

# Withdrawn

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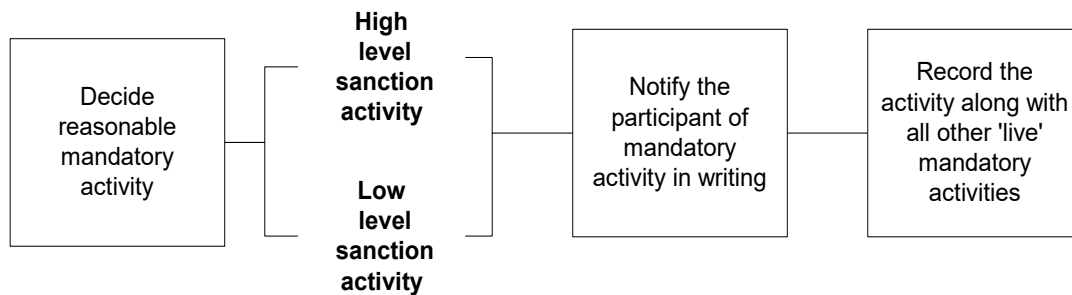
This publication is no longer current.

## Chapter 3a: Mandation

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## High Level Must Dos



## Mandating participants to undertake activity that attracts a Lower Level sanction

1. Mandation is a tool you may choose to use encourage participation in the Work Programme with sanctionable consequences for non-compliance.
2. To mandate a participant correctly, you must ensure certain policy, procedural and legal regulations are adhered to.
3. An activity that attracts a Lower Level sanction can include anything that you mandate a participant to do whilst on the Work Programme, for example attending an appointment or a workshop.

## Actions

4. The following steps must be taken on every occasion you want to mandate a participant to do something:
  - ensure that the activity is reasonable in the [participant's circumstances](#)
  - ensure that the participant is aware of the [sanctions consequences](#) of failing to carry out a mandated activity
  - identify if the Jobseeker's Allowance (JSA) participant has an Extended Period of Sickness (EPS) and consider accordingly
  - notify the participant in writing on a Mandatory Activity Notification (MAN) of:
    - the specific action that they are required to undertake
    - when or by when they must undertake it
    - that the action is mandatory
    - what evidence, if any, they must supply to demonstrate completion

- the potential consequences should the participant fail to comply. You must include the required wording: 'If you do not undertake the activities required in this notification your benefit could be affected.' For JSA participants you must include the wording as outlined in [paragraph 23](#) regarding the consequences of not participating
- for Income Support (IS) Lone Parents (claiming IS solely on the grounds of being a Lone Parent) and ESA WRAG Lone Parents with a youngest child aged 3 – 4 years, you must state on the notification that 'this activity forms part of your work-related activity action plan.'
- the MAN must be either [handed directly to the participant or sent by post](#)
- record ESA safeguarding activity for any future action needed – see [Work Programme Provider Guidance Chapter 4b - Safeguarding and Vulnerability](#)
- record the above information (the MAN) along with all other ongoing mandatory requirements in a single action planning document. Further information can be found in [Work Programme Provider Guidance Chapter 3b – Action Planning](#).

### Consequence

If you mandate the participant to an activity that is not reasonable in their circumstances, a compliance doubt referral may be cancelled by the Labour Market Decision Maker (LMDM).

The LMDM will make a decision based on an assumption that the MAN meets requirements. If you fail to mandate correctly any sanction imposed would not be underpinned by the legal framework, and any decision to sanction will be overturned by the Disputes and Resolution Team.

5. Where you choose to mandate you must always take follow up action if the participant fails to carry out the mandated activity by undertaking the compliance doubt process. This means **always** raising a compliance doubt unless you have been advised not to by Provider Direct, or the participant is a vulnerable ESA participant and it becomes clear during safeguarding activities that they did not understand the mandatory requirement or the consequence of not completing the mandatory activity. Further information can be found in [Work Programme Provider Guidance Chapter 6 – Raising a compliance doubt](#).

### Background

6. Further detail is provided in the [Background and further information section](#).

## **Mandating JSA participants to undertake activity that attracts a Higher Level sanction**

7. To mandate a JSA participant correctly to apply to a particular job vacancy (including those found via Find a job), you must ensure certain policy, procedural and legal regulations are adhered to.
8. You will need to inform the JSA participant if they fail to undertake a mandated activity, they will be subject to a sanction comprising of a fixed period (Higher Level sanction).
9. In all cases participants must be clearly informed of what is expected of them and when (or by when) they have to do it on a Mandatory Employment Notification (MEN). The MEN which **must** be used when mandating participants to employment can be found in [Annex 5](#).

**Please Note:** Do not notify a participant to apply for multiple vacancies on one notification - you must issue a separate notification for each vacancy.

10. You may decide that, in addition to benefit warning information that is contained in the MEN, the participant may benefit from further clarification of how the sanction regime could affect them. Financial hardship provision is also available from Jobcentre Plus, where applicable, to ensure participants are not placed in financial hardship if sanctioned.

## **Actions**

11. The following steps must be taken on every occasion you want to mandate a participant to apply for employment, attend an interview or take up employment:
  - consider the suitability of the vacancy
  - ensure the vacancy does not conflict with any agreed participant availability or employment restrictions
  - consider if the vacancy is within a 90 minute journey for the participant (to or from their home)
  - consider if the participant is on an EPS
  - ensure there is enough time for the participant to apply/attend
  - ensure you provide the participant with an adequate opportunity to make representations as to the suitability of the employment they are required to apply for or take up before they are mandated to do so and give proper consideration to those representations.

**Please Note:** You must also ensure that any representations are recorded and the reasons why the participant is nonetheless required to apply or take up employment are explained

- ensure that the participant is aware of the sanctions consequences of failing to apply for or take up the notified employment
- the specific action that they are required to undertake, for example attend an interview, make an application by submitting their CV or complete an online application
- notify the participant in writing on a Mandatory Employment Notification (MEN):
  - the specific action that they are required to undertake, for example attend an interview, make an application by submitting their CV or complete an online application
  - when or by when they must undertake it
  - that the action is mandatory
  - the potential consequences should the participant fail to comply
  - a suggested way for the participant to provide evidence to show they have applied.
- ensure the MEN is either handed direct to the participant or sent by first class post. You may also choose to use registered post to ensure delivery
- record the above information (the MEN) along with all other ongoing mandatory requirements in a single action planning document. Further information can be found in [Work Programme Provider Guidance Chapter 3b – Action Planning](#).

### Consequence

The Labour Market Decision Maker (LMDM) will make a decision based on an assumption that the MEN meets requirements. If you fail to mandate correctly any sanction imposed would not be underpinned by the legal framework, and any decision to sanction will be overturned by the Disputes and Resolution Team.

