

**Work Choice**  
**Provider Sub-Group Meeting**  
**Novotel Sheffield**  
**Thursday 3<sup>rd</sup> December 2009**

Name	Organisation	
Rob Murdoch	A4e	
Jon Adams	Ingeus	
Alistair Kerr	Momentum Scotland	
Huw Davies	BASE	
Robert Mooney	Community Union	
Philip Connolly	RNIB	
Sarah Nicholls	Papworth Trust	
Richard Welfoot	MTIB	
Martin Davies	The Pluss Organisation	
Carole Carson	Shaw Trust	
Malcolm Goldsby	Shaw Trust	
Steve Liptrot	DWP CD Sourcing <b>(CHAIR)</b>	
Lynette Higgins	DWP CD Sourcing	
Andy Wilson	EG Project Manager	
Malcolm Gentle	EG Project	
Darral Procter	EG Project	
Josie Grace	DWP Employee Policy Centre of Expertise	
Maria Buller	DWP CD	
Simon Shimmens	DWP	
<b>Apologies</b>		
Toni Percival	DWP CD Head of Provision Sourcing	
Jacqui Castle	DWP CD	
Philip Mind	LGA	
Matthew Lester	Papworth Trust	
Karen McGuigan	Workforce Plus Team Employability & Skills	
Tony Burns	EG Delivery Directorate	

## **Background**

These notes set out the key points discussed at the fourth meeting of the DWP Work Choice Provision Forum Sub-Group.

The chair gave an overview of the areas to be covered at this meeting, which would focus predominantly on TUPE/HR and Transition from the Workstep programme to Work Choice. It was emphasised that discussions and information generated during the meeting would be shared openly with others and that other organisations views would be sought via the publication of these notes on the internet.

## **Key Points;**

### **Project Update**

The procurement exercise is progressing on schedule and project colleagues continue to engage with stakeholders on Transitional arrangements.

Sub-contractor events were held in London and Newcastle on 8<sup>th</sup> & 9<sup>th</sup> September 2009. As a result some issues were identified which colleagues responsible for the DWP Commissioning Strategy will look into.

During November three events were held on Transition for current Workstep providers. These events covered Transitional arrangements and actions current providers will need to take, they also provided an opportunity to solicit feedback on specific questions. (See attached Appendix 2)

### **TUPE/HR**

Maria Buller gave an overview on her role in supporting the implementation of Work Choice once contracts have been awarded. Her team will work with all stakeholders e.g. incoming and outgoing providers, district managers, contract managers etc.

Josie Grace from the DWP Employee Policy Centre of Expertise confirmed that she will be working with Maria in relation to TUPE transfers, workforce planning and producing an HR strategy which will work alongside commercial Work Choice activity.

Maria and Josie ran HR/TUPE sessions at the November Workstep events to inform current Workstep providers and gather questions. An HR/TUPE strategy – Proposed Activity Timeline was issued to the group for consideration and feedback (See attached Appendix 1).

Project confirmed that the strategy would be shared, after time had been allowed for providers both at this meeting and via the web to comment on the Proposed Activity Timeline (Appendix 1), and when signed off by senior DWP management.

BASE welcomed the support DWP is offering, but emphasised that timing is the key.

Due to the specific issues faced by Local Authorities BASE recommended involving Local Authority HR/TUPE specialists in any events or surgeries.

It was suggested that HR/TUPE events should be held as soon as possible, leaving the surgeries to be delivered after contract award.

Project confirmed that comments on Appendix 1 should be forwarded by the end of December 2009 for consideration to: -

[SPECIALIST.DISABILITYPROVISION@DWP.GSI.GOV.UK](mailto:SPECIALIST.DISABILITYPROVISION@DWP.GSI.GOV.UK)

**Syndicate discussion session on TUPE/HR identified the following Key Points:-**

- Key concern is that discussions/surgeries on TUPE will be too late in the process to allow organisations sufficient time to seek independent legal advice.
- Concerns about timing of data refresh and inaccuracies/validity.
- During the period February to May, the group recommended that any events should include both Primes and Sub Contractors.
- The issue of Duty of Care was raised.
- Announcement of Preferred Bidders must be kept to published timescales.
- Incoming Primes should field appropriate individuals at Post Contract Award Briefings (PCABs), which could also involve sub contractors.
- Recommend engagement of HR specialists to form a 'reference group' e.g. Local Authority HR departments and some smaller organisations' HR departments.

**Transition**

Project colleagues gave an update on recent transition events that had taken place for current providers.

The following draft documents were issued for discussion and comment:-

Appendix 2 – Summary of feedback from table questions (previously referred to in the project update)

Appendix 3 – Timeline

Appendix 4 – DRAFT Work Choice Implementation Activity

Appendix 5 – DRAFT forms – customer personal details.

**Syndicate discussion session on Transition draft documents identified the following Key Points:-**

- There could be data sharing issues e.g. costs, delays and validity of information.
- Concerns over sub-contractors not having access to PRAP system.
- Customer personal details draft form will need to include more information e.g. Host Employer Information, payment methods (to ensure continuity of payments). Concerns were raised over ease of use, accessibility of information and details required in part 7.
- What will happen if outgoing and incoming providers cannot agree on sharing of information?
- Is this process covered by the Compact?
- Timescales for Local Authority obligations to be met to inform people of changes.

Project confirmed that it is their intention to develop a customer communication information pack for current and incoming providers to distribute. They also invited suggestions from the group on what should be contained within the pack.

Comments should be forwarded by no later than 31st December to:-  
[SPECIALIST.DISABILITYPROVISION@DWP.GSI.GOV.UK](mailto:SPECIALIST.DISABILITYPROVISION@DWP.GSI.GOV.UK)

**A.O.B**

The attached Employers Forum on Disability document Appendix 6 was circulated. Project colleagues invited any comments on the document to be emailed by 17<sup>th</sup> December 2009.

[SPECIALIST.DISABILITYPROVISION@DWP.GSI.GOV.UK](mailto:SPECIALIST.DISABILITYPROVISION@DWP.GSI.GOV.UK)

The project outlined a proposal from BASE to modify the way in which the exclusion of LA financial incentives should be implemented. This proposal includes the following elements:

- That the same exclusion criteria be applied to all incentives paid to Local Authorities irrespective of provider type - public, private or third sector;
- That all financial incentives currently paid to Local Authorities are guaranteed (with the proviso below) for year 1 of the Work Choice programme;

- That all guaranteed Local Authority financial incentives should be limited to a maximum £4,800 in a similar way to Supported Businesses;
- That a phased reduction to this protection should be applied over the life time of the contract – 25% reduction in years 2, 3, 4 and 5;
- That Work Choice providers, in partnership with the Local Authority employer, are free to negotiate a faster reduction;
- That any monies released from reduction in guaranteed financial incentives is retained in that Work Choice contract.

Views were invited on the potential benefits or concerns with this approach, from a provider perspective.

Any comments on the proposal to be emailed by 17<sup>th</sup> December to:-  
[SPECIALIST.DISABILITYPROVISION@DWP.GSI.GOV.UK](mailto:SPECIALIST.DISABILITYPROVISION@DWP.GSI.GOV.UK)

### **Next Meeting**

Next Meeting to be held during January 2010, date to be confirmed.