

Sector-based Work Academy Programme: Guidance

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Note: If you are responsible for setting up Sector-based Work Academy Programme (SWAP), see SWAP guidance for Employment and Partnership teams.

What is a Sector-based Work Academy Programme?

The Sector-based Work Academy Programme (SWAP) is delivered by DWP working with employers who have vacancies and training providers to design a bespoke package of support for claimants.

The programme lasts for up to 6 weeks and can be part-time or full-time depending on the needs of the employer/potential participants.

It allows claimants to develop the skills needed to move into the workplace or progress in work. This is through training and a work experience placement linked to a genuine job or apprenticeship vacancy.

The aim of the SWAP is to prepare claimants who have not worked in a particular sector before, to compete for and gain the job on offer.

SWAP is delivered in England and Scotland. Although SWAP is not available in Wales, Welsh Districts can offer a similar package of support through Wales Skills to Employment Pathway.

Each SWAP will be different but must contain all 3 of the following:

- pre-employment training
- a work experience placement

- a guaranteed job interview (including an interview for an apprenticeship) with an employer in the sector

In exceptional circumstances where the employer is unable to offer a guaranteed job interview, due to 'fair and open' recruitment policies, the SWAP can be just pre-employment training and a work experience placement. These types of SWAP must include support to help the claimant through the employer's recruitment processes.

Part time Sector-based Work Academy Programme

A Sector-based Work Academy Programme can be part-time (a maximum of 6 weeks) and is particularly beneficial for those:

- already in work looking to increase their earnings and progress in work
- with caring responsibilities or health conditions, for example who cannot attend a full-time SWAP

Sector-based Work Academy Programme for claimants already in work

Claimants who are already in work or have worked in the past and have the skills included in the SWAP, can access SWAP if it will help them into a job or better paid work.

If a SWAP is designed to allow working people to take part, care must be taken to make sure it does not adversely affect the claimant's current employment arrangements.

Where a SWAP is available in your District, the SWAP co-ordinator will make all details available on the District Provision Tool (DPT) including how to make the referral.

Eligible and suitable claimants can **volunteer** to take part in a SWAP.

The employer wants to employ suitable and willing candidates. Sending someone unsuitable to a SWAP does not give them any support towards employment and is likely to cause DWP reputational damage with the employer.

For some claimants the SWAP becomes mandatory once they agree to take part. For more information see conditionality and sanctions.

Eligibility and suitability

To be eligible for a SWAP, a claimant must:

- be aged 16 or over from day 1 of their claim and fully-funded training is available
- meet the skills funding eligibility. This is confirmed by the training provider and should be detailed on the SWAP information recorded on the DPT. If there is any doubt, contact your Employer Adviser.
- be claiming Universal Credit or New Style Jobseekers Allowance (New Style JSA) or New Style Employment and Support Allowance (New Style ESA)

- non-claimants who are receiving DWP support via the Rapid Response Service may also participate in a SWAP if this can help them find work

Suitable claimants are those:

- unable to find or progress in work without support
- close to the Labour Market and have most of the necessary skills to be able to work
- interested in the sector in which the SWAP is taking place
- available to attend all parts of the programme

Claimants will normally only participate in one SWAP. If a claimant has already completed a SWAP in one sector, they can participate in a different sector if their work coach believes this will be helpful.

However, a provider may refuse a place if the claimant has completed the content of the training before (providers cannot fund the same course twice).

If the claimant does not attend or is removed from SWAP, that particular SWAP will no longer be available to them. The reasons for removal may include misconduct and long-term sickness. In these cases, the claimant can then take part in a second different SWAP opportunity.

When claimants complete SWAP and have not been successful in gaining employment, they must continue to be supported so that learning is not lost.

Contracted Provision

Claimants are not able to access a SWAP while taking part in DWP Contracted Provision (e.g. Restart, IPES, Work and Health Programme and Pioneer), even if they have disengaged from that provision.

This is because the administration of SWAPs is funded by DWP.

Contracted Provision providers are expected to engage with employers to identify forthcoming job opportunities, and design interventions to align with local growth sectors, opportunities and challenges. This could include work-based sector training and guaranteed interviews for participants but not DWP SWAP.

