



# **DISABILITY RELATED BENEFITS – ADVISER GUIDE**

Last updated: January 2009

**ADVICE  
RESOURCES**

# CONTENTS

## CONTENTS

<b>SECTION ONE: HOW THIS GUIDE CAN HELP YOUR CLIENTS</b>	3
<b>SECTION TWO: INCAPACITY BENEFIT</b>	7
<b>SECTION THREE: THE EMPLOYMENT AND SUPPORT ALLOWANCE</b>	14
<b>SECTION FOUR: PATHWAYS TO WORK</b>	24
<b>SECTION FIVE: JOBCENTRE PLUS SCHEMES</b>	38
<b>SECTION SIX: THE BENEFITS AND FINANCIAL SUPPORT AVAILABLE ONCE A CLIENT STARTS WORK</b>	50
<b>SECTION SEVEN: THE LAW AND OTHER SUPPORT FOR DISABILITY</b>	55
<b>SECTION EIGHT: ALTERNATIVE WAYS OF WORKING</b>	66
<b>SECTION NINE: MOBILITY AND TRAVEL TO WORK</b>	73
<b>SECTION TEN: ORGANISATIONS THAT PROVIDE SERVICES TO PEOPLE WITH A DISABILITY</b>	78
<b>SECTION ELEVEN: LOCAL CONTACTS</b>	84
<b>SECTION TWELVE: GLOSSARY</b>	86

SECTION

# ONE



## HOW THIS GUIDE CAN HELP YOUR CLIENTS

---

**The purpose of this guide is to provide information and advice to enable people who receive a disability-related benefit to return to the workplace.** To assist you in your capacity as an adviser working with people with disabilities, this guide provides you with current information about government and non-government schemes in England that aim to help your client group overcome the many barriers that may exist between themselves and a successful return to the workforce.

---

# SECTION ONE

## HOW THIS GUIDE CAN HELP YOUR CLIENTS

### **Factors that are driving current change**

Full employment is at the heart of the government's strategy to enable people to have more fulfilling and independent lives. Freedom from dependence of any sort is now the government's objective and for most people, independence means work.

There are an estimated 10 million disabled adults in Great Britain covered by the Disability Discrimination Act (DDA) – this equates to over one in five of the adult population (DWP 2004). Of this number 1,224,230 receive Incapacity Benefit and a further 1,193,480 are in receipt of various forms of Income Support by reason of incapacity (DWP May 2007). People on Incapacity Benefit (IB) tend to remain claimants for the longest periods of time. The average time spent on IB is 9 years, which has increased from an average of 3 years in 1985 (DWP).

### **Research has shown (DWP) that long-term worklessness is one of the greatest known risks to public health:**

- Health risk is equivalent to smoking 10 packs of cigarettes per day (Ross, 1995)
- Suicide rate in general increases x 6 in longer-term worklessness (Bartley et al, 2005)
- It possesses a greater health risk than most dangerous jobs (Construction and North Sea)
- Children of unemployed parents suffer with more chronic ill health

The evidence suggests that many people with a disability are less likely to have improving health conditions if they remain out of work.

### **The complicated picture behind worklessness and disability**

One thing is clear; the desire to work among many disabled people is high. Research shows (Labour Force Survey, September 2005) that one in five disabled people who are out of work, want to work; this compares to one in 15 of non-disabled people.

The contribution that people with a disability make towards the UK economy is massive. Evidence suggests that this group take on average fewer sick days than the national average, and if necessary when given reasonable adjustments, they can equal the productivity of anyone.

# SECTION ONE

## HOW THIS GUIDE CAN HELP YOUR CLIENTS

However:

- Disabled people are around five times as likely as non-disabled people to be out of work and claiming benefits (Labour Force Survey, Winter 2001/02)
- Barriers to education mean that disabled people are more than twice as likely as non-disabled people to have no formal academic or vocational qualifications (Labour Force Survey, Summer 2003)
- Disabled people and people with long-term illnesses are less likely to use information, advice and guidance services (Guidance Council, 2004)

### **Career guidance for disabled adults**

You may be working with adults who have been disabled all their lives or who have become disabled. There are many reasons why people with a disability may need additional careers guidance. Some will be less likely to have appropriate qualifications, perhaps due to discrimination at school or inaccessible provision, and some will have become disabled later in life and need to retrain. Whereas some disabled people are unable to work because of their condition, there are many who want to go into, or return to work but face additional barriers in doing so.

With appropriate information and advice, good opportunities for studying and training, coupled with education providers and employers who are positive about disability, it should be possible to help more disabled people to train and enter employment.

### **What does this guide provide?**

Two guides have been produced for use within England. The first is for claimants and this second and more detailed guide is aimed at professional advisers working with disabled clients. The guides have been produced at a time when many of the services surrounding helping people with disabilities back into work are experiencing radical change.

