

# Work Programme Referral (WPR)

## Guidance Queries and Help

1. If you are unable to find an answer to a particular question regarding policy within this guide you must contact the Jobcentre Plus Live Support Advice Line. Do not give the Advice Line number to claimants or outside bodies under any circumstances, it is for the use of Jobcentre Plus staff only. Details of how to contact them can be found by clicking on the following hyperlink, [Advice Line Home Page](#).
2. Please do not use the 'E-mail page owner' and 'Page information' links at the bottom of each page of guidance to raise policy queries. These should only be used to report broken hyperlinks.

## Purpose

3. The purpose of this guidance is to make staff aware of the Work Programme, including its benefits, the eligibility criteria for entering and the considerations to be made before a claimant is referred.
4. The identification of the appropriate entry point and the actions to take to either make the referral, defer the referral, or apply an exemption can be found in the [LMS R34 Guidance](#).

## Overview

5. The WP is the biggest single welfare to work programme this country has ever seen. It is the centrepiece of the Government's plans to reform welfare-to-work provision in the UK and will ensure people have the right support.
6. It is built around the needs of individuals, providing the support they need when they need it. Providers will be free to design support based on the needs of individuals and target the right support at the right time, regardless of the benefit the claimant is in receipt of.
7. DWP will offer providers higher rewards for supporting harder-to-help claimants into employment to ensure that it is worthwhile to help all claimant groups. DWP has designed a coherent package of support, not just a single programme.
8. All claimants will have access to support for 104 continuous weeks regardless of change of circumstance or starting work.
9. If after referral to the WP the claimant changes address outside of the Provider Contract Package Area (CPA) the WP Provider in the original CPA will continue to support the claimant.
10. Random allocation will be used by JCP to ensure all providers within each district receive an equal share of claimant flows.
11. One of the tools we will use to manage provider performance and achieve best value for money (VFM) is the use of random allocation [Market Share](#) Shifting to drive competition between providers in live running. This will enable us to move referrals, and so potential earnings, if a provider is not meeting performance standards.
12. Many of our claimants face complex challenges before they will be ready for employment, from Jobseeker's Allowance (JSA) recipients who have been

out of work for some time, to claimants who may have been receiving Incapacity Benefits (IB) for many years.

13. For the vast majority of claimants the WP will be mandatory. Refer to the [eligibility table](#).

14. However, there will be voluntary access for those claimants who are eligible.

15. IB and Income Support (IS) claimants, **in England only**, can volunteer for the WP. Funding for this claimant group is provided by the European Social Fund (ESF)

16. Mandatory claimants who fail to comply whilst on the WP may be subject to [sanctions](#).

## Purpose of the Work Programme Referral (WPR)

17. The interview will allow advisers to explain the next steps to the claimant, highlighting the benefits of the WP and [explaining their rights, responsibilities and conditionality](#).

18. Although we would expect the WPR to be conducted face to face, the Personal Adviser (PA) may consider in exceptional circumstances a telephone referral is more appropriate if the claimant:

- lives in a remote location and is unable to travel to the jobcentre;
- has mental or physical health conditions which makes a telephone interview more appropriate; or
- IB and IS claimant funded by ESF

19. If the PA is conducting the WPR over the telephone, existing telephone interview procedures must be followed. For example, to verify the claimant's identity. Ensure that all relevant letters and leaflets are posted out to the claimant at the end of the referral.

20. Decision Making and Appeals (DMA) action cannot be taken to sanction a JSA claimant who fails to attend or participate in a telephone interview. If this happens, the claimant must be asked to attend a face to face interview. Only then can any appropriate failure to attend or participate action follow.

21. Some of the steps detailed below may not be required if the WPR immediately follows on from a New Joiners Work Focused Interview (NJWFI)/Flexible Intervention. For example:

- identity check,
- claimants who are temporary exempt or deferrals; and
- eligibility.

## Eligibility

### Eligibility Table

22. The following table includes all the claimants who are eligible to be referred to the WP and whether they are a mandatory or voluntary claimant.

**Note. These do not represent the claimant groups or [LMS opportunity types](#) but the eligibility point of entry to the WP.**

23. Where a claimant meets two sets of eligibility criteria for the WP and the referral dates are the same, the age related (18-24 or 25 +) [opportunity type](#) takes preference.

24. The key principle of [Linking Rules](#) is that claimants will move onto the Work Programme once they have received linked periods of Jobseeker's Allowance for the appropriate length of time. For example, 12 months for 25+ claimants. See the [LMS R34 Guidance](#) for the actions necessary to allow LMS to use the Linking Rules correctly.

25. If claimant is part of a [Joint Claim](#), their partner will also be referred to the same WP Provider, unless a JSA conditionality exemption applies to the partner, or the claimant volunteers for the WP through Early Access.

