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for Work &
Pensions



Jobseeker's Allowance: Sanctions Early Warning Trial

May 2018

Research Report 955

A report of research carried out by Learning and Work Institute (L&W) on behalf of the Department for Work and Pensions

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Executive summary

In April 2016, the Department for Work and Pensions (DWP) commissioned Learning and Work Institute (L&W) to conduct a qualitative research with DWP and Work Programme (WP) staff who had delivered a Jobseeker's Allowance (JSA) Sanctions Early Warning Trial (SEWT).

The SEWT was delivered in Scottish DWP districts between April and September 2016 and involved 6,500 Claimants. The Trial introduced two main changes to the Sanctions process for Claimants. Following the normal five-day period between a doubt being raised against compliance with a JSA claim, where a decision was taken by a Labour Market Decision Maker (LMDM) to proceed with a Sanction, Claimants would receive:

- An additional 14 days to provide evidence of good reason
- A Sanctions Warning Letter (SWL) requesting Claimants to contact DWP to provide any evidence of good reason against the scheduled Sanction and attached evidence form.

The research was designed to qualitatively evaluate how well the Trial operated and to understand the impacts of the additional time and communications contained in the Trial letter on Claimants taking part in the Trial. The research supported DWP's internal quantitative analysis of Claimants taking part in the Trial.

This report presents all qualitative research findings on:

- DWP and WP staff views on Trial delivery and its implementation.
- Profiles of Claimant barriers and support needs.
- Claimant views of the Trial, their journeys through the process and impacts on responses to the Trial.
- Staff views of the Trial and improvements to processes.
- Overall Trial effectiveness and implications for future Sanctions trials.

Contents

- Acknowledgements 8
- The Authors 9
- Abbreviations..... 10
- Summary 11
 - Introduction..... 11
 - Evaluation aim and methodology 11
 - Findings..... 12
 - Implications of the Trial on DWP staff 12
 - Implementation of the Trial 12
 - Claimant barriers and support needs 12
 - Claimant views of Trial communications 13
 - Staff perceptions of the SEWT 14
 - Trial effectiveness..... 14
 - Key implications 15
- 1 Introduction..... 16
 - 1.1 Background and policy context 16
 - 1.2 Evaluation Aims 17
 - 1.3 Methodology 17
 - 1.3.1 DWP staff interviews 18
 - 1.3.2 Claimant interviews 18
 - 1.3.3 Qualitative data analysis and reporting 20
- 2 JSA Sanctions Early Warning Trial Pathway 21
 - 2.1 Claimant journey 21
 - 2.2 SEWT and DWP staff 23
 - 2.2.1 The WCs’ role in Trial 23
 - 2.2.2 Changes to Labour Market Decision Makers’ roles 25
 - 2.3 Chapter summary 27
- 3 Implementation of the Trial 28

Jobseeker’s Allowance: Sanctions Early Warning Trial

- 3.1 Trial set up, staff training and guidance 28
 - 3.1.1 Work Coach training and guidance 28
 - 3.1.2 Labour Market Decision Makers training and guidance 29
- 3.2 Challenges to Trial implementation 31
 - 3.2.1 Communication between staff 31
 - 3.2.2 Resourcing the Trial process 31
- 3.3 Chapter summary 32
- 4 Claimant response to Sanction referral 33
 - 4.1 Claimant barriers and support needs 33
 - 4.2.1 Low support need group 34
 - 4.2.2 Moderate support need group 34
 - 4.2.3 High support need group 35
 - 4.3 Customer journey and response 35
 - 4.3.1 Response to the Trial 36
 - 4.3.2 Engaged and not Sanctioned 36
 - 4.3.3 Engaged but Sanctioned 37
 - 4.3.4 Non-response to being referred for a Sanction 37
 - 4.4 Chapter summary 38
- 5 Claimant views of Trial communications and capacity to respond 39
 - 5.1 Views on the Sanctions Warning Letter 39
 - 5.1.1 First impressions 39
 - 5.1.2 Tone 40
 - 5.1.3 The grey box 40
 - 5.1.4 Understanding of action required 41
 - 5.1.5 Suggested improvements 41
 - 5.2 DWP communications and support 42
 - 5.2.1 WC and Work Programme advisers 42
 - 5.2.2 Labour Market Decision Makers 43
 - 5.3 Responding to the letter 43
 - 5.4 Claimant views on the 14 day evidence window 44
 - 5.5 Chapter summary 45
- 6 Staff perceptions of the JSA Sanctions Early Warning Trial 46

Jobseeker’s Allowance: Sanctions Early Warning Trial

- 6.1 Views of Trial rationale and aims 46
 - 6.1.1 Impacts on overall Claimant behaviour 46
 - 6.1.2 Views of the Trial letter 47
 - 6.1.3 Views of the additional time and opportunity to provide evidence 48
 - 6.1.4 Quality of Evidence 48
- 6.2 Trial impacts for Claimants 49
 - 6.2.1 Benefitting Claimants 49
 - 6.2.2 Non-benefitting Claimants 50
- 6.3 Improving the SEWT process 51
- 6.4 Chapter summary 52
- 7 Trial effectiveness 53
 - 7.1 Sanction decisions 53
 - 7.2 Trial implementation and design 53
 - 7.2.1 Communication and messaging 54
 - 7.2.2 Providing additional time 54
 - 7.3 Key implications 55
 - 7.3.1 Internal processes 55
 - 7.3.2 Implementation of future trials 55
 - 7.3.3 Improving accessibility of information 55
 - 7.3.4 What works, for whom 56
- Appendix A: Sanctions Warning Letter 57
- Appendix B: DWP prepared journey map 61
- Appendix C: Secondary sample frame and sample characteristics 63
- Appendix D: Research tools 66
- Appendix E: JSA Early Warning Trial Claimant journey 96

List of Tables

Table 1.1 Sample by Sanction decision outcome 19

Table A1.1 63

Table A1.2 63

Table A1.3: Participant housing type 64

Table A1.4: Participant health conditions 64

Table A1.5: Participants claiming ESA at the time of interview
or within recent history (the past two years) 64

Table A1.6: Participants who were refugees 64

Table A1.7: Participant vulnerabilities, including homelessness at the
time of Sanction, drug and alcohol misuse issues and debt 65

Table A1.8: Participants with literacy issues 65

Table A1.9: Participants with ESOL needs 65

Table A1.10: Number of previous Sanctions 65

List of Figures

Figure 2.1 BAU and SEWT decision making process 22

Figure 4.1 Typology of Sanctioned Claimants by barrier and level
of support needs 33

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Abbreviations

BAU	Business As Usual
CAB	Citizens Advice Bureaux
CC	Claimant Commitment
DART	Decision and Automated Referral Toolkit
DM	Decision Maker
DRT	Dispute Resolution Team
DWP	Department for Work and Pensions
ESA	Employment Support Allowance
ESOL	English for Speakers of Other Language
IES	Institute for Employment Studies
JCP	Jobcentre Plus
JSA	Jobseeker's Allowance
LMDM	Labour Market Decision Maker
LMS	Labour Market System
L&W	Learning and Work Institute
SEWT	Sanctions Early Warning Trial
SWL	Sanctions Warning Letter
WC	Work Coach
WP	Work Programme
WPP	Work Programme Providers

Summary

Introduction

This report presents findings from the external qualitative assessment of the Department for Work and Pensions (DWP) Jobseeker's Allowance (JSA) Sanctions Early Warning Trial (SEWT). The research was designed to support DWP's internal quantitative analysis of Claimants taking part in the Trial.

The SEWT was announced by the then Secretary of State in October 2015, in response to the Work and Pensions Select Committee's recommendations to review the JSA Sanctions process¹. The Trial introduced two main changes to the Sanctions process for Claimants. Claimants entered into the Trial would receive:

- An additional 14 days to provide evidence of good reason
- A Sanctions Warning Letter (SWL) requesting Claimants contact DWP to provide any evidence of good reason against the scheduled Sanction and attached evidence form.

At the end of the 14 day period, a decision would be made and notified to the Claimant. All normal reconsideration and appeals processes would be available to the Claimant.

The Trial was delivered in Scottish Districts between April and September 2016 and involved 6,500 Claimants who experienced a Sanction referral in that period.

Evaluation aim and methodology

This evaluation supports an in-house quantitative impact analysis being conducted by DWP looking at the frequency of Sanctions applied where Claimants have evidence of good reason against a raised doubt.

The research underpinning the evaluation involved several qualitative strands to provide a comprehensive view of the SEWT process and impact from the perspectives of Claimants, Work Coaches (WCs) and Labour Market Decision Makers (LMDMs). The research involved 13 interviews with WCs, two interviews with Work Programme Providers (WPP), five interviews with LMDMs and a focus group with the Dispute Resolution Team (DRT). Forty-five in-depth qualitative interviews were carried out with Claimants involved in the Trial. Qualitative research of this nature is designed to capture and present the range and diversity of Claimant and DWP staff views and experiences. Participants were purposely sampled from Trial data provided by DWP. As a non-probabilistic sampling approach, findings from the qualitative research are not statistically representative of the wider JSA Claimant population, and therefore not intended to indicate proportionality or prevalence.

¹ Hansard (2015) Government response to Work and Pensions Select Committee report, Benefit Sanctions policy beyond the Oakley Review: Written statement - HLWS259, accessed at: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2015-10-22/HCWS259>

Findings

Implications of the Trial on DWP staff

The research found variability in how DWP staff were delivering the Trial in practice. The Trial was not believed to effect the WCs' role, though the research found inconsistencies in approaches to raising doubts and supporting Claimants in gathering evidence, with some supporting Claimants more than others. Communication about the Trial itself also differed.

Changes to LMDMs roles were more notable. The change to provide 14 days for Claimants to submit good reason to LMDMs translated to a two-stage process for decision making. The first assessed whether there was sufficient evidence not to Sanction. If there was not sufficient evidence not to Sanction, Claimants were notified of the additional time to provide further evidence of good reason. The second stage of the process occurred at the end of the 14 day period to make a decision following the consideration of any additional information provided by the Claimant. The gap between the stages meant LMDMs often needed to re-familiarise themselves with the case, which most found time intensive.

The Trial did not appear to increase the communication between Claimants and LMDMs. LMDMs did vary in the delivery of the Trial with differences in their responsiveness (e.g. being proactive or reactive to interacting with Claimants) and approach to gathering evidence, with some increasing their use of verbally gathered evidence while others relied on written evidence.

Implementation of the Trial

Most WCs felt that the training and guidance provided met their needs from an operational perspective due to the limited change in their overall role, though some felt it was too 'light-touch' and would have valued more support prior to the Trial implementation. LMDMs also described a mixed picture of their training which varied by length, depth and mode of delivery. Drivers for this variation were multiple, with the length and depth of the training received by LMDMs dependant on the amount of lead-in time before Trial delivery.

Staff also felt that they could have benefited from additional lead-time to prepare and more resources to deliver the Trial, and that guidance could have been more developed to account for existing DWP processes such as hardship payments.

Claimant barriers and support needs

The Claimants interviewed varied widely in terms of education, skills, work history, health, and in the support available to them from family and friends, which impacted on their attitude towards DWP, their ability to manage their claim effectively, and to respond successfully in times of difficulty (including being told about the Sanction).

Claimants were classified within three categories of need:

- Low support needs – typified as being well educated and having substantial employment histories, and they generally had no health conditions, debts, or personal issues. Their main barrier was a lack of awareness of Jobcentre Plus (JCP) processes and regulations, due to little prior experience of this.

Jobseeker's Allowance: Sanctions Early Warning Trial

- Moderate support needs - who often had few or no qualifications, but had no major communication issues. Some had worked in the same job for many years; others had more patchy employment histories. They were aware of JCP regimes and processes, but had less capacity to navigate difficulties.
- High support needs – typically had one or more additional vulnerabilities (for example mental health conditions, learning disability or difficulty, being homeless, etc). They often had sparse work history, with some cycling between JSA and Employment Support Allowance (ESA). Some Claimants proactively engaged with JCP, but they usually lacked the resilience or skills to cope for extended periods, or to do this effectively.

Some Claimants also had complex or cross-cutting barriers to effective engagement (for example, living on a low income which affected their ability to afford getting to subsequent appointments). Others had family issues and recent bereavements, which affected their propensity to engage.

Claimant views of Trial communications

The Sanctions Warning Letter (SWL): When presented with a copy of the Trial letter as part of their interview, most Claimants found it clear in its key message. Those who recalled previously receiving the standard (non-Trial) letter about Sanctions preferred the SWL. Most Claimants grasped the main point of the Trial letter, and what they were being asked to do, though a minority did not understand what the letter asked of them. Claimants' views about the tone of the Trial letter were mixed.

DWP Communication and support: Claimants reported having had both positive and negative experience of support from WCs. At LMDM level there was a more consistent approach, but again, Claimants' experiences were varied. Only one Claimant interviewed had experience of communication with a DRT member, which they regarded as positive. There were also some implementation challenges reported by Claimants, which included letters and evidence going missing, preventing Claimants from getting a consistent experience of the Trial.

Additional 14 days: Most Claimants were happy with the idea and principle of providing an additional 14 days to provide evidence before the Sanction went ahead. Some thought that 14 days might not be sufficient to provide some forms of evidence (for example, written evidence from hospitals, GPs or former employers).

Evidence of good reason: Claimant capacity for providing evidence of good reason was low overall, partly due to not being aware of the range of good reasons against a Sanction. Claimants were not always aware of how to provide evidence and said they had little understanding of their Claimant Commitment (CC).

A number of Claimants were confused about the process of providing evidence; what sort of evidence was needed, and how to provide it to DWP. Claimants with medium or high support needs would have been unlikely to be able to provide compelling evidence without assistance.

Staff perceptions of the SEWT

Most staff felt that Claimants would benefit from the Trial due to the additional time. However, they felt that the Trial letter would not impact on outcomes as Claimants were not told how to provide good reason or evidence, only provided more time and a second chance to do so. LMDMs suggested that better evidence at the doubt raising stage would have a larger effect.

Staff reported that responses to the Trial letter were determined by overall Claimant capacity and had mixed views on how much benefit Claimants would get from additional time to respond. Staff felt that Claimants without good reasons or who had complex and/or additional needs might struggle to engage with the process.

LMDMs felt the Trial process could have been made more distinctive for Claimants. To improve the process, it was suggested that any wider roll-out of the SEWT should ensure that all communications should have consistent messaging and are part of a logical process for Claimants. Resourcing the Trial was a challenge for LMDMs, and it was recommended that future trials would benefit from additional ring-fenced resource and dedicated staff to embed the process and operate it consistently.

Despite a training and communication plan being developed in advance of the Trial implementation, staff reported that training and guidance varied across different staff offices and this impacted on the consistent delivery of the Trial. Findings showed that it was important for WCs to have a good knowledge of the process and benefits of the Trial to facilitate 'buy-in' to the new process.

Regarding the letter, staff felt there needed to be a system to check and ensure Claimants had received the letter, to account for the high levels of Claimants saying they had not received it. In addition to verbally notifying Claimants about the Trial and the process, it was suggested communication be augmented through text alerts.

There was concern that not all Claimants would understand the SWL and some thought the letter could be shorter and include a leaflet to give a broader overview of evidence giving. Also, staff suggested the wording of the Trial letter could be improved following Claimant feedback that it was perceived as threatening.

The additional 14 days to provide evidence was felt to benefit most Claimants. Staff suggested the usual five day period was not always sufficient to obtain evidence (particularly third party written evidence from employers, doctors or other professionals). An extra fortnight could make the difference in getting submissions. In some instances, there would be a need for additional time beyond the 14 days. Gathering employer evidence could be particularly lengthy and therefore additional time to work with employers to resolve cases may be required.

Trial effectiveness

There was support for the intentions underpinning the Trial but in practice it appeared to make little difference to the outcomes Claimants achieved. A consequence of the additional time provided through the Trial was an apparent increase in the resource burden for LMDMs due to the two-stage evidence review process, which they felt was both inefficient and frustrating. **The additional burden and the marginal gain achieved suggests, at least through this qualitative assessment, the Trial is not an effective use of the Department's resource.**

Key implications

Internal processes: While there was no evidence of the Trial impacting on the quality of the evidence submitted by the Claimant post doubt-referral, it was observed that the Trial did appear to have an impact on the quality of evidence initially provided by WCs which provided LMDMs more confidence in their assessments. Reviewing the doubt referral procedures at this initial stage may realise more process efficiencies than achieved through the Trial.

Implementation of future trials: Research participants felt the Trial did not fundamentally change the process. This is important considering the high proportion of Claimants with previous experience of Sanctions, which is likely to shape how the Claimant responds to subsequent Sanctions. Breaking this level of entrenchment may require more active intervention.

Improving accessibility of information: Claimants faced with a possible Sanction would benefit from increased awareness and improved access to clear and timely information about how they can respond. They felt strongly that a free phone number should be provided to contact DWP, as the costs of calls could be prohibitive. It is recommended customer research, including extensive user testing and customer insight, should be used to inform the development and dissemination of communication material such as the SWL.

Tailored and targeted support: Claimants with low skills or capability, or complex needs, would benefit from specific assistance in accessing information and support. The format and channel of official information should be considered with these specific groups in mind, including leveraging local resource; feedback from Claimants who were supported through the Trial process by WCs indicates good practice that could be expanded across the JCP network.

1 Introduction

This report presents the findings from the external evaluation of the Department for Work and Pensions (DWP) Jobseeker's Allowance (JSA) Sanctions Early Warning Trial (SEWT). DWP commissioned Learning and Work Institute (L&W) to conduct qualitative research with JSA Claimants, Jobcentre Plus (JCP) Work Coaches (WCs), Work Programme Providers (WPP), DWP Labour Market Decision Makers (LMDMs) and a Dispute Resolution Team (DRT) involved in the SEWT. The research was designed to support the Department's internal quantitative analysis of Claimants taking part in the Trial.

1.1 Background and policy context

The SEWT was announced by the then Secretary of State for Work and Pensions in October 2015, in response to the Work and Pensions Select Committee's recommendations to review JSA Sanctions process².

Sanctions are an integral part of conditionality within the benefits system. Conditionality requirements are set and agreed between a WC and a Claimant. If a Claimant fails to meet the requirements they have agreed, and fails to provide a good reason for this, they can be referred to a Decision Maker (DM) who will look at the available evidence, request further information if necessary, and decide whether a Sanction is appropriate. If the Claimant disagrees with the decision made, they can ask for the decision to be reconsidered and, if still unsatisfied, can appeal to an independent tribunal.

The SEWT was designed to give JSA Claimants at risk of being Sanctioned an additional opportunity to provide evidence of good reason for not meeting the conditions set out in their Claimant Commitment (CC).

In the usual JSA Sanctions process, Claimants who are considered to have not complied with an element of their CC have a 'doubt' raised by their WC (in JCP) or Work Programme (WP) Adviser (if attending the WP). To give sufficient opportunity to provide evidence, Claimants from the WP would have five working days to submit evidence of good reason. JCP customers would not usually have this unless the customer has not had the opportunity to discuss the possibility of the Sanction prior to the doubt referral. Where evidence of good reason is not provided, or it is not sufficient, a LMDM will decide to Sanction the Claimant. Claimants can seek an explanation or request a Mandatory Reconsideration. A Mandatory Reconsideration notice will be issued to the Claimant and if the Claimant disagrees with the decision outcome, they can appeal to a tribunal.

The Trial introduced two main changes to the JSA Sanctions process for Claimants. At the point of the expiry of the first five days between a doubt being raised and where a Sanction was scheduled to proceed (where a Claimant either has not engaged or provided a good reason for non-compliance), Claimants would receive:

² Hansard (2015) Government response to Work and Pensions Select Committee report, Benefit Sanctions policy beyond the Oakley Review: Written statement - HLWS253, accessed at: <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Lords/2015-10-22/HLWS253/>

Jobseeker's Allowance: Sanctions Early Warning Trial

- An additional 14 days to provide evidence of good reason.
- A JSA Sanctions Warning Letter (SWL) requesting Claimants to contact DWP to provide any evidence of good reason against the scheduled Sanction and attached evidence form.

