRC as self-employed.
Universal Credit (UC)	UC – Universal Credit is a new single payment for people who are looking for work or on a low income. Universal Credit will help participants and their families to become more independent and will simplify the benefits system by bringing together a range of working-age benefits into a single streamlined payment.
Volunteer Mentor	Volunteer Mentor to provide the participant with support and guidance while they develop their Business Plan and to provide ongoing support for the initial 26 weeks of trading.
Work Service Platform (WSP)	JCP system used by JCP Work Coaches to refer UC participants to provision
Working Tax Credits	Can be claimed by people who are in-work for a certain number of hours each week and where their income is below a certain level.

Annex 10: List of Abbreviations

BIS Department for Business Innovation and Skills

CEP Contracted Employment Programmes

CPA Contract Package Area

CPR Contract Performance Review

DWP Department for Work and Pensions

ESA Employment Support Allowance

ICE Independent Case Examiner

ICO Information Commissioner's Office

IT Information Technology

JCP Jobcentre Plus

JSA Jobseeker's Allowance

LA Local Authorities

LMS Labour Market System

MI Management Information

NAO National Audit Office

NEA New Enterprise Allowance

PAT Provider Assurance Team

PPVT Provider Payment Validation Team

PRaP Provider Referrals and Payments system

SCIAT Supply Chain Information Assurance Team

SCR Special Customer Records

T&Cs Terms & Conditions

WSP Work Service Platform

WTC Working Tax Credits

Annex 11: NEA Guidance Version Control

NEA	Guidance v6*	05/02/2014
NEA	LRM 01	16/02/2015
NEA	LRM 02	01/04/2015
NEA	LRM 03	21/04/2015
NEA	LRM 04	01/05/2015
NEA	LRM 05	11/08/2015
NEA	LRM 06	25/08/2015
NEA	LRM 07	23/11/2015
NEA	LRM 08 and provider guidance v7	30/03/2016
NEA	LRM 09	01/04/2016
NEA	LRM 10	05/05/2016

^{*} **Note:** Version 1-5 of NEA Provider Guidance were internal prior to programme launch.