26. The WP hand-off points do not apply to partners required to join at the same time as their partner.

27. If the claimant has a birthday prior to the applicable hand-off point which moves them into the next age bracket, LMS re-calculates the WP hand-off point, based on their new age group. For example, a 24 year old customer reaches age 25 before their 9 month hand-off point, the WPR date becomes following 12 months of pre-WP activity.

<b>Eligibility</b>	<b>Work Programme Hand off Points</b>	<b>Is Referral Voluntary, or Mandatory Access?</b>	<b>Once referred to the Work Programme is the claimant's participation mandatory or voluntary?</b>
JSA claimants aged 18 to 24	From 9 months of Pre-WP activity	Mandatory	Mandatory
JSA claimants aged 25 and over	From 12 months of Pre-WP activity	Mandatory	Mandatory
JSA 18 year old claimant who has been NEET (Not in employment, education or training) for 6 months at the start of their claim <b>or</b>	From 3 months of Pre-WP activity	Mandatory	Mandatory
JSA 18 year old claimant who becomes NEET for 6 months during their claim	See <a href="#">NEET Claimants</a> for referral date	Mandatory	Mandatory
<a href="#">JSA 18 year old claimant previously received a payment of JSA (IB) as a 16/17 year old</a>	From 3 months of Pre-WP activity during their claim to	Mandatory	Mandatory

	adult JSA		
<a href="#">JSA Repeaters (claimed JSA 22 out of 24 months) at their date of claim</a>	From 3 months of Pre-WP activity	Mandatory	Mandatory
JSA ex-IB* (or has had an appeal decision delivered regarding the outcome of an IB reassessment WCA) at any time within 6 months of their JSA claim. *IB equals Incapacity Benefit, Severe Disablement Allowance or Income Support on grounds of illness or disability	From 3 months of Pre-WP activity	Mandatory	Mandatory
JSA Early Access claimants <ul style="list-style-type: none"> <li>• An ex-offender or offender</li> <li>• Disabled person</li> <li>• Person with mild or moderate mental health issues</li> <li>• Care-leaver</li> <li>• Carer on JSA</li> <li>• Ex-carer</li> <li>• A homeless person</li> <li>• Ex-HM Armed Forces</li> <li>• A partner of current or former Armed Forces personnel</li> <li>• <a href="#">Current/previous drug/alcohol dependency</a> (including a history of) presents a significant barrier to employment</li> </ul>	From 3 months of Pre-WP activity	Voluntary	Mandatory
ESA (Flow (IR)) WRAG with prognosis of 6 month or less	From the WCA outcome or the date from which	Mandatory	Mandatory

	<p>the Work Related Activity Component (WRAC) is awarded if this is later.</p> <p>(If entitlement to the WRAC has not been reached there is no benefit component to sanction for non-compliance. Do not book the WPR until WRAC entitlement is reached)</p>		
ESA (Flow (IR)) WRAG with 12 month and over prognosis	From WCA outcome depending on next WCA outcome prognosis.	Voluntary	Mandatory
ESA (Flow (C)) WRAG claimants <b>NB:</b> If the claimant is entitled to any <a href="#">element of ESA (IR)</a> their WP entry point will be calculated as an ESA (IB) claimant	From WCA outcome	Voluntary	Mandatory
ESA Stock Claimants	At any time	Voluntary	Mandatory
ESA (IR or C) Support Group	From WCA outcome	Voluntary	Voluntary
ESA WRAG (lone parent with a youngest child under 5 or full time carers)	From WCA outcome	Voluntary	Voluntary
ESA Credits Only	From WCA outcome	Voluntary	Voluntary
Pension Credit claimants (without a health condition)	From 12 months receipt of any eligible benefit e.g. 7 months on JSA plus 5	Voluntary	Voluntary

	months Pension Credit		
Pension Credit claimants (with a health condition in receipt of a disability premium)	At any time	Voluntary	Voluntary
IB/SDA Claimants ( <b>ESF funded England only</b> )	At any time	Voluntary	Voluntary
IS Claimants ( <b>ESF funded England only</b> )	At any time	Voluntary	Voluntary

28. Claimants who volunteer for the WP but whose participation on referral is mandatory will be subject to sanctions if they then fail to undertake the activities requested of them by the WP Provider.

29. Claimants who volunteer for referral to the WP and their participation is also voluntary will not be subject to sanctions if they fail to undertake activities requested of them by the WP Provider.