For LMDMs, at the end of the 14 day period, a decision would be made and any additional evidence provided would be considered. An outcome letter was then sent to Claimants to advise them of the decision. Subsequently, all normal reconsideration and appeals processes would be available to the Claimant.

The purpose of the SEWT was to test the effectiveness of an additional prompt and time-period for Claimants to provide evidence of good reason, following a warning that if they failed to do so their benefits would be at risk of being stopped. The aim of the Trial was to determine whether the notifications and additional time was an improvement to the process and resulted in fewer Sanctions applied where Claimants had evidence of good reason against a raised doubt.

To test the effectiveness of the new process and letter, the Department chose Scotland Work Services Directorate Group to deliver the Trial. All districts within the group participated in the Trial with the exception of the North of Scotland district, which was used as the control. Four national Benefit Centres (in which LMDMs are based) also took part in the Trial.

The Trial was applied to Sanction referrals delivered between April 2016 and September 2016 and involved 6,500 Claimants.

1.2 Evaluation Aims

DWP commissioned L&W following a competitive process to qualitatively evaluate whether the introduction of the SWL and an additional 14 day window to provide evidence improved the Sanctions decision making process. The aims of this study support an in-house quantitative impact analysis. Specifically, this evaluation seeks to qualitatively capture:

- The views of Claimants, WCs and LMDMs on the new process.
- How the SEWT has operated in practice.
- Any implementation challenges.
- The reasons behind any improvements in the quality of the process through fewer appeals and overturned decisions.

1.3 Methodology

This qualitative research was commissioned to support quantitative research conducted by DWP analysts to assess the effectiveness of the SEWT. This research involved several qualitative strands to provide a comprehensive view of the SEWT's process and impact from the perspectives of Claimants, WCs and LMDMs.

The research presented in this report is based on:

- 13 in-depth interviews with WCs.
- Two interviews with WP representatives.

Jobseeker's Allowance: Sanctions Early Warning Trial

- Five interviews with LMDMs.
- One focus group with staff from DRT.
- 45 interviews with Claimants who were part of the Trial.

Prior to the collection of primary data, the evaluation team conducted a desk-based review of relevant documentation related to the SEWT process. These documents included the SWL sent to Claimants who had participated in the Trial (see Appendix A) a process map of the new Trial, and the Trial customer journey (both contained in Appendix B).

1.3.1 DWP staff interviews

In-depth interviews were conducted with LMDMs, WCs and WP staff, and a focus group with staff from the DRT. This research was conducted to explore the different staff views of the Trial aims, implementation and noticeable outcomes. The topic guides used by researchers during these interviews are featured in Appendix D.

First, the evaluation team conducted in-depth qualitative interviews with five LMDMs. Interviews took place in July 2016, lasted between 45-60 minutes and were conducted over the telephone and in person. The interviews explored LMDMs' understanding of the Trial's intentions and objectives; their views concerning process implementation; and impacts to decision-making procedure. LMDMs additionally described the Claimant journey through the Trial process and indicated whether there had been changes to Claimant behaviour, communications or evidence submissions since the Trial's implementation.

Second, in-depth interviews were conducted with 13 WCs based in JCPs where the SEWT was in operation. These interviews were conducted by telephone again lasting between 45-60 minutes. They were completed in July 2016 to explore views after the Trial had been in operation for three to four months. The interviews were designed to explore how the Trial had been implemented in their JCP, changes to their working practices, and how Claimants responded to the new process and SWL. Further interviews were conducted with two WPP staff to explore their understandings of the Trial aims, changes to their working practice, and their views on customer impacts from the Trial.

A one hour focus group was conducted with 11 members of the DRT in August 2016. The focus group explored members' views of the Trial aims, impact on working practice, insight into Claimants' drivers of behaviour and the procedure to deal with Claimant evidence. A focus group method was chosen to maximise the DRT's input efficiently, taking into consideration that some individual members may not have had direct experience of the Trial.

1.3.2 Claimant interviews

Sample and sampling approach

Participants were selected from data collected and delivered by DWP. This data provided a sample of Claimants who had experienced the SEWT. All data was transmitted securely from DWP to L&W. Data received from DWP provided a number of key variables, which formed the initial sampling strategy including Sanction decision outcome, address, age and gender.

Jobseeker’s Allowance: Sanctions Early Warning Trial

To maximise response rates, all Claimants in the data sample were sent a letter explaining what the research study was about (see Appendix D). All interview participants were issued a £20 Love2Shop voucher as a thank you for their participation. Claimants were provided a two-week period within which the recipient could reply to either proactively opt in to the research, or opt out of being contacted.

From the potential sample of 553 participants, 23 people opted not to be contacted. As interviews were intended to be conducted in person, at a location convenient to the research participant, the research team stratified Claimants by area.

Table 1.1: Sample by Sanction decision outcome

Decision outcome	Number of qualitative interviews achieved	Percentage of interviews achieved	Percentage in DWP sample data
Sanctioned	27	60%	69%
Not Sanctioned	9	20%	13% ³
Reserved⁴	9	20%	18%

A primary sample frame based on Sanction decision outcome, gender and age was developed. The sampling approach was taken to oversample Claimants who were not ultimately Sanctioned to identify the drivers of behaviour which led these respondents to engage successfully with the Trial process. Table 1.1 shows the proportions of achieved interviews by the Sanction decision outcome in comparison with the sample provided by DWP.

A substantial proportion of the Claimants indicated that they had a communication barrier 16 said they had literacy issues (including dyslexia), and seven who required English for Speakers of Other Language (ESOL) support.

Twenty-one Claimants had not received a Sanction prior to the Trial, while 22 had previously been Sanctioned one or more times. Two did not know how many times they had been Sanctioned.

A more detailed breakdown of respondent characteristics can be found in Appendix C.

Conduct of interviews

The discussion was directed by a topic guide which explored the participants’ views and experiences of the SEWT.

The interviews involved in-depth probing which was responsive to the individual participants’ contexts and experiences but consistently covered the process of events leading to and during their participation in the Trial. Participant interviews aimed to explore a number of areas related to the participant experience of the SEWT.

³ This figure is comprised of eight percent allowed Sanctions and five percent cancelled Sanctions

⁴ A reserved Sanction is recorded where the Claimant is no longer on benefit (e.g. has stopped claiming) so cannot be Sanctioned, but the Sanction would have applied had they remained on benefit.

Jobseeker's Allowance: Sanctions Early Warning Trial

Claimant interviews were conducted between September and October 2016. The interviews typically lasted one hour. The majority of interviews were conducted face-to-face in participants' homes or a convenient public place such as a library or café. Six interviews were conducted over the telephone and 39 conducted face-to-face.

All interviews were recorded on encrypted digital recorders, with the participant's consent, and transcribed verbatim for detailed analysis.

1.3.3 Qualitative data analysis and reporting

Interview data was analysed using a Framework methodology. Key topics and issues emerging from the data were identified through researcher debrief sessions which were structured around the objectives of the research. From this, the research team devised thematic charts into which the interview data was entered. Summarising the data in this way ensured it was both grounded in the Claimants' accounts and remained oriented to the research objectives to assess Claimant experiences of the Trial.

As outlined above, the evaluation involved several qualitative strands including a focus group with staff from DRT and in-depth interviews with WCs, LMDMs and Claimants.

These elements were designed to capture and present the range and diversity of Claimant's experiences and views of the DWP staff involved. The sample was not intended to be statistically representative of the wider JSA Claimant population, therefore the research is not intended to indicate proportionality or prevalence.

2 JSA Sanctions Early Warning Trial Pathway

This chapter sets out how the Sanctions Early Warning Trial (SEWT) operated in practice. It first highlights the Claimant's journey through the Sanctions process being tested. It then explores how the process has changed for Department for Work and Pensions (DWP) staff, including how their roles and responsibilities have altered to accommodate the process.

2.1 Claimant journey

The research comprehensively explored the Claimant's journey through the Trial, reflecting on each stage. A full Claimant journey is presented in Appendix E, which describes the pathways available once engaged in the SEWT and includes a description of the usual appeal routes available outside of the Trial. The Trial included Sanctions cases where a Claimant may have had evidence of good reason for non-compliance with their Claimant Commitment (CC). These types of Sanction included failing to attend an appointment, leaving work voluntarily or not being available to work.

Doubt raising and referral

Where a Claimant had not fulfilled the requirements of their CC a doubt was raised for non-compliance by their Work Coach (WC) or Work Programme (WP) Adviser. At this point of doubt-raising, verbal evidence could be collected from the Claimant (by phone or in person) outlining reasons for non-compliance.

For Claimants attending Jobcentre Plus (JCP), a WC could review verbally given evidence and make a decision on whether the doubt referral should proceed and be referred to the Labour Market Decision Maker (LMDM) team. In some cases, collecting verbal evidence from a Claimant was not possible and the doubt would be sent straight to the LMDM team. All doubts raised by the Work Programme Providers (WPP) were required to be sent to the LMDM teams.

LMDMs reviewed the initial doubt referral. Where Claimants had not had an opportunity to provide evidence or where the LMDM felt that they did not have enough evidence to make a decision, they would have five days to request additional information from staff or Claimants.

Where initial reasons given by the Claimant are considered sufficient by a Decision Maker (DM) to allow an easement, the Sanction would not proceed. Where Claimant reasons were not sufficient to warrant an easement a LMDM would make a decision to Sanction. Where reasons were not considered sufficient for an allowance, the Sanction was marked with a Trial reference and sent to a LMDM for a second review.

Decision Making

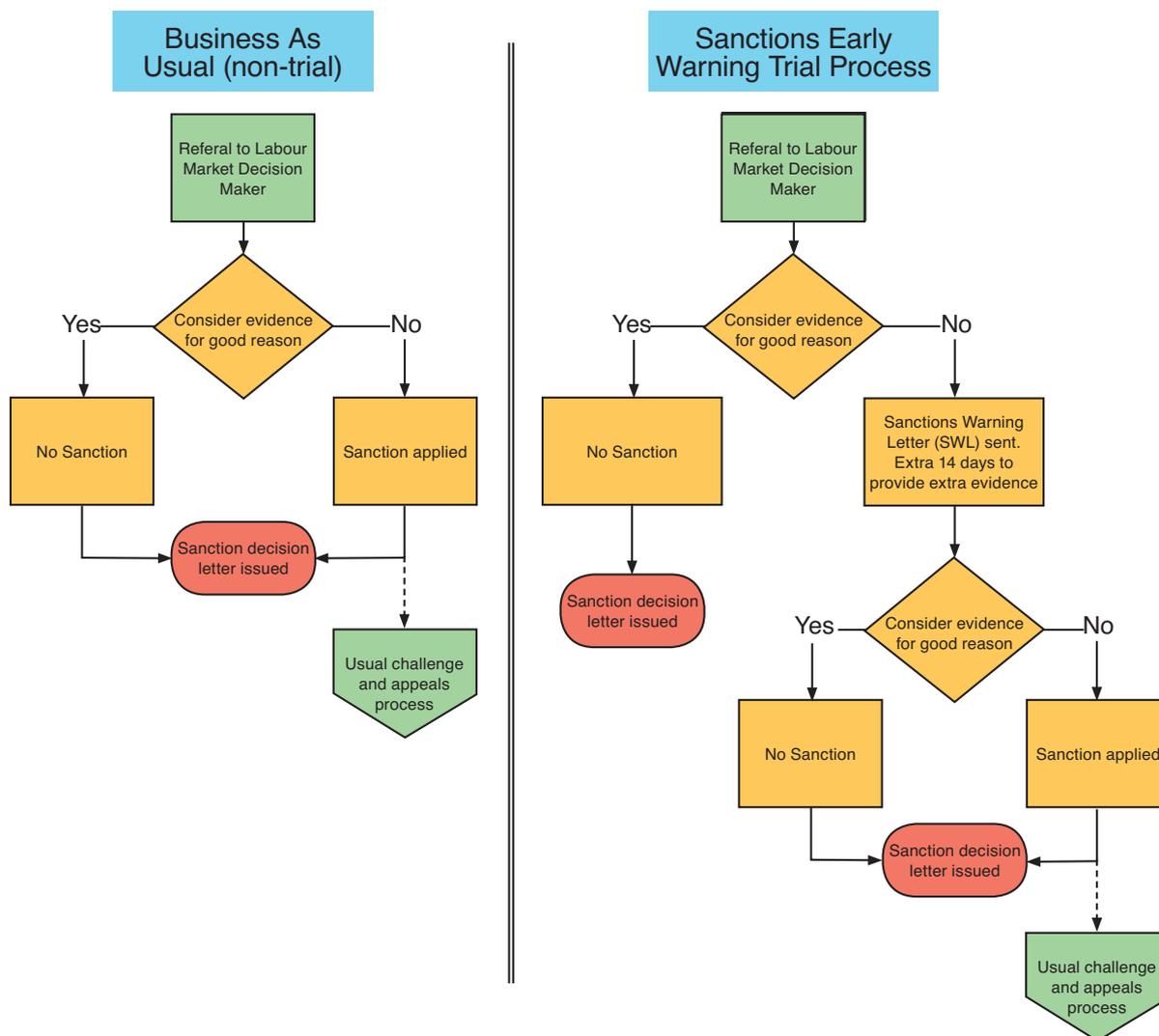
Once LMDM teams had sufficient information to make a decision on a Sanction they followed the normal five-day process of making a decision. If at this point, it was decided a Sanction was not appropriate, it would be cancelled or allowed

Jobseeker’s Allowance: Sanctions Early Warning Trial

and the Claimant informed. If the doubt remained, the new Trial process would be implemented. The Sanction decision would be marked on Labour Market System (LMS) with a Trial reference number and the Claimant was sent a Sanctions Warning Letter (SWL) outlining an additional 14 days to provide evidence of good reason. LMDMs would then respond to any evidence presented by Claimants (written or oral) and respond to calls made to the hotline number on the Trial letter. The LMDM would make a decision after the 14 days and the outcome would either be to allow or cancel, or continue to Sanction and the Claimant would be informed.

Figure 2.1 (below), contrasts the SEWT against the Business As Usual (BAU) process. The figure highlights the potential extended decision making process in the Trial, to provide Claimants a further opportunity to provide evidence when compared to the BAU process.

Figure 2.1 BAU and SEWT decision making process



2.2 SEWT and DWP staff

The research found variability in how DWP staff delivered the Trial, suggesting that the process was being unevenly applied to Claimants across the Trial area. In particular, WCs appeared not to be applying consistent approaches to raising doubts and took different approaches with Claimants in gathering evidence, with some supporting Claimants more than others. They were also found to communicate the Trial differently with some actively informing Claimants of the Trial while others did not. LMDMs were also found to vary in their delivery of the Trial process, with some increasing their use of verbally gathered evidence (by phone) or others relying on written evidence due to a lack of time.

2.2.1 The WCs' role in Trial

Most WCs felt that there was not a large change to their role during the delivery of the SEWT which was consistent with their training.

'From our point of view there wasn't much that we had to [do]. The only thing we had to do was make sure we put Scotland on the referral so the Labour Market Decision Maker was aware the referral was coming from Scotland and therefore would include it in the Trial. There's no difference in the referral process.'

(WC)

Evidence gathering for a doubt

The research found that there were mixed views among WCs about how far they should support or avoid 'leading' Claimants who had a doubt raised against them.

A minority of WCs had appraised Claimants about what constituted a good reason and informed them of the evidence to provide. This was communicated proactively and built in as part of their discussion with Claimants about conditionality. These WCs felt that conditionality should be discussed in practical terms and gave Claimants examples for accepted reasons and how to evidence these.

'I usually go through and explain the reasons. Obviously, a good reason would be if you were unwell and couldn't make the appointment, or if you had a job interview that clashed at the same time.'

(WC)

Most WCs felt it would be inappropriate to supply Claimants with specific examples of good reasons as it could undermine the Sanctions process and incentivise Claimants to be dishonest. Some WCs felt that it was their role to 'draw out' good reasons from the Claimant rather than ensuring Claimants understood good reason independently. These WCs felt that building a good relationship based on trust and understanding was a vital component of their ability to draw out good reason.

'You're trying to draw out, to give the Claimant opportunity to tell you all the things they have done, maybe things done forgotten about, haven't told us about. Give them the opportunity to think about that...you're not feeding the person, you're trying to draw out exactly what they've done, so that when referral does go to the Labour Market Decision Maker it is as robust as it possibly can be.'

(WC)

Jobseeker's Allowance: Sanctions Early Warning Trial

Other WCs felt that it was not their role to provide good reason to Claimants, or adopt an approach which could 'lead' them to provide good reason. These WCs would not adopt a coaching approach and were more rigid in sticking to the provided questions in the checklist. When Claimants asked for advice, the response was that they were not able to coach them on the particulars but to simply 'be honest' with them. WCs felt this approach was the only way to get the true story from the Claimant and that good reason existed without their input.

'All we can do is we ask the questions and we write down what they say. You could easily lead somebody, the whole point is you can't lead people. You've got to let them tell you, make sure that what they say is recorded correctly. As soon as you start leading them then maybe it doesn't actually at the end, sound like what it started off as.'

(WC)

Communicating the SEWT process to Claimants

There was a mix of responses in how the Trial was communicated by WCs to Claimants. WCs did not appear to know the extent of their role regarding informing Claimants of the Trial or level of intervention they should take in the process.

A few WCs reported that the introduction of the SEWT had resulted in increased and more proactive communications with Claimants about the Trial itself and the Sanctions process more widely.

The WCs who did inform Claimants of the Trial changes described a more in-depth approach of explaining the Sanctions process, informing Claimants of what to expect and advising them on the importance of engaging with LMDMs. The extended period was highlighted as an advantage to Claimants by these WCs.

Most WCs did not explicitly highlight to Claimants that there was additional time available for them to communicate with LMDMs. However, some still found that their communications with Claimants had increased since the Trial for a variety of reasons. One WC actively chose not to communicate to Claimants about the Trial changes of additional time or the referral to LMDMs as they wanted to maintain discretion about where decisions were being made. For this WC, the referral of all doubts to LMDMs was the main Trial change to process. They also reported that since the Trial they made sure that they notified the Claimant about the Sanction outcome. Another WC mentioned that they were proactive in mentioning hardship payments since the Trial started, but had not done so previously. These examples highlight changed communications because of smaller Trial changes to decision making and process, rather than the main Trial change of extended time to provide good reason.

Since the implementation of the Trial, some WCs had ensured that they proactively communicated the need for customers to engage with LMDMs. These WCs felt that the SWL may not drive Claimant behaviour alone, and that it was essential that JCP staff verbally communicated the trial implications and encouraged claimants to engage by:

'manag[ing] the customers' expectations in terms of length of time for the decisions to be made and to make customers aware of the process and what will happen in terms of letters they can expect to receive, [and] how it's important for them to follow that up'

(WC)

Jobseeker's Allowance: Sanctions Early Warning Trial

Other WCs reported no change to the communications they had with Claimants during the Trial. These were typically those WCs who had been informed that there was no change to their normal processes. They therefore did not think that it was necessary to inform Claimants of the Trial or sell its benefits.

There was evidence of some WCs actively not highlighting the additional 14 days to Claimants as a Trial, or explaining the difference between the SEWT and the usual process. WCs often reported presenting the 14 days as part of a general process, rather than a Trial.

Most WCs felt that the Trial did not impact their relationship with LMDMs as there were no changes to the quantity or quality of communication between them. There was some evidence that interaction between WCs and LMDMs had increased, but this was not observed by all and where it was, the extent to which it had increased varied. Where interactions had increased, WCs reported contacting LMDMs more frequently to get clarification over the new process or to check queries from Claimants with them.