### **What are the major changes?**

The Employment and Support Allowance (ESA) was introduced in October 2008 for new customers and replaced Incapacity Benefit and Income Support paid on incapacity grounds. For existing customers on IB, the changeover to ESA will take place gradually over the next few years. This guide goes over IB and ESA in some detail. If you don't find the necessary information, please refer to the Jobcentre Plus website where you will be able to locate the answer [www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk)

The other change that has happened recently is the introduction of Pathways to Work (PtW) across the country. PtW is designed to help people to get work if they are in receipt of IB or the new ESA. Each client is assigned an adviser who guides the client

# SECTION ONE

## HOW THIS GUIDE CAN HELP YOUR CLIENTS

back to work, all the while providing the support appropriate to the client's medical condition. A list of services is also provided that deal with specific barriers to work such as drug/alcohol dependency and homelessness.

This guide provides useful information on the many services that are available to your disabled clients. Details are given of the many Jobcentre Plus schemes aimed at people with disabilities, such as Work Preparation and Access to Work.

A chapter also deals with the important issue of financial support that may be available to your clients when they return to work. This section covers topics such as Council Tax and Housing Benefit, Tax Credits and grants that support people financially who are making the move from benefits into work.

A chapter also looks at how the Disability Discrimination Act can support your disabled clients and also addresses other issues such as childcare and the 'what and when' of client disclosure to an employer about a disability. This section also covers the work of the Equality and Human Rights Commission, which offers a rich source of guidance surrounding disability rights, especially in the workplace.

This guide also provides ideas on alternative ways of working, which may provide your disabled clients a more convenient mode of working and also addresses the important issue of client mobility in their travel to work.

**Source:** DWP, Skill.

SECTION

# TWO

## INCAPACITY BENEFIT



# SECTION TWO

## INCAPACITY BENEFIT

Incapacity Benefit has now been replaced by the Employment and Support Allowance (ESA) for those making new claims from October 2008. This new allowance is described in the following chapter of this guide. This section of the guide highlights some of the most common issues and questions surrounding Incapacity Benefit.

Incapacity Benefit will continue for *existing* clients who made their claims before October 2008. However, there are plans to transfer everyone over to the Employment and Support Allowance at some stage in the future.

This section does not attempt to give a complete guide to Incapacity Benefit. For further enquiries please refer to the PDF document on Incapacity Benefit that is available from: [www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk)

### What is Incapacity Benefit?

Incapacity Benefit (IB) is paid to people who are too sick or disabled to work, and who made their claim before October 2008. There are two types of Incapacity Benefit:

#### 1) Contributory-based Incapacity Benefit

This is based on National Insurance (NI) contributions. Your clients will only be able to claim it if they have worked for long enough before becoming sick or disabled, and have paid enough NI contributions. Your clients will have to have made enough NI contributions recently – in one of the three tax years before the year of the claim.

#### 2) Non-Contributory-based or 'Incapacity Benefit in Youth'

This does not require National Insurance contributions and is for people aged 16 to 19 (or under 25 years of age for students and trainees who were in education before age 20). However, if your clients are under the age of 19, they cannot claim Incapacity Benefit if they are in full-time education (there are some exceptions for disabled students). To qualify for this, they must have been incapable of work for at least 28 weeks.

For more advice on claiming Incapacity Benefit as a student, visit the SKILL (The National Bureau for Students with Disabilities) website at [www.skill.org.uk](http://www.skill.org.uk)

# SECTION TWO

## INCAPACITY BENEFIT

### How is your clients' benefit worked out?

There are three parts to Incapacity Benefit, these are:

- **Short-term (lower) Incapacity Benefit**  
They will receive the short-term (lower) rate of Incapacity Benefit for the first 28 weeks of their claim  
However your clients will not receive any money for the first three days of the claim. These are called 'waiting days'
- **Short-term (higher) Incapacity Benefit**  
After that, they will receive short-term (higher) Incapacity Benefit until they have been off work for 52 weeks. Or, if your clients have been in work and received sick pay for 28 weeks, they could receive short-term (higher) straight away
- **Long-term Incapacity Benefit**  
After your clients have been off work for 53 weeks, they will receive long-term Incapacity Benefit

The amounts change in April each year. To find out more visit [www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk) or contact Jobcentre Plus (JCP) for this year's rates.

### Does age affect how much your clients receive?

If your clients are receiving long-term Incapacity Benefit they may be able to receive extra money if they were under 45 years old when they first became sick. This is called 'Incapacity Age Addition'. If your clients are under 35 years old, they will receive a bit more than if aged 35 to 44 years old.