### **NEET Claimants**

30. For 18 year old claimants who become 6 months NEET during their current JSA claim, the referral date will be determined by the length of time spent on the pre-WP. For example:

- Scenario 1 - claimant has been on the pre-WP for 4 months when they reach the point where they have been NEET for 6 months. Book a WPR as soon as possible;
- Scenario 2 - claimant reaches 6 months NEET, but has only been part of the pre-WP for 2 months, refer from 3 months completion of the pre-WP

### **Claimant on Work Choice/Residential Training for Adults with Disabilities**

31. If a claimant is on either [Work Choice](#) or [Residential Training for Adults with Disabilities](#) they are not eligible for the WP, either mandatory or voluntary.

### **Claimant returns to Jobcentre Plus Offer**

32. How the new Work Programme Entry Point is calculated for Work Choice Leavers/Returners depends on the point at which the claimant's Work Choice provision ended.

33. Work Choice provision consists of 3 modules. Claimants participating on module 1 continue to receive Jobseeker's Allowance. Entitlement to Jobseeker's Allowance ceases when claimants move on to modules 2 and 3.

34. Once participation on Module 1 of Work Choice ends, the claimant's Work Programme entry point is recalculated from the day after provision ends in line with normal [Work Programme eligibility rules](#).

### **Example**

An 18-24 claimant with a disability leaves Work Choice on 8.9.11. A new WP entry point is calculated from **9.9.11**. The claimant's mandatory WP entry point will be **9.6.12** OR if they volunteer for early access to the WP on grounds of their disability, **9.12.11**.

Once participation on Work Choice ends during Modules 2 or 3, a new claim to JSA will need to be made following normal processes. The Work Programme entry point is calculated from the date of the new claim in line with normal [Work Programme eligibility rules](#).

### **Example**

An 18-24 claimant with a disability makes a new claim to JSA on 9.9.11 after leaving module 2 of Work Choice on 8.9.11. The Work Programme Entry date is calculated from 9.9.11. Mandatory Work Programme entry point is **9.6.12** or **9.12.11** if the claimant volunteers for early access to the WP on the grounds of their disability.

Once Work Choice has ended, the claimant is no longer exempt from the Work Programme. Consider the claimant's new circumstances and what the next steps should be.

### **JSA Credits**

35. [JSA Credits only](#) claimants are eligible to join the WP and are referred at the appropriate hand off point either at 3, 9 or 12 months.

### **JSA Non-claimants**

36. [JSA non-claimants](#) are not eligible for the WP, either mandatory or voluntary.

## **Claimants who are Temporary Exempt and Deferrals**

### **Exempt claimants**

37. The following claimants are temporarily exempt from the WP:

- ESA Claimants who retain a Contract of Employment or those who are self employed;
- Claimants who are pregnant and within 3 months of their expected date of confinement may be exempt, although could still volunteer for the WP;
- Victims of Domestic Violence; set an exemption for 13 weeks and then review. The exemption could be lifted or extended;
- Claimants appealing a Work Capability Assessment (WCA) decision who have not already been referred to the WP;
- ESA WRAG Lone Parent with a [youngest child under 5](#) or aged 5 and not started school (who does not volunteer);
- ESA Full Time Carer (who does not volunteer);



- Claimants for whom Work Choice/Residential Training is identified as a more suitable option and who have been referred will not be referred to the WP pending their application and during participation; and
- Claimants for whom Training for Work (Scotland) and Work Based Learning- Steps to Employment (Wales) is identified as suitable provision will not be referred during their participation on these programmes.

38. The PA may consider deferral if they believe that referral and completion of other provision would be more beneficial to the claimant.

39. Other than where stated, advisers should use their discretion to determine the exemption period based on the facts of the individual case. For example, exempt until the claimant's child reaches age 5.

### **Advisers Discretionary Deferral Reasons**

40. A claimant can be deferred from the WP for a maximum period of 90 days from the date they are eligible for referral. They can be deferred multiple times but not beyond the end of the 90 days period.

41. A deferral should be the exception rather than the rule and only be considered for a claimant who you are confident will flow off benefit or will meet the exemption criteria within the 90 days deferral period.

42. The following are examples of when a claimant may be deferred. This is not an exhaustive list.

#### **Claimant has a job interview or is due to start work**

43. Referral to the WP Provider should be delayed if the claimant states they have a job interview or definite job start and evidence (preferably written evidence from the employer) can be produced.

44. Set the review date for after the interview or employment commencement date, to confirm the outcome of the interview or that a job start has occurred.

#### **Job Outcome Expected within 3 months**

45. Where short intensive jobsearch activity will move the claimant into employment, the adviser may choose to defer the claimant's entry to the WP for a maximum of 90 days, to allow more intensive JCP support. For example, if they have just completed a "Get Britain Working Measure".

#### **New Enterprise Allowance (NEA)**

46. The claimant cannot undertake [NEA](#) at the same time as the WP. The claimant can be deferred from the WP for a period of 8 weeks to work with their mentor and produce a business plan.