2.2.2 Changes to Labour Market Decision Makers' roles

LMDM teams reported a greater change to their daily roles in delivering the Trial. The SEWT introduced several changes which impacted the LMDM's roles. LMDMs did not find this impacted too much on their working practice, but several did draw attention to Claimants who were straightforward Sanctions cases being left in a two-week limbo and some felt that this change made WCs increasingly removed from the Sanctions process.

Changes to the decision-making process

The largest changes to the LMDM role resulted from sending out the SWL to Claimants and the extended time for Claimants to submit good reason for non-compliance.

The change to provide 14 days for Claimants to submit good reason to LMDMs was described by LMDMs as a two-stage decision making process in practice. The first stage assessed whether there was sufficient evidence not to Sanction. If there was not sufficient evidence to Sanction, Claimants were notified of the additional time to provide further evidence of good reason. The second stage of the process occurred at the end of the 14 day period following the consideration of any additional evidence provided by the Claimant. LMDMs commented that they needed to familiarise themselves with the case and therefore had to look over cases twice, which most found time intensive. This was exacerbated when staff sickness, turnover or absence required cases to be re-examined by a different LMDM.

'If you're the one who handled it in the first place then you tend to remember ... if you haven't dealt with that case in the first instance, then when you come to actually make the decision, you literally have to start that case again, you've got to go through and read every single piece of information there, to give the decision.'

(LMDM)

For some, the additional two-week period made recalling the details of a case difficult, and therefore necessitated additional notation and effort at the first stage as well as a detailed review of the case at the second stage. This was overall felt to be inefficient.

Jobseeker's Allowance: Sanctions Early Warning Trial

The SWL had to be adapted, printed and sent out to Claimants by LMDMs. Some LMDMs found the Trial letter considerably more labour intensive than their usual process due to system issues complicating simple tasks. One LMDM took half a day to set up the Trial letter to print and several noted that the inability to copy and paste from their existing system meant that addresses and reasons had to be manually updated on the Trial letter each time.

The combination of the changes to the decision-making process and manually updating letter fields had a detrimental impact on LMDM productivity and in some cases resulted in a backlog of cases.

'We're doing it as well as we can. It's just taking extra time, it's just slowing the process down, so we're not getting the productivity that we did before. Whereas I could do 40 failed to attend cases, I'm only doing probably 20 now.'

(LMDM)

Labour Market Decision Maker communications with Claimants

Overall, LMDMs reported that they did not feel that communications with Claimants had increased during the SEWT compared to the normal process. LMDMs did not feel under any more pressure from increased time spent communicating with Claimants through the Trial. This was attributed to low Claimant responses to the SWL. Some LMDMs found this surprising as they had expected more Claimants to respond to the Trial letter.

Most LMDMs were not actively communicating the new Trial process in their communications with Claimants and were relying on the letter to explain the Trial. Where the Trial was discussed, it was generally initiated by Claimants themselves who had noticed the change to the usual process. LMDMs reflected that the Claimants who raised the issue and noticed the difference that the Trial had brought in, tended to be Claimants who had been Sanctioned before and engaged with the process at LMDM level previously.

Evidence gathering from Claimants

There were a range of clear differences between individual LMDMs in how, when and the mode with which they communicated with Claimants and gathered evidence. Some LMDMs reported increased telephone communication with Claimants and felt collecting evidence this way was more effective than written evidence as they could probe Claimants for their reasons.

While one LMDM reported proactively attempting to call all Claimants during the 14 day period to check if they had any additional evidence to provide, for most the pressure to effectively manage their caseload prevented them from doing likewise. This meant they relied on written evidence submitted, as a more efficient (though less effective) mode of obtaining evidence.

LMDMs sometimes used a targeted approach to calling Claimants during the additional time if they felt that the Claimant potentially had good reason worth exploring further. This interaction would involve capturing verbal evidence from Claimants. LMDMs would not inform the Claimant what good reason was, or whether their reason was a good reason at this point, and would wait until the end of the Trial period and apply the Sanction.

The process of gathering evidence from Claimants with a vulnerability could be variable. One LMDM reported that there was not a specific procedure for dealing with vulnerable Claimants and they had to use normal practice.

Jobseeker's Allowance: Sanctions Early Warning Trial

LMDM communications seemed to favour the Claimants with additional understanding of the system and ones who proactively called in to give evidence or ask questions about the Trial. Most LMDMs felt that the ability to interact over the phone led to more favourable outcomes for Claimants generally.

2.3 Chapter summary

The research found variation in how WCs and LMDMs approached supporting the Trial. It therefore follows that Claimants would be likely to have different experiences, depending on who they were supported by or engaged with. LMDMs varied in the extent to which they changed their approach for the Trial, with some being more proactive in following up evidence, while others relied on Claimants' written submissions.

3 Implementation of the Trial

This chapter explores the development and operation of the Jobseeker's Allowance (JSA) Sanctions Early Warning Trial (SEWT). It covers Trial set up, staff training and guidance, and implementation challenges and issues.

3.1 Trial set up, staff training and guidance

3.1.1 Work Coach training and guidance

Methods used in training

Work Coaches (WCs) were informed about the Trial either through a staff briefing, written communication, or a combination of both which included: a Manager's brief five weeks before the Trial to share with colleagues, a Your Call (a call hosted by senior managers about a specific theme to share experiences and ask questions), and an Operations Line Manager's Update. Feedback from WCs interviewed suggested that meetings were variable in depth and content. Some sessions were very brief and did not fully explain the Trial rationale while others included presentations with explanation of the Trial aims, process and implications.

Further to these, links to the intranet Trial page, guidance, colleague briefing and lines to take were sent out to staff two weeks in advance of the Trial.⁵ Written guidance explaining the Trial could be sent by email or made accessible through the intranet HUB for WCs to read independently. However, some WCs reported that they had not been sent or signposted to any form of written guidance detailing the Trial aims and process. Written guidance could be provided as an additional information resource following a staff briefing, but sometimes formed the only information WCs received.

Views of the training and guidance

WCs gave mixed views on the level of training and guidance provided. Where received, the written guidance was generally described positively by WCs as clear, straightforward and useful. They explained the new process step-by-step and included background information about the Trial, including the rationale for why it had been introduced.

Most WCs felt that the guidance met their needs from an operational perspective due to the limited change in their role. The guidance had specified just two changes during the Trial: the requirement to mark their referrals as part of a Trial, and the referral of **all** doubts to Labour Market Decision Makers (LMDMs). There was no mention specifically of other changes to the doubt referral process, or guidance about how WCs should communicate with Claimants during the Trial.

⁵ Some detail about the training offered was provided by the Department post fieldwork.

Jobseeker's Allowance: Sanctions Early Warning Trial

A dissenting opinion among WCs was that the guidance received was too light-touch and they would have valued more support prior to the Trial implementation. It was suggested that a more participatory 'master class' approach to work through practical examples of the Trial, reflect and ask questions with other advisers would have been useful.

Additional training and guidance needs

Several of the WCs did not highlight any additional training needs due to the view that the Trial would only include a minimal change to their role. In contrast, the majority of WCs felt that the training did not adequately prepare them for the Trial and delivering its aims, identifying a range of additional training needs to facilitate the Trial, including:

- **Communication with Claimants about the Trial:** Training and guidance related to how WCs should communicate with Claimants during the Trial would also have been useful, as some WCs reported feeling unprepared to support Claimant queries with the Trial letter or its instructions to provide evidence.
- **The JSA Sanctions Warning Letter (SWL) and evidence:** Some WCs felt that they could have benefitted from some additional information on the Trial letter and how to support Claimants with the instructions. Claimants who did not understand the Trial letter or the evidence requirements often sought their WC's advice. WCs were not shown the Trial letter in their training, or updated on evidence requirements for Claimants to demonstrate good reason. WCs suggested that information on evidence requirements would enable them to better support their Claimants during the Trial.

3.1.2 Labour Market Decision Makers training and guidance

Training and guidance process

LMDMs also described a mixed picture of their training which varied by length, depth and mode of delivery. Drivers for this variation were multiple and included lead-in time between being notified of the Trial and its going live, the ability to draw on the experience of other sites that were already implementing the Trial process, and local capacity issues to process the cases under the Trial process. Some LMDMs reported minimal training which involved an introduction to the Trial and its aims sent through an email or a ten-minute telephone meeting alongside information available on the intranet. The intranet information contained basic instructions, a process map and a copy of the SWL.

Other LMDMs reported several telephone meetings and visits to sites which had implemented the Trial to upskill on necessary processes such as the production of the Trial letter. One LMDM completed test cases in the weeks prior to the Trial to test the Trial implementation. These centres benefitted from practical expertise of the new decision making process delivered by other LMDMs who had adjusted to the Trial.

'We had enough time to get things sorted it wasn't thrust upon us straightaway. We had various telekits and preparation prior to the Trial commencing... We had a couple of weeks beforehand... doing test cases.'

(LMDM)

Jobseeker's Allowance: Sanctions Early Warning Trial

The length and depth of the training received by LMDMs depended on the amount of lead-in time before Trial delivery. The more intensive training with site visits and the opportunity to practice test cases was conducted some weeks prior to the Trial implementation. In contrast, the shorter tele-conferenced or emailed instructions were delivered to LMDMs who had a matter of days to prepare for the Trial.

'On the Thursday or Friday they said, 'Oh actually, it's starting on Monday.' ... all we had to go on was the information that was on the intranet... only basic information we had to start the Trial.'

(LMDM)

LMDMs who were drafted on to the Trial to assist with the backlog of cases and interviewed as part of this research did not recall receiving any tele-kits or meetings and relied on the intranet instructions and the support of their colleagues to assist them with the implementation of the Trial.

Views of the training and guidance provided

LMDMs gave mixed views on the level and content of training provided, depending on the type of guidance they received. Some were unsatisfied with the training and guidance provided prior to the Trial implementation and concerned with the short timescale to prepare. One LMDM who received guidance by email commented that this format of training does not work well for time-pressed LMDMs, and that there needed to be a defined time to understand the guidance.

'It would be okay if we just did have the time before the pilot started to be able to read it but... primarily we're Labour Market Decision Makers, we've got [time pressures] and we have to meet ... so we don't really get time out.'

(LMDM)

When LMDMs were given written instructions, a process map and a copy of the Trial letter, they felt this information was too basic and that it was left to them to work out the specifics of how it could be implemented in practice and fit with their existing systems. Similarly, they felt that the content of their ten-minute telephone briefing was not adequate, as it explored the background to the Trial but did not explain in detail how the process could work in practice, including information about the challenges they were likely to encounter. These LMDMs met their additional guidance needs through consulting with their colleagues rather than the individuals providing the training.

Where LMDMs received training and support from sites that had already implemented the Trial, the training was well regarded as they could learn from and discuss issues with staff who had operational experience of the Trial, and continue to seek their assistance throughout the Trial.

Additional training or guidance needs

LMDMs who were able to learn from other sites who had implemented the Trial did not identify any gaps in their training and felt they were adequately prepared and supported for the Trial implementation. However, the LMDMs who did not have site visits felt it was important to build in time for training, and for this training to

have a practical focus. These LMDMs felt that the training needed to involve their perspectives and provide the opportunity to discuss and question the impact of the Trial on their processes.

3.2 Challenges to Trial implementation

A range of challenges were encountered in the implementation of the Trial. The key challenges identified included:

3.2.1 Communication between staff

A lack of communication between WCs, LMDMs and staff at the Contact Centre emerged as a key challenge. WCs described the Trial process as not transparent, as it was difficult to follow the progress of a referral for Claimants once it had been received by LMDMs.

'You send off the referral you don't really know what's happening until the decision comes back in'.

(WC).

This made it difficult for WCs to reliably update Claimants on the Sanctions process and their individual situation.

There were a number of implications flowing from this. First, it made it difficult for WCs to determine when critical discussions (such as those about the Trial letter and hardship payments) should be carried out. WCs were also unable to update Claimants if there had been a failure in the process; examples provided by WCs included process delays of up to five weeks before decisions were made, which WCs found frustrating.

LMDMs raised concerns that Benefit Centre staff were not aware of the Trial and were communicating incorrect information to the Claimants they were in contact with. LMDMs also reported that there were WCs who did not appear to be aware of the Trial, who would call to ask about why their decision time had been extended. LMDMs were concerned about the impact on the Trial due to misinformation from the Benefit Centre or their WC affecting Claimants' participation on the Trial.

3.2.2 Resourcing the Trial process

LMDMs generally felt that they were under-resourced to implement the Trial. There were instances described by LMDMs where Trial changes severely reduced productivity and resulted in a large backlog of cases. When other LMDMs would be enlisted to help with this, there were issues around knowledge of processes due to a lack of training and guidance. Conversely, there were reports of LMDMs being taken off the Trial to assist with different priorities. LMDMs felt that it was vital to resource the Trial adequately and consistently with dedicated ring-fenced personnel to ensure smoother implementation of the Trial.

LMDMs reported resource implications of making phone calls back to Claimants as contact numbers were often unreliable and difficulties in getting Claimants to answer the telephone due to their 'unknown number' status. The time spent on the phone could not be easily predicted. LMDMs reported telephone calls exceeding 20 minutes, significantly impacting on LMDMs' time.

Jobseeker's Allowance: Sanctions Early Warning Trial

The Trial system was not integrated within usual systems. The lack of integration meant that the Trial letter and administrative database required manual editing as data would not be automatically updated and simple system tools, such as the copy and paste functionality, did not work. This resulted in additional burden to LMDMs' workload.

The Trial process was felt by some LMDMs to be 'tagged on' to the end of the normal process. Under the normal process, the JCP can issue a letter detailing that there is a doubt on their claim and invite the Claimant to give reason. As a consequence, they felt that the SEWT potentially duplicates this approach, which prevents Claimant engagement with LMDMs as they view the Trial letter as a duplicate and ignore it.

'Some people would maybe not even understand what to send because their view would be 'well I told the Work Coach why I didn't come...why are you asking me again?''

(LMDM)

3.3 Chapter summary

WCs described a mixed picture of the training and guidance they received prior to the Trial. Most felt that the guidance met their needs from an operational perspective due to the limited change in their overall role. Others, however felt the guidance they received was too light-touch and would have valued more support prior to the Trial implementation.

LMDMs also described a mixed picture of their training which varied by length, depth and mode of delivery. Drivers for this variation were multiple with the length and depth of the training received by LMDMs dependant on the amount of lead-in time before Trial delivery. More intensive forms of training involved site visits and the opportunity to practice test cases prior to the Trial implementation. In contrast, the shorter tele-conferenced or emailed instructions were delivered to LMDMs who had a matter of days to prepare for the Trial. Feedback from LMDMs was also influenced by the depth of the training received, with those receiving more intensive training reporting fewer gaps in the training, which contrasted strongly against those who received more limited training. This latter group felt it was important to build in time for training, and for this training to have a practical focus.

Staff reported a number of implementation challenges including a lack of communication between staff working on different stages of the decision-making process and a lack of feedback on Claimant outcomes. Staff also felt that they could have benefited from additional lead-time to prepare and more resources to deliver the Trial effectively. Staff also felt that guidance could have been more developed for the Trial process, in order to ensure that any conflicting processes could be better managed and allow staff to have greater clarity over the full Claimant journey through the Trial.

4 Claimant response to Sanction referral

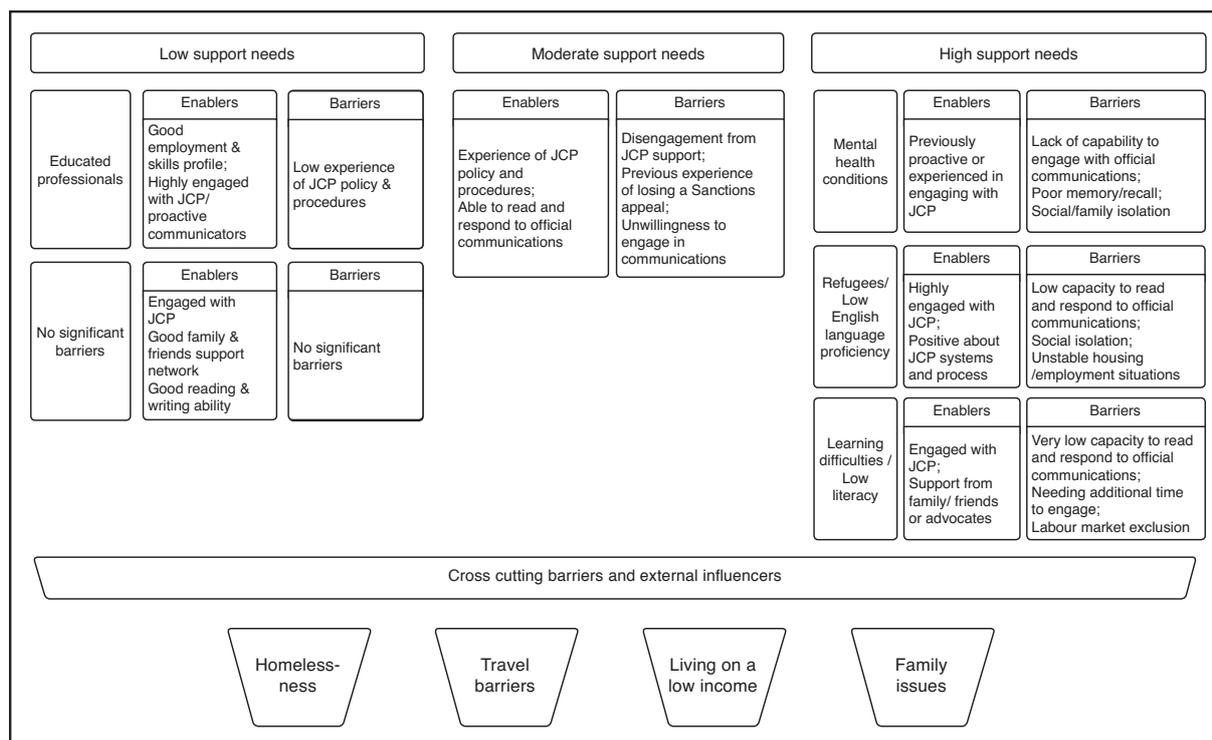
This chapter explores the barriers and support needs of Claimants participating in the Sanctions Early Warning Trial (SEWT) research, and in turn how this affects their response to the possibility of being Sanctioned under the Trial conditions. It first segments Claimants, by order of need, and then illustrates how Claimants respond when notified of a Sanction.

4.1 Claimant barriers and support needs

Analysis allowed Claimants to be grouped into typologies identified by the research team based on Claimants’ barriers and levels of need. Figure 4.1, below shows the typologies as well as several cross cutting barriers (including homelessness, travel barriers, living on limited means, and experiencing family crisis). In particular, homelessness was a distinct cross cutting issue, with it often indicating other vulnerabilities and disadvantages, such as family break down, or problem drug/alcohol use. Homelessness and using temporary addresses also made communications between Jobcentre Plus (JCP) and the Claimants problematic, with letters not being received or only being delivered late.

These barriers could affect Claimants’ faculty to respond to a Sanction referral or articulate good reason for triggering the Sanction where they had one.

Figure 4.1 Typology of Sanctioned Claimants by barrier and level of support needs



4.2.1 Low support need group

Analysis revealed that many of the Claimants interviewed had fairly low-level support needs. Some were educated professionals with qualifications, skills and substantial employment histories. They generally had no health conditions, debts, or personal issues at that time which might impact on their abilities to meet their Claimant Commitment (CC) obligations and to communicate effectively with JCP.

These low-support needs Claimants were usually well engaged with JCP, and most felt it was their responsibility to understand the CC. Their education and professional backgrounds meant that they had been able to easily grasp its requirements and they often recalled receiving and reading specific paperwork from JCP.

They generally had short periods of unemployment, and were typically proactive about seeking employment opportunities.

Other Claimants in this group simply had no significant barriers they needed support with in order to manage their Jobseeker's Allowance (JSA) claim, or to respond to a potential Sanction. They were not necessarily highly skilled, nor did they previously work in professional or technical jobs, but most were engaged with JCP and had a similar drive to find employment. They tended to be young with a fairly limited work history, including short-term and temporary jobs with periods on JSA in between.