# SECTION TWO

## INCAPACITY BENEFIT

### **Do your clients have to pay tax on their Incapacity Benefit?**

Your clients do not have to pay tax on:

- Short-term (lower) Incapacity Benefit, or
- Any Incapacity Benefit you receive for a child or young person

### **Your clients may have to pay tax if they receive:**

- Short-term (higher) Incapacity Benefit
- Long-term Incapacity Benefit, or
- If all their income adds up to more than a certain amount

How much tax your clients have to pay depends on how much money they receive each year – and that includes their Incapacity Benefit.

You can find out more about tax from your local tax office or from a Jobcentre Plus adviser.

### **How is Incapacity Benefit paid?**

Incapacity Benefit is paid straight into your clients' bank or building society account. This is the best way to receive their benefit because they can choose how and when they receive their money.

Alternatively, your clients can also ask Jobcentre Plus to pay their benefit into some types of credit union account or a Post Office® card account. However, these accounts generally offer fewer services than a high street bank account.

Your clients can choose to be paid every two, four or 13 weeks.

### **What if your clients want someone else to collect their Incapacity Benefit?**

Your clients may be able to arrange for someone else to collect their benefit for them. For help with this, speak to the bank or building society where your clients have their account.

If your clients need to appoint someone to deal with Jobcentre Plus on your clients' behalf, they or their representative should contact the Benefit Enquiry Line for advice on 0800 882200 or make a claim by phoning 0800 055 6688 where the process to appoint a representative can be discussed as the claim is made.

# SECTION TWO

## INCAPACITY BENEFIT

### **Your clients' sickness or disability**

#### **Important information for existing Incapacity Benefit claimants**

There is now a new medical assessment called the Work Capability Assessment (WCA), which is used to assess new claims in the Employment and Support Allowance, which started in October 2008. This new medical assessment applies to new benefit clients who started their claims for ESA from its introduction in October 2008.

From 2009 the new Work Capability Assessment (WCA) will be given to existing clients under age 25, and from April 2010 the WCA will be extended to all long-term incapacity benefits claimants. Up until these dates, existing clients may continue to receive the long standing medical assessment called the PCA – Personal Capability Assessment, this may vary from region to region across the country.

#### **For information on:**

- What if your clients don't agree with the medical decision
- Is a medical assessment always needed?
- What if your clients are terminally ill?
- What if your clients have a mental-health condition?
- What happens if your clients get better or worse?
- Making work pay

please see the chapter on the Employment and Support Allowance.

# SECTION TWO

## INCAPACITY BENEFIT

### **What happens when your clients reach State Pension age?**

Your clients cannot normally receive Incapacity Benefit after they have reached State Pension age. If they became sick before they reached State Pension age, your clients may be able to receive short-term Incapacity Benefit for up to 52 weeks if they decide to put off receiving their State Pension.

The amount your clients receive on Incapacity Benefit might be less than if they claimed their State Pension. Your clients should discuss their options either by contacting the Pension Service on 0845 6060 265 or through their website [www.pensions.gov.uk/contactus](http://www.pensions.gov.uk/contactus)

### **Do other pensions affect Incapacity Benefit?**

If your clients receive money from other pensions or health insurance schemes, they could receive less Incapacity Benefit. This will depend on how much money their pension or scheme gives them. If there is still pension money left over, your clients could receive less additional money for those who depend on them. Clients should contact the Benefit Enquiry Line for advice on 0800 882200.

# SECTION TWO

## INCAPACITY BENEFIT

### **Can your clients receive National Insurance credits while they are sick?**

Your clients should be able to receive National Insurance credits for each full week that they are too sick to work. Jobcentre Plus counts a full week to be Sunday to Saturday. National Insurance credits will help your clients receive other money in the future, such as State Pension.

There are some cases where your clients cannot receive National Insurance credits. Clients should contact the Benefit Enquiry Line for advice on 0800 882200 or should phone the NI enquiry line on 0845 302 1479.

### **Can your clients work if they are on Incapacity Benefit?**

Your clients cannot normally work when they are on benefits. But, there are some types of work your clients may be able to do when they receive Incapacity Benefit. These are:

- Unpaid work such as working for a charity (voluntary work), or
- Permitted work – which is work your clients are allowed to do while they are on Incapacity Benefit that could help them get work when they are better. Your clients can ask a Jobcentre Plus adviser to tell them what permitted work is, or your clients can read about it at [www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk)

Also see Permitted work section in the Jobcentre Plus Schemes chapter in this guide.

Before your clients can start any work, they must tell their Jobcentre Plus adviser to ensure that their benefit won't be affected.

**Source:** Jobcentre Plus

# THE EMPLOYMENT AND SUPPORT ALLOWANCE

---

**The Employment and Support Allowance (ESA) has now replaced (October 2008) Incapacity Benefit and Income Support paid on incapacity grounds.** This new allowance will only be for *new* claimants. If your clients were in receipt of Incapacity Benefit or Income Support, *before* October 2008, due to a disability they will continue to receive their existing benefits. However, your clients will still have to satisfy the conditions surrounding their entitlement to their benefit.