47. At the end of the 8 week period the claimant will attend the Jobcentre where the initial period may be extended with Jobcentre Plus agreement. At which time a further WP deferral can be granted.

48. The PA would have the opportunity to allow a further deferral once the business plan was complete where they believe the claimant is close to commencing self employment.

49. Once the claimant reaches the maximum 90 days deferral period, they will be required to cease NEA and join the WP.



## **Work Choice/Residential Training for Adults with Disabilities**

50. The PA may exempt the claimant's referral to the WP pending the DEA decision on whether [Work Choice](#) or [Residential Training of Adults with Disabilities](#) would be more suitable. If accepted the claimant would then be [exempt](#) from the WP for their length of time on Work Choice.

## **Participant due to leave Great Britain (GB)**

51. Claimants who are emigrating to countries outside Great Britain need not be referred to the WP Provider if their date for leaving the country is within the deferral period of 90 days and they will be ending their benefit claim.

## **Action when Exemption or Deferral is appropriate**

52. For the actions to take to record the exemption/deferral on LMS, see [LMS R34 Guidance](#).

53. When the details are included on the Work Programme Exemption/Deferral Report at the end of the deferral period, the adviser must review whether the deferral should or can continue (deferral period exhausted).

54. Review the deferral by the most appropriate means. For example, phone call or interview with the claimant, or confirmation with a third party.

55. If a further exemption/deferral period is appropriate, the actions to record the exemption/deferral on LMS are repeated.

56. If not, the Work Programme Referral is booked.

## **New Joiner Work Focused Interview Deferred (NJWFI)**

57. For ESA claimants the WP referral interview cannot take place until the NJWFI has taken place.

58. If the claimant's [NJWFI is deferred](#) referral to the WP should be delayed until the NJWFI has taken place.

59. It is not appropriate to formally exempt or defer entry to the WP.

## **Key Activities of the Work Programme Referral**

60. The Personal Adviser will:

- Check the claimant's [identity](#) **NB:** this action is not required if the referral immediately follows a NJI or NJWFI;
- If you identify that the claimant is a [Special Customer Record](#) case, do not open an interview on LMS. Instead ensure that the [sensitive case](#) processes are followed;
- Start the interview on [LMS](#);
- The following components make up the interview;
  - Check the claimants [Eligibility](#) for the WP and correct any inaccurate attributes;
  - Check for [Claimants who are Temporary Exempt and Deferrals](#);
  - Identify whether the claimant is a vulnerable claimant and requires [safeguard measures](#);
  - Explain the [Sanction Regime](#) where appropriate;
  - [Conduct the WPR](#);
  - Explain the [claimant's responsibilities whilst on the WP](#);
  - [Review/Update JSAG, LMS & Action Plan](#);

- Advise the claimant that if they find work prior to them engaging with the provider they should notify Jobcentre Plus immediately in order for Jobcentre Plus to consider any in work support that may be available (depending on the benefit being claimed). Once they engage with the provider, it becomes the provider's responsibility for any in work support; and
- [Make the Referral to the WPP](#)

## Conducting the Work Programme Referral

### About the Work Programme

61. Explain to all claimants, whether their referral to the WP is mandatory (including optional early access) or voluntary, what support they can expect from participation in the WP, highlighting the benefits for them.

62. This must include:

- the WP lasts for 2 years (104 weeks), regardless of changes in benefit or employment
- the provider is randomly allocated by the system and not determined by the adviser or claimant preference
- the support will be tailored to the claimant's individual needs and circumstances
- that the provider will discuss and work with the claimant to decide what help they need to find work and what they can do to improve their chances of obtaining work
- that the claimant may be asked to take part in work-related activities such as work experience, training and further support
- the provider will give all the work-focused support the claimant needs during this time, even if they change benefits
- once in employment the provider will continue to offer support to help them stay in a job
- that expenses will be covered by the provider e.g. childcare and replacement care costs, travel expenses etc as claimants on the WP do not have access to the Flexible Support Fund (FSF)
- in England for IS and IB claimants the WP is funded by the ESF
- for claimants who have voluntary early access to the WP you must explain that their participation will be mandatory and the implications of [sanctions](#) if they fail to carry out the activities directed by the provider
- inform Lone Parents there are a number of additional support initiatives available via JCP to support their transition in to work and career progression once in work, ["In Work Advisory Support"](#) (IWAS) and "In-Work Credit"(IWC) ; and
- inform IB and ESA claimants about the [Return to Work Credit](#) (RTWC), the financial incentive offered to all eligible claimants moving back to work

### Voluntary Early Entry Claimants (JSA Claimants who can join the WP early)

63. The PA must explain the key messages about the [Work Programme](#) above to claimants who have voluntary early entry to the WP.