Notably, these Claimants tended to live with family, or had family close by. Despite their relative lack of skills and experience, they could draw on the resources and support of family and friends, and were easily able to turn to them for help when faced with being Sanctioned.

4.2.2 Moderate support need group

A number of participants displayed moderate support needs. They possessed few or no qualifications, but had no major communication issues such as difficulties in reading or writing. Some had worked in the same job for many years while others had quite patchy employment histories. The group included a number of younger men in their teens and twenties.

Some reported having multiple Sanctions previously. It was not uncommon that previous or existing Sanctions had been challenged, with varying degrees of success. Being unable to overturn a previous Sanction decision contributed to the group's general mistrust of JCP and Department for Work and Pensions (DWP), and impacted on their subsequent willingness to engage with the system in a meaningful way.

'The feeling was I was getting Sanctioned anyway, the more you try to prove [it] they will Sanction you anyway, what is the use of proving this, I have never been in bother in my life for anything like that.'

(Male Claimant, 50, No longer claiming JSA)

As such, Claimants in this group were often disenchanted with the process for providing good cause, irrespective of additional opportunity to submit evidence introduced by the Trial.

4.2.3 High support need group

Those assessed as having high level needs had additional vulnerabilities, such as mental health conditions, having English for Speakers of Other Language (ESOL) needs, and learning difficulties or other severe communication difficulties.

Claimants who disclosed having mental health conditions when interviewed were affected by differing degrees and in different ways. Several Claimants spoke of their debilitating anxiety, and how it made it difficult to do everyday tasks, such as catching a bus. Typically Claimants had a sparse or sporadic work history, and a few reported having had difficulties with their employers. A number of these Claimants reported cycling between JSA and Employment Support Allowance (ESA) claims over the last few years.

Some had been proactive in engaging with JCP, but due to their health issues, lacked the capacity or resilience to do this consistently. Others had given up on engaging with DWP at all by the time of the research interview.

These Claimants often lived in social isolation; they lacked support from family and friends close by, or they had family members who were unwell. Claimants who were refugees and/or had ESOL requirements also often fell into the high needs group. They were socially isolated with little family support locally. Despite having some friends in the area, this group could not rely on friends to support them through difficult times.

For most, ESOL needs prevented easy understanding of communications from JCP. They usually preferred to receive these by letter so that they could take time to read them, attempt translation, and sometimes to ask friends for help with this.

Having learning difficulties and severe literacy issues was an indicator of high level needs. Such clients had a patchy, if any work history.

Literacy and communication was usually the main barrier for these Claimants. They were often able to read and write, but it was challenging and they needed time to do this, though in one instance the Claimant was unable to read or write at all, and was solely reliant on verbal explanations. Claimants' communication method preferences varied; some preferred telephone calls, others preferred letters as they were otherwise likely to forget times and dates of appointments. However, most felt they needed notice and time to deal with official communications effectively.

Family and friends provided vital support to some in this group, as did disability charities and local services. Others, however, had not had access to support, and had not sought it out from JCP or elsewhere.

Several of these Claimants had been Sanctioned just once, but a few had been Sanctioned multiple times.

4.3 Customer journey and response

The extent to which Claimants were aware of participating in the Trial varied as few Claimants interviewed for this research recalled having received the JSA Sanctions Warning Letter (SWL). Two Claimants also reported receiving the Trial letter too late for it to be useful to them, due to address changes as a result of being homeless. It should be noted that the research took place some four to five months after the Sanction decision pertaining to the Trial, which may have affected some Claimants' recall.

4.3.1 Response to the Trial

Claimants who engaged with the Trial (or in the absence of receiving the SWL, communicated with JCP about the Sanction anyway) fell into two main groups; those with the motivation and capacity to do so fairly easily, and those who were motivated by a strong sense of injustice. Those with the capacity and skills to engage in discussion and communication with JCP, without becoming too upset or emotional were often more successful in demonstrating good reason at SEWT stage or at formal appeals stage. They tended towards being in the low, or moderate support needs groups.

Notably, of those interviewed as part of this research, only one Claimant with high level support needs averted being Sanctioned through engaging with the Trial. This Claimant had good reason and was highly supported to articulate this; they did not independently engage in communication with JCP.

4.3.2 Engaged and not Sanctioned

Some Claimants actively engaged with the SWL to provide evidence of their good reason, either filling in the attached form and posting it back to JCP, or by telephoning the number on the Trial letter, and were not Sanctioned as a result. One had resigned from their job due to very difficult circumstances. The respondent was well educated and proactive, and therefore well equipped to explain why the Sanction should not be applied in a calm and persuasive manner.

Another Claimant had received the Trial letter and had sent back their reasons in writing using the form. Soon afterwards the respondent received a similar letter, at which point they rang the number to find out what was happening and spoke to a Labour Market Decision Maker (LMDM). The respondent recalled remaining calm and polite throughout the conversation which appeared to strengthen their case.

'If you are just like calm, and nice, because a lot of people probably phone up and start swearing and shouting at them, and get aggressive, and like I am not getting Sanctioned, and abusive, but I just kind of ask, like why, and like explain, like my name is and I have got a letter, it says I am Sanctioned and then I give them my details and like I was off sick or whatever was wrong and why I didn't go, and usually they understand.'

(Female Claimant, 20, not Sanctioned)

This experience and sentiment was echoed by others who had successfully demonstrated good reason following a referral for a Sanction decision, who were equally articulate and motivated by a sense of unfairness or injustice. They also had more positive relationships and perceptions of JCP staff.

In an instance where the relationship with the Work Coach (WC) and JCP in general was 'very difficult', one Claimant sought support from Citizens Advice Bureaux (CAB) after being notified of a possible Sanction. The Claimant tended towards the higher need group of Claimants, as they had limited capacity to respond due to their mental health condition. Without the support of the CAB, the Claimant felt they would not have been able to effectively demonstrate good reason to prevent a potential Sanction.

4.3.3 Engaged but Sanctioned

There were, of course, some Claimants who received the SWL and engaged with the process and were ultimately Sanctioned. Some reported engaging with communications at first, for example they had telephoned the number on the Trial letter and had spoken to a LMDM, but often gave up when they felt that they were not making progress. One Claimant said they attempted to engage and provide evidence but lost motivation quickly as a result of their previous experience of failing to appeal a Sanction and their history of Sanctions.

In general, Claimants appeared to have lower capacity to communicate and respond effectively with JCP than Claimants who had been successful in preventing their Sanctions. Some had particular vulnerabilities which presented barriers to effective communication, for example, recent/current homelessness, a history of care, learning difficulties, and/or mental health conditions.

One Claimant recalled contacting JCP to start with but said that after this they felt 'beaten' with little point trying to fight the Sanction as they felt no-one would listen.

It is unclear whether Claimants interviewed had good reason to prevent a Sanction, however, many felt anger at being referred for a Sanction. This in turn influenced how they would respond to the SWL, shifting the tone of their response. The negative outcome experienced by some Claimants despite their attempt to engage with the process led some to lose faith in JCP, and were sceptical that challenging a Sanction would ever make any difference.

4.3.4 Non-response to being referred for a Sanction

Despite receiving the SWL some Claimants chose not to engage with it. Common reasons for non-engagement included:

- Claimants appreciating they did not have a good enough reason to challenge the decision.
- suspicion of JCP and DWP.
- being too angry to engage after being referred for a Sanction.
- being afraid to communicate with JCP or challenge a Sanction.
- being despondent and feeling the Sanction was inevitable.

There was also evidence that Claimants would rather focus on accessing hardship payments rather than challenge a Sanction despite being able to do both in parallel. In such instances Claimants made pragmatic decisions based on previous experience of both the Sanctions process and applying for hardship, with the perception that the latter was a more reliable and quicker course of action.

'I think I'd probably just stick to hardship because I don't know how long it would take to get back [a Sanction decision], but hardship only takes like a couple of weeks.'

(Female Claimant, 25, Sanctioned)

Others felt the Trial letter was not relevant to them as they were in the process of getting a job, were soon due to move into work, or were preparing for self-employment.

Jobseeker's Allowance: Sanctions Early Warning Trial

A number of Claimants explicitly reported not receiving the Trial letter. All of these Claimants lived in isolated conditions. Several of the Claimants had multiple barriers, including being homeless, having health and mobility issues, and having literacy issues. It is impossible to know whether the Trial letter would have made any difference had they recalled receiving it, although two suggested they would have reacted had they received the Trial letter. Others indicated that they would not have responded.

'When he phoned me I was shocked, I felt, 'There's nothing you can say, there's nothing I can do, their decision is made and they're not going to change it'. I'm just sort of at the point where I just think, 'What's the point?' Sort of demoralised with it all.'

(Female Claimant, 53, Sanctioned)

A few Claimants had experienced multiple back-to-back Sanctions, but did not engage with LMDMs during the course of the Trial. Their circumstances ranged from those who were living with family and could afford to ignore the Sanction without it greatly impacting on their standard of living, through to those living in deprivation and difficult circumstances. It is not possible from the data collected as part of this research to fully understand why this latter group experience multiple Sanctions and chose not to respond on this occasion or provide evidence of good reason if they had one.

4.4 Chapter summary

The 45 Claimants interviewed varied widely in terms of education, skills, work history, health, and in the support available to them from family and friends. All of these factors impacted on how they responded to a Sanctions referral.

Claimants could be segmented into three groups depending upon their relative support needs: low, medium and high-level needs. When combined with some identified cross cutting needs, which included homelessness, travel barriers, low household income and family issues, the segments provide an indication of Claimants' ability to respond. Recall about receiving the SWL was low and though research had taken place a number of months after the Sanction decision, these findings imply that some Claimants in the Trial did not receive the letter, or received it and simply did not register it.

If a Claimant decided to engage with the Trial, those in the low and moderate support needs groups appeared more able to articulate good reason if they had one. Claimants who were able to successfully prevent a Sanction had the skills, capacity and security to respond effectively and persuasively to the Trial letter (or to learning of a Sanction via another method) and/or they had familial support to help them to do so. Those that engaged, but were still Sanctioned tended towards having lower capacity to communicate and respond effectively with JCP. It is not clear if these Claimants had the necessary good reason to prevent a Sanction.

Some Claimants chose not to engage with it. For some the Sanction was appropriate, and they appreciate the reason for the Sanction could not be challenged. Others were suspicious of JCP, and avoided communication where they could. A few of these Claimants had been on a series of back-to-back Sanctions. This group was split by those living with and being supported by family and those living in deprivation and difficult circumstances.

5 Claimant views of Trial communications and capacity to respond

This chapter considers Claimants' views of the key features of the Sanctions Early Warning Trial (SEWT). It covers feedback on individual elements of the Trial including the Sanctions Warning Letter (SWL) used for the Trial, the 14 day window to provide evidence and evidence of good reason.

Qualitative interviews with Claimants first explored their unprompted views of the Trial and a timeline of any official communications they recalled. Once a timeline had been established, further probing took place on key elements of the Trial letter, particularly the first line which informed Claimants, 'We will stop your payments if we don't hear from you within 14 days'. If they did not recall that part, the Trial letter was then shown to the Claimant. Following this, if a Claimant could not recall the Trial letter, it was given to the Claimant to read in full (with researcher assistance if they could not read).

The research with Claimants took place four or five months after they would have received the Trial letter, therefore the research team anticipated some issues with Claimant recollection. Eighteen of the 45 respondents reported that they did not receive the Trial letter. While this cannot be assured in all cases, the majority were certain because they recalled the different wording of the Trial letter they received or found the Trial letter to be new to them. Some reported that letters were getting lost in the post. In other cases, Claimants experienced different Sanctions processes (potentially the Business As Usual (BAU) process) or had aspects of the Trial missing.

In view of the time elapsed between receiving communications and the depth interviews, all respondents were asked to give their view of what the Trial letter was asking them to do, whether it would prompt them into action and the letter's tone and communication style.

5.1 Views on the Sanctions Warning Letter

This section explores what Claimants thought of the Trial letter itself, including their first impressions of the Trial letter, its tone and contents, and the extent to which Claimants understood its key messages.

5.1.1 First impressions

Most Claimants reported that the Trial letter was at first glance quite clear in its key message that money would be stopped after 14 days. The fact that this was in bold and larger print made it stand out, and drew their eye to it.

Jobseeker's Allowance: Sanctions Early Warning Trial

'It did say unless you contact us in 14 days, with the reason why you've missed your appointment, you may not get payment. I do remember reading, it was perfectly clear.'

(Male Claimant, 44, no longer Claimant JSA)

Those who had previously received the standard letter about Sanctions usually said that the SWL was clearer, and that they preferred it. Some said it would have prompted them into action.

'If I'd have seen that, I'd have phoned the day I got it and I'd have said to them, 'You're trying to say you'll stop my payment in 14 days.'"

(Female Claimant, 19, no longer Claimant JSA)

5.1.2 Tone

Claimants' views on the tone of the Trial letter were more mixed. Some said that it was 'too impersonal', 'dehumanising', 'demanding', or 'threatening'. However, other Claimants thought that the Trial letter was quite helpful and reasonably friendly in tone – and perceived it to be providing people with an extra chance to prevent a Sanction.

'It is basically telling me what to do to avoid the sanction ... That is really helpful. I think that is a really helpful letter; I would have got in touch with them'

(Female Claimant, 47, Sanctioned)

5.1.3 The grey box

There was a grey box on the right hand side of the first page of the Trial letter saying 'Contact us with any additional information. It's not too late to talk to us about the situation. If you do, your payments might not stop.'

The language and tone was different to the rest of the Trial letter. However, Claimants generally missed this box altogether, and focused on the main body of the Trial letter, reading down and then turning over to the second page.

'Yes, on the side it's almost as if it was forgotten to put in or, like, when you're on Google, [or] you go onto Facebook there's a little ad[vert]s at the sides, just little ads that someone threw in there for the hell of it whereas if it's anything you know it is included.'

(Male Claimant, 24, Sanctioned)

When it was pointed out to some, they generally responded positively to its message which was described by a Claimant as giving them 'hope', and said that they preferred its tone to that in the rest of the Trial letter. Respondents thought that if Jobcentre Plus (JCP) wanted to be sure that the information it contained would be read, its contents should have been included in the main body of the letter, near the beginning.

'The most important parts are always at the beginning of the letter, not everyone reads through to the end.'

(Male Claimant, 24, Sanctioned)

5.1.4 Understanding of action required

The research also explored Claimants' understanding of the action required of them, in response to the Trial letter. Most had little difficulty in grasping the main point of the Trial letter, and what they were being asked to do – to get in touch with Department for Work and Pensions (DWP) to provide reasons for non-compliance within 14 days from the date of the letter.

One Claimant said that the fact that they were being given more time meant that they would deprioritise dealing with this situation; most Claimants felt that it gave them more of a chance to get in touch. One picked up on the importance of providing evidence to DWP.

'It is very clear. You know, you need to provide evidence, very simple. You need to show us that you are actually trying to be employed.'

(Female Claimant, 33, Sanctioned)

A smaller proportion of Claimants did not understand what the Trial letter was asking of them. One had seen the bold headings, had realised it was important, and had taken the Trial letter to their Work Coach (WC) for support with this.

Another (who had not received it), said that they would need support to understand it fully. Several other Claimants clearly did not understand the purpose of the Trial letter and/or that evidence was required as a result, and two were unclear as to whether and when a Sanction would be applied.

Some Claimants reported that they had not received the SWL but that they would have taken action if they had.

'If I'd received that I'd be at them straight away, because it says, 'We will stop your payments.' So, I'm, like, 'Why, and how do I stop this?' I would most definitely phone up straightaway because of how it starts, 'We will stop your payments.' I mean, I wouldn't even read the rest of the letter, I would just phone up straight away.'

(Female Claimant, 31, Sanctioned)

Several said that they extra time would have given them a chance to act, gather evidence and to explain things to DWP.

5.1.5 Suggested improvements

The main criticism that Claimants had about the Trial letter was that it was too long. Several said that they would only read the first half of the first page before either getting in touch with DWP or deciding not to act at all. The Trial letter was thought to be complex for people with dyslexia or literacy issues.

A number of suggestions were made to overcome the criticisms of the Trial letter. The most commonly-mentioned improvements to the Trial letter was that it could be shortened and made simpler.

'I think there's too much writing on it, if you know what I mean, there's too much to go through, I think that's enough, we will stop your payments if we don't hear from you within 14 days, please contact us. I think that would be enough.'

(Female Claimant, 31, Sanctioned)

Jobseeker's Allowance: Sanctions Early Warning Trial

Claimants suggested rephrasing some of the terms to make the Trial letter more accessible and less frightening; for example, rephrasing 'we will stop your benefits' to 'there is a danger...' in order to better balance threat with support

'There's more of that, 'what's going to happen to you' as opposed to how much help there is. I suppose the tone of it's a bit more threatening than helpful. At the end of the day they want more information, so you know, threatening folks is not generally the way to get that.'

(Male Claimant, 42, No longer Claimant JSA)

Related to this, it was suggested that providing the 'grey box' language throughout would make it easier to comply with and encourage engagement. Other style and format recommendations included placing core information at the beginning of the letter, and making the return address for written evidence clearer. One Claimant thought that the Trial letter should provide access to a face to face appointment with a WC, and two others felt that a better explanation of what was meant by evidence was needed.

A number of Claimants felt strongly that a freephone number (for mobiles as well as landlines) should be provided. A number of Claimants reported the lack of a freephone number was a barrier to reacting to the letter.

'The number is not free. So if [you're] someone who's unemployed, who already struggles you know with bills and food and whatever you still need to pay for.'

(Female Claimant, 33, Sanctioned)

5.2 DWP communications and support

This section considers the support Claimants received from JCP WCs and Work Programme (WP) advisers, Labour Market Decision Makers (LMDMs), and the Dispute Resolution Team (DRT).

5.2.1 WC and Work Programme advisers

Overall, there were a mix of views and experiences regarding WCs and the level of support they were willing to share regarding evidence giving.

Some Claimants reported largely positive experiences with WCs and advisers. One was positive about the help they had been given by their WC, even though this did not prevent the Sanction from going ahead. They were given support to fill it in with their reasons for missing an appointment.

'The JCP helped me fill [in the form]. They spoke to me about it because I didn't understand it at first and they explained it and stuff and showed me what it meant and what to write. Obviously they filled it in and they sent it away.'

(Male Claimant, 20, Sanctioned)

Another had a very good relationship with their WC. This Claimant had got their appointment date wrong, and acknowledged that it was their error. While disappointed to have been Sanctioned for what they considered to be an 'honest mistake', it was appreciated that these were the current JCP rules. The fact that the WC was always fair and respectful also made the Sanction decision more acceptable.

Jobseeker's Allowance: Sanctions Early Warning Trial

'No, he was all right. Not his mistake, no, my mistake. I don't know what to call it but just, he said, 'You have to come on Friday, why do you come today?' I told him everything but he said, 'I can't do anything.'

(Male Claimant, 37, Sanctioned)

Other Claimants reported more variable experiences with WCs and advisers, depending on whom they had seen.

Some Claimants reported that on the whole they had had rather negative experiences with their WC and advisers. One had seen lots of different people in a short space of time and had found this difficult in terms of trust and consistency; for others, it had been helpful when they could see the same person regularly. Several Claimants said they would have liked to have received face to face support from a WC, or someone else at JCP but when they went in to ask for this, they were given a number to ring instead. They felt there was no opportunity to discuss their case properly by phone. A customer with English for Speakers of Other Language (ESOL) needs had received little support from their WC on the process of appealing a Sanction, and they had not been given any support to provide evidence.

A number of Claimants mentioned that their WC had been more available to support with a hardship application, than they had been for help with responding to the SWL or filling out an appeal form.

5.2.2 Labour Market Decision Makers

When Claimants rang the number on the Trial letter, they got through to a LMDM. Claimants reported a similarly mixed experience when communicating with the LMDMs, in terms of feeling listened to and supported.