### Background

12. Further detail is provided in the [Background and further information section](#).

### Detailed Background and further information

#### Mandating participants to undertake activity that attracts a Lower Level sanction

13. You may decide to use mandation where you feel it is the best approach for encouraging a participant to attend an appointment or complete an activity.

For example, once it is apparent that a participant has failed carry out a non-mandated activity, you should consider mandating them to their next activity to help ensure they engage effectively with you. This also gives a clear message that a pattern of failing to take part in the Work Programme will result in a sanction.

14. You may also want to take a 'blanket' approach and mandate all participants every time you want them to attend an appointment or complete an activity. You must ensure there is a clear link between cause and consequence, failing to comply with a mandated activity **will** result in a sanction being imposed if there is no genuine reason for it.
15. The activity should be something that will help participants by enhancing their employment prospects and developing skills and disciplines associated with a normal working environment (for example attending on time, carrying out tasks, working as a team, interpersonal skills). Those skills also include "behaviours" acceptable in a place of work.
16. Irrespective of your model you must issue a separate MAN for each activity and it must be clear on the notification that the activity is mandatory.
17. It is a requirement that any change to what is required is notified on a new MAN to the participant so that it is specific to the new activity. It is also important to issue it in good time.

### **Mandatory Activity Notification attracting a Lower Level sanction**

18. The structure of the MAN can be as simple as a letter.
19. It is necessary to have two types of letter – one for JSA participants and one for ESA or Mandatory IS Lone Parent participants. The reason for this is that you must give specific detail about the sanctions that could apply should a JSA participant fail to carry out a mandated activity. ESA participants have a different range of sanctions and so the JSA sanction details **must not** be included on the ESA MANs.
20. [Annex 1](#) and [Annex 2](#) contain some example JSA MAN templates that could be used to guide you when designing your own letters, and [Annex 3](#) and [Annex 4](#) contain some examples that can be used for ESA / IS Lone parent participants.

**Please Note:** The Work Programme is European Social Fund (ESF) funded and you must display the ESF logo on all your participant facing materials. Further information can be found in [Generic Provider Guidance Chapter 11 - ESF Requirements \(England Only\)](#). You must also display the Jobcentre Plus logo ([Communication Centre](#)) alongside the ESF

logo. It is important that you access the most up to date information on logos whenever you make a change to your notifications.

21. When developing the MAN, you must adhere to the policy, procedural and legal requirements because a sanction can only be considered for non-compliance if the participant was correctly notified, that is the specific action that they are required to undertake as part of mandatory participation.

22. It is recommended that only one activity to be achieved per MAN.

For example: a participant is mandated to attend a specific appointment. The attendance at the appointment is the requirement, although you may include steps you expect them to achieve, such as:

- to find details of five jobs which would be applied for during the session
- update their cover letter/CV ready to be sent with the applications in time for the specific appointment
- when or by when they must undertake it
- include date information – if not a one-off activity, for example the activity is a training course, you must put the start and end dates of the activity
- that the activity is mandatory
- what evidence, if any, they must supply to demonstrate completion. If required, this should be as specific to the activity as possible to ensure that the participant time is focused and are under no illusion of what is required to participate. If for example, the participant is mandated to go to a catering jobs fair – the specific activities could be to obtain relevant literature from at least five stands hand your CV to them and obtain follow up contact details
- the potential consequences should the participant fail to comply. You must include the required wording: “If you do not undertake the activities required in this notification your benefit could be affected.”

23. For **JSA participants only**, you must also include the specific wording:

“When you take part in the Work Programme, you are taking part in a scheme established by law under the Jobseeker’s Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013.

If without a good reason you fail to attend or participate in the Work Programme your Jobseeker’s Allowance and National Insurance credits will be stopped (or will be paid at a reduced rate, depending on your circumstances) for:



- four weeks; or
- 13 weeks, if DWP have previously decided on one or more occasions that your JSA should be sanctioned because you failed to comply with your Work Programme requirements, or you committed any of the failures listed below within 52 weeks (but not within two weeks) of your last failure.

The failures referred to are, if without a good reason, you:

- fail to attend an adviser interview
- if applicable, fail to take part in a particular employment programme (such as the Work Programme)
- do not take the opportunity of a place on an employment programme or training scheme
- refuse or fail to apply for or accept a place on such a programme or scheme notified to you by your adviser
- fail to attend or give up a place or through your own misconduct lose a place on such a programme or scheme
- fail to comply with a Jobseeker's Direction.

**Please insert this text directly after the mandatory statement “If you do not undertake the activities required in this notification your benefit could be affected”**

24. For **ESA and mandatory IS Lone Parent participants** you must state on the notification that ‘this activity forms part of your work-related activity action plan.’

- Further information regarding the participation requirements of differing participant groups can be found in [Work Programme Provider Guidance Chapter 2 – Work Programme Claimant Groups](#).

25. You may decide that, in addition to benefit warning information that is contained in the MAN, the participant may benefit from further clarification of how the sanction regime could affect them. Financial hardship provision is also available from Jobcentre Plus, where applicable, to ensure participants are not placed in financial hardship if sanctioned.

### **Timing of sending the MAN**

26. Ensure that the timeframe between issuing the notification and the taking part in the activity is reasonable.

27. If the MAN is posted, it is taken to have been received on the second working day after posting (not including Saturday, Sunday or bank holidays).

For example: if an activity was due to start on the Tuesday at 9am, it would be advisable to send the MAN on the preceding Tuesday. It could then be assumed to have been received in good time. It would be unlikely that the participant could provide good cause for failing to take part due to not receiving the MAN in good time.

### **Method of sending the MAN**

28. The MAN must be either handed directly or posted to the participant. If it is posted it is deemed to have been received on the second working day after posting (see [above](#)).

29. It is not acceptable to use electronic methods, such as text or email, to send the MAN to participants. However, it is acceptable to communicate electronically with participants to remind them of mandatory (or non-mandatory) activities.

### **Additional information on MAN**

30. In addition, it may be of benefit to include other useful information that may minimise the risk of non participation, such as:

- supplying map and/or directions to the location of the mandated activity
- encouraging participants to inform you of any circumstances that could affect their participation at the activity.

**Please Note:** You may wish to consider liaising with Jobcentre Plus if you are having difficulty contacting a participant to check their contact details. This will be subject to local agreements being made.

### **Mandating and safeguarding for ESA participants**

31. When mandating a vulnerable ESA participant to an activity, you must ensure that they have understood the requirement and the consequences of failing to carry out the mandated activity before you raise a sanction doubt referral ([WP08](#)), this is called safeguarding.