64. In addition the PA can use the messages included in the [Volunteer Claimants](#) section of this guidance to emphasise the benefits of joining the WP.

65. Voluntary Early Entry claimants will be [mandatory WP participants](#) once they are referred and as such the PA must emphasise the implications of [sanctions](#).

66. However, as with other volunteer claimants the PA must always consider whether the WP is the most [appropriate and cost effective course of action](#).

### **Volunteer Claimants (Volunteering for the Work Programme)**

67. It is essential that the PA explains the key messages and is satisfied that voluntary claimants fully understand what participation on the WP means for them before referral.

68. The PA must consider with all volunteers whether the WP is the most appropriate and cost effective course of action. Ultimately, the PA and the claimant must agree that referral to the WP is the best course of action. If either party feels that the WP is not the best option, the claimant must not be referred.

69. Whilst random allocation MUST be adhered to, for volunteers where participation on the WP is voluntary, there is the option at this point for the adviser to [identify](#) and make the claimant aware of whom their provider will be.

70. The PA must emphasise:

- the benefits of participation in the WP;
- that they will stay with the allocated WP Provider for 104 weeks irrelevant of changes to benefit to enable the WP Provider to provide in depth support;
- that they will not be able to access any other Jobcentre Plus support whilst on the WP;
- that if they have received marketing material that they may not necessarily be referred to that specific provider;
- that providers are specialist organisations with an in-depth knowledge of jobs and opportunities in their area who can improve their chances of getting a job;
- that they are working with a specialist organisation who will support them and take a fresh look at their situation;
- that changes in their circumstances might impact on their engagement from voluntary participation to mandatory participation; and
- that if the claimant informs the Jobcentre that they are starting work or have the offer of a job between their referral interview and engaging with the Work Programme, tell them to contact the Provider straight away. This will enable the provider to provide any support they may need to enable them to start work.

### **Claimant responsibilities**

71. Advisers must explain the claimant's responsibilities whilst on the WP, specifically the following key messages:

- JSA claimants - as detailed on the JSAg they must continue to attend their Jobsearch Reviews (JRs) and meet the actively seeking and availability conditionality;

- ESA and all voluntary claimants – will be provided with a nominated contact in the Jobcentre with whom they can raise any concerns or issues whilst on the WP;
- All claimants:
  - must continue to report changes to their circumstances as they do now;
  - must make the most of the support offered by the provider
- Mandatory claimants - must engage and complete all activities with, or as directed by, the provider otherwise [sanctions](#) may apply; and
- Voluntary claimants – are expected to engage at agreed times and complete activities as directed by the provider, but will not lose benefit if they don't.

## **How Sanctions affect JSA & ESA Claimants**

### **Sanction Regime**

72. The adviser must explain the appropriate sanction regime to mandatory claimants, explaining:

- what will happen if the provider raises a sanction doubt;
- what this means in relation to their receipt of [JSA](#) or [ESA](#);
- that any decision to sanction a claim will be given in writing and include what to do next if they are unhappy with the decision (right to appeal); and
- confirm the claimant understands what will happen if a sanction is imposed and how it can affect their benefit.

### **JSA Sanctions**

73. confirm the claimant understands that if a sanction is imposed they will not receive any JSA (outside of vulnerable hardship rules), whether they re-engage or not for a period of:

- two weeks for the first sanction;
- four weeks for the second sanction; and
- the first four weeks of any subsequent sanction (26 weeks)

### **ESA Mandatory Work Related Activity Group (WRAG) Sanctions**

- If the claimant does not comply with Work Related Activity (WRA) conditionality without good cause, a sanction may be applied to their benefit; and
- The Work Related Activity Component (WRAC) will be reduced to 50% for the first 4 weeks, increasing to 100% reduction from week 5, until:
  - the claimant engages with the provider and undertakes activity as agreed; or
  - the claimant is no longer required to undertake the activity; or
  - their benefit claim ends.

### **ESA and IB Vulnerable Claimant Safeguard Measures**

74. We must ensure that all ESA mandatory [vulnerable customers](#) are identified and the WPP is notified on the [action plan](#).