A number of Claimants had a positive experience with LMDMs, and said they had been able to present their evidence to the LMDM in a fairly straightforward manner. They said that the LMDMs had been professional and helpful, and had explained things clearly.

One Claimant needed to ring up several times and repeat their points, before their message was heard. They felt that being able to remain calm throughout this had probably helped their case, but appreciated that many people in a similar situation probably got quite frustrated with the process.

Other Claimants said that their conversations with LMDMs had been more difficult. They felt that the LMDM was not interested in hearing the context to their reason, which made them seem un-empathic.

5.3 Responding to the letter

The SWL said that Claimants had a choice about the various ways they could respond; they could respond in writing, by calling the phone number to speak to a LMDM or by talking to their WC. However the research found that Claimants were not always assisted to engage in the way they wanted to, and that there were inconsistencies in the methods they were told to use. Some Claimants wanted to speak to their WC, but were told to ring the helpline number instead (as discussed above). Some were told to provide their reasons verbally, others were told by LMDMs

Jobseeker's Allowance: Sanctions Early Warning Trial

that although they had provided them verbally, they still needed to submit them in writing. For some this was not too much of an issue, as they had the capacity to easily provide evidence verbally or in writing.

'No, I'd had to phone them once, because you could either fill in the form and send it back to them, or you could phone them and give your reason over the phone. Yes, I phoned them and that's when they said just fill it in and send it to us.'

(Male Claimant, 36, not Sanctioned)

However, for several who found reading and writing difficult due to literacy issues or dyslexia, this was problematic. Others viewed this as yet another barrier to avoiding a Sanction, which led them to disengage.

'When I phoned them up they said I had to write a letter to contest and once they said that I was just so shocked, I just said nae bother and hung up the phone on them. I was so angry.'

(Male Claimant, 32, Sanctioned)

A few Claimants provided written evidence, although they did not know what they needed to provide, even though they found writing very challenging.

There were also some implementation issues and/or administration errors reported by a few Claimants, who said that they had sent evidence in to the LMDMs, but when they followed this up were told that it had been lost or had never been received.

5.4 Claimant views on the 14 day evidence window

Most Claimants were happy with the idea and principle of providing an additional 14 days to provide evidence before the Sanction went ahead. They spoke of it giving them some 'leeway' and extra time to explain.

'Well, personally, I think that's quite a good idea, because it giving people that time to try and get thing sorted out a little bit, before they're Sanctioned.'

(Male Claimant, 19, not Sanctioned)

One Claimant felt that the standard five days provided was not enough time to allow for postage delays when providing evidence; they thought that 14 days was a fairer and more realistic amount of time. A few Claimants felt that 14 days might not be sufficient to provide some forms of evidence, particularly written evidence and evidence from third parties such as hospitals, GPs or former employers. One Claimant said that in theory the additional time was good but their experience was that the extra time seemed to have increased the likelihood of JCP losing evidence. They thought that the process needed to be more efficiently managed. Some sceptical Claimants thought that the additional time would not make any difference to the eventual outcome.

5.5 Chapter summary

The research with Claimants took place four or five months after they would have received the Trial letter, and there were some issues with Claimants' recollection. Many respondents reported that they did not receive the Trial letter, and others were unsure whether they did or not.

Claimants reported that the Trial letter was at first glance quite clear in its key message that money would be stopped after 14 days. Those who had previously received the standard letter about Sanctions usually said that the SWL was clearer, and that they preferred it. Claimants' views about the tone of the Trial letter were mixed. Most Claimants had missed the grey box at the side of the first page, with its 'friendlier' language. Most Claimants were able to grasp the main point of the Trial letter, and what they were being asked to do – to get in touch with DWP to provide reasons for non-compliance within 14 days from the date of the Trial letter. A smaller proportion of Claimants did not understand what the Trial letter was asking of them, and would need support to do this. Claimants broadly agreed that the Trial letter was fairly clear and helpful, that it provided information about what to do, and they were glad that it mentioned hardship payments. The main criticism of the Trial letter was that it was too long and that much of the information was unnecessary and could be simplified, and that a freephone number (for mobiles as well as landlines) should be provided.

Claimants reported having had variable experience with WCs, both positive and negative. Their reports also revealed inconsistencies in the ways in which the Trial operated at this level. At LMDM level, there appeared a little more consistency of approach, but again, Claimants' experiences were varied. Notably, some were told that they could provide evidence verbally, while others were told they had to submit this in writing. Only one Claimant interviewed had experience of a DRT member, which they said had been positive. Claimants also reported letters and evidence going missing.

Most Claimants were happy with the idea and principle of providing an additional 14 days to provide evidence before the Sanction went ahead. Some thought that 14 days might not be sufficient to provide some forms of evidence, particularly written evidence and evidence from third parties such as hospitals, GPs or former employers.

6 Staff perceptions of the JSA Sanctions Early Warning Trial

This chapter explores the views of Department for Work and Pensions (DWP) staff on how the Trial was delivered and the efficacy of the new process, including staff views on the Trial process, the Trial letter, the additional time, and fit to Claimants. It also highlights improvements to the process as highlighted by staff.

6.1 Views of Trial rationale and aims

Most Labour Market Decision Makers (LMDMs) felt that in theory Claimants should benefit from the Trial if they understood the central message in the Trial letter of having time before a Sanction is applied and the instruction to provide proof of good reason and contact DWP to prevent it. Staff from the Dispute Resolution Team (DRT) also agreed that in principle it was an advantage to Claimants to have more time to source evidence, particularly in complex cases or for those with vulnerabilities.

LMDMs felt that the Trial process reduced their time to make decisions, and that their ability to make decisions had been impaired by the Trial. LMDMs felt stretched as a result of the Trial changes. Where the Trial was perceived by LMDMs as resulting in minimal Claimant responses, some LMDMs felt negatively about the impact of the Trial against the time and resource investment.

'We just think it's a complete waste of time. From our point of view, it's very little gain for a lot of pain.'

(LMDM)

6.1.1 Impacts on overall Claimant behaviour

The overriding response from LMDMs was that in practice there were not many Claimants who would benefit from the Trial as implemented; minimal response rates from the Trial letter meant that Sanctions were being applied at the same rate but with a two-week delay. Work Coaches (WCs) echoed this suggesting that the Trial did not add anything to the existing decision making process. The lack of clear benefit made it difficult for WCs to 'sell' the benefits of the Trial to the Claimant, which in itself may influence the Trial.

LMDMs commented that communicating the Trial through a letter would not benefit Claimants who routinely disregard DWP letters. There could be several reasons for Claimants disregarding letters, including attitudinal barriers and capacity issues. One LMDM believed that Claimants who don't respond to the Trial letter will only engage with the process after their money is stopped.

'My own view is that they probably disregard all the letters and it's only when Sanction hits the bank account that it really comes home. I don't know whether people even look at the letters that we send them.'

(LMDM)

One LMDM who was also dealing with Mandatory Reconsiderations commented that they were still finding the same rate of Mandatory Reconsiderations, which they took as a signal that the Trial was not benefitting Claimants in the way it was intended.

6.1.2 Views of the Trial letter

LMDMs had limited Claimant feedback about the Trial letter due to minimal responses from Claimants and their lack of communication with Claimants about the Trial. Where there was Claimant comment on the Trial letter it was usually negative, with Claimants expressing dislike of the letter's perceived threatening wording and tone.

None of the LMDMs felt that the Trial letter had changed Claimant's response rates to any great degree. LMDMs expected increased Claimant communication overall but felt that the Trial letter was not getting the desired response.

'There have only been one or two, at the most, a day that have asked for call backs and sometimes I go two or three days without getting anybody calling through and asking for a call, because we're not getting the responses that we thought we might, to the letters going out...very few responses.'

(LMDM)

LMDMs reported that when Claimants did respond to the Sanctions Warning Letter (SWL), it was not always helpful to their case. There was a concern that the wording of the Trial letter implies that Claimants should call them to avoid a Sanction, even when they had no explanation or evidence to offer. As such, they felt the Trial letter may not have been sufficiently clear about the role of evidence.

Decision Makers (DMs) felt that the main drivers of communication from Claimants continued to be the ones which existed before the Trial. They felt that Claimants were largely either proactive and sent in their evidence well within the pre-Trial limit, or would not engage with the process until their money had been stopped. LMDMs felt that the majority of Claimants would be more likely to go to their Jobcentre Plus (JCP) or call up the Contact Centre upon receiving a Sanction as they had previous contact with these agencies.

However, in some cases, WCs were only able to provide limited help as it was not clear from the Trial letter the Claimant had received why they had been referred for a Sanction.

'[One Claimant] felt he had to come in here and tell us what was happening or provide the other information, but it wasn't clear for him or us as to what we were expected to do or what they needed clarification on or what extra information he was asked to provide... we knew he'd been referred up for a decision but we didn't know exactly what he was in to discuss. It wasn't detailed on the letter. He was just told, 'Take this to your local JCP'...it just wasn't clear.'

(WC)

6.1.3 Views of the additional time and opportunity to provide evidence

LMDMs and WCs felt that 14 days was a fair amount of time for Claimants to supply additional evidence, although some thought it was unnecessary for the majority of simpler cases. In contrast, it was suggested the 14 days was not

Jobseeker's Allowance: Sanctions Early Warning Trial

sufficient for certain types of cases. Instances where evidence from employers related to Sanctions applied to misconduct/leaving voluntarily needed to be obtained, were singled out as being lengthy and therefore requiring more than 14 days.

Some felt that having a 'second chance' to provide evidence was effective but would have preferred evidence to have been collected more effectively at the doubt-raising stage. In some cases, LMDMs felt that the additional time was allowing postal evidence that would have been delayed by the post to be included in time for their decision making. WCs appeared to agree with this believing that the Trial added value by enabling customers with good reason an extended opportunity to disclose information.

'They [Claimants] just don't always provide that information at the initial point of contact for whatever reason, so I would hope it gives the Labour Market Decision Makers something more robust to work with if there is any doubts about whether this should be a Sanction....It gives me confidence that when a decision's been made and a Sanction's been applied, it's a robust decision.'

(WC)

LMDMs reported that the procedure of having to wait until the 14 day limit to find out the Sanction decision caused uncertainty and stress to Claimants so that the entire process was more drawn out for Claimants who are keen to know when the Sanction will be applied in order to plan for this.

Most WCs were happy with the additional 14 days introduced by the Trial, but some were negative about the extra time to process the Trial letter and conveying a decision.

'But we're not in a position to give them [the Claimant] a decision so they're left in that state of limbo where they can't do anything because they don't know what the decision is going to be and we can't give them any further information on it.'

(WC)

6.1.4 Quality of Evidence

LMDMs were in agreement that there had broadly been no change to the quality or quantity of evidence sent to them by Claimants since the implementation of the Sanctions Early Warning Trial (SEWT). As such, most felt that the Trial letter was not driving Claimant behaviour as the Trial had intended.

The research found that LMDM processes and communication was in some cases not enabling Claimants to improve the quality of their evidence. Some LMDMs reported that they examined evidence only at the end of the 14 day period with no communication between the submission of the initial evidence and point of considering the evidence. This provided Claimants with little opportunity to submit additional evidence or provide detail or clarification to evidence already submitted and effectively meant that for some, the only material effect of the Trial was one of delaying a Sanction decision.

Jobseeker's Allowance: Sanctions Early Warning Trial

Claimants who sent in evidence which was insufficient or unsuccessful were generally not notified by LMDMs that the evidence wouldn't change the decision. Claimants who had submitted evidence during the Trial had to wait until the 14 day period was completed for a Sanction decision to arrive, but if it was not of sufficient quality there was nothing in process to notify them.

'[Claimants send] more information in and it's still not good enough so we're sitting there waiting, because we've got to wait for the 14 days to be up. And they probably think it's good enough [but] we don't tell them, when they send the extra information, we don't contact them to say that's still not good enough, we just obviously have to wait for the 14 days to be up and then Sanction them.'

(LMDM)

LMDMs felt that the Trial had, in some cases, improved the quality of evidence that they were initially being provided by WCs. Therefore, LMDMs reported feeling more confident that there was sufficient evidence to base a decision on the initial doubt referral.

6.2 Trial impacts for Claimants

Staff reported that there might be differential impacts for different kinds of Claimants on the Trial. Additionally, there were some reported concerns that the selected Trial area may not show the true extent to which Claimants would be affected by the Trial due to a relatively 'homogenous' population in Trial areas compared with the rest of the UK. A relative lack of Claimant diversity or difference could make it harder to examine differences in communications and outcomes between different Claimant groups. Differences were observed and staff had mixed views on which Claimant would be most likely to benefit.

6.2.1 Benefitting Claimants

Some staff highlighted that the Trial should benefit recent Claimants, including ex-Employment Support Allowance (ESA) Claimants, who could lack the relationship required with their WC to disclose a potentially sensitive good reason to them initially but may disclose it anonymously over the phone. The increased time was also recognised as being of benefit to Claimants with health conditions as it gave these Claimants 'breathing space' before the Sanction was implemented. This could enable them to give better accounts of themselves than they may have done in an open plan JCP. Vulnerable Claimants who could struggle independently would also have the necessary time to access support to assist them to prevent the Sanction.

The majority of staff felt that the extended period available to Claimants to supply good reason meant that Claimants with good reason would benefit most from the Trial. However there was a repeated concern that extending the amount of time could improve outcomes for Claimants who did not have good reason but understood the requirements to an extent that they would be able to escape the Sanction. Some staff felt that the ability to research acceptable reason made this unavoidable, but one WC thought that the Trial should build in robust evidence-testing processes to prevent this.

Jobseeker's Allowance: Sanctions Early Warning Trial

Several staff members feared that the Trial might disproportionately benefit Claimants who had been Sanctioned previously and were familiar with the Sanction process. However, Claimant research presented in previous chapters paints a more complicated picture, as there were several who had been repeatedly Sanctioned who did not engage with the Trial, or notice the difference in process.

6.2.2 Non-benefiting Claimants

Staff felt that there were three main groups of Claimants who would not benefit from the Trial process: those without good reason, those who did not understand good reasons/evidence and those with low capacity or vulnerabilities.

No good reason

WCs felt that the Trial did not benefit the Claimants who had failed to comply with their Jobseeker's Allowance (JSA) Claimant Commitment (CC), had no good reason for this and readily admitted their mistake. These Claimants would wait at least two weeks for a Sanction decision and receive the SWL which was irrelevant to their situation. These Claimants could face increased difficulty where the time delay caused confusion with hardship payment administration, which could result in a delay to their hardship payment.

'They are spending that two-three weeks in limbo where they know they await a decision and it's taking that length of time to come through. In the past that would be cut and dried and done within a week.'

(WC)

Claimants with complex or additional needs

The majority of WCs felt that the Trial would not benefit certain Claimants facing very complex situations, for example those with drug and/or alcohol issues or who are homeless. Where their situation was the cause, it required the situation to be addressed, rather than extra time to submit reasons.

The prevailing view among staff interviewed was that Claimants who would not be able to independently safeguard their benefit due to limited capacity would also not benefit from the Trial. These included some Claimants with memory issues and some ex- ESA Claimants as well as people with literacy issues. WCs felt that additional time to provide reason would not help if Claimants lacked the capacity to engage with the process independently.

'I have a lot of people with mental health issues, I have a lot of people that don't have a good education behind them. [This] Trial's not going to make any difference. If somebody doesn't understand they don't understand.'

(WC)

WCs often felt that these vulnerable Claimants required additional time and support, either from themselves or through accessing support workers and that a lack of capacity to understand and engage with the Trial was their main issue.

6.3 Improving the SEWT process

DWP staff expressed a range of improvements that would in their opinion improve the operation and delivery of the SEWT. Improvements suggested include:

Clearer communications to Claimants: LMDMs interviewed felt that the Trial process could have been made more distinctive for participating Claimants with an overall sense that the Trial had been 'tagged onto the end' of the normal Sanctions process. As such, communications regarding the Trial received by Claimants were easily confused with Business As Usual (BAU) communications. To improve the process for future trials, it was suggested communications should have a stronger and more consistent message to ensure Claimants understand what is being asked of them.

Improving the SWL: Staff felt there needed to be a system to check and ensure that Claimants had received the Trial letter. It was suggested that in addition to verbally notifying Claimants of an upcoming Trial communication and the process, text alerts could be sent to Claimants. With regards to the Trial letter itself, staff were concerned that not all Claimants understood the purpose of the SWL and that few were aware from the Trial letter itself that the reasons or evidence they had already provided to their WC or Work Programme (WP) adviser were not sufficient to prevent the Sanction.

Some staff felt that the SWL could be made more effective through the use of colour, font emphasis and clearer wording. They also thought the Trial letter should be shorter and include a short leaflet to give an overview of evidence giving.

Locally available guidance and support: Having a named point of contact within each JCP to provide Trial participants with guidance and clarification on issues or queries Claimants had with the Trial process.

Adjusting staff workloads to accommodate the Trial: As previously discussed, LMDMs felt that the two-stage procedure for considering evidence introduced by the Trial increased their workloads, as there was no corresponding reductions elsewhere in their work. They felt that any future Trial would benefit from additional ring-fenced resource to accommodate the additional burden the process introduces or dedicated staff to embed the process and operate it consistently.

Training and guidance for staff: Levels of staff training and guidance for the Trial were found to vary and this affected the consistency of Trial delivery. WCs had sometimes been given light touch training as it was felt that the process wouldn't affect their roles to any great extent. However, findings suggest that WCs have a good knowledge of the process and benefits of the Trial to facilitate their 'buy-in' to the new process. The WCs suggested the training and guidance given in advance of the Trial could improve their delivery of it. In particular, they thought that it was important to be able to understand:

- The rationale and benefits of the Trial.
- The full process for Claimants, LMDMs and other services affected such as Contact Centres and DRTs.
- A clearer idea of the extent and limits of their role in the Trial.
- The range of different Sanctions captured in the Trial – particularly for more complex issues considered in the Trial such as 'leaving voluntarily/dismissal'.

6.4 Chapter summary

Most staff felt that Claimants would benefit in some way from the Trial letter and additional time, however, some raised concerns about the tone of the communication and the extent to which Claimants would understand what to do. Staff felt that the Trial letter would not have a large impact on outcomes as Claimants were not getting additional information on how to provide good reason or evidence.

Staff felt that responses to the Trial letter would be determined by overall Claimant capacity and had mixed views on how much Claimants would get from additional time to respond. Staff felt Claimants with complex and/or additional needs may struggle to engage with the process or have barriers that would prevent them focusing on a current Sanction.

Staff offered a number of recommendations to improve the operation of the Trial which were likely to influence the effectiveness of the Trial. Suggestions included improvements to communication and support to Claimants in the Trial, more consistent training offered to staff and a realistic assessment of the Trial on staff workloads.

7 Trial effectiveness

This chapter summarises key findings from this evaluation and discusses its effectiveness. It first provides a commentary on the overall efficacy of the Trial, and the plausible drivers of effectiveness. Drawing on findings presented throughout, it then provides implications and key learnings drawn from the findings.

7.1 Sanction decisions

This research explored whether and how the Sanctions Early Warning Trial (SEWT) promotes any changes in Claimants' levels of knowledge of the Sanctions process and their behavioural response to the new process leading to improved early decision making and fewer decisions being overturned at later appeals.

There was support for the intentions underpinning the Trial, with the additional time provided to Claimants to submit evidence of good reason regarded as (in theory) beneficial to all. However, evidence from interviews with Work Coaches (WCs) and Labour Market Decision Makers (LMDMs) suggests that in practice the SEWT appeared to make little difference to the ultimate outcomes that Claimants achieved. Indeed, the overriding sentiment among LMDMs was that the Trial had made little impact on the quantity or quality of evidence submitted in response to the Trial letter, and as such little overall impact on the outcome of the decision making process.

