

# Withdrawn

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# Department for Work and Pensions

## Work Programme Live Running Memo

**To:** Work Programme Providers

**Cc:** Category Management Team - Labour Market  
National Provision  
Senior Performance Managers  
Performance Managers  
Senior Performance Managers  
Karen Camplin  
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**From:** Work Programmes Division

**Memo Serial Number:** LR180

**Date:** 04/02/2015

**Subject:** Skills Support for Work Programme Participants

**Action:** For information

**Timing:** Immediate

### Background

We issued a Work Programme Live Running Memo 171 on 3rd November 2014 telling you about the new training and skills provision available to Work Programme providers. Read [Work Programme Memo 171](#).

Skills Support for Work Programme Participants (SSWPP) (previously referred to as Skills Funding Agency provision) enables newly employed participants of the Work Programme (WP) to sustain employment through skills training and support. The training must respond to an individual's skills needs and job role, and all support must be delivered in the context of a personalised skills training programme. Participants will be given access to accredited skills training and ideally, where appropriate progress to an apprenticeship.

The provision is designed to complement the support that may already be offered by Work Programme providers and gives providers of both programmes a common goal of keeping WP participants in sustained employment.

## **Issue**

Referrals to the SSWPP provision are lower than expected and several issues have been raised as possible reasons.

We understand that the requirement to obtain participant consent to sharing data with the SSWPP providers is perceived to be a key issue. Unfortunately this is the only solution available to us within the timescales available. However, we have agreed that employer data can be shared without any consent so that the SSWPP providers can market directly to them.

We have also clarified some other aspects of data sharing including within a prime provider organisation and with historical customers.

## **Summary and action**

Attached at [Annex A](#) is a Q and A document that aims to address the issues and questions raised. Please read the attached Annex A. You are encouraged to contact your local SSWPP provider and discuss how you can work together for the benefit of the customer

## **Further information contact details**

All enquiries on the subject of this memo should be raised with your Performance Manager in the first instance; they will endeavour to provide you with an answer as soon as possible.

Regards

Work Programmes Division Enquiries Team

## **Annex A – Q and A**

### **Sharing Employer Data**

#### **1. Can the WPP share employer data with the SSWPP providers?**

Yes you can and you are encouraged to do so.

#### **2. Can I use data collected within my own organisation if I am a DWP and SSWPP Provider**

Not without the consent of the data subject. Within the same organisation the issue is not about data sharing but about having a lawful basis for processing those personal data. DWP legislation enables social security information to be shared with its suppliers, and provides the lawful basis for processing that information for DWP purposes. To use these data for other purposes requires the consent of the individuals concerned.

### **Participant Consent**

#### **3. Please can you clarify the position with WP prime providers about approaching previous participants?**

The consent is to allow the WPP to share participant data with the SSWPP provider. There is no reason why the WPP cannot approach a WP participant who has started work as long as the participant is still within the 104 weeks duration on the Work Programme.

#### **4. Is participant consent, provided by the completion of this consent form, a requirement for participation on the SSWPP programme?**

The consent form is designed to transfer data held by DWP/JCP providers to the SSWPP providers. The participant can start on the programme if they approach the ESF provider directly. The data provided initially is only what is required to satisfy the referral process and ensure the referral is successful. Subsequent data share is to meet data sharing requirement and to enable data transfer to SSWPP providers.

#### **5. If consent is a requirement, what happens if a participant withdraws consent- are they no longer permitted to participate in SSWPP**

If the participant wished to withdraw from the programme then that is their right to do so. The consent form is in no way a condition to participate in the programme.

#### **6. The consent form appears to say the onus is on the referring provider (WPP) to keep the SSWPP provider informed. Should the consent form not explicitly state that if participants wish to**

**withdrawal consent they must do so with the SSWPP provider they are on provision with?**

Removal of consent would mean that no further sharing of data could occur and only if the SSWPP provider requested additional information would WP Providers be required to notify of the removal of consent. DWP would expect the WP provider to challenge if they felt the data set required was excessive.

**7. If a WP prime providers have a statement on their paperwork that says they will share information with other providers and the learner has signed this, would this suffice?**

Yes as long as it is amended to specifically tell the participant how their information might be shared in respect of the SSWPP provision.

**8. Can you confirm that learners on the Work Choice programme are still Work Programme participants so we can allow these learners to be supported under this specification too?**

No. Participants are on one programme or the other.