## Review/Update JSAG, LMS & Action Plan

75. As information from LMS is transferred to the provider the adviser must ensure that the following are updated:

[JSAG](#)

[LMS](#)

[Action Plan](#)

### JSAG

76. For JSA WP referrals,:

- review and update the claimant's [Jobseeker's Agreement \(JSAG\)](#), ensuring that;
  - only relevant job seeking activities are included; and
  - time bound activities are removed
- ensure that any [restrictions for JSA Lone Parents](#) are recorded on the JSAG or other easements. For example availability during term times ;
- ensure that consideration is given to all groups who can restrict their [availability](#) and record any agreed restrictions on the JSAG. For example Caring Responsibilities;
- confirm on LMS following current procedures; and
- inform the claimant that it is good practice to show their JSAG to the WP Provider

**Note:** Districts that have chosen to just complete a JSAG for JSA claimants and opted not to create an Action Plan as well, will need to make sure that an [Action Plan](#) is created before referring to the WP. This will ensure that essential information from the JSAG is pulled through to the Action Plan and subsequently transferred to the WP Provider

### LMS

77. For all WP referrals:

- update IT systems with any appropriate claimant changes. For example, qualifications;
- check if the claimant has an [incident marker](#) on their record;
- ensure that [ESA Lone parents with a youngest child aged 5](#) and under who has not started school, but has volunteered to attend the WP, has;
  - been recorded in the child details section of LMS; and
  - if the child turns 5 during the two years the claimant will spend on the WP, set a workflow to check if the child has started school and if appropriate notify the provider of any change in [conditionality](#)
- ensure that ESA claimants who are full time carers has been recorded as 'Full Time' in the Carer Marker on LMS; and
- Update LMS conversations with any other relevant information.

### Action Plan

78. For all WP referrals:

- create or update the claimant's action plan from all relevant sources;
- If appropriate amend and confirm the claimant's action plan;
- ensure any accepted "restrictions" are detailed e.g. ESA lone parent / carer availability restrictions;

- ensure if part of a Joint Claim that on the second member's referral you include details of their partner's full name, NiNo and that they are part of a joint claim;
- LMS will present the message: "Does the customer require Safe Guard Measures?" when referring ESA claimants to the WP. If you have identified an ESA WRAG claimant as [vulnerable](#), ensure you answer "Yes". The value (Yes or No) will not be recorded anywhere in LMS but will be transferred as part of the referral information within the PRaP referral;
- remove any sensitive or unsuitable information from the "Free Text Fields";
- confirm with the claimant that it is accurate; and
- notify the WPP that they need to work with the ESF Provider, where one is in place, to ensure effective support for the claimant and ongoing conditionality for ESF.

## Refer Claimant

79. Before making the referral, ensure all claimants and in, particular volunteers:

- clearly understand what has been discussed
- revisit any areas of confusion; and
- have no questions unanswered, or concerns alleviated.

80. If volunteers have any concerns or doubts, delay the referral to allow time for them to reflect and book a follow up JP Non-caseload interview on LMS.

81. Take LMS action as in [LMS R34 Guidance](#) to make the referral to the appropriate provider.

82. For mandatory claimants only, you must issue the appropriate LMS WP Referral Letter.

**Note – Jobcentre Plus is unable to sanction claimants who have been issued with the wrong WP start letter.**

**Note - Following an entitlement or actively seeing employment disallowance or at each new claim the WP05 (WP06) and WP1M must be re-issued to the claimant.**

83. Issue the appropriate WP leaflet to the claimant. [WP1M \(mandatory referral\)](#) and [WP1V \(voluntary referral\)](#)

## Clerical Cases

84. Claimants whose records are maintained clerically must not be referred to the WP Provider via LMS.

85. Complete the 3 page [SL2](#) ensuring that:

- the amount of time the claimant is required to spend with their WP Provider is completed
- the correct claimant group identified
- Refer the claimant to the correct WP Provider ensuring [Market Share](#) is maintained
- attach a copy of the claimants [action plan](#); and agree the content with the claimant before being shared with the provider
- print out a copy of the SL2 form and send all 3 pages with the action plan to the agreed nominated contact in the provider office.



- the PA must take a copy of part 1 of the SL2 so that they have a copy of the WP start date as there will only be a skeleton LMS record for Special Customer Record (SCR) cases.

86. **Note:** If the claimant has a LMS record the nominated person must exit them from the JP Marker within LMS using the exit reason – ‘other’.

87. When the WP Provider nominated contact receives the referral they must:

- return part 1 of the SL2 form to the Jobcentre Plus nominated person to confirm the ‘start’
- return a copy of page 1 to the Provider Payment Validation team to claim the attachment fee

88.

89. For mandatory claimants only, you must issue the appropriate LMS WP Referral Letter.

- for JSA claimants ‘WP’ Start Letter ([JSA WP05](#)), and
- for ESA claimants ‘WP’ Start Letter ([ESA WP06](#))

**Note – Jobcentre Plus is unable to sanction claimants who have been issued with the wrong WP start letter.**

**Note - Following an entitlement or actively seeing employment disallowance or at each new claim the WP05 (WP06) and WP1M must be re-issued to the claimant.**

90. Issue the appropriate WP leaflet to the claimant. [WP1M \(mandatory referral\)](#) and [WP1V \(voluntary referral\)](#)

91. Give ESA, IS and IB claimants a nominated contact and telephone number for someone in the jobcentre if they have any issues. Insert the details in the box on the WP1 leaflets.