32. If you intend to issue the MAN at a face to face meeting, you will be able to discuss this fully and assure yourselves that the participant has understood the mandatory requirement and consequences of not carrying out the activity.

33. You will therefore have carried out safeguarding at the point of mandation and are not required to repeat the activity should they fail to comply with the mandated activity. You

are required to carry out safeguarding for vulnerable ESA participants **each time** the participant fails to comply with a mandated activity.

34. If you choose to send the MAN to the participant by post and so will not be able to discuss the requirement face to face, you will, if the participant fails to attend the mandated activity have to ensure they have understood the requirement by a face to face meeting at that point, that is safeguarding. This must be done before you make the compliance doubt referral.
35. Further information regarding safeguarding vulnerable ESA participants can be found in [Work Programme Provider Guidance Chapter 4b - Safeguarding and Vulnerability](#).

### **Mandating JSA participants to undertake activity that attracts a Higher Level sanction**

36. As part of your contract you, your employees and subcontractors have been designated as Employment Officers (Emp O's) which enables you to mandate participants to apply for and take up employment opportunities and refer participants for higher Level sanctions (13, 26 and 156 week sanctions) should they fail to apply for or take up that employment opportunity.
37. Your employees are designated as Emp O's for the purposes of section 19(2)(c) of the Jobseekers Act 1995. This means that a failure can be a sanctionable failure at the higher level where a participant without a good reason fails to apply for or accept if offered a situation in any employment which an Emp O has informed him is vacant or about to become vacant. An Emp O therefore means:
- any person who is employed by you as a Prime Contractor (including for example contractors and temps) and who is employed to perform your obligations under your contract, and
  - any person who is an employee of an Approved Sub-contractor (including for example contractors and temps) and who is employed by the Approved Sub-contractor to perform your (as the Prime Contractor's) obligations under your contract.
38. These powers mean you can mandate participants to appropriate, suitable employment opportunities. This may include:
- making an application for an advertised vacancy (for example sending a letter/e-mail with an attached CV)
  - contacting an employer in relation to an advertised vacancy

- attending an interview.

39. You will make a Refusal of Employment Decision Making and Appeals (RE DMA) referral direct to a DWP LMDM team where you have mandated a participant to apply for or take up suitable employment and the participant subsequently:

- refuses to apply for a job
- fails to apply for a job
- fails to attend an interview for that job
- refuses to accept a job which was offered
- fails to be offered a job due to their inappropriate behaviour.

**Please Note:** Having Emp O status does not give you the power to decide whether a sanction applies and/or whether a participant can show good reason for any failure. That decision is made by a LMDM and this should be made clear to the participant at all times.

### **Establishing suitable employment opportunities that attract a Higher Level sanction**

40. As part of the participant's referral information you will receive details of the types of employment the participant has stated they are looking for. Through your delivery and discussions with the participant you should also build up a picture of what types of employment will be suitable for them.

41. When establishing if employment is appropriate and suitable you should manage participants' expectations of available employment opportunities and wherever possible any mandated employment must be appropriate to the participant's desired employment sector and/or occupation type, and local labour market.

42. You should keep records of discussions with participants regarding their desired employment sector and/or occupation type. This will assist future discussion with the participant and will also allow you to provide this information should the participant subsequently fail/refuse to apply for or take up employment and state the 'type' of work they were mandated to undertake does not match their desired employment sector and/or occupation type.

43. It is important that you ensure that any vacancy for which you are going to mandate participants to apply for and take up is weighted to the specific participant and their personal circumstances and any limitations or restrictions are identified.

## Sanctions

### Jobseeker's Allowance (JSA) sanctions

44. There is no provision to revise the period of a sanction for failure to take part in the Work Programme without good reason when the participant re-engages. Therefore, even if the participant complies with the mandated activity, they will still have to serve the full period of sanction.

45. There are three levels of sanctions that could affect a JSA participant:

- **Lower level** - includes, without good reason, failure to comply with a “work for your benefit” scheme, such as the failure to take part in the Work Programme. If a sanction is imposed it will lead to the participant’s JSA payments ceasing for a fixed period of four weeks for a first failure, followed by 13 weeks for any second or subsequent failure within a 52 week period of their last failure.

For example: Carol fails to attend a CV writing workshop she was mandated to attend. The LMDM determines Carol has failed without good reason to take part in the Work Programme and imposes a four week sanction as this is Carol’s first failure. Six months later Carol fails to attend her Jobcentre Plus Work Search Review appointment and the LMDM determines that she failed without good reason. This is Carol’s second lower level failure and therefore imposes a sanction of 13 weeks.

The sanction escalates as both of the failures are within the lower level category.

- **Intermediate level** - could be applied following a period of disallowance. The disallowance could be a result of you raising a JSA entitlement doubt. Further information can be found in [Work Programme Provider Guidance Chapter 8 – JSA entitlement doubt](#). The disallowance may be for failure to:

- be available for work
- be actively seeking employment.

These failures will lead to disallowance, followed by a sanction (when they make a new claim for JSA) for a maximum of four weeks for a first failure rising to up to 13 weeks for second or subsequent failure within a 52 week period of their last failure.

- **Higher level** – the failures are, if, without good reason, the participant:
  - through misconduct, lost employment as an employed earner
  - voluntarily left such employment

- refused or failed to apply for, or accept when offered, any employment notified to them by an employment officer
- neglected to avail themselves of a reasonable opportunity of employment
- failed to take part in the Mandatory Work Activity scheme if they had been required to do so.

If a DWP LMDM decides a sanction is appropriate the participant's benefit will be stopped (or will be reduced, depending on their circumstances) for 13 weeks for a first failure, 26 weeks for second failure committed within 53 weeks (but not within two weeks) of the current failure, or 156 weeks for a third or subsequent failure committed within 52 weeks (but not within three weeks) of the current failure.

46. The following scenarios illustrate how quickly higher level sanctions can escalate:

**Scenario 1:**

- mandation 1 – 8 December 2014: Participant mandated to apply for vacancy before closing date of 6 January 2015
- mandation 2 – 3 January 2015: Participant mandated to attend job interview 22 January 2015.

The participant fails to carry out both activities and fails to provide good reason.

- A 13 week sanction is applied for failure 1 (date of transgression 8 December 2014).
- A 26 week sanction is applied for failure 2 (date of transgression 22 January 2015) because these failures are more than two weeks apart.

**Scenario 2:**

- mandation 1 – 3 February 2015: Participant mandated to attend job interview 12 February 2015
- mandation 2 – 3 February 2015: Participant mandated to apply for vacancy before closing date of 27 February 2015
- mandation 3 – 3 February 2015: Participant mandated to apply for vacancy before closing date of 28 February 2015.

