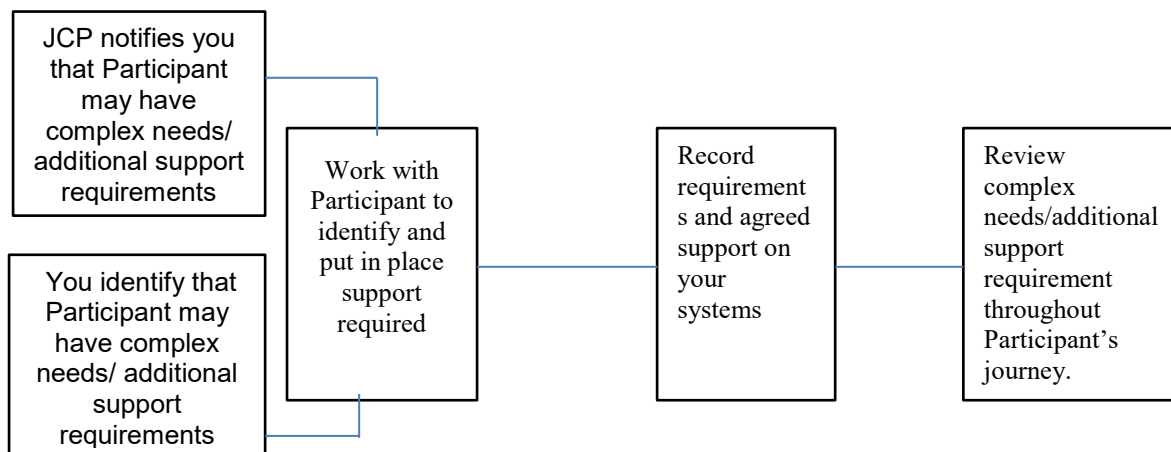


## Chapter 6 –Working with participants with complex needs and /or additional support requirements

### High Level Must Do's



### Introduction

1. The purpose of this chapter is to provide a single dedicated source of information related to working with all participants who have complex needs and/or additional support requirements.
2. Complex needs may be defined as difficult personal circumstances and/or life events. They may be permanent or temporary in nature and the degree to which they affect a Participant will vary from one person to another.
3. The chapter explains the procedures you must follow to enable a Participant with complex needs and/or additional support requirements to access and use Work and Health programme (WHP) provision in a comparable way to other participants.
4. The chapter also provides guidance on taking action, when appropriate, to ensure the safety and well-being of participants with complex needs and/or additional support requirements.

### Disabled participants

5. For disabled participants, you are legally required under the Equality Act 2010 to provide reasonable adjustments. Interaction with the Participant must determine

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what tailored support or reasonable adjustments they require to have equal access to products and services.

### **Actions for providers when Jobcentre Plus notifies you that a Participant has complex needs and/or additional support requirements**

6. Jobcentre Plus may notify you that a Participant has complex needs and/or additional support requirements at different points of the Participant's time on provision. These include;
  - when referring the Participant to provision
  - when notifying you of a change in a Participant's circumstances
  - via a notification from a decision maker following a sanction referral

Please see Detailed background and further information for the DWP approach to identifying and supporting these participants.

### **Notification on referral from Jobcentre Plus**

7. When a Jobcentre Plus Work Coach has identified that a Participant has complex needs/additional support requirements, they will notify you of this as part of the information they send to you to support the referral. You will be notified of this by the inclusion of the wording "May require reasonable adjustment or additional support" in a free text box on the Participant referral. For participants in receipt of Universal Credit Jobcentre Plus will also record information on the form UCPR1 which will be sent to you by unencrypted e-mail on the same day that the PRaP referral is made.

**Please note:** You will need to carry out a number of actions to ensure that you are fully informed as to the customer's complex needs and put in place any reasonable adjustments to enable them to be able to attend and take part in the meeting. This could include interacting with the customer in order to determine what tailored support and reasonable adjustments they will require to have equal access to products and services.

### **Notification following a change in a participant's circumstances**

8. If Jobcentre Plus becomes aware that a Participant has developed complex needs and/or additional support requirements as a result of a change in their circumstances whilst they are on provision with you, they will notify you via a change of circumstances notification by adding the words 'May require reasonable adjustment or additional support' to the change of circumstances notification form.

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9. Please refer to Chapter 10 of WHP Provider Guidance Change of Circumstances and Notifications for details of the change of circumstances notification process.

### **Notification of changes throughout participation on Programme**

10. At any point during a participant's time with you on provision, Jobcentre Plus may notify you that a Participant may require specialist help and/or additional support to:

- Access and use your services for example: using on-line services and/or understanding letters and forms
- Maintain conditionality, for example a Participant may have difficulty understanding a requirement to attend an appointment, undertake an activity or remember what evidence they need to provide)
- Maintain their finances
- Understand information
- Interpret situations
- Make decisions
- Give consent
- Communicate information or their views

This list is not exhaustive

### **Action**

11. The notification from Jobcentre Plus may detail the Participant's specific needs or requirements. It may also simply inform you that a Participant has been identified as having complex needs and/or require additional support without providing any further details of the Participant's specific needs or requirements. In either circumstance, you must ensure that you identify and address the Participant's specific individual needs and support requirements to enable them to participate fully in your provision.