92. Give the claimant the provider’s name.

93. All claimants must be given the material produced by the provider, which will explain the provider’s minimum service offer. The adviser must explain what level of service the claimant can expect to help them prepare for their journey on the WP. The provider products and discussion will positively set the scene for the claimant before they start.

94. You must explain the claimant’s rights to complain if they are unhappy with the treatment they receive from the provider during their time on the WP.

95. You should continue to record Other Actions using current functionality. If, exceptionally, you are unable to confirm that the claimant’s JSAg/Action Plan are accurate and up to date, then you must record an ‘Unable to Complete – Mandatory Action’ action before you can end the interview.

96. The adviser must follow the locally agreed process to ensure a smooth referral of the claimant to the WP Provider (**NOTE: this could be contacting them to arrange an appointment etc...**)

97. The adviser must make a final check to ensure that the claimant has been appropriately referred, based on the attributes held on LMS.

**NOTE: This is the last point at which any corrections can be made, to ensure that the claimant’s attributes are correct.**

98. If, after all the checks and having saved the WPR, the adviser has made or thinks they have made, an incorrect referral follow the instructions in the Inappropriate Referral section of the LMS R34 Guidance.



## **Market Share**

99. Market share is the equal number of referrals to each WPP in a Contract Package area (CPA) until 31<sup>st</sup> March 2013.

100. Other than in clerical cases, LMS will ensure that appropriate Market Share is applied when identifying the appropriate referral Opportunity Type.

## **Managing Market Share in Clerical Cases**

101. To effectively manage Market Share, referrals to the WP must be made to the [‘correct’ LMS opportunity](#). For example, the correct claimant group opportunity with the least number of referrals against it, that is, ‘least loaded’

102. The provider is randomly allocated by the system and not determined by the adviser or claimant preference

103. To ensure accurate Market Share, referrals will be monitored:

- by PAs when they make each referral ensuring it is to the least loaded (every referral);
- locally by Jobcentre Plus Offices through QAFs, and other checks, ensuring quality standards are met; and
- at a contract package level by Performance Managers. (monthly)

104. Currently Market Share for the WP, is:

- 50% 50% where there are 2 providers; and
- 33% each where there are 3 providers.

## **Jobcentre Plus checks**

105. The current Adviser [QAF 5](#) has a suitable check under ‘Programmes and Support activity’ that will ensure standards are met.

106. Where referrals are not made following the correct process, corrective action must be taken to ensure PAs understand how to identify the least loaded provider.

## **Provision Management checks**

107. Performance Managers (PM) will monitor for Market Share at payment group. Where a breach is identified the PM will liaise with Third Party Provision Managers (TPPMs) / District Employer and Partnerships Teams who will in turn notify Jobcentre plus to take corrective action.

## **Closing the Work Programme Referral**

108. The adviser must complete a final check that all data is complete and accurate in order to ensure a smooth referral to the provider.

## **Sensitive Cases**

### **Multi Agency Public Protection Arrangements Cases (MAPPA)**

109. Claimants who have been granted [MAPPA](#) status will be referred to the WP Provider via LMS unless the customer is also marked as [‘Special Customer Record’](#).

110. The address field on LMS must be annotated as in the [LMS User Guide](#).

111. The JCP nominated officer must contact the WPP to inform them of the claimants address and determine whether the WPP needs to be made aware

of the restrictions contained in the [MAPPA](#) notification form as instructed in the current [MAPPA](#) guidance.

## **Special Customer Record (SCR)**

112. Claimants who have been granted "[Special Customer Record](#)" status must not be referred to the WP Provider via LMS.

113. Complete the 3 page [SL2](#), ensuring that:

- the amount of time the claimant is required to spend with their WP Provider is completed;
- the correct claimant group identified;
- the claimant is referred to the correct WP Provider, ensuring [Market Share](#) is maintained;
- the content of the [action plan](#) is agreed with the claimant before it is attached to the SL2;
- a copy of the SL2 form is printed and all 3 pages with the action plan are sent to the agreed nominated contact in the provider office;.
- a copy of part 1 of the SL2 is retained. so that a copy of the WP start date is held, as there will only be a skeleton LMS record in these cases.

114. **Note:** If the claimant has a LMS record, the nominated person must exit them from the JP Marker within LMS using the exit reason – 'other'.

115. When the WP Provider nominated contact receives the referral, they must:

- return part 1 of the SL2 form to the Jobcentre Plus nominated person to confirm the 'start'; and
- return a copy of page 1 to the Provider Payment Validation team to claim the attachment fee

## **Joint Claims**

### **Identification of Joint Claim**

116. If you identify that the claimant is part of a joint claim, you must check the LMS record for any JSA conditionality exemptions for their partner.