Further, benefits of the Trial did not appear to be evenly distributed across Claimants. Concern was expressed about Claimants characterised as having complex needs who were considered less likely to benefit through the Trial.

Unpicking the challenges and barriers experienced by Claimants throughout their journey through the Sanction process showed that Claimants with moderate to high levels of support needs would not benefit from the process. Findings suggest that those with medium to high support needs would require third party assistance to compile and provide compelling evidence. Where such third party support was obtained (usually from family members or the voluntary and charity sector), it could moderate the effect of low capability.

7.2 Trial implementation and design

The Trial differed from the usual Sanctioning process by providing:

- A Sanctions Warning Letter (SWL) requesting Claimants to contact Department for Work and Pensions (DWP) to provide any evidence of good reason against the scheduled Sanction and attached evidence form
- Allowing an additional 14 days to provide evidence of good reason.

Given the Trial letter is a key feature of this Trial, a critical challenge in its implementation has been the very low numbers of research participants who recalled receiving the letter. It is not possible to gauge how widespread an issue this is due

to Claimant recall and memory decay; however, evidence from DWP staff chimed with findings from the Claimant research to suggest it is problematic and may (in all likelihood) affect the overall fidelity of the Trial.

7.2.1 Communication and messaging

The Trial letter was subjected to extensive and detailed review as part of this research. Core messages were broadly understood and for many Claimants considered relatively clear. However, even with the relatively small sample used for this evaluation, for a minority of Claimants the Trial letter was not accessible or clearly understood. For this group, there was a clear need for additional support or an alternative communication strategy.

As a stand-alone document, messaging within the Trial letter was also not consistent with that contained in other correspondence and material the Trial participant may have been exposed to.

Irrespective of the contents of the Trial letter, few respondents recalled receiving the letter at all. While this may in part relate to Trial implementation (discussed above), with letters not being received by Trial participants, it is also likely to be indicative of the low level of penetration that this communication channel has. In line with prevailing communications theory, letters, particularly those from bureaucratic sources, are often regarded as poor channels for communication. It would follow that the low level of recall about the Trial letter reflects the recipients' ability to absorb the information being provided.

7.2.2 Providing additional time

Though broadly welcomed, LMDMs and WCs were concerned that the prolonged period of uncertainty as a result of the additional time added through the Trial could cause anxiety and stress among some Claimants. This was not borne out of data from the Claimants where it was suggested that the additional time was welcome even if it did not change the ultimate outcome. The research suggests that the additional time would be sufficient to collate most forms of evidence of good reason, though for particular types of cases, such as Claimants being Sanctioned for 'leaving voluntarily' the additional time was still not always sufficient.

As a consequence of the additional time provided and the Trial design there has been an apparent increase in the resource burden for LMDMs. Specifically, the two-stage review process adopted to make decisions appears to be particularly inefficient and frustrating for LMDMs.

Given the additional burden placed on Departmental resources and the marginal gains achieved, the Trial does not appear, at least through this qualitative assessment to be an effective use of the Department's resource.

7.3 Key implications

7.3.1 Internal processes

While there was no evidence of the Trial impacting on the quality of the evidence submitted by the Claimant post doubt-referral, it was observed that the Trial did appear to make an impact on the quality of evidence initially provided by WCs which in turn provided the LMDMs more confidence in their assessments. As a consequence, the Trial has highlighted the variability of the evidence submitted by WCs.

The improvement from WCs may simply be a Trial effect, though may also be related to the additional training/briefing they had received (despite being considered light touch). A number of training needs were identified, with emphasis on improving the quality and consistency of doubt referrals, and embedding evidence requirements to enable WCs to support Claimants.

Building on the views from LMDMs, findings presented here suggest that reviewing the doubt referral procedures and providing additional training to WCs to improve consistency at this initial stage may realise more tangible process efficiencies than achieved through the Trial.

7.3.2 Implementation of future trials

There are a few lessons for the implementation of this type of Trial in future. It is clear that at least a few Claimants did not have the chance to participate in the Trial as they did not receive the Trial letter. For the purpose of Trial fidelity, receipt of correspondence should be tracked, and/or more reliable communications channels used.

One criticism of the SEWT from research participants was that it does not fundamentally change the process. This is important considering that a particular challenge in seeking behaviour change within this population, is the relatively high proportion of Claimants with previous experience of Sanctions. Consistent with existing socio-legal research⁶ looking at responses to rights-based problems (which would include welfare benefits related issues), it would be likely that responses to a possible Sanction will, in large part, be determined by previous response behaviour. Breaking this level of entrenchment may require a more active intervention.

7.3.3 Improving accessibility of information

Claimants faced with a possible Sanction would benefit from increased awareness and improved access to clear and timely information about how they can respond. This information could be delivered through a range of channels, possibly to augment the SWL, for example, text message based prompts. To facilitate this, it is recommended further market/customer research is conducted with Claimants, including extensive user testing and customer insight, to inform the development and dissemination of communication material such as the SWL.

⁶ For a concise overview see Pleasence P. Balmer N. and Sandufur R. (2013) *Paths to Justice: A past, present and future roadmap*. London: Nuffield Foundation. Available from: <http://www.nuffieldfoundation.org/sites/default/files/files/PTJ%20Roadmap%20NUFFIELD%20Published.pdf>

7.3.4 What works, for whom

Overall, from the evidence presented here, the SWL appeared to have limited success in generating the change in behaviour with regards to the submission of good evidence. Building on the learning already acquired from this research, behavioural insights approaches could be used to explore alternative methods to changing a Claimant's behavioural response. This could involve subtle changes to the wording or format of standardised communications, or testing alternative channels for different Claimant groups. In doing so, it will be possible to create a nuanced understanding of the behavioural drivers for the Jobseeker's Allowance (JSA) Claimant base.

Appendix A: Sanctions Warning Letter

If you call or write to us, please use this reference:
SWL<<INSERT NINO>>



Department for
Work and Pensions

Hanley Benefit Centre
Post Handling Site B
Wolverhampton
WV99 1DF

www.gov.uk

Telephone: 0345 608 8545
Textphone: 0345 608 8551

<<date --/--/2016>>

We will stop your payments if we don't hear from you within 14 days

Please contact us

Dear <<ClientTitle>> <<ClientSurname>>

We will stop your Jobseeker's Allowance payments if we don't hear from you by <<insert date 14 days from now>>. This is because on <<date>> you <<reason for referral>>.

We will stop your payments for <<number>> weeks. We call this a 'sanction'.

We have based this decision on the information we have now. This includes any information you have already given us.

What you need to do now

If you have any further information on why you <<reason for referral>>, please call us on the number at the top of this letter or write to us using the pre-paid envelope provided.

If you are finding it difficult to understand or reply to this letter, it might be helpful to talk to someone who can help you. This could be a friend, family member or welfare adviser. Your work coach at the jobcentre can give you the contact details of welfare advice organisations in your area.

What happens if we hear from you

If we hear from you by <<insert date 14 days from now>> we will consider what you tell us and may change our decision. We will write to you to confirm whether your Jobseeker's Allowance payments will stop as planned or will continue.

Contact us with any additional information.

It's not too late to talk to us about the situation.

If you do, your payments might not stop.

What happens if we don't hear from you

If we don't hear from you by <<insert date 14 days from now>> we will stop your payments as planned. We will write to you to confirm this.

If we stop your Jobseeker's Allowance payments

Please speak to your work coach at the jobcentre. You may be able to get a hardship payment if you don't have enough money to live on. This is a reduced amount of benefit.

Your work coach can also tell you about organisations in your area that may be able to help you.

What you also need to do

You need to keep doing all you can to find work. And you need to take part in all the meetings we've asked you to. This includes signing on as usual, even if we stop your payments.

If you don't attend all the meetings and don't keep doing all you can to find work, we might stop your payments for longer.

If you don't sign on, we could close your claim. This would mean you would no longer get Jobseeker's Allowance and National Insurance credits, and any Housing Benefit and Council Tax Reduction you get may stop.

Please contact us to give us any further information. We may be able to help if you get in touch as soon as you can. If you do, your payments might not stop.

Yours sincerely,

Office manager

Please note: This letter is part of a trial to test a new process. This new process gives people receiving Jobseeker's Allowance more time to contact us with further information before being sanctioned. The information in this letter is correct for your area and for as long as the trial lasts. If we decide to apply a sanction to your benefit in the future you may not be given more time to provide further information.

More information

Getting help and support

Tell us if you don't understand this letter. We can give you information in a different way, or in a different format such as large print.

If we stop your payments, what you can do if you disagree

You can ask us to explain why

You, or someone who has the authority to act for you, can phone or write to us within one month of the date on the sanction letter (the letter that confirms your payment is stopping). You can ask us to explain our decision in writing.

You can also ask us to reconsider the decision

Tell us if you think we've overlooked anything, or you've got more information that affects the decision. You must do this within one month of the date on the sanction letter.

When we've looked at what you've told us, we'll send you a letter to tell you what we've decided and why. We call this letter a 'Mandatory Reconsideration Notice'.

What happens next?

If you agree with the result of the Mandatory Reconsideration Notice you don't have to do anything.

If you disagree with the Mandatory Reconsideration Notice, you can appeal to a tribunal. But you must wait for the Mandatory Reconsideration Notice before you start an appeal.

Where can I find more information?



Visit our website at www.gov.uk/jobseekers-allowance/furtherinformation to find out more about sanctions, hardship payments and what to do if you think our decision is wrong.



For free advice about managing money, visit moneyadvice.org.uk

About QR codes



These square barcodes open a specific website, saving you typing in long web addresses.

You can get a free app to scan QR codes on most smartphones.

Equality and diversity

We are committed to treating people fairly, regardless of their disability, ethnicity, gender, sexual orientation, transgender status, marital or civil partnership status, age, religion or beliefs. Please contact us if you have any concerns.

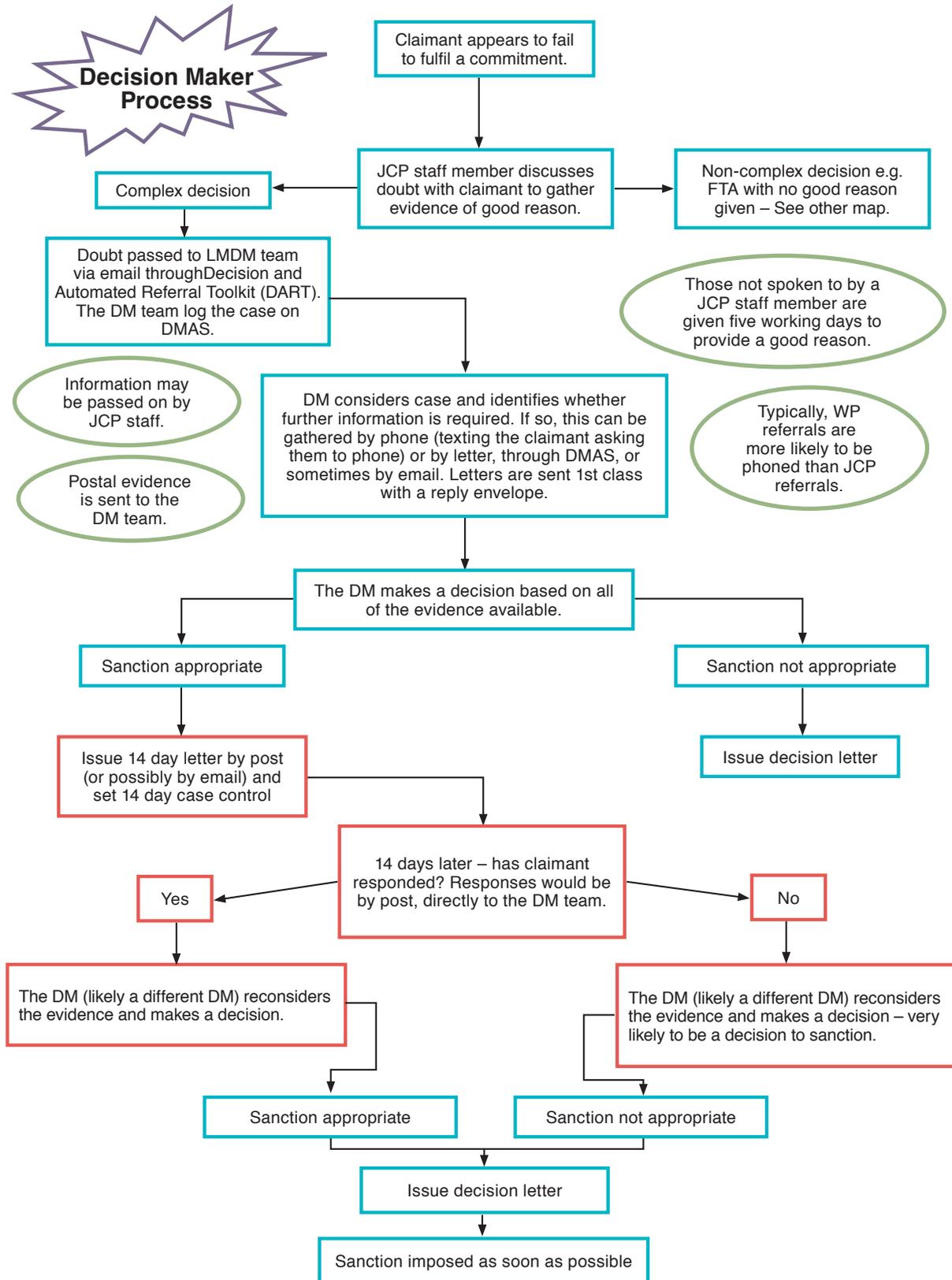
Call charges

Calls to 0345 numbers cost no more than a standard geographic call, and count towards any free or inclusive minutes in your landline or mobile phone contract.

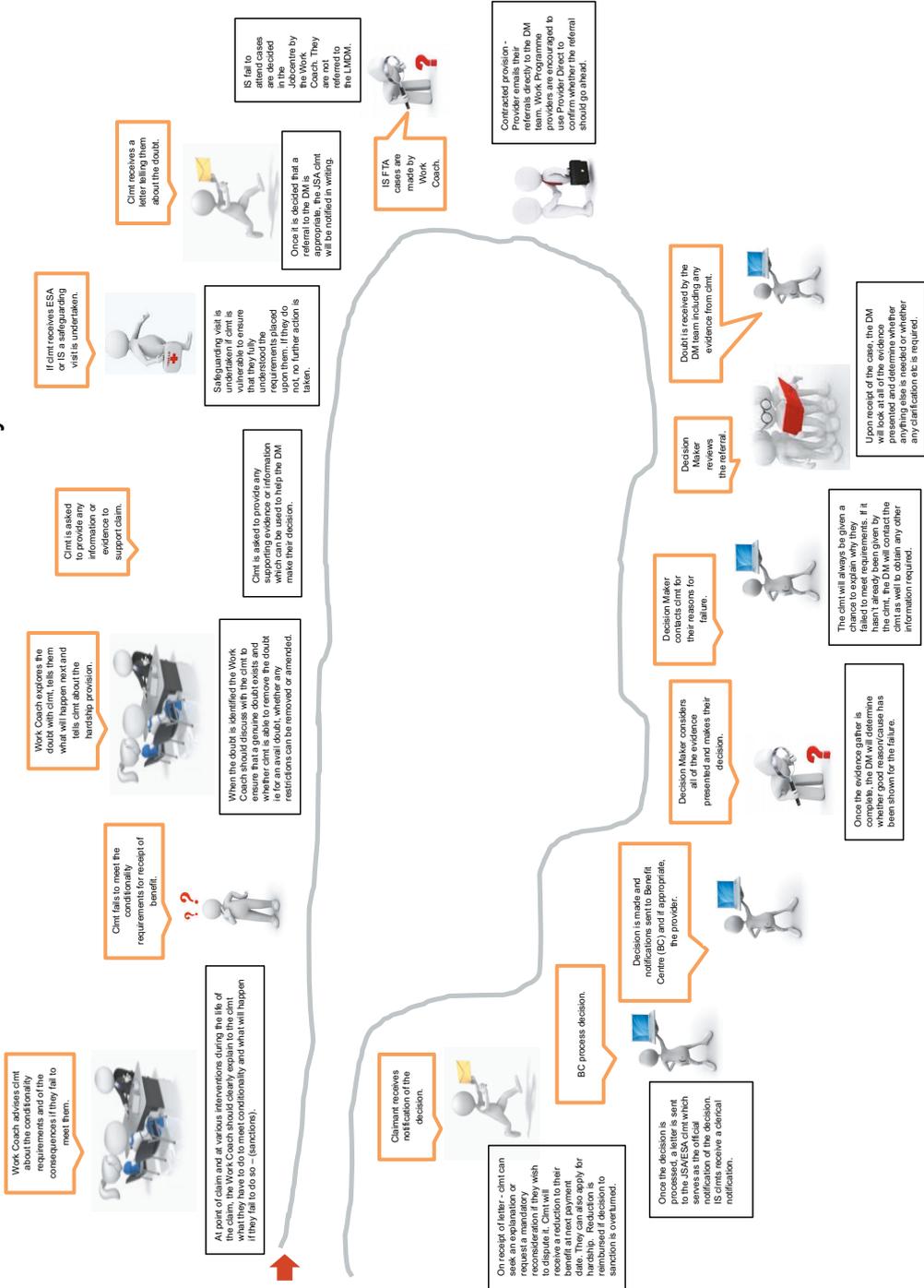
Housing Benefit and Council Tax Reduction

If you get Housing Benefit or Council Tax Reduction, keep in touch with your local council. Tell them about any changes to your circumstances including if you get a sanction. They will tell you what you need to do next.

Appendix B: DWP prepared journey map



Sanctions – Customer Journey



Appendix C: Secondary sample frame and sample characteristics

Secondary sample criteria

The secondary sampling variable was participant age. In the DWP sample, there were Claimants aged between 18 to 65, with a mean age of 32. The age distribution of the sample data provided by DWP was skewed towards younger age groups, with proportionally fewer Claimants aged 40 or over. The sampling approach taken aimed to achieve a more even split of ages to explore factors which could impact the Claimant journey among the older cohort. Table A1.1 shows the age groups of the research participants in comparison with the sample provided by DWP.

Table A1.1

Age	Interviews achieved	Percentage of interviews achieved	Percentage in DWP sample data
Under 25	14	31%	37%
25-39	17	38%	36%
40 or over	14	31%	25%

Participant characteristics

Table A1.2 shows the gender of participants interviewed compared with the DWP sample data.

Table A1.2

Gender	Interviews achieved	Percentage of interviews achieved	Percentage in DWP sample data
Female	13	29%	29%
Male	32	71%	71%

The topic guide was designed to explore further information about the Claimant's background and current circumstances to explore their various motivations, enabling factors and barriers which could shape their experience in the Trial. These characteristics included Claimant's housing status, health conditions, previous benefit history, literacy capabilities, English language capabilities and refugee status.

Tables A1.3 to A1.9 shows the numbers of interviews achieved by different participant characteristics.

Table A1.3: Participant housing type

Housing Type	Interviews achieved
Council /HA renting	16
Family/Friends	9
Home owner	3
Hostel/homeless	5
Private renting	9
Not disclosed	3

Table A1.4: Participant health conditions

Mental/physical Health condition	Interviews achieved
Yes	13
No/not disclosed	32

Table A1.5: Participants claiming ESA at the time of interview or within recent history (the past two years)

Recent or current ESA Claimant?	Interviews achieved
Yes	11
No/not disclosed	34

Table A1.6: Participants who were refugees

Refugee?	Interviews achieved
No	40
Yes	5

Table A1.7: Participant vulnerabilities, including homelessness at the time of Sanction, drug and alcohol misuse issues and debt

Vulnerabilities	Interviews achieved
Currently homeless	5
Drug/alcohol issue	3
Debt	7

Table A1.8: Participants with literacy issues

Literacy issue?	Interviews achieved
Yes	16
No	24
Unknown	5

Table A1.9: Participants with ESOL needs

ESOL needs?	Interviews achieved
No	38
Yes	7

The interviews also captured the number of previous Sanctions the participant had received prior to the JSA Sanctions Early Warning Trial. This was asked to determine the extent to which previous experience shaped Claimant attitudes and behaviour to engagement within the Trial. The majority of Claimants had not been Sanctioned prior to the Trial.

