Provider sanctionable failure referrals

Summary

How to proceed when a potential sanctionable failure is raised by a provider

Providers such as the Work Programme raise potential sanctionable failures and compliance doubts via email to a designated email inbox or by post to Mail Opening Unit (MOU).

The following forms could be received UC190, UC191, UC192, UC193, UC194, UCDMA02ELR, and UC192ELR.

Provider sends potential sanctionable failure or compliance doubt by email

The account developer (AD) checks the email is from a provider on the approved provider list.

If the email is from a provider not on the approved list, the AD forwards the email to CEP.UCQUERIES@DWP.GSI.GOV.UK and deletes the original email from the designated inbox.

If the email is from a provider on the approved provider list the AD must check if the email is for a Live Service or Full Service claim. To do this the AD:

1. Accesses the claimant's record on the Customer Information System (CIS)
2. Checks if there is Universal Credit interest in the 'Interest history' screen
   - if there is no Universal Credit interest, the AD emails the form back to the provider
   - if there is a Universal Credit interest. the AD checks the office code (for the Live Service the office code 60001 and for the Full Service the office code is 60005)

If the claim is for Full Service the AD forwards the email to: BANGOR.UCSERVICECENTRE@DWP.GSI.GOV.UK and deletes the original email from the designated inbox.

If the claim is for a Live Service claim the AD uploads the form to the Document Repository System (DRS), the original email from the designated inbox and follows the process under the heading 'Action to take when a form has been received' below.

Provider sends potential sanctionable failure or compliance doubt by post

If the provider sends the sanctionable failure by post, the AD receives the following CAMLite task:

- Task type: Scanned correspondence
- Sub Type: White mail STRUCTURED
- SLA: 3 days

The AD must check if the post is for a Live Service or Full Service claim. To do this the AD:

1. Accesses the claimant's record on CIS.
2. Checks if there is Universal Credit interest in the 'Interest history' screen:
   - if there is no Universal Credit interest the AD returns the form back to the provider by post
   - if there is a Universal Credit interest the AD checks the office code (for the Full Service the office code is 60005, for the Live Service the office code is 60001)
   - if the claim is for Full Service the AD forwards the post via email to: BANGOR.UCSERVICECENTRE@DWP.GSI.GOV.UK
   - if the claimant is for a Live Service claim, the AD views the form in DRS, closes the CAMLite task and follows the process under the heading 'Action to take when a form has been received' below

Action to take when a form has been received

If the provider has sent a UC191, UC192, UC193, UCDMA02ELR and UC192ELR. see 'Recording the sanctionable failure on Work Services Platform' below.

If form UC194 has been received See Provider notification of a claimant's compliance or disputed compliance.

If form UC190 has been received the AD books a work related interview for the owning work coach (WC) and uploads the UC190 to DRS. See Booking appointments.

Recording the sanctionable failure on Work Services Platform

The AD identifies the correct sanction level from the AR code list (see Work Services Platform AR Codes) and records the sanctionable failure on the Work Services Platform (WSP). To do this the AD:

1. Selects 'Doubt' from the 'related' menu.
2. Selects the 'Add new doubt' icon.
3. Selects the 'Doubt Type' search button. The AR code automatically populates.
4. Selects 'Doubt Type' from list displayed.
5. Selects the 'From date' and enters the date of failure.
6. Selects the 'To date' if known.
7. Selects the 'Source of doubt'.
8. Selects 'Provider' from list displayed.

To record notes on the sanctionable failure the AD:

1. Selects 'Notes'.
2. Selects 'Add new note'.
3. Populates 'Notes' with the exact wording from the form of the sanctionable failure the name of the form, the method of delivery (post or e-mail) and either

the email or postal address from which it came. This is used to notify the provider of the sanctionable failure outcome.
4. Selects outside the 'Notes' box to save.
5. Records that evidence has been requested by updating the 'Evidence requested' radio button to 'Yes' (this defaults to 'No'). The 'Review date' field automatically sets a date of 5 working days. This can be changed if necessary.
6. Selects 'Save'.

Issuing the good reason notification to the claimant.

The AD identifies the correct good reason gather notification letter relevant to the sanction level:

- Higher Level – UC71
- Low Level – UC72

The AD copies the exact wording of the sanctionable failure from the form, sends to the claimant by post and uploads to DRS.

The AD selects the 'Administration' hyperlink on WSP to identify the owning WC and sets a WSP task for the WC to include 'Provider sanctionable failure raised. Consider any further action'.

The AD creates a CAMLite task with the following details to review the evidence requested.

- Task Type: Generic Clerical
- Sub Type: Action Required
- Start Task From: 10 calendar days from today's date
- SLA: 3 Days
- Notes: 'Sanctionable failure evidence received? AR code, date (dd/mm/yyyy) and brief description of failure, UC**(this depends on what number UC form was issued for example – UC71)'
- Assigned To: UC – Work Services

See Setting a task on Work Services Platform.

Reviewing a task when evidence has been requested

The AD receives the following CAMLite task when evidence has been requested:

- Task Type: Generic Clerical
- Sub Type: Action Required
- SLA: 3 Days
- Notes: 'Sanctionable failure evidence received? AR code, date (dd/mm/yyyy) and brief description of failure'

Or an automated CAMLite task confirming evidence has been received:

- Task Type: Scanned Correspondence
- Sub Type: UC** (this depends on what number UC form was issued for example – UC71)

The AD navigates to DRS to view if evidence has been received. If evidence has been received the AD populates notes in WSP with the evidence provided. See 'Updating WSP' below.