117. If the partner is not exempt, inform the claimant that their partner will also be referred to the same WP Provider.

118. Book a [WPR](#) for the partner (if not attended at the same time) as soon as practicable.

119. For more information regarding Joint Claims and the Work Programme, see paragraph 108 the [LMS R34 Guidance](#).

### **Joint Claim and JSA Conditionality Exemption applies to partner**

120. If the partner is [exempt](#), inform the claimant that their partner will not be referred to the WP at this stage but that they can volunteer to join.

121. If the partner volunteers for the WP, inform them that their exemption will be reviewed and [follow existing guidance](#)

122. Once the partner's exemption period ends, invite them to attend [an interview](#).

123. From the point the exemption is ended and a further exemption is not requested or granted, the partner will follow the JCP Offer and associated WP eligibility from day one.

124. At the point of their referral to the WP, they must be referred to the same WPP as their partner.

### **Joint Claim Customer Volunteers for Early Access to the WP**

125. If the claimant volunteers to be referred to the WP under the [Early Access](#) provisions and you identify that they are part of a joint claim, contact the claimant's partner (if not attended at the same time) to encourage them to join the WP. They cannot be mandated.

126. If the partner volunteers, arrange a [WPR](#) for the partner (if not attended at the same time) as soon as practicable.

127. If the partner does not volunteer, as the claimant is already on the WP, treat their claims as separate for the purposes of the referral to the WP.

128. At the point of referral to the WP for the partner, they must be referred to the same WPP as the claimant.

### **Lone Parent**

#### **Lone Parent with a youngest child aged 12 or under**

129. The Jobcentre must ensure that a lone parent claimant with a youngest child aged 12 or under is made aware of their right to [restrict their availability to school hours](#)

130. If the right to restrict their availability during school hours is already in place, the age of the youngest child should be confirmed by checking the claimants LMS record. If their LMS record does not include child details, check details on Claimant Information System (CIS) and update LMS.

131. If a JSA claimant chooses to exercise these rights to [restrict their availability to school hours](#), details of the hours and days they are available must be recorded on the JSAG and / or action plan. Also record that these restrictions are because the claimant has exercised this right, as a Lone Parent.

132. If the youngest child is due to reach age 13 during the period of the WP, the claimant should be advised that, from that point, they can no longer restrict their hours to school hours, as a right.

133. For JSA claimants a workflow should be set for the JR before this will occur. At that JR arrange for the lone parent to attend an advisory interview, to review the JSAG, regarding their availability to look for work. See [Change of Circumstances](#) process for notifying the provider.

134. ESA claimants can only be required to undertake Work Related Activity (WRA) during normal school hours. Record details on the Action Plan.

#### **ESA Lone Parent with Child Under 5**

135. At the referral interview, check whether the claimant has any children and if so record details in the Child Details on LMS, unless already recorded. LMS can only hold information in the 'Child Details' screen of up to eight children. If the LP has more than eight children ensure the age of the youngest child is one of the eight recorded. .

136. ESA lone parents cannot be mandated to join the WP until the child attains age 5 and is at school.
137. If the claimant does not volunteer for the WP set an exemption reason on [LMS](#) for when the youngest child turns 5 years.
138. For those ESA Lone Parents who volunteer and whose youngest child will turn 5 during their 104 weeks on the WP, you must [create a work flow to take action prior to the child's 5 birthday](#). Note the information in LMS conversations.

### **No Fixed Abode / Person without Accommodation**

139. For NFA (No Fixed Abode) claimants with a correspondence address, advisers must ensure that -
- the correspondence address given for the NFA claimant will be where the provider can contact them; and
  - if a claimant changes their correspondence address, it is important that they notify JCP immediately, as failure to inform could result in claimant facing a sanction which may affect their benefit
140. If a claimant is a PWA (Person without Accommodation), they do not have a correspondence address. The adviser must inform the claimant that all correspondence will come to the JCP office and they must come and collect it. If they do not attend the JCP office regularly to check if any correspondence from the provider has been received, it could result in the claimant facing a sanction which can affect their benefit.

### **Fail to Attend or Fail to Participate in Work Programme Referral**

141. For JSA claimants who fail to attend their WPR, follow existing [guidance](#). If appropriate, book another [WPR](#) for the claimant.
142. For ESA claimants whose participation on the WP is mandatory and who fail to attend their WPR or fail to participate in the interview, follow [Fail to Attend/Fail to Participate guidance](#). Do not book another NJWFI/WPR or take any further action.
143. There will be no further action required if a voluntary customer fails to attend.