Table A1.10: Number of previous Sanctions

Number of previous Sanctions?	Interviews achieved
Zero	21
One to two	14
Three to four	3
More than four	5
Unknown	2

Appendix D: Research tools

This section presents technical details about the qualitative interviews conducted with participants and then goes on to provide the final topic guides used with providers and participants for this evaluation.

Participant recruitment letter

[Date]

Dear xxxx

We are writing to invite you to take part in a research study that has been commissioned by the Department for Work and Pensions. The aim of this research is to find out your views of the JSA Sanctions Early Warning Trial. This trial involves two changes to sanctions:

- 1) An additional 14 days of time to provide evidence against a sanction decision and;
- 2) A new letter which explains this change.

We have been given your details from the Department for Work and Pensions as you are someone who has received the trial letter and has had extra time to provide evidence against a sanction. We would like to speak to you to hear more about your experiences and opinions. **We are contacting you for research purposes only and will not share your details with DWP or anyone else.**

Our names are Jane, Sarah and Hannah. We are a team of researchers from Learning and Work Institute who are evaluating this trial. We are **completely independent** of the Department for Work and Pensions and are doing research on strict terms of confidentiality and anonymity.

We would like to invite you to:

- Take part in a one hour interview in September / early October.
- We will be arranging home visits to do interviews. If you do not feel comfortable with a face-to-face interview, we can also do telephone interviews if you prefer.
- **If you are interested in doing an interview, please call us on 0207 XXX XXXX or text us on 0XXXX XXXXXX. We will be able to arrange a good time for you.**
- **You will receive a £20 LOVE2SHOP voucher for taking part.** This will not affect your tax or any benefits you may be receiving. It is just to say thank you for your time. Details of where you can spend this voucher are contained within this letter.
- The interviews will find out a little bit about you and ask you some questions on your experience of the trial process, how clear you thought it was and what you think could be improved.

Any information you provide will be held in the strictest of confidence and will be handled securely throughout the study. The research findings will not identify you and no personal information will be shared with any third parties.

We really hope you will take part. Your contribution will provide valuable information which could impact on how this process works in the future for people in similar situations to yourself.

A researcher from Learning and Work may be in touch with you by phone in September to ask if you want to talk part in an interview.

If you are interested in taking part in this research and would like to speak to us to arrange an interview, or if you would like to ask us any questions about participating you can do so by:

- **Calling us on 0207 XXX XXXX, or**
- **Calling or texting on 0XXXX XXXXXX, or**
- **Emailing xxxxxx.xxxxxx@learningandwork.org.uk, or**
- **Replying with the enclosed opt-in slip and envelope to our freepost address:**

**LEARNING AND WORK INSTITUTE
FREEPOST XXXXXX
LONDON
XXX XXX**

We are very friendly and don't mind answering any questions you might have before you participate.

If you **do not** want to be contacted about this research, please contact us by 10th of September. You can opt out by:

- Emailing xxxxxx.xxxxxx@learningandwork.org.uk, or
- Calling Hannah or Jane on **020X XXX XXXX,**
- Calling or texting on **XXXXX XXXXXX** or
- Replying with the opt-out slip by freepost. (Free-post address above)

Yours sincerely,

Participant topic guide

JCP Sanctions Early Warning Trial

CUSTOMER INTERVIEWS TOPIC GUIDE

Introduction

Interviewer notes

This document is a guide to the principal themes and issues to be covered. Questions can be modified and followed up in more detail where necessary. Not all questions will be relevant to all stakeholders and we will focus on only those questions relating to professional role of interviewee

Aims and Research objective:

The overarching objectives of this research is to determine whether applying the new process results in fewer overturned decisions and fewer sanctions applied where claimants have evidence of good reason against a raised doubt as well as whether claimants, LMDMs and coaches deem the process to be an improvement.

Guide Questions

The specific aims of the customer interview is to explore:

1. Understanding of the reasoning behind the sanction
2. How aware are customers of the new sanctioning process
3. Identify critical decision making and action points in the sanctioning process
4. The extent to which customers have engaged with the new trial
5. Customer experience of the sanctions early warning trial

1. Introduction (max 3 mins)

Aim: Introduce Learning and Work and the research, warm the participant and obtain informed consent.

- o Introduce self and the L&W
- o Thank participant for agreeing to contribute to this research
- o Explain that DWP has commissioned L&W to carry out this research to find out how the sanctioning process it is working.
- o The interview is likely to take around one hour, and seeks to gather some background information about the process and draw on respondent's experience of it.
- o Participation is voluntary – no right or wrong answers; can choose to have a break or end the interview at any time or not to discuss any issue.
- o **'You will not be expected to answer all the questions and if you feel you are not able to, or would rather not answer a question, please say so and I will move on to the next question.'**
- o **'The interview will be conducted in confidence. We will be writing a report of findings but will not identify anyone who has participated in the research. We may use direct quotes but we will ensure they are anonymous and do not identify any individual participant.'**
- o Explain we would like to record the interview on a digital voice recorder so we have an accurate record of what is said. Recordings will be deleted once material has been transcribed.
- o All files are stored in secure folders in line with the Data Protection Act. Only the research team will have access to the recordings and transcripts.
- o Questions?
- o Ask for permission to start recording **START RECORDING**
- o **Get verbal consent to participate in the research**

2. About the Respondent (5-10 mins)

Aim: Understand Respondent's background and current situation. Warm the Respondent up

1) About the Respondent. *Probe:*

- a) Day-to-day activity

b) Housing situation

[If homeless/temporary accommodation]

- *Reasons behind situation (NB domestic violence victims; moved borough)*

- *Any support accessed?*

c) Family circumstances /or community support network

[If socially isolated/EES/Refugee]

Any support accessed?

d) Education/skills background

Any difficulties with reading or writing? NB ESOL

Any difficulties with using computers/websites/digital platforms?

Preferred method of dealing with official communications (e.g. by phone, letter, text, advocate/keyworker)

e) Employment history *and when/why they left last job*

Barriers to work

Any non-disclosed health conditions, drug or alcohol issues

Any debts? If so, impact on life and/or perception of barrier to complying with claimant commitments/finding employment

2) Experience with JCP and sanctioning regime. *Probe:*

a) Length of time / frequency of involvement with JCP

b) How familiar is the Respondent with JCP and its procedures. *Probe:*

i) Understanding and implications of the claimant commitment

ii) What are the reasons for which someone can be sanctioned?

c) Experience of previous JCP sanctions

[NOTE DOWN NUMBER OF PREVIOUS SANCTIONS] *Probe:*

i) Whether these were upheld, resolved at Dispute Resolution or won/lost at appeal. Any support accessed to help with previous sanctions?

3. Experience of the Sanctions Early Warning Trial process (15 mins)

Aim: Description of recent experience of sanctions process, including trigger, awareness, and decision making, with ultimate objective of mapping critical points in customer journey through new sanctions procedure.

AID: Timeline – Use time line to assist Respondent recall and sequencing of events

3) Detailed description of most recent sanctioning experience. Probe:

- a) Reason sanction was received including Respondent's view on justification.
Explore reasoning behind view
- b) Explore other events/circumstances occurring in the Respondent's life at the time
- c) What is the current situation with regards to this sanction decision (e.g. in progress, decided in respondent's favour, appealed, etc.)

4. Sanctions Timeline

Using Timeline mark a point at which Respondent first became aware they were going to be sanctioned (mark should be toward the left-most side of the timeline with a relevant date, but allow space for events before this point). Likewise, if sanctions issue is concluded, mark as a point towards the right-most side with a relevant date). MAKE

THIS SECTION QUITE SHORT AS A LOT OF FOLLOW UP QUESTIONS

'I would just like to get an idea of the timeline of events with this sanction and then I will ask you your view of them in the next sections'

Establish with respondent

- a) **When/how did Respondent become aware that they were likely to be sanctioned?**

[Prompt if necessary]

- i) At JCP (remembers being asked questions at JCP)
- ii) Early warning letter
- iii) Once sanctioned
- iv) Contact from a Dispute Resolution Team member

- b) **What was their immediate response when they found out about the [possible] sanction?**
 - i) How did they feel about the situation?
 - ii) What did they decide to do next? (*E.g. take action, seek advice, wait or do nothing*)
 - iii) How long did it take the Respondent to make a decision on what to do?
 - iv) **Why did they choose to act/not act [esp. on any communications given]**
- b) For all actions, what happened as a result?
- c) When was the sanctioning decision made [and/or] overturned?
- d) **Establish with Respondent all further communications with DWP/JCP until end of sanctions process [prompt if necessary]**
 - i) Receiving the early warning letter
 - ii) Any communications with LMDMs
 - iii) Any communications with DRT team
 - iv) Appeals process
- e) Establish if any support or advice accessed (from JCP/DWP, other organisations or friends and family)

5. JCP Communications

Establish with claimant communications practice at JCP.

[If claimant found out about possible sanction at point of doubt raising at JCP]

Probe:

- i) What happened with the Work Coach? What were they asked?
- ii) Customer view of clarity of communication, messaging, tone
- iii) Understanding of process of giving information to the Work Coach
- iv) How comfortable did respondent feel about responding to Work Coach in JCP?

[If Respondent has had any other communications with JCP during process]

Probe:

- i) What communications did they have with JCP/Work Coach?

- ii) Respondent view of any support accessed, approach, tone, level of information given
- iii) How useful was support?
- iv) What else would be helpful from JCP/Work Coaches?

[If no communications/support accessed]

- i) Why did the Respondent not engage with JCP/Work Coach?
- ii) Would Respondent feel comfortable with accessing support regarding sanctions in the future?
- iii) What kind of support would be useful?

6. Early warning letter

Aim: customer view of the early warning letter, its clarity and purpose in providing early warning

[If Respondent remembered receiving the early warning letter]

- i) What was their first impression of the letter?
- ii) Respondent view of clarity of communication, messaging, tone
- iii) Understanding of process of giving information to DWP
- iv) How comfortable did respondent feel about being asked to call the number given on the letter?
- v) Why did Respondent choose to engage/not engage with the letter?

[If Respondent does not remember letter – show claimant early warning letter – if triggers memory use above questions, if no memory]

- i) First impressions of letter, tone, messaging
- ii) What information does the letter include, what is it asking the customer to do?
- iii) How comfortable would the Respondent feel about engaging with these instructions/ calling the number on the letter?

[Ask all, referring to letter]

‘The goal of this letter is to give claimants more time to provide evidence of good reason for not being sanctioned’

a) How well do you think this letter communicates this goal?

b) What do you think is good about the letter?

c) What could be improved?

7. LMDM Communication Process

[For Respondents with experience of speaking to the LMDM's by calling the number on the letter/submitting evidence by letter] Probe:

- i) Respondent's experience of providing additional evidence
- ii) Where verbal communications, view of clarity of communication, messaging, tone, time taken
- iii) Did respondent understand what to do/provide?
- iv) What works well with the process?
- v) What could be improved?

8. Dispute Resolution Team communications

[For Respondents with experience of going through the mandatory reconsideration process/speaking to the Dispute Resolution Team] Probe:

- i) What was the process of going through mandatory reconsideration of a sanction?
- ii) What was their first impression of receiving a call from the DRT team?
- iii) Respondent view of clarity of communication, messaging, tone, length of time taken
- iv) Understanding of process of giving information to DWP through DRT

9. Other support and advice

[For Respondents with experience of accessing other support from friends, family and/or support organisations]

a) Why did you access support from [friends/family/support organisation]?

Probe:

- i) View of support given – mode/level/usefulness of support
- ii) Comparison to any DWP/JCP support accessed?

10. Non-engaging claimants

[For respondents who have not engaged with any communications or support]

Probe:

- a) Reasons for non-engagement with communications
- b) Level of knowledge about support available
- c) Support needs
- d) What [if anything] could be done to encourage engagement with process

11. Exploring decision making determining customer journey

Aim: Develop a structured understanding of the drivers of behaviour and decision-making at key points in the pathway through the application of a behavioural framework.

a) Overall, how well do you feel that you understand the process of **complying with your claimant commitment conditions?**

[If understands]

- i) Probe reasons for non-compliance

[If does not understand]

- ii) Probe reasons for not understanding claimant commitments
- iii) Explore ways in which Respondent could be better supported with understanding claimant commitment

b) Do you understand what is a 'good reason' for not being able to comply with your claimant commitments?

[If understands]

- i) Explore what Respondent views as good reasons
- ii) [If relevant] Probe reasons for non-engagement with process of submitting good reasons to DWP/JCP
- iii) Does the claimant know how to give good reason?
- iv) Any support needs?

[If does not understand]

- v) Probe reasons for not understanding what good evidence is/providing evidence
- vi) Explore ways in which Respondent could be better supported with understanding good reasons and evidence

12. View of Sanctions Early Warning Trial

Explain to claimant the purpose of the early warning trial, that the letter is designed to provide claimants with an additional 14 days of time to provide evidence, communicated by letter. Explore with Respondent:

- a) View of the trial process
- b) Whether the additional time/letter is effective
- c) **What else could better support claimants like themselves to provide good evidence against sanctions?**

12. Respondent's opportunity to add anything that has been missed (3 mins)

Aim: to explore if the respondent has an opinion/view on an aspect not already explored in the interview guide.

- 24) Anything the Respondent would like to add
- 25) Opportunity to ask questions

Thank respondent for participating and close

Customer timeline

CUSTOMER TIMELINE

INTERVIEW REFERENCE: _____



Dispute Resolution Team focus group topic guide

DWP Evaluation of JSA Sanctions Early Warning Trial

Focus Group Dispute Resolution Team

Interviewer notes

This document is a guide to the principal themes and issues to be covered. Questions can be modified and followed up in more detail where necessary.
Instructions to the interviewer are in italics

Introduction

Introduce yourself and Learning and Work Institute (Independent research organisation) and thank participant for agreeing to participate in the research.

- Explain that L&W (Learning and Work Institute) have been commissioned by the Department for Work and Pensions to conduct research on the implementation and effectiveness of the JSA Sanctions Early Warning Trial. As part of this research we would like to understand your view of:
 - How the new process is working;
 - Impact of the change on working practice;
 - The impact(s) for customers
 - What could be done additionally or differently to improve the decision making process?
- The focus group will last one hour
- Participation is optional and they can stop the interview or decline to answer specific questions at any time, should they wish

Confidentiality and Consent

- Explain that interview findings will be included in reports which will be published on the DWP website.
- The interview will be confidential and anonymous. Any direct quotes used in the report will be anonymous and no individual's name or anything else that could identify them will be used to identify the source of the quote. However extracts may be annotated by role (e.g. LMDM or Work Coach) in order to give context to comments.
- We are undertaking this work on behalf of DWP but no information that could individually identify our interviewees will be shared with DWP.

- We would prefer to record the interview as this helps us to capture exactly what is said Ensure interviewee is comfortable with recording
- Recordings will be deleted once material has been transcribed
- Any questions?
- **Ask participants to verbally confirm that they understand the purpose and confidentiality of the research and that they are happy to take part**

A. Customer journey

1. Please could you tell me briefly about the role of the Dispute Resolution Team?

- How long in operation, purpose, experience of staff

[Using flip chart as reference]

2. Please could you outline the usual customer journey for mandatory reconsideration?
 - a) What is the purpose of mandatory reconsideration?
 - b) What is your role in supporting customers through the dispute resolution process?
 - c) What prompts customers to respond to sanctioning decisions?
3. Are there any differences in the customer journey for the JSA Sanctions Early Warning Trial customers?
4. Which parts of the DRT customer journey process work well?
 - For JCP/DWP?
 - For customers?
 - For the trial process?
5. Are there any challenges within the process of mandatory considerations?
 - a) *Are there any challenges for the trial process?*
 - b) *Any delivery challenges/business process?*

B. Trial aims and role

6. What do you see as the overall aims of the early warning trial?
7. What is your team doing in relation to this trial?
8. Have you had any guidance or communications about delivering the trial?
Probe: for view of clarity and understanding of guidance/training

C. Communications of Early Warning Process

9. Please could you describe how the trial decision making process works?

Probe for: full details of sequence of communications/actions from Work Coach to Decision Maker to Dispute Resolution team

10. When a customer has a mandatory reconsideration, how do you communicate with them?

Probe approach to communicating with customers

Probe for:

- *communication style*
- *articulation of good reason*
- *procedure to deal with different levels of capacity/understanding*

11. What is your procedure to deal with claimant evidence?

Probe procedure for different verbal/written evidence

Probe: if DRT team support customer with what constitutes good evidence?

[If different level of communication/approach]

- a) Why do you take this approach?
- b) Why does this approach vary to JCP WC/LMDM process?

12. How have you communicated the trial process to customers?

Probe: communication style, articulation of customer benefit, dealing with queries

D. Effectiveness of new process

[Bearing in mind that these customers will not have adequately responded]

13. [If known] How have customers on your caseload responded to the new process?

- a) How have customers responded to the introduction of the extra 14 day window?
- b) How have customers responded to the trial letter?

Probe: is the letter an improvement?

Probe: reasons why customers have not engaged with letter/14 day window, levels of need and capacity

14. Are there any differences in quality of evidence (pre/post dispute resolution)

according to:

- a) Different customer demographics?
 - b) Level of customer need (if known)?
 - c) Other customer characteristics?
15. Thinking about your caseloads, which ones do you think have most benefitted from the change? *Probe: How has the change benefitted them?*
16. **What do you think could be done to help those who are still struggling to submit evidence of good reason?**
- Probe: messaging and communications, offer of support, discretion*

E. Lowering overturn rates

17. **Overall, how well do you think the process is working for customers?**
- a) **What if any changes would you make to the Sanctions Early Warning Trial to improve the process for customers?**
 - b) **What if anything would you do change to reduce your caseload and overturns?**

Close

Any further comments?

Thank participants, answer any questions and close.

Work Coach topic guide

DWP Evaluation of JSA Sanctions Early Warning Trial

Work Coach Guide

Interviewer notes

This document is a guide to the principal themes and issues to be covered. Questions can be modified and followed up in more detail where necessary.
Instructions to the interviewer are in italics

Introduction

Introduce yourself and Learning and Work Institute (Independent research organisation) and thank participant for agreeing to participate in the research.

- Explain that L&W (Learning and Work Institute) have been commissioned by the Department for Work and Pensions to conduct research on the implementation and effectiveness of the JSA Sanctions Early Warning Trial. As part of this research we would like to understand your view of:
 - How the trial process is working
 - Impact of the change on working practice
 - The impact(s) for customers
 - What could be done additionally or differently to improve the decision making process?
- The interview will last 45 minutes
- Participation is optional and they can stop the interview or decline to answer specific questions at any time, should they wish

Confidentiality and Consent

- Explain that interview findings will be included in reports which will be published on the DWP website.
- The interview will be confidential and anonymous. Any direct quotes used in the report will be anonymous and no individual's name or anything else that could identify them will be used to identify the source of the quote. However extracts may be annotated by role (e.g. LMDM or Work Coach) in order to give context to comments.
- We are undertaking this work on behalf of DWP but no information that could individually identify our interviewees will be shared with DWP.

- We would prefer to record the interview as this helps us to capture exactly what is said. Ensure interviewee is comfortable with recording.
- Recordings will be deleted once material has been transcribed.
- Any questions?
- **Ask participants to verbally confirm that they understand the purpose and confidentiality of the research and that they are happy to take part.**

A. **Background**

18. Please could you tell me briefly about your role?

Probe: length of time in post, experience

a) Please describe what you see as your role in supporting claimant compliance with their JSA conditions?

Probe: for what they see as WP Provider role in supporting claimant compliance

b) What is your role in relation to this trial?

c) How do you think this trial changes your role in supporting customers comply with their JSA conditions?