Sector-based Work Academy participation for 16 and 17 year olds

Young people aged 16 and 17 are eligible to participate in SWAP if they are receiving Universal Credit in their own right (it does not include those who are named as dependents on a parent or guardian's claim).

It must be made clear to the participant, in discussion with their local authority adviser (if they have one) and work coach, that they must consider the education they need alongside that work until they are at least 18 years old.

The job vacancy/SWAP must be suitable for someone of their age and is either:

- an apprenticeship, or
- any other sustainable employment which allows the young person to continue in part-time education or training leading to relevant regulated qualifications

Conditionality and sanctions

The claimants' decision to take part in a Sector-based Work Academy Programme (SWAP) is entirely voluntary. This includes New Style Employment and Support Allowance (New Style ESA) and New Style Jobseekers Allowance (New Style JSA) claimants.

Work coaches must support customers throughout SWAP. If elements of SWAP are part-time and it is possible for them to attend face-to-face appointments in the jobcentre as per their current regime, then the claimant should do so.

If SWAP is full-time and it is not possible for the claimant to attend as per their current regime, work coaches must support them via a different channel (for example, journal, telephone or video).

Universal Credit claimants in the Intensive or Work Preparation regimes are required to take certain steps to find work. If they agree to take part in SWAP, it is set as a work preparation requirement in their Claimant Commitment and they are then subject to sanctions if they do not complete parts of the SWAP.

No sanction can be imposed for any failure to comply with the work experience element of the programme. However, sanctions must be considered if the claimant is dismissed from the work experience due to gross misconduct and they are in the All Work Requirements Regime or the Work Preparation Regime.

The claimant must fully understand this before they make a decision on whether to take part.

The correct SWAP referral letter must be issued.

Conditionality can only be enforced once a claimant has agreed to take part, has a tailored Claimant Commitment in place and has been issued the correct notification. If the claimant fails to meet the agreed commitments, take action as per the Sanction Assurance Framework.

Notifications:

- UCD202 Sector-based Work Academy (All Work Related Requirements) - start details,
- UCD202a Sector-based Work Academy (Work Prep) - start details,
- UCD202b Sector-based Work Academy (Work Focused Interview) - start details
- UCD382 Sector-based Work Academy open day, in Resources and notifications.

Once a claimant agrees to participate the following applies, those in the:

- Intensive Work Search regime:
 - are required to complete the pre-employment training and guaranteed job interview
 - can be sanctioned if they are asked to leave due to gross misconduct (including from the work experience programme (WEP))
 - if they refuse a reasonable job/apprenticeship offer following a guaranteed job interview, they may be sanctioned for refusal of employment

- Light Touch regime:
 - can attend a SWAP on a voluntary basis (this may be by attending part-time) if they are able to do so without jeopardising their existing work commitments

- Work Preparation regime:
 - are required to complete the pre-employment training and the guaranteed job interview
 - can be sanctioned if they are asked to leave due to gross misconduct (including from the WEP)

- Work Focused Interview regime:
 - can participate in SWAP on a wholly voluntary basis

- New Style JSA claimants:
 - are required to complete the pre-employment training and guaranteed job interview
 - if they refuse a reasonable job/apprenticeship offer following a guaranteed job interview, they may be sanctioned for refusal of employment

The training provider must confirm whether skills funding is available for claimants aged 16-17, or in-work claimants in the Light Touch regime as this is not always the case.

The information on the District Provision Tool should outline which claimant groups can access the training on each SWAP.

If a claimant in the Intensive Work Search/Work Preparation regimes, or a claimant with a New Style JSA dual claim fails to complete the pre-employment training or guaranteed job interview without good reason, a low-level sanction is considered.

If a low-level sanction has been applied and the original SWAP is no longer running, an appropriate compliance condition is considered. This may be a new requirement for a referral to another SWAP or a training opportunity.

Initial Sector- based Work Academy Programme discussion

The initial discussion is used to determine whether the claimant is suitable or would like to take part in a particular SWAP.

The claimant is provided with as much information as possible about the SWAP opportunity. This must include:

- what is expected of them
- the potential impact of not participating, and
- what personal data will be shared

It is important that the claimant considers and understands what is required and that their Labour Market regime may determine that some parts of the programme are mandatory once they start it.

The claimant will be officially referred when they have been offered and accepted a place on SWAP, have a tailored Claimant Commitment in place, and have received the appropriate notification.