If no evidence has been received and the claimant has no complex needs the AD updates WSP. See 'Updating Work Services Platform' below.

Claimant has complex needs

If a claimant is identified as having complex needs or requires additional support the AD attempts to call the claimant by telephone to gather good reason. See Handling calls.

Claimant with complex needs contacted by telephone

If the claimant can be contacted by telephone, the AD explains that there has been a request for evidence to be provided relating to a sanctionable failure and no evidence has been received to date. This request for evidence would have been requested by letter.

Details of the evidence required are in the notes relating to the sanctionable failure within the claimant record on WSP.

The AD locates the original notification in DRS and reads the details of the identified sanctionable failure and the questions on the good reason gather notification to the claimant.

The AD explains to the claimant that they did not do what their provider asked them to do. When giving information present it in a clear, concise way and ensure the claimant understands what they have been told and what to do next.

If the claimant is unable to understand, the AD should ask if a member of the household is available to help them provide the evidence required. If help is available the AD gathers this information on the call.

Low level sanctions

The AD tells the claimant that their Universal Credit will be reduced for the number of days they haven't done what they were asked to do by their provider, if they cannot show good reason.

To end the open-ended period of a low level sanction, the claimant must complete the original requirement or, where that is no longer possible, another activity that has been agreed with their provider. In the case of this being a failure to attend (FTA) then this would be arranging and attending another appointment

For Low level sanctions, once they have done what they were asked to do by their provider (the claimant has met their compliance condition), a fixed sanction period is added. For claimants aged 18 or over this will be 7, 14 or 28 days depending on the fixed length of any earlier similar sanction that was applied to the claimant's Universal Credit award for a sanctionable failure occurring in the 364 days immediately preceding the latest failure date. The sanction length does not escalate if that earlier failure was within the 13 days preceding the date of the latest (see Escalation table).

Higher level sanctions

The AD tells the claimant there will be a fixed sanction period applied to their payment if they cannot show good reason for the identified sanctionable failure.

For claimants aged 18 or over the sanction will be for 91, 182 or 1095 days. The length will depend on whether there has been any earlier similar sanctionable failure date that resulted in a sanction being applied to their Universal Credit award in the 364 days immediately preceding the latest failure date.

The sanction length does not escalate if that earlier failure was within the 13 days preceding the date of the latest failure. Nor does the period increase if that prior failure occurred before a date of claim to Universal Credit (referred to as pre claim failures)

Recording good reason

The AD gathers good reason whilst in conversation with the claimant and completes the relevant notification with the claimant:

- UC72 (Low Level)
- UC71 (Higher Level)

The AD records the reasons the claimant did not fulfil the work related requirements set out by the provider on the Good Reason Gather notification. They should type the details into the Good Reason Gather notification then copy and paste the reasons into the WSP doubt notes on the claimant record. The agent uploads the good reason gather to DRS. See 'Updating Work Services Platform' (below).

Claimant with complex needs unable to be contacted by telephone

If the claimant is unable to be contacted by telephone, the AD refers the claimant to DWP Visits.

When completing the DWP Visiting Referral Tool, the agent includes their own email address.

When the visiting officer has completed their action the referring agent receives an email from the visiting officer informing them of the outcome.

Upon receipt of the email the agent decides whether it is necessary to continue with the sanctionable failure referral. For example, this could be if the claimant has had a change of circumstances that could mean the requirement is no longer appropriate.

If good reason is gathered by DWP visits this is referred to a decision maker (DM).

The AD updates CAMLite contact history with the action taken.

Updating Work Services Platform

In WSP the AD:

1. Selects 'Doubt' from the common menu.
2. Selects 'Relevant doubt'.
3. Selects 'Notes' to view the evidence requested.
4. Selects 'Add new note'
5. Populates 'Notes' to include including evidence received/ not received, visit requested, call successful or unsuccessful, complex needs considered, extension for evidence reminder for good reason gather issued and any date of compliance.
6. Selects outside the notes box to save.

The AD completes the CAMLite task.

Referring a sanctionable failure to a decision maker

The AD refers the provider sanctionable failure to the DM on WSP whether or not evidence has been received. The AD:

1. Selects the 'Refer doubt'.
2. Selects the calendar drop down from 'Referred on field'.
3. Selects 'Date' (date is todays date).
4. Selects the 'Destination' field and enters 'Decision making' in the free text field.
5. Selects the 'Yes' or 'No' radio button to record whether evidence has been received or not.
6. Selects 'save'.
7. Creates a CAMLite task with the following details for the DM to make a decision:
   o Task Type: Decision Maker Complex
   o Sub Type: Sanction Decision
   o Start Task From: Today's Date
   o SLA: 3 Days
   o Notes: 'AR code, date of sanctionable failure dd/mm/yyyy and brief description' (if the claimant has complex needs, record that these were considered by the AD, also record if the claimant has provided further evidence)
   o Assigned To: UC - DM Complex

   See CAMLite and Work Services Platform notes.