The participant fails to carry out all three activities and fails to provide good reason.

- A 13 week sanction is applied for failure 1 (date of transgression 12 February 2015).
- A 26 week sanction is applied for failure 2 (date of transgression 27 February 2015) as this is more than two weeks since the previous failure.
- A further 26 week sanction is applied for failure 3 (date of transgression 28 February 2015) as this is within two weeks of the previous failure on 27 February 2015.

### **Scenario 3:**

- mandation 1 – 18 February 2015: Participant mandated to attend job interview 3 March 2015
- mandation 2 – 25 February 2015: Participant mandated to apply for vacancy before closing date of 18 March 2015
- mandation 3 – 4 March 2015: Participant mandated to apply for a vacancy before closing date of 2 April 2015

The participant fails to carry out all three activities and fails to provide good reason.

- A 13 week sanction is applied for failure 1 (date of transgression 3 March 2015).
- A 26 week sanction is applied for failure 2 (date of transgression 18 March 2015) as this is more than two weeks since the previous failure.
- A 156 (3 year) sanction is applied for failure 3 (date of transgression 2 April 2015) as this is more than 2 weeks since a 26 sanction was applied for the previous failure on 18 March 2015.

### **JSA Hardship Provision**

47. It may also be useful to inform a participant that if they are sanctioned for failure to take part in the Work Programme, they may have access to hardship payments. JSA will not be payable for the full period of any sanction imposed regardless of whether they re-engage.

48. If a participant receives hardship provision, there will still be a two week wait where they will not have access to funds. Participants who are classed as vulnerable may receive hardship provision from day one of the sanction. This may need to be taken into account when requesting them to take part in Work Programme activities.

### **Employment and Support Allowance (ESA) sanctions**

49. Sanctions that affect ESA participants in the Work Related Activity Group will affect 100% of their personal allowance.

**Please Note:** If you decide to raise compliance doubts for ESA participants who are classified as vulnerable because of their health condition, you must make every effort to ensure they have understood the requirement and consequences of failing to comply with a mandated activity before raising the compliance doubt. You must make every effort to ensure that safeguarding action is taken on every occasion that they fail to carry out a mandated activity. Further information regarding safeguarding vulnerable ESA participants can be found in [Work Programme Provider Guidance Chapter 4b – Safeguarding and vulnerability](#).

50. The sanction is in two parts:

- open ended period - which will be lifted when the participant re-complies with requirements
- fixed period imposed – a first failure will attract a fixed period of a week, a second of two weeks, third and subsequent failures will attract a fixed period of four weeks. If a participant incurs more than three failures they will continue to receive four week fixed periods.

Further information regarding re-compliance can be found in [Work Programme Provider Guidance Chapter 7 – Re-compliance and reviewing a sanction](#).

### **ESA hardship provision**

51. If an ESA participant receives a sanction they will be eligible to apply for hardship provision from day one of the sanction. The participant will continue to receive the Work Related Activity Component. The hardship payment that a participant could be entitled to is 60% of the single person's prescribed amount. The participant will only receive hardship payments if they are eligible and these will only be paid from the day they make the claim for a hardship payment.

### **Income Support (IS) Lone Parent sanctions**

52. For IS Lone Parent participants failures will result in a sanction of 20% of their personal allowance. This sanction will increase by 20% for each subsequent failure, up to a maximum 100% sanction less 10p. The sanction will be lifted when the requirement is met.

53. An easement has been included in the regulations to prevent benefit sanctions escalating too quickly for IS Lone Parent participants as they do not have access to hardship.



54. Decision making action cannot be taken if a sanction for a previous failure is in place and it is not more than two weeks before the current failure.

55. If the current failure has occurred within two weeks of a reduction of IS or a doubt being raised you should not raise a further [WP08](#) referral.

### **Participants' circumstances**

56. When deciding whether activity is reasonable in a participant's circumstances you need to consider:

- the participant's personal circumstances such as any health condition they may have, their ability to use transportation, their skills/education, any childcare responsibilities the participant may have, etc. These examples are not exhaustive
- you must also remember that the participant's claimant group affects the nature of their participation. For example, although mandatory IS Lone Parent and ESA participants can be supported towards employment they cannot be mandated to:
  - apply for jobs
  - take up work
  - mandatory ESA participants cannot be required to undertake medical treatment.

57. Participants can participate in training of more than 16 hours per week, although for IS Lone Parent /ESA participants it must be reasonable for them to do so having regard to their personal circumstances. Further information regarding the participation requirements of differing participant groups can be found in [Work Programme Provider Guidance Chapter 2 – Work Programme Claimant Groups](#). Any known restrictions the participant has will be detailed in the participant's referral. For example, in some circumstances participants with health conditions, childcare responsibilities or carers may have restrictions to the days and hours for which they are available.

58. You will be notified of any disclosed disadvantage(s) and associated commitments that may limit availability, for example drug/alcohol treatment/probation requirements.

### **Participant has Extended Period of Sickness (EPS) – JSA participants only**

59. You may be notified that a JSA participant has volunteered to continue to claim JSA whilst on an EPS. This is in addition to the two, two week periods of sickness allowed on JSA and means that a participant can volunteer to remain on JSA whilst sick for a third period or a longer period of up to 13 weeks. For more information see [Work Programme Provider Guidance Chapter 5 – Change of circumstances](#).

60. During the period of the EPS the participant will have their conditionality tailored to reflect their health condition or illness.

61. The Jobcentre Plus Work Coach will notify the you on form [WP07b](#) of:

- confirmation that the participant is on an EPS
- the start and end dates of the EPS
- details of their conditionality (whether No conditionality or Limited conditionality)
- start and end dates of each conditionality period.

62. The Jobcentre Plus Work Coach will issue further [WP07b](#) forms during the period they are on EPS in the following circumstances:

- if further supporting medical evidence is provided
- if the participant decides to end their claim to JSA
- to notify you if the participant's conditionality changes
- to notify you of the date when EPS ends and when the participant will be ready to continue with their normal action plan activities.

### Tailored Conditionality

63. The Jobcentre Plus Work Coach will then decide whether:

- to remove the conditionality requirements completely for the whole duration of the EPS
- to remove conditionality requirements completely for part of the EPS and the participant has limited conditionality for the remaining duration of the EPS
- the participant has limited conditionality for the whole duration of the EPS.

### No conditionality

64. If the participant's conditionality is removed you **must not** mandate the participant to undertake any specified activities.