12. This may include;

- Discussing with the Participant (or if appropriate their representative or appointee) any support/reasonable adjustment the Participant requires.

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- Encouraging the Participant to share with you the information and activities agreed as part of their Claimant Commitment or claimant Action Plan along with any information they have from the results of their Work Capability Assessment (WCA).

13. This should provide you with;

- an understanding of the level and type of activities a Participant has previously committed to undertake
- information you may use for comparison purposes following your own assessment of the participants capability
- any adjustments that may have been made for the Participant which you should consider when agreeing activities and participation on the Work and Health programme.

14. Where you are notified that a Participant has complex needs and/or additional support requirements, you should take special care to ensure that the Participant fully understands the benefit to themselves of sharing this information with you, and encourage them to do so.

15. In exceptional circumstances, where the Participant will not share, or does not understand the importance of sharing information regarding their complex needs and/or additional support requirements, you should contact the JCP Gatekeeper (or alternative locally agreed contact) for further information.

16. When the JCP Gatekeeper/local contact is not immediately available to answer your query, they will arrange a suitable alternative time to call you.

17. The discussion with the JCP Gatekeeper/ local contact will focus on factual information based on an individual's limitations and the additional support they may require to;

- Maintain conditionality (e.g. a Participant may have difficulty understanding a requirement to attend an appointment or undertake an activity or remember what evidence it is that they need to provide)
- Maintain their finances
- Understand information
- Interpret situations

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- Make decisions
- Give consent
- Communicate information or their views
- Require specialist help or support
- Any reasonable adjustments that are required and have been made to access and use JCP services (for example, using on-line services or understanding letters and forms)
- Activities agreed as part of their claimant commitment (providing you with an understanding of the level and type of activities a claimant has previously committed to undertake)
- Details of the complex needs and how that affects the claimants ability to use the services

This list is not exhaustive

18. When notified by Jobcentre Plus that a Participant is considered to have complex needs and/or additional support requirements, you must ensure that your interaction with the Participant throughout their time on WHP is informed by their needs and requirements. You must ensure a clear support offer is in place enabling the Participant to access your provision and benefit from it in a comparable way to other participants.
19. You must note on your systems the complex needs and/or additional support requirements that have been identified, and the support or reasonable adjustments that you have agreed with the Participant and put in place. This will form part of your evidence of two-way conversation and action planning. This evidence will be subject to validation and audit, and must be retained in line with ESF document retention.
20. The Department will live-test the process detailed in paragraphs 16 to 18 to between November 17 – January 2018 and conduct a review to determine the effectiveness of this process. This process may therefore change subject to review.

### **Provider identifies that a Participant has complex needs and/or additional support requirements**

21. Throughout the duration of a Participant's time on the Work and Health programme, their circumstances may change.

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22. The Participant is on the Work and Health Programme for up to 639 calendar days. It is important that you continually monitor participants to ascertain if there has been any change in their circumstances or condition that means they may now be considered to have complex needs or additional support requirements.
23. In your meetings and communications with the Participant you should be aware of any signs that may indicate the Participant may have complex needs/ additional support requirements that have not been previously notified to you.
24. A Participant may talk about a life event for example: bereavement or provide information in a conversation that suggests they may have complex personal circumstances. There may be a combination of factors which may indicate that a Participant may require additional support to fully participate in the WHP provision.
25. Individual circumstances that may suggest a Participant has complex needs or requirements for additional support include;
- Mental health conditions
  - Memory loss caused by medication/illness
  - Learning difficulties
  - Reading and writing difficulties
  - Visual impairment
  - Drug or alcohol dependency
  - Domestic violence
  - Criminal convictions

This list is not exhaustive

26. There are indicators which may suggest that an individual requires additional support. The following lists at paragraph 27, 28 and 29 are not exhaustive.
27. When communicating with you, you may notice that the Participant is;
- In distress
  - Not understanding what is being said

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- Giving brief or one word answers
- Upset
- Frustrated
- Giving inappropriate responses which do not answer the question asked
- Continuously avoiding eye contact
- Having difficulty processing or remembering what is being said
- During telephone contact, holding a parallel conversation with someone else who may be their advocate or appointee, suggesting that face to face contact may be preferable.