See the Programmes and job schemes video for important information about referring to SWAP and recording the information.

Pre-employment training

The pre-employment training is tailored to help the claimant develop transferable skills and to succeed in a specific sector and will be designed to prepare the claimant for the vacancy on offer.

The training can be full time or part time depending on what is appropriate and if this meets the needs of all parties involved.

This part of SWAP may be conducted by a training provider, college or an employer.

The pre-employment training part of the programme may be part time. Where this is the case, the claimants must complete other work-related requirements in addition to SWAP. The claimant's work-related requirements will depend on their Labour Market regime and personal circumstances. See Claimant Commitment and Work-related activities and the Labour Market regimes.

Work experience placement

The work experience placement is to provide specific skills and knowledge to help the claimant work within a sector. Their own role on the placement must also give them the best chance of succeeding in the guaranteed job interview.

Work experience does not have to last for a specific period of time or consist of a minimum number of hours that the claimant has to work. However, it must provide experience of the work routine and last long enough for the claimant to be able to:

- get meaningful first-hand experience of what it is like to work in the sector

- demonstrate their skills and value to the employer

Work experience placements can take place on evenings and weekends if this is the normal working pattern of the employer.

The working pattern is established at the start of the programme to make sure the claimant's circumstances are taken in to account and that these make it possible.

Guaranteed job or apprenticeship interview

Each guaranteed job interview must be for an actual job or apprenticeship vacancy.

In exceptional circumstances, some employers may not be able to offer a guaranteed job interview due to 'fair and open' recruitment policies. If this is the case, support must be provided to help the claimant through the employer's recruitment process. See exceptional circumstances.

The types of vacancies can include:

- apprenticeships
- part-time contracts
- zero-hour contract vacancies where appropriate
- self-employment vacancies

Following completion of the Guaranteed Interview element of a SWAP, a claimant cannot do a Work Trial with the same employer who provided the work experience part.

When a participant believes they are not receiving the right support

At any stage during the programme, the claimants may think that they are not receiving the agreed level of support or experience from the employer. This may be because the:

- training provider is not delivering the quality or extent of training that was agreed, or
- the employer may not be giving the claimant the level of opportunities required to gain a sufficient level of experience in the sector

If this is the case (and where possible), the claimant must take this up with the employer directly. See the Complaints about employers process which supports this.

If it's not possible to take it up with the employer, the claimant should raise their concern with either their SWAP single point of contact or their work coach. Which person they raise it with will depend on what was agreed at the start of the programme.

Absence and sickness

Claimants must make DWP, providers and employers aware of any unplanned absences as soon as possible. See Reporting a health condition or disability.

Sanctions may apply for claimants taking part in SWAP on a mandatory basis if they fail to report an absence.

If a claimant has an extended period of absence from a SWAP, the DWP must contact the provider or employer to see whether it is reasonable for the claimant to continue the programme.

Claimants who have a holiday planned during the period of the SWAP, must not be referred.

Travel, childcare and replacement care costs

Claimants can be supported with travel, childcare and replacement care costs through the Flexible Support Fund where this applies.

Some claimants may be able to access support for travel costs through Access to Work during the work experience placement stage of SWAP.

Data sharing

Section 3 of the Social Security Act 1998 allows the DWP to process and share the personal data of claimants taking part in SWAP with those providing services to DWP. In this case, information held for Social security purposes is shared with:

- employers
- training providers
- colleges
- other organisations involved in supporting delivery of SWAP

To ensure that the exchange of information with third parties is lawful, DWP must inform claimants that their personal data will be shared with organisations supporting the delivery and the reasons why. The data is also shared in compliance with Departmental security policies and procedures.

Disclosure and Barring Service or Protecting Vulnerable Group check

Some Sector-based Work Academy Programme (SWAP) may require a claimant to have a Disclosure and Barring Service (DBS) or a Protecting Vulnerable Groups (PVG) check. If this is the case this will be clear on the SWAP information on the DPT.

For further information on DBS and PVG for SWAP see SWAP guidance for Employer and Partnership staff.

At the end of a Sector-based Work Academy Programme

At the end of a Sector-based Work Academy Programme (SWAP) if the claimant has not secured a job, they must continue to be supported into employment and maintain the momentum gained from taking part in the SWAP.