

Manage Jobs and Opportunities Policy Standards

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The Policy Standards

The following policy standards must be applied to all vacancies and provision added to Manage Jobs and Opportunities.

Vacancy Policy Standards

UK employment law

All vacancies must adhere to all relevant UK employment laws.

It is the employer's responsibility to make sure they adhere to all the laws and regulations they need to.

Agents are not expected to know every single law but must be mindful of the following:

- the [maximum weekly working hours](#) or working time directive, this cannot be above 48 hours per week without a disclaimer,

- it must include at least 28 days paid annual leave, including the 8 statutory bank holidays
- it must not pay below [National Minimum Wage/National Living Wage](#), unless there is a legal exemption
- the right to ask for [flexible working](#).

This list is not exhaustive. The above links are on GOV.UK

For further information see the following on: [Contracts of employment and working hours](#) and [Equality Act 2010: how it might affect you](#), on GOV.UK.

The National Minimum Wage and The National Living Wage

The rate of pay the job advert quotes must be equal to, or more than the appropriate [National Minimum Wage](#) (NMW) or National Living Wage (NLW) according to the claimant's age. This applies unless there is a lawful exemption.

The NMW/NLW rate is different depending on age. Employers must guarantee to meet the wage rate based upon the suitability of the person and not their age.

Commission-only vacancies must state the available job pays commission only and can achieve a wage equivalent to or more than the NMW and / or the NLW.

The wage rate for commission-only or zero-hour contract vacancies must be entered as the NMW/NLW, with details in the job description to clarify that the claimant can achieve a wage equivalent to, or more than, the NMW/NLW.

Self-employed jobs

Self-employed vacancies can be advertised through Manage Jobs and Opportunities, as long as the following strapline is added to the vacancy:

“Self-employed people are required to register as self-employed with HMRC and are responsible for paying their own tax and National Insurance contributions.”

In addition to this, if the self-employed job is commission-only or piecework, the job description must comply with HMRC requirements and must clearly state:

- the products / services applicable to the vacancy
- if there are any additional expectations, including where there is a requirement to recruit members
- any upfront or periodic costs that might be incurred, and
- that an income equivalent to, or more than, the National Minimum Wage can be achieved and, depending upon the age of the successful applicant, a rate of pay equivalent to, or more than, the National Living Wage.

Claimants must not be mandated to apply for or accept an offer of a self-employed job.

Vacancy and Provision Policy Standards

Jobs and opportunities title and description

The job or provision title and description must be accurate, written in plain English and not use discriminatory language.

Adverts must:

- be accurate and clearly understandable to the claimant
- have a title that reflects the vacancy or provision offered, and not use generic terms such as 'various'
- clearly state what experience / qualifications are required
- clearly state where the vacancy offers a zero-hour contract
- not mislead claimants when quoting the job's rates of pay or the salary
- only ask successful applicants to provide their right to work in the UK documentation
- not ask for personal information such as address, date of birth or bank details
- ensure the application process is clear

A claimant should only ever provide personal information when they have a job offer with a confirmed start date. Unless a legal exemption applies, for example a person must be 21 years or over to drive a heavy goods 7.5 tonne vehicle.

We cannot accept discriminatory vacancies or provision offers from employers or providers. Some employers or providers may not mean to discriminate but may use the wrong language to describe what's needed, such as "healthy young man required to lift heavy goods".

We must explain why this language must not be used and provide alternative suggestions such as, "The job requires a lot of physical heavy lifting".

There are some genuine exemptions where an employer or provider can specifically request someone of a certain age, race or sex.

For example:

- a same sex person may be required for personal care
- the requirement to be 21 years old to hold a HGV licence
- certain actors may be required to play a particular character in a play / film
- the requirement to be 18/19 years old for funding eligibility to provision

- provision that may be targeted at specific claimant cohorts, for example disadvantaged groups

For further information see the following:

- GOV.UK Equality Act 2010: how it might affect you.
- GOV.UK Right to work checks: an employer's guide.
- GOV.UK Employers: preventing discrimination: Discrimination in recruitment.
- ACAS How employers should recruit: Recruitment: hiring someone.
- Our intranet Way to Work Resources

Criminal convictions

Applicants do not have to tell employers or providers about past criminal convictions. Employers cannot refuse to employ someone because of their conviction.

If an employer wants to recruit a person with no criminal convictions, we must try to establish why. Employers and providers are encouraged to only request people with no criminal convictions if there is a legitimate and legal reason to do so (particularly where convictions are spent).

There are some areas of employment or provision that are exempt from this rule, for example schools.

For further information see: [Employing prisoners and ex-offenders](#) on GOV.UK

Apprenticeship job descriptions

All apprenticeship job descriptions must contain the:

- word 'Apprenticeship' in the job title
- qualification the apprentice will work towards,
- length of the apprenticeship and
- name of the employer.

Only government-funded apprenticeships attract the National Minimum Wage (NMW) apprenticeship rate. This can be confirmed by viewing the relevant nation's apprenticeship service.