28. You may notice the following indicators which may suggest that a Participant may have reading and/or writing difficulties, or problems dealing with numbers and language, including

- Being reluctant to complete and read paperwork
- Being unable to navigate telephony or online services
- English is not the Participants first language

29. Certain life events may impact on an individual's ability to fully access your support and use your services, including;

- Adoption - children
- Age - older person
- Age - older person - financial abuse (pensions)
- Age - Young Person - 16 & 17 year olds
- Bereavement, Death - recently bereaved
- Caring responsibilities
- Children - child care
- Children who leave care/over 18 care leavers

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- Crime – Victim of crime, including victims of modern slavery.
- Cultural Barriers, Language barriers – English not their first language
- Debt/indebted
- Divorce/termination of Civil Partnerships
- Domestic Violence and abuse
- Drug and alcohol dependency
- Gender recognition/transgender
- Homeless (person without accommodation, in temporary accommodation, frequent change of address)
- Just Left hospital
- Leaving the Armed Forces, Ex-armed forces personnel and their spouses/partners
- Lone Parent
- SCR (Special Customer Record) and MAPPA individuals (Multi Agency Public Protection Arrangements)
- Offender/ex Offender/ Prisoners/Detainees
- Race - Immigration status/refugee//people arriving from abroad
- Redundancy
- Retirement
- Rural Isolation
- Suicide and/or Self Harm Declaration

30. In addition, you should assess information provided by Jobcentre Plus, including on-going Jobcentre Plus communications notifying you of a change in circumstance and feedback on recent sanction outcome notifications in considering whether a Participant may have complex needs and/or additional support requirements.

31. When you have identified that a Participant may have complex needs/ additional support requirements you must note on your systems the complex needs and/or



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additional support requirements that have been identified, and the additional support or reasonable adjustments that you have put in place and agreed with the Participant. This will form part of your evidence of two-way conversation and action planning. This evidence will be subject to validation and audit, and must be retained in line with ESF (England only) document retention.

32. You must ensure that your interaction with the Participant throughout their time on WHP is informed by their needs and requirements, and, that a clear support offer is in place to enable the Participant to access your provision and benefit from it in a comparable way to other participants.
33. Not all individuals with life events/personal circumstances/ health issues/disability will require support.
34. Individuals may have one or multiple reasons why they require support.
35. Support offered should be tailored to individual needs.
36. It is possible that support will need to be put in place on a short, medium or long term basis, according to a participant's circumstances and requirements and that individuals may move in and out of situations where they do/do not require support.

### **Proactive Disclosure where a Participant has complex needs and or additional support requirements**

37. Participants who have complex needs and/or additional support requirements may be at greater risk of abuse or neglect. They may be unable to take care of themselves or protect themselves against significant harm or exploitation.
38. They may have difficulties dealing with DWP and provider processes which could affect their welfare and well-being and/or that of their family. They may find it difficult to access your services because of, for example;
  - Learning difficulties
  - Physical disabilities
  - Mental illness
  - Age

This list is not exhaustive

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39. It is important you have policies in place which assist in the protection of vulnerable adults from:

- physical abuse
- sexual abuse
- exploitation.

### **Children**

40. For the purposes of this guidance, a child is defined as a person under the age of 18

41. Because of their age all children are classed as having complex needs/additional support requirements.

42. It is important you have policies in place which assist in the protection of children from:

- physical abuse
- sexual abuse
- exploitation.

### **Proactive Disclosure –providing information to third parties without a Participant or individuals consent**

43. If you are satisfied that a child or adult with complex needs/additional support requirements faces clear and significant risks to their welfare or safety, you are explicitly empowered by DWP policy and relevant legislation (where you are acting as a data processor for DWP) to undertake any reasonable steps which you feel are necessary to address these risks.

44. This includes, for example, concerns about:

- Risk of injury
- Ill treatment
- Neglect
- Physical or sexual abuse

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- Exploitation of children or adults. The expectation is that action will be taken without undue delay.

This list is not exhaustive

45. You should volunteer information which is directly relevant to the issue of concern to Social Services or the police as appropriate, with or without the Participant's consent.
46. In the case of a child, such information may be provided without the consent of the parents or guardian if a child's welfare is at risk. You do not have to have to tell the parents or guardian about the disclosure.
47. You should alert your management to any such disclosure.
48. Any information given must be factual or relevant. You should provide the facts of the case and your concerns to the relevant body and only provide personal information such as name and address once they have confirmed they can take the issue forward.
49. On some occasions Social Services may ask you to tell **the** Participant that you have informed Social Services and that they have to disclose the source of allegations made to them. There is, however, no obligation for you to inform the Participant that you have approached Social Services. If you have concerns that disclosure of your details would put your own safety at risk, you do not have to disclose any further details.

### Detailed background and further information

50. DWP may identify some claimants as having complex needs and/or as requiring additional support to enable them to access and use benefits and services.
51. The DWP approach to supporting these claimants is based upon assessment of the impact of life events, personal circumstances, or health conditions on an individual's ability to access and use benefits and services, and addressing these to ensure that their Participant journey is comparable in quality and outcome to that of participants who have no complex needs or additional support requirements.
52. DWP may identify any Participant as having complex needs and/or requiring additional support) depending upon their situation.

53. Because of their age, a Participant who is under 18 is automatically considered to have complex needs and/or require additional support.