### Limited conditionality

65. Where a JSA participant has limited conditionality, you must consider their health condition prior to mandating the participant to an activity. The participant must not be mandated to take up work, however they can be mandated to apply for a job or complete activities that are steps towards preparing them for work.

**Please Note:** For full details on conditionality please see [Work Programme Provider Guidance Chapter 5 – Change of circumstances](#).

66. If the period of EPS overlaps a period where you have previously mandated the participant to undertake specified activities, a new notification may have to be issued to mirror amendments to the participant's action plan if they have limited conditionality. Alternatively if they have no conditionality the notification will have to be withdrawn taking into account the participant's circumstances.
67. You must consider the participant's current circumstances prior to making a DMA referral.

### **Participant groups and mandation**

68. Information regarding which participant groups can and cannot be mandated to undertake activities can be found in [Work Programme Provider Guidance Chapter 2 – Work Programme Claimant Groups](#).

### **Work Experience and Work Placement attracting a lower level sanction**

69. Further guidance regarding work experience/work placements can be found in [Work Programme Provider Guidance Chapter 3c – Work experience and community benefit work placement](#).

### **Rearranging a mandatory activity**

70. If prior to a participant undertaking a mandated activity, you are contacted by the participant because they are unable to undertake the activity, you may choose to rearrange the activity and not follow the compliance doubt process.
71. Rearranging an activity does not contravene the good cause process undertaken by the LMDM. This is because **until** the mandated activity date has occurred, no failure to take part has occurred.
72. However, not taking compliance doubt action and allowing a participant to arrange an alternative appointment on a number of occasions weakens the link between cause and consequence.
73. It is important to consider before agreeing to rearrange an activity whether or not this is the first time this has happened, or whether or not a pattern appears to be emerging. In these circumstances you may wish to consider challenging the participant, for example asking if they have evidence to support the reason they have given for needing to rearrange. You may also decide to raise a compliance doubt. In these circumstances

you must add to the WP08 that the request to rearrange was made and refused, and your reasons for refusing the request in full.

For example: two days prior to the mandated activity, the participant telephones you and explains that following a routine doctor's visit, an urgent hospital appointment has been arranged for the morning of the activity. They explain the appointment may overlap with your activity. You could then decide to rearrange the activity.

However, if you have any doubt that the reason for the request is not genuine when the participant asks to rearrange, you would inform them that they need to attend and that if they do not attend, a compliance doubt will be raised.

### **Reconsideration of mandated activity for mandatory ESA and IS Lone Parent participants**

74. Mandatory ESA and IS Lone Parent participants may request a reconsideration of any activity they have been mandated to undertake. Where they do so you must look again at the activity and take into account why the participant does not feel the activity is appropriate, reconsider if the activity remains reasonable and appropriate in the participant's circumstances.
75. Requests for reconsideration should be considered as soon as possible with your decision being notified to the participant in writing. There is no specific form/template for this process.

### **Postponement of mandated activity for mandatory ESA and IS Lone Parent participants**

76. You may decide to postpone activity for mandatory ESA and IS Lone Parent participants if undertaking the activity at a particular time would be unreasonable in the view of the participant's circumstances.
77. Should you choose to postpone, you must ensure that you correctly mandate the participant to any rearranged activity, that is send a new MAN to participant.
78. If the activity that is to be postponed has already attracted a sanction, the sanction may need to be lifted. The participant would no longer be required to undertake the original mandated activity at that time and therefore it is no longer appropriate for the sanction to be applied. Therefore you will need to take the appropriate re-engagement action to remove the sanction and rearrange the activity with the participant as soon as possible. Further information regarding re-engagement action can be found in [Work Programme Provider Guidance Chapter 7 – Re-compliance and reviewing a sanction](#).

## **Considering appropriate employment opportunities for activity that attracts a Higher Level sanction**

### **Participant availability and employment restrictions**

79. Any job for which a participant is notified to apply for or take up must fit within a participant's agreed pattern of availability and any agreed employment restrictions must be taken into account when considering whether it is appropriate to mandate a participant to a particular vacancy.

80. Jobcentre Plus will notify you of any participant availability and/or employment restrictions.

81. You must not mandate participants to apply for or take up employment where:

- the number of hours advertised on the vacancy conflict with the employment hours that the participant is required to look for (for example, the number of hours advertised are 40 but the maximum number of hours the participant is available to work is 20)
- a participant has an agreed pattern of availability, for example where there is a job seeking agreement requiring employment of:
  - 24 hours or more per week and the hours recorded on the job are fewer than 24 hours per week
  - 24 hours or more per week and there are no hours recorded on the job but the vacancy is shown as part-time
  - fewer than 24 hours per week and the hours recorded on the job are fewer than 16 hours per week
  - fewer than 24 hours per week and there are no hours recorded on the job but the vacancy is shown as full time.

82. You must not mandate participants to apply for or take up employment where the participant has agreed (with their Jobcentre Plus Work Coach) employment restrictions. Employment restrictions may include:

- particular religious or conscientious beliefs impacting on the type of work the participant can carry out
- where a participant is unable to do heavy lifting due to a health condition or disability.

83. Therefore, if the vacancy does not meet the participant's availability or employment restrictions and the participant does not wish to apply for or pursue the vacancy you must not mandate them to do so.

**Please Note:** If a participant states they will not apply for or take up a vacancy due to availability or employment restrictions for which Jobcentre Plus have not notified you, you must contact your jobcentre Single Point of Contact (SPoC) to confirm any restrictions and clarify whether the vacancy remains appropriate.

84. You must also ensure that you do not mandate participants to specific types/areas of work that a participant is not allowed to carry out, for example due to a court judgement the participant is not permitted to work in certain locations or undertake certain types of work.

85. Where Jobcentre Plus are aware that such restrictions apply they will highlight this to you. The specific nature of the restriction will not be detailed as this information will be sensitive, therefore where you are notified that employment restrictions apply you must contact your jobcentre SPoC for further information in relation to the restriction.

### **Working time regulations**

86. When establishing suitability and where information is available you must also ensure that employment opportunities for which you are mandating participants to apply for and take up abide by the Working Time Regulations 1998.

87. The Working Time Regulations 1998 provide that a worker's working time, including overtime, shall not exceed an average of 48 hours for each seven days (the average being calculated over a 17 week period) except where a worker has agreed with his employer in writing that this limit should not apply in his case.

### **Expenses**

88. When establishing suitability you should also consider any child care expenses which:

- would be necessarily incurred as a result of the participant being in the employment
- would represent an unreasonably high proportion of the remuneration which it is reasonable to expect that the participant would receive from the employment.