19. What do you see as the overall aims of this trial?

B. **Communication of trial**

20. What communications or information have you had to help you prepare to support this trial?

Probe: for view of clarity and understanding of guidance/training

Prompt if not covered:

a) Was any guidance provided?

Probe: WP Provider view of clarity and understanding

b) How useful was the guidance provided?

21. Do you have any additional training or guidance needs?

[If yes] Probe details

C. **Implementation of Early Warning trial**

22. Please could you describe how the early warning sanction process works?

Probe for: full details of sequence of communications/actions for claimants on WP, process of communication to customer, procedure to deal with verbal/written evidence

a) How do you think the trial seeks to improve the existing/previous process for claimants?

23. How well has the early warning trial been working to date?

Probe for: any factors related to process/time for decision to be made; implementation challenges; relationship with LMDMs/JCP

[If challenges] Probe for: how these could be mitigated

[If not mentioned]

a) What (if any) is the impact of the additional time taken to make a decision made on your business process?

b) What (if any) impact has the additional time had for customers on the Work Programme?

D. Effectiveness of early warning sanction process

24. How have you communicated the change to customers?

Probe: reach, communication style, articulation of customer benefit, dealing with queries

25. How have customers responded to the trial process?

Probe for: responses made to WP, benefits/negatives

c) How have customers responded to the introduction of the extra 14 day window?

d) How have customers responded to the trial letter?

Probe: clarity of the letter; information/action

e) How have customers responded to any other communications of the process?

[e.g. from DM]

26. Do customers understand the trial process?

a) Are there any customers that have difficulties understanding the trial process?

Probe: customer characteristics, capacity to engage level of need additional barriers

[If YES]

b) What specific issues do customers have?

[Provide examples]

- c) What is the process for supporting customers with difficulties understanding the trial process?

Probe: how provider supports those with issues; knowledge to refer back to JCP WC

E. Customer impact

27. Overall what has been the impact of the early warning process for customers?

Probe: positive/neutral impacts, customer examples, differences by types of customer (esp. vulnerable customers)

- a) Are there any kinds of customers who you think benefit/do not benefit?

Probe: customer characteristics; ways to support customers

F. Overall delivery lessons

28. Overall how well do you feel the trial process is working to date?

29. Based on your experience of supporting the trial, what if any changes would you make to the way sanctions are implemented and communicated to customers?

Probe: length of time; communication methods; other process/systems

30. Is there anything that you feel you need additionally or differently to support customers to comply with their JSA conditions?

Any further comments?

Thank participant, answer any questions and close.

Work Coach information sheet

JSA Sanctions Early Warning Trial Work Coach Interviews

Research information sheet

Background

The Department for Work and Pensions (DWP) has commissioned Learning and Work Institute (L&W) to conduct some qualitative research to understand the effectiveness of the JSA Sanctions early warning trial that your Jobcentre Plus is participating in.

DWP are trialling a new early warning system to give those about to be sanctioned an extra opportunity to provide evidence of good reason for not meeting their conditionality. Claimants who do not comply with their JSA conditions have 5 days to provide evidence of good reason to their WC. The early warning trial introduces two main changes:

- Claimants who have not provided evidence of good reason for non-compliance will be written to, giving details of the failure and advising of the intention to apply a sanction to the claimant
- The claimant will have an additional 14 days following the normal 5 day period to provide evidence of good reason for not complying with their JSA sanctions
- L&W will be conducting research interviews with WCs, LMDMs, Work Programme Providers and Claimants who have been subject to the early warning trial

The trial research is taking place in the southern Scottish area which includes East and South East Scotland, Glasgow, and Lanarkshire and East Dunbartonshire. Qualitative research will support in-house quantitative research conducted by in-house DWP analysts. L&W will be conducting research interviews with WCs, LMDMs, Work Programme Providers and Claimants who have been subject to the early warning trial.

Taking part in the research

We would like to invite you to participate in a **45-60 minute qualitative research interview by telephone**. During this interview you will be asked about the training and guidance you received, how the trial has been implemented in your JCP, how effective the trial process has been, customer outcomes and impacts and overall delivery lessons. There is no need to prepare for the interview.

The interview will be recorded to ensure that we report all views as accurately as possible. If you have any concerns with this please raise them with the researcher. All information collected will be held confidentially within the research team and any research publications, reports and other outputs will not name or in any other way identify you as an individual or your JCP.

Providing consent

Before taking part we will reiterate the purpose and confidentiality of the research and ask you to provide verbal consent. By providing verbal consent you will be confirming that you consent to take part in the research project and that you:

- Understand that taking part is voluntary and that you are free to withdraw at any time, without giving a reason and without there being a penalty of any kind.
- Understand that the L&W is undertaking this work on behalf of DWP, and that while overall findings from the interviews will be shared with researchers at DWP no information that could identify you or your organisation will be shared with DWP.
- Are aware that any research publications, reports and other outputs will not name or in any other way identify you as an individual or your organisation.
- Understand that any data generated by the research will be securely managed and disposed of in accordance with DWP data security guidelines.

Opting out of the research

Your contribution will provide us with valuable information. We hope that you decide to take part, however, you are under no obligation to do so and you can withdraw at any stage.

For further information about this research project, please contact

For further information about this research project, please contact

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Email: xxxxxx.xxxxxx@DWP.GSI.GOV.UK

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Labour Market Decision Maker topic guide

DWP Evaluation of JSA Sanctions Early Warning Trial

Labour Market Decision Maker Guide

Interviewer notes

This document is a guide to the principal themes and issues to be covered. Questions can be modified and followed up in more detail where necessary.
Instructions to the interviewer are in italics

Introduction

Introduce yourself and Learning and Work Institute (Independent research organisation) and thank participant for agreeing to participate in the research.

- Explain that L&W (Learning and Work Institute) have been commissioned by the Department for Work and Pensions to conduct research on the implementation and effectiveness of the JSA Sanctions Early Warning Trial. As part of this research we would like to understand your view of:
 - How the new process is working;
 - Impact of the change on working practice;
 - The impact(s) for customers
 - What could be done additionally or differently to improve the decision making process?
- The interview will last 45 minutes
- Participation is optional and they can stop the interview or decline to answer specific questions at any time, should they wish

Confidentiality and Consent

- Explain that interview findings will be included in reports which will be published on the DWP website.
- The interview will be confidential and anonymous. Any direct quotes used in the report will be anonymous and no individual's name or anything else that could identify them will be used to identify the source of the quote. However extracts may be annotated by role (e.g. LMDM or WC) in order to give context to comments.
- We are undertaking this work on behalf of DWP but no information that could individually identify our interviewees will be shared with DWP.

- We would prefer to record the interview as this helps us to capture exactly what is said. Ensure interviewee is comfortable with recording.
- Recordings will be deleted once material has been transcribed
- Any questions?
- **Ask participants to verbally confirm that they understand the purpose and confidentiality of the research and that they are happy to take part.**

Background

31. Please could you tell me briefly about your role?

Probe: length of time in post, experience

d) What are you doing in relation to this trial?

32. What do you see as the overall aims of this trial? *(if recognises as a trial)*

Training and Guidance

33. What support have you (and your colleagues) had to help you prepare to deliver this trial?

Probe: for view of clarity and understanding of guidance/training

Prompt if not covered:

c) Was any training provided?

Probe: DM view of clarity and understanding

d) How useful was the training/guidance provided?

34. Do you have any additional training or guidance needs?

[If yes] Probe details

Operation of Early Warning Process

35. Please could you describe how the trial decision making process works?

*Probe for: **full details of sequence of communications/actions**, process of communication to customer, procedure to deal with verbal/written evidence*

36. In which circumstances would you contact a customer?

a) Please could you describe your approach to communicating with customers?

Probe for: communication style, articulation of good reason, procedure to deal with different levels of capacity/understanding

37. How have you communicated the change of process to customers?

Probe: communication style, articulation of customer benefit, dealing with queries

38. How does this change the usual sanctioning decision making process?
Probe: changes to process, roles and responsibilities of staff (e.g. AO/DM – second DM)
39. To what extent does this new process affect the way in which you work?
40. How do you feel about decisions being checked by a second DM?
 [NB establish if they are implementing this process]

Operational impact of new decisions process

41. How well has the trial process been implemented in your decision making centre?
Probe for: factors relating to the change of process implementation relationship with JCP/Work Coaches
42. What has been the impact on business process?
Probe: positive and negative impacts
 Prompt if not covered:
 a) Have there been any challenges in delivering this new process?
43. Is there anything that you would do differently or additionally to make the process work more smoothly?

Effectiveness of new process

44. Thinking about how you make decisions, how has the trial process been working to date?
45. How have customers responded to the new process?
Probe for: responses/communications made to LMDMs benefits/negatives
- f) How have customers responded to the introduction of the extra 14 day window?
- g) How have customers responded to the trial letter?
Probe: is the letter an improvement?
- h) How have customers responded to any other communications of the process?
46. Have there been any changes to the level or quality of evidence submitted by customers?
Probe details
 a) What impact does this have on your ability to make a good decision?

47. Are there any differences in quality of evidence according to:
- d) Different customer demographics?
 - e) Level of customer need (if known)?
 - f) Other customer characteristics?
48. Thinking about your customers, which ones do you think have most benefitted from the change? *Probe: How has the change benefitted them?*
49. Are there any customers who continue to have difficulty with providing evidence?
- a) Are there any customers who still submit evidence late?
Probe for: key customer characteristics
50. Overall, to what extent do you feel that customers benefit from the trial process?
- b) Are there any kinds of customers that you feel do not benefit?
Probe: details of any vulnerabilities, capacity, needs
51. What do you think could be done to help those who are still struggling to submit evidence on time?
Probe: messaging and communications, offer of support, discretion
52. **What do you think could be done to help those who struggle to understand what constitutes evidence of good reason?**

Overall delivery lessons

53. Overall, how well do you feel the new process is working to date?
- a) What advice would you give another LMDM looking to implement this new process?
54. Based on your experience of delivering the trial, what if any changes would you make to the Sanctions Early Warning Trial to improve the process for customers?
Probe: length of time communication methods other process/systems
55. To what extent do you feel that the new process adds value to DWP decision making for sanctions?

56. Is there anything that you feel you need additionally or differently to make a good decision?

Close

Any further comments?

Labour Market Decision Maker information sheet

JSA Sanctions Early Warning Trial Labour Market Decision Maker Interviews

Research information sheet

Background

The Department for Work and Pensions (DWP) has commissioned Learning and Work Institute (L&W) to conduct some qualitative research to understand the effectiveness of the JSA Sanctions early warning trial that your centre is participating in.

DWP are trialling a new early warning system to give those about to be sanctioned an extra opportunity to provide evidence of good reason for not meeting their conditionality. Claimants who do not comply with their JSA conditions have five days to provide evidence of good reason to their Work Coach. The early warning trial introduces two main changes:

- Claimants who have not provided evidence of good reason for non-compliance will be written to, giving details of the failure and advising of the intention to apply a sanction to the claimant.
- The claimant will have an additional 14 days following the normal five day period to provide evidence of good reason for not complying with their JSA sanctions
- L&W will be conducting research interviews with WCs, LMDMs, Work Programme Providers and Claimants who have been subject to the early warning trial.

The trial research is taking place in the southern Scottish area which includes East and South East Scotland, Glasgow, and Lanarkshire and East Dunbartonshire. Qualitative research will support in-house quantitative research conducted by in-house DWP analysts. L&W will be conducting research interviews with WCs, LMDMs, Work Programme Providers and Claimants who have been subject to the early warning trial.

Taking part in the research

We would like to invite you to participate in a **45-60 minute qualitative research interview by telephone**. During this interview you will be asked about the training and guidance you received, how the trial has been implemented in your centre, how effective the trial process has been, customer outcomes and impacts and overall delivery lessons. There is no need to prepare for the interview.

The interview will be recorded to ensure that we report all views as accurately as possible. If you have any concerns with this please raise them with the researcher. All information collected will be held confidentially within the research team and any research publications, reports and other outputs will not name or in any other way identify you as an individual or your centre.

Providing consent

Before taking part we will reiterate the purpose and confidentiality of the research and ask you to provide verbal consent. By providing verbal consent you will be confirming that you consent to take part in the research project and that you:

- Understand that taking part is voluntary and that you are free to withdraw at any time, without giving a reason and without there being a penalty of any kind.
- Understand that the L&W is undertaking this work on behalf of DWP, and that while overall findings from the interviews will be shared with researchers at DWP no information that could identify you or your organisation will be shared with DWP.
- Are aware that any research publications, reports and other outputs will not name or in any other way identify you as an individual or your organisation.
- Understand that any data generated by the research will be securely managed and disposed of in accordance with DWP data security guidelines.

Opting out of the research

Your contribution will provide us with valuable information. We hope that you decide to take part, however, you are under no obligation to do so and you can withdraw at any stage.

For further information about this research project, please contact

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Phone: 0XXX XXX XXXX

Appendix E: JSA Early Warning Trial Claimant journey

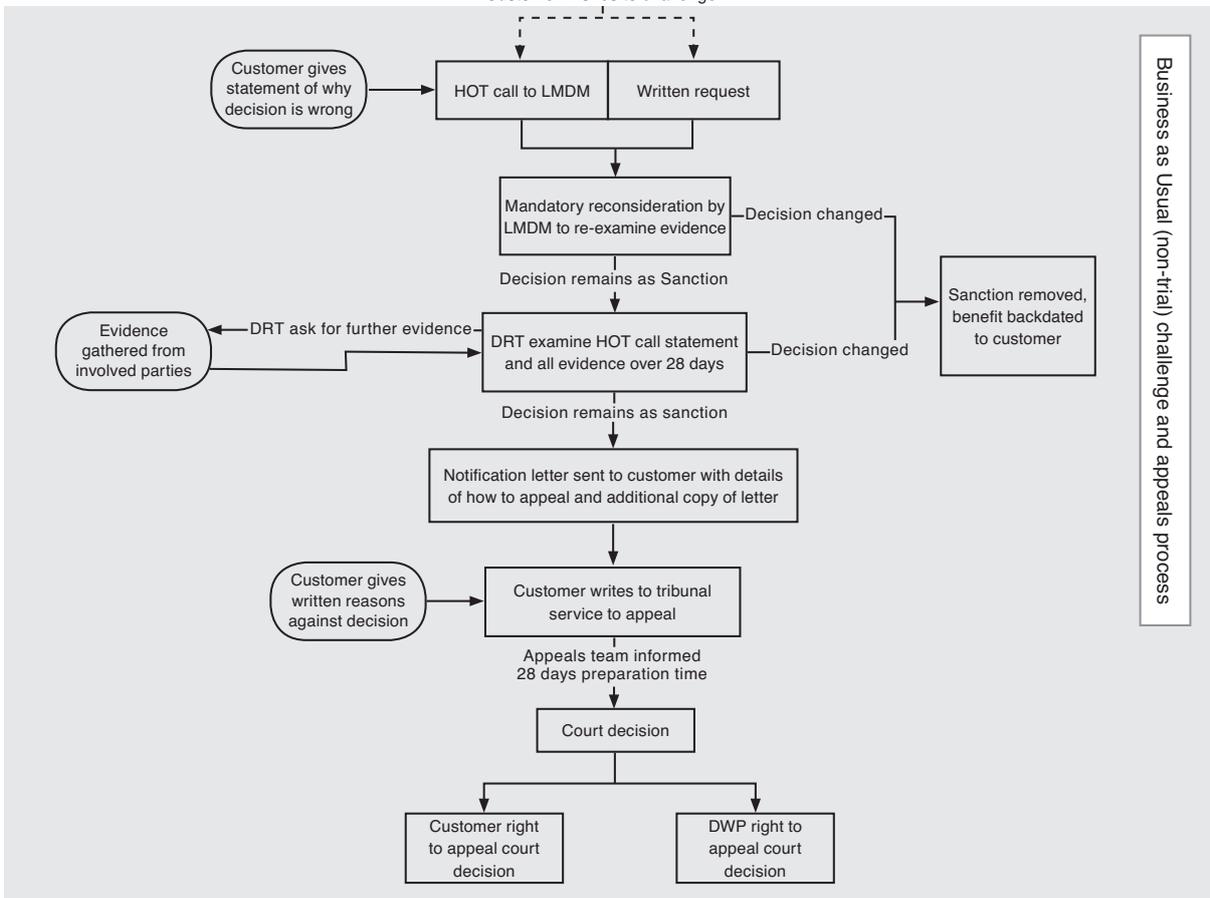
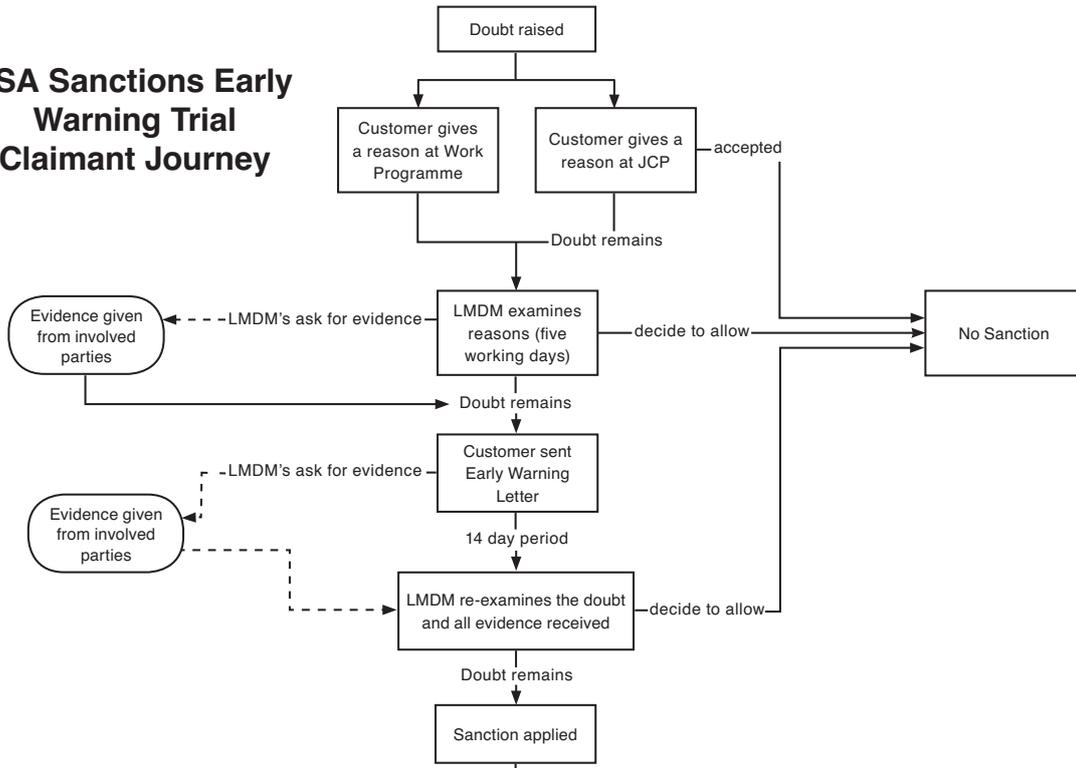
This Appendix presents the fully detailed process map developed through interviews with Work Coaches (WCs), Work Programme Providers (WPP), Labour Market Decision Makers (LMDMs) and Dispute Resolution Team (DRT) members.

As can be seen, the process map also includes two further stages to challenge a Sanction decision, which would also be available outside of the Sanctions Early Warning Trial (SEWT).

In the instance a Claimant wishes to challenge a LMDM's determination to continue to a Sanction, they can request a Mandatory Reconsideration through the DRT. Upon consideration, the DRT would send a letter of the decision outcome notice.

If the outcome was still to Sanction and the Claimant wished to continue to challenge further, their case could be taken to a tribunal.

JSA Sanctions Early Warning Trial Claimant Journey



Business as Usual (non-trial) challenge and appeals process