Any that are not government-funded cannot be treated as apprenticeships and must pay the equivalent NMW and / or the National Living Wage for the age of the candidate.

For further information see: [Become an apprentice: How apprenticeships work](#) on GOV.UK

There must be a genuine job

Vacancies from an employment agency are checked to ensure they are for a genuine job and not, for example, to build a database of information.

There must be a genuine vacancy for the claimant to apply for. The employer is recorded as the agency and not the end employer, as claimants must not apply direct to the end employer.

Jobs with upfront costs

DWP cannot accept vacancies that include the payment of costs as part of the application process or role by the claimant.

Some vacancies require successful candidates to provide their own Disclosure and Barring Service (DBS) check. Where a job is offered in these cases, financial support using the Flexible Support Fund can be considered.

It is an employer's responsibility to buy Personal Protective Equipment (PPE).

Disability Confident Employers

Disability Confident employers must include this in the job description.

For further information, refer to [Employers that have signed up to the Disability Confident scheme](#) on GOV.UK

Jobs and provision with screening requirements

Jobs or provision that include screening requirements cannot be accepted unless there is a legal requirement for the vacancy or provision.

Some jobs may require standard or enhanced Disclosure and Barring Service (DBS) checks to be completed, for example where the post holder is working unsupervised with a vulnerable person.

In cases where there is no legal requirement for a standard or enhanced DBS check, employers can still request a basic DBS check.

Some provision may require screening to assess the needs of the claimant, for example their level of literacy, numeracy or digital skills to determine if they are suitable for the provision offered.

Not many professions require drug or alcohol screening but if they do, this must only apply to actual employees and not be part of the recruitment process.

For further information see: [Being monitored at work: workers' rights: Overview](#) and [Find out which DBS check is right for your employee](#) both on GOV.UK.

Direct links to external sites

Work coaches can include employer website or provision links in journal messages when alerting a claimant to a vacancy or opportunity which is by online application. Claimants will then be able to view or apply for the vacancy/opportunity directly through the clickable link.

Any jobs or provision being advertised which request that applications should go direct to the employer's or provider's website must have the website address written out in full.

For example: NHS Jobs would be written as <https://www.jobs.nhs.uk> with no hyperlink.

If we include references to an employer's website, these links are provided for information only. In these cases, we make the claimant aware that these sites are not approved by DWP and we have no control over the content on the sites or its resources.

Personal auction / marketplace listing accounts

DWP does not accept jobs that ask the claimant to use their own personal auction / marketplace listing account(s).

Any auction listing jobs must be from reputable online shops that already have their own business accounts on reputable auction listing sites, such as eBay or Amazon.

Trials and probationary periods without pay

DWP does not accept jobs that involve a trial or probationary period without pay.

In some circumstances it may be appropriate to discuss the use of Work Trials with the employer.

Cover for official trade disputes

DWP does not advertise jobs specifically intended to provide cover for workers involved in official trade disputes.

Workers taking part in an official trade union dispute are still employed by the employer. DWP must remain impartial to any official industrial action organised by the trade union.

Jobs relating to sexual services

DWP does not accept jobs relating to sexual services or those seeking employees for jobs of a sexual nature.

Any jobs for the adult entertainment industry must only be for:

- selling, manufacturing, and distributing of adult entertainment products
- ancillary staff, for example cleaners and bar staff
- jobs must display an age requirement of 18 or over

No other adult entertainment jobs can be accepted.

Fundraising opportunities

DWP does not accept fundraising opportunities without the express permission of the charity involved.

Jobs offering allowances or expenses only

DWP does not accept jobs offering allowances or expenses only, for example, voluntary, community or fostering opportunities. They can however be advertised as local opportunities outside of the service.

Premium rate or income-generating phone numbers

DWP does not accept jobs where claimants are asked to apply using premium rate or income-generating phone numbers.

Jobs where claimants are asked to apply using 0871, 0872, 0873 numbers may be accepted if the call duration does not exceed 5 minutes.

Advertising standards for provision opportunities

A summary of the provision opportunity and referral arrangements is visible to claimants via their journal once they have been referred. Therefore, the information provided must:

- be accurate,
- be written in plain English
- not use language of a discriminatory nature.

It must also:

- display an opportunity title that accurately reflects the opportunity being offered
- for locally contracted Dynamic Purchasing System (DPS) / Low Value Provision (LVP) opportunities, include the DPS reference number in the opportunity title
- clearly specify if an opportunity is only open to referrals from a specific jobcentre or area
- clearly state any eligibility requirements, for example age, qualifications, or experience. This information will not be shown in the claimant journal but will support work coaches to make suitable and quality referrals
- ensure the information in the “referral arrangements” field is clear. It must state what the next steps are for the claimant to be referred to the provision, making clear whether it is for the work coach to make the referral or if the claimant must contact the provider
- clearly state any expectations of the claimant, including any mandatory requirement to attend