89. You are responsible for funding the participant's travel costs to attend job interviews for which you are mandating them to attend and/or any interviews secured as a result of being mandated to apply for a vacancy.

90. You are required to keep auditable records of travel cost payments with evidence of the expense incurred by participants. You must also ensure that you do not place undue financial hardship on participants, for example do not leave participants to fund travel to multiple interviews and reimburse them at the end of the week.

### **Employment expense considerations**

91. Where information is available you should consider if expenses that would be unavoidably incurred (for example childcare and travelling expenses) would amount to an unreasonably high proportion of the income the participant would receive if an application was successful.
92. There are no rules for deciding whether expenses would be an unreasonably high proportion of pay. Each case must be considered on its own facts.
93. When establishing suitability you should consider whether the level of pay is suitable for the participant and does not place the participant or the participant's family unit at risk of hardship. You should consider the travelling costs and length of travel to and from the vacancy and whether they would be so high as to extinguish the level of pay. Where information is available you may wish to consider any expenses which:
- participants have to meet only for the purpose of the employment
  - would be an unreasonably high proportion of the expected pay from the employment.
94. Other expenses you may wish to consider include:
- the cost of tools or equipment which the participant has to provide
  - the cost of essential protective clothing, not provided by the employer
  - the cost of a criminal record check (known as a disclosure).

**Please Note:** Deductions from wages of tax, National Insurance and occupational pension contributions shouldn't be considered. This is because they are not expenses incurred for the purposes of the employment.

### **National Minimum Wage**

95. You must also ensure that employment for which you are mandating participants to apply for and take up pays at least the National Minimum Wage that applies to the participant.

## Travel

96. You must not mandate participants to apply for or take up paid work in any location which would normally take the participant more than 90 minutes to travel to or from their home.

## Allowing participants time to apply/attend

97. You should allow a maximum period of four weeks for the participant to apply. In setting this date, you should use your discretion and take into account:

- whether the vacancy has an actual closing date of fewer than four weeks (in which case, the earlier date should be the one set)
- the complexity of the application process (if known)
- the steps you are already requiring the participant to undertake which, where undertaken, may make it difficult for the participant to apply in time
- the individual circumstances of the participant.

98. When mandating participants to attend interviews you must ensure you give 48 hours' notice of the interview (this does not include delivery time through posting mandation letters).

**Please Note:** A person with notified caring responsibilities for a child must be given one week's notice to attend interviews.

99. In all cases participants must be clearly informed of what is expected of them and when (or by when) they have to do it on their MEN. The MEN **that must be used** when mandating participants to employment can be found in [Annex 5](#).

## Unsuitable employment opportunities

100. You must ensure you only mandate participants to employment opportunities that are legal and meet National Minimum Wage requirements. You must also ensure you do not mandate participants to apply for or take up the following types of employment opportunities.

## Work Trials

101. It is fundamental to the concept of Work Trials that they offer the participant the opportunity to test the suitability of a job, as well as for the employer to test the suitability of the participant.



102. If the participant does not wish to apply for or pursue a Work Trial vacancy you must not mandate them to do so.

### **Zero hours contract**

103. Participants cannot be mandated to apply for vacancies which include a zero hours contract. Therefore, if the participant does not wish to apply for or pursue a zero hours contract vacancy you must not mandate them to do so and must not make a RE DMA referral if it becomes apparent at any stage of the application that the vacancy is zero hours.

### **Employee Shareholder Contracts**

104. Employee Shareholder Contract jobs are entirely voluntary. Therefore, if the participant does not wish to apply for or pursue such a vacancy you must not mandate them to do so.

105. It may not be obvious from the details available whether the vacancy is actually an Employee Shareholder job or not. It will be dependent on the employer stating this when they advertise the vacancy, so may only become apparent during the interview stage, or when the individual and employer are discussing the terms and conditions of the job. If it becomes apparent at any stage of the application that the vacancy is an Employee Shareholder job and the participant no longer wishes to pursue the vacancy, you must not make a RE DMA referral.

### **Apprenticeships**

106. Participants must not be mandated to apply for a government-funded apprenticeship vacancy where that vacancy has been advertised by the National Apprenticeship Service in England, by Careers Wales in Wales or is a Modern Apprenticeship in Scotland. Therefore, if the participant does not wish to apply for or pursue such a vacancy you must not mandate them to do so, and must not make a RE DMA referral if it becomes apparent at any stage of the application that the vacancy is as detailed above.

107. Participants can still be mandated to apply for other non government-funded apprenticeship vacancies which are not advertised by the above named organisations, with a RE DMA referral to be made if the participant fails to apply.

### **Self employed work**

108. For the purposes of RE DMA, employment relates to employed earners employment (that is, paid work). It excludes self-employed work. Therefore, if the participant does not wish to apply for or pursue a self-employed vacancy you must not mandate them to

do so, and must not make a RE DMA referral if it becomes apparent at any stage of the application that the vacancy is self-employed work.

### **Trade Disputes**

109. A participant cannot be sanctioned if they refuse a job that is vacant because of a stoppage of work due to a Trade Dispute. Therefore, if the participant does not wish to apply for or pursue a job that is vacant because of a stoppage of work due to a Trade Dispute you must not mandate them to do so, and must not make a RE DMA referral if it becomes apparent at any stage of the application that the job is vacant because of a stoppage of work due to a Trade Dispute.

### **Mandating JSA participants to apply for jobs in Find a job**

110. Before you consider mandating a participant to apply for a job in Find a job, you must ask the participant if they have created a profile and public CV in Find a job.

### **Participant has not created a profile and public CV in Find a job**

111. Where the participant states they have not created a profile and public CV in Find a job, you must not mandate participants to apply for jobs in Find a job where the method of application is to select a CV in Find a job and send it on line through the service. You cannot mandate participants to create a profile and public CV in Find a job if they haven't done so already.
112. However, you can mandate participants to apply for jobs in Find a job where the method of application is by other means, for example by post, telephone, email or via the company's website. This is because the participant will not need to use Find a job in order to apply. In these cases you will populate the MEN with the relevant information from the 'Job Details' page so the participant knows what is required and how to apply for the job

**Please Note:** Only non-Find a job methods of application should be included in the information provided to the participant.

### **Participant has created a profile and public CV in Find a job**

113. Where a participant states they have created a profile and public CV in Find a job , before requiring them to apply for a job in Find a job you must ensure you have an available internet enabled device on which Find a job cookies have been accepted for the participant to use and ensure the participant is aware of this.
114. It is not possible to give definitive guidance on how you should set up your internet enabled devices to accept cookies because this is dependent on the individual

machines used by provider, that is different hardware, operating systems and browsers. However, the <http://www.aboutcookies.org.uk/> website includes advice on how to set all recent versions of popular browsers to accept cookies.

115. You must inform the participant of the reasons why you are giving them an option to use the alternative device (due to non-essential cookies being placed on their device) and you must issue them with the cookies factsheet which is available in English and Welsh. The factsheets can be found [in 'Find a job' and other websites: what you need to know about cookies](#) .
116. It is vital the cookies factsheet is issued to the participant so they are able to make a fully informed decision about their choices relating to cookies and that you explain that they can use one of your devices should they not wish to accept cookies on their own computer/device by the Find a job website website.

**Please Note:** You need only issue the cookies factsheet once (the first occasion you mandate the participant to apply for a job in Find a job ) and you must note your records that a cookies factsheet has been issued.

117. If you do not have any available internet enabled devices on which cookies have been accepted for the participant to use, you cannot mandate the participant to apply for a job in Find a job where the method of application is to select a CV in Find a job and send it on line through the service. However, you will be able to take the action described.
118. If a participant is not given this choice, they may choose not to comply with the requirement to use Find a job on grounds that cookies would be unlawfully placed on their device and may also complain to the Information Commissioner that the Find a job website has placed cookies on their device without their freely given consent.

### **Following up mandated employment and evidence of compliance**

119. Where you have mandated participants to apply for or take up an employment opportunity you must ensure you follow-up the mandation.
120. When following-up mandation it may not be necessary to contact the employer to obtain feedback, for example where you require a participant to apply for a vacancy by submitting an online application and alternative evidence is available such as screenshots of application sent, email confirmation or visible online evidence.
121. The method, by which you request a participant to evidence compliance should be stated on the MEN.

**Please Note:** The participant may supply alternative evidence and it is the participant's decision on what evidence they supply to evidence compliance. If you do not think the evidence available sufficiently evidences compliance you should make a RE DMA referral.

122. Where alternative evidence is not provided you may wish to contact the employer so they can confirm whether a participant undertook the action you required of them, for example applied for a job, attended an interview, started work.

### **Participant behaviour**

123. Participants may behave in such a way that they lose the chance of employment. In such cases, an RE DMA referral can be made even though the participant applied for the job. For example, if the participant:

- arrives late for an interview or goes to the wrong place through their own negligence
- imposes unreasonable conditions on acceptance of the job so that the employer withdraws the offer
- behaves in such a manner at an interview that the employer decides not to offer them the job
- refuses to give references or allow references to be taken up.

124. If a prospective employer makes it known that such conduct has occurred, the participant's behaviour may amount to refusal or failure to apply. If it is identified that a participant has avoided the chance of a job, you must make a RE DMA referral. Further information regarding the compliance doubt process can be found in [Work Programme Provider Guidance Chapter 6 – Raising a compliance doubt](#). It should be made clear to participants that whilst any failure will be referred to DWP by yourselves it will be a DWP LMDM who makes the decision based on all the facts and evidence.

## Annex 1 – Example Appointment MAN (JSA only)

[Office Name]

[Contact Tel. No.]

[Office Address]

[Date issued]

[Participant Name]

[Participant Address]

Dear [Participant Name]

As part of your participation in the Work Programme, I am writing to inform you of an **appointment** which you are mandated to attend. What you have to do is explained below:

**Your appointment is (insert appointment name)**

**On:** (date including day of the week)

**At:** (Start and Finish time)

**Location:** (and can include 'see enclosed map')

**Your contact at [insert name of appointment provider] is [insert contact name].**

**[If appropriate] To achieve your goal we expect you to have [insert evidence needed for completion]**

**[If appropriate] At this appointment, the following support can be offered [insert detail].**

Please inform us immediately if you need a registered child carer, an interpreter or any other service in order to attend, this may be able to be arranged and your costs covered.

If you are unable to undertake this activity and wish to re-arrange for a future date, please contact me immediately. My contact number is at the top of this letter.

**Please note that if you do not undertake the activities required in this notification your benefit could be affected.**

When you take part in the Work Programme, you are taking part in a scheme established by law under the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013.

If without a good reason you fail to attend or participate in the Work Programme your Jobseeker's Allowance and National Insurance credits will be stopped (or will be paid at a reduced rate, depending on your circumstances) for:

- four weeks; or
- 13 weeks, if DWP have previously decided on one or more occasions that your JSA should be sanctioned because you failed to comply with your Work Programme requirements, or you committed any of the failures listed below within 52 weeks (but not within two weeks) of your last failure.

The failures referred to are, if without a good reason, you:

- fail to attend an adviser interview
- if applicable, fail to take part in a particular employment programme (such as the work programme)
- do not take the opportunity of a place on an employment programme or training scheme
- refuse or fail to apply for or accept a place on such a programme or scheme notified to you by your adviser
- fail to attend or give up a place or through your own misconduct lose a place on such a programme or scheme
- fail to comply with a Jobseeker's Direction.

[Adviser Name]

## Annex 2 – Example Activity MAN (JSA only)

[Office Name]

[Contact Tel. no.]

[Office Address]

[Date issued]

[Participant Name]

[Participant Address]

Dear [Participant Name]

As part of your participation in the Work Programme, I am writing to inform you of an **activity** which you are mandated to undertake. What you have to do is explained below:

**The activity that you are required to undertake [insert activity name]**

**On: (date including day of the week)**

**At: (Start and Finish time)**

**Location (and can include 'see enclosed map')**

**[If appropriate] To achieve your goal we expect you to have [insert evidence needed for completion]**

**[If appropriate]** For this activity, the following added support can be offered **[insert detail]**.

Please inform us immediately if you need a registered child carer, an interpreter or any other service in order to attend, this may be able to be arranged and your costs covered.

If you just want to find out more about this activity, you can contact (insert name) and the contact number is (insert number).

If you are unable to undertake this activity and wish to re-arrange for a future date, please contact me immediately. My contact number is (insert number).

**Please note that if you do not undertake the activities required in this notification your benefit could be affected.**

When you take part in the Work Programme, you are taking part in a scheme established by law under the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013.

If without a good reason you fail to attend or participate in the Work Programme your Jobseeker's Allowance and National Insurance credits will be stopped (or will be paid at a reduced rate, depending on your circumstances) for:

- four weeks; or
- 13 weeks, if DWP have previously decided on one or more occasions that your JSA should be sanctioned because you failed to comply with your Work Programme requirements, or you committed any of the failures listed below within 52 weeks (but not within two weeks) of your last failure.

The failures referred to are, if without a good reason, you:

- fail to attend an adviser interview
- if applicable, fail to take part in a particular employment programme (such as the work programme)
- do not take the opportunity of a place on an employment programme or training scheme
- refuse or fail to apply for or accept a place on such a programme or scheme notified to you by your adviser
- fail to attend or give up a place or through your own misconduct lose a place on such a programme or scheme
- fail to comply with a Jobseeker's Direction.

Yours sincerely,

[Adviser Name],



### **Annex 3 – Example Appointment MAN (ESA/IS only)**

**[Office Name]**

**[Contact Tel. No.]**

**[Office Address]**

**[Date issued]**

**[Participant Name]**

**[Participant Address]**

Dear **[Participant Name]**

As part of your participation in the Work Programme, I am writing to inform you of an **appointment** which you are mandated to attend. What you have to do is explained below:

**Your appointment is (insert appointment name)**

**On: (date including day of the week)**

**At: (Start and Finish time)**

**Location: (and can include 'see enclosed map')**

**Your contact at [insert name of appointment provider] is [insert contact name].**

**[If appropriate] To achieve your goal we expect you to have [insert evidence needed for completion]**

**[If appropriate] At this appointment, the following support can be offered [insert detail].**

Please inform us immediately if you need a registered child carer, an interpreter or any other service in order to attend, this may be able to be arranged and your costs covered.

If you are unable to undertake this activity and wish to re-arrange for a future date, please contact me immediately. My contact number is at the top of this letter.

**Please note that if you do not undertake the activities required in this notification your benefit could be affected.**

- This activity forms part of your work-related activity action plan.

## Annex 4 – Example Activity MAN (ESA/IS Only)

**[Office Name]**

**[Contact Tel. no.]**

**[Office Address]**

**[Date issued]**

**[Participant Name]**

**[Participant Address]**

Dear **[Participant Name]**

As part of your participation in the Work Programme, I am writing to inform you of an **activity** which you are mandated to undertake. What you have to do is explained below:

**The activity that you are required to undertake [insert activity name]**

**On: (date including day of the week)**

**At: (Start and Finish time)**

**Location (and can include 'see enclosed map')**

**[If appropriate] To achieve your goal we expect you to have [insert evidence needed for completion]**

**[If appropriate]** For this activity, the following added support can be offered **[insert detail]**.

Please inform us immediately if you need a registered child carer, an interpreter or any other service in order to attend, this may be able to be arranged and your costs covered.

If you just want to find out more about this activity, you can contact (insert name) and the contact number is (insert number).

If you are unable to undertake this activity and wish to re-arrange for a future date, please contact me immediately. My contact number is (insert number).

**Please note that if you do not undertake the activities required in this notification your benefit could be affected.**

This activity forms part of your work-related activity action plan.

## Annex 5 – JSA Mandatory Employment Notification (MEN) Template

[**Please Note:** the following template **must be used** and the structure **must not** be altered or added to]

### Participant Details

Title and Name:

Address:

Postcode:

### Provider Details

Provider Name:

Office Address:

Postcode

Telephone:

Date:

## Jobseeker's Allowance Participant - Mandatory Employment Notification

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Dear

### You must apply for this job

I am writing to inform you of a **job vacancy** which you are required to apply for.

### The Job vacancy:

<b>Job Title:</b>	
<b>Job reference number (if available):</b>	
<b>Employer Name:</b>	
<b>Employer Address:</b>	
<b>Employer Phone Number:</b>	
<b>Hours (if available):</b>	
<b>Salary/ Wage (if available):</b>	
<b>Employment Duties (if available):</b>	
<b>Permanent/ Temporary vacancy:</b>	

## What you must do

What you must do is explained below:

<b>You must apply for the detailed job and must:</b> <i>Method of application for example submit CV, online application etc.</i>	
<b>You must undertake the above action by (date):</b>	
You need to provide evidence to show you have applied. How you do this is up to you but a suggested way you can show you have applied is detailed here:	

<b>Attend an interview for the detailed job (details of interview):</b> <i>Details of interview must be included (time/ date/ place).</i>	Time:	
	Date:	
	Location:	
<b>Name of person to report to (if known):</b>		
<i>You should allow enough time when planning your journey to get to the interview on time.</i>		

Please tell us if you need help with travel costs to attend any interviews in relation to the detailed job vacancy. We may be able to arrange this and cover your costs.

## What will happen if you fail to apply for this job, fail to attend and fully take part in any interviews for this job or fail to take this job if it's offered to you

If DWP decides that you failed to apply for this job, failed to attend and fully take part in any interviews for this job or fail to take this job if its offered to you without a good reason, your Jobseeker's Allowance and National Insurance credits will not be paid (or will be reduced, depending on your circumstances) for:

- 13 weeks; or
- 26 weeks if DWP have previously decided on one occasion, that your Jobseeker's Allowance should be sanctioned because you committed any of the failures listed below, within 52 weeks (but not within 2 weeks) of your current failure; or
- 156 weeks (3 years) if DWP have previously decided on two or more occasions, that your Jobseeker's Allowance should be sanctioned because you committed any of the failures listed below, within 52 weeks (but not within 2 weeks) of your current failure.

The failures referred to are, if, without good reason, you:

- through misconduct, lost employment as an employed earner;
- voluntarily left such employment;
- refused or failed to apply for, or accept if it was offered, any employment notified to you by an employment officer;
- neglected to avail yourself of a reasonable opportunity of employment; or
- failed to participate in the Mandatory Work Activity scheme if you were required to do so.

If your Jobseeker's Allowance is stopped or reduced, you may be entitled to hardship payments. Please speak to your Jobcentre Plus Work Coach for more detail.

### **Information sharing**

In some circumstances we may need to share information with an existing or prospective employer to:

- monitor your performance
- get feedback from any interviews you may attend
- make sure you are receiving the correct amount of benefits
- monitor the performance of our contracted service providers

### **If you are not happy**

You should expect to be treated fairly. We have explained the minimum standards of service you can expect from us.

If you're not happy with our service, you can make a complaint. Making a complaint will not affect your benefit.

If you wish to complain about our service, please get in touch and tell us first. We explained our complaints procedures at your first meeting.

If you have gone through this process and are not satisfied with the way we have dealt with your complaint, you can ask the Independent Case Examiner to investigate.



## Work Programme Provider Guidance

The Independent Case Examiner will normally only accept a complaint for investigation if you have:

- already received a final response from us, or
- waited 8 weeks for a response.

For more information, go to [www.ind-case-exam.org.uk](http://www.ind-case-exam.org.uk)

### **If you want more information or have any questions**

If you need any more information, want to find out more about this activity, or have any questions, please contact \_\_\_\_\_ or phone on \_\_\_\_\_.

Yours sincerely