The Employment and Support Allowance will *initially* be for new clients only.

---

# SECTION THREE

## THE EMPLOYMENT AND SUPPORT ALLOWANCE

### How do your clients qualify for the Employment and Support Allowance – ESA?

Your clients may be able to get Employment and Support Allowance if they have an illness or disability that affects their ability to work, and:

- They are off work or out of work
- They are self-employed
- They work for an employer but can't get Statutory Sick Pay, or
- They have been getting Statutory Sick Pay but it has now stopped.

### Employment and Support Allowance may be:

- **Contribution-based** if they have paid enough National Insurance contributions, or
- **Income-related** if they don't have enough money or savings, or they have not paid enough National Insurance contributions. An adviser from Jobcentre Plus will be able to tell your clients about their National Insurance contributions. For the first 7 days of their illness, they may only have to tell Jobcentre Plus why they are sick. After that, they will have to get a sick note from their doctor, which they will have to send to Jobcentre Plus.

To make a claim:

Phone: 0800 0556688. Textphone: 0800 0234888. Monday to Friday 8am to 6pm.

### So why the change?

The new Allowance has been designed to help clients with a disability to achieve their full potential and to help them gain independence from benefits. The ESA does this by:

- Focusing on their abilities – on what they can do rather than what they cannot
- Providing appropriate support to help them return to work

It aims to provide a modernised and simpler benefit. It is designed to help people with health conditions or disabilities focus on return to employment where this is possible, and to provide support where this is not.

ESA aims to change the culture surrounding incapacity benefits. For the majority of claimants, it is intended that they will view this benefit as a means to start or return to work, rather than a benefit that they will remain on indefinitely.

# SECTION THREE

## THE EMPLOYMENT AND SUPPORT ALLOWANCE

### **New medical assessment**

Central to the Employment and Support Allowance is a new medical assessment called the Work Capability Assessment (WCA). These assessments help your clients look at what they can do, and not just what they cannot do. All *new* clients will have to take this test. For most people this will include an interview with a trained doctor or nurse, which will assess how their condition affects what they are able to do. Most people will join the Work Related Activity Group where they will be helped to explore what could be done to support them to get back to work. For example if they need treatment, or adjustments at their workplace to perform well.

### **For people with severe disabilities**

An important part of WCA is a new support group, which is designed for people with the most severe levels of disability or who are facing terminal illness. This group will not be expected to work, unless they really want to. Their entitlement to benefit will be decided on the basis of paper evidence, eg from their GP or someone in the community who is involved in looking after them. Once in the support group they would not be asked to attend a Work Focused Interview (WFI).

### **Why was it necessary to change the medical assessment?**

Since the Personal Capability Assessment (PCA) was developed a lot of change has taken place in society, in workplaces, in the pattern of health problems and disabilities being presented and in the types of treatments available. People with health problems and disabilities have higher expectations of being able to work. The Disability Discrimination Act requires employers to make reasonable adjustments for employees with disabilities. It is important that the new medical assessment remains relevant to today's environment, and that it accurately identifies those people whose functional capacity is so limited, it is unreasonable to require them to work.

The aim is to enable as many people as possible to engage in work. It does this by offering them the right support; and ensuring that benefits are paid to the right people, until they are able to engage in work. The current PCA is identifying too many people as incapable of work when they could work, with the right support. The Work Capability Assessment is a more accurate test of limited capability for work because of a physical or mental condition.

# SECTION THREE

## THE EMPLOYMENT AND SUPPORT ALLOWANCE

### **Who will carry out the medical assessment?**

WCAs will be carried out by healthcare professionals employed by ATOS Healthcare Medical Services. All healthcare professionals will, as now, be specifically trained in assessing the effects that conditions have on people's functional ability. Evidence will also be gathered from other professionals – eg hospital specialists, who might sometimes know more about your clients' condition than their GP.

Meanwhile, the various forms used to gather information from healthcare professionals have been improved to ensure that they are as effective as possible and also simple to use. The self-assessment questionnaire has also been improved, making it more user-friendly for clients to complete.

### **For existing Incapacity Benefit claimants**

The new medical assessment only applies to new benefit clients who started their claims for ESA from its introduction in October 2008. From 2009 the new medical assessment will be given to existing clients under age 25 and from April 2010 it will be extended to all long-term incapacity benefits claimants.

### **What happens after your clients' medical assessment?**

If Jobcentre Plus find that your clients' illness or disability limits their ability to work beyond a certain level, they will move into the main phase of Employment and Support Allowance from week 14 of their claim. In this main phase, your clients will get a higher rate of Employment and Support Allowance and go into one of 2 groups:

- For most people, where Jobcentre Plus thinks you clients may be able to return to work, they will get a higher rate of the allowance. But they will have to take part fully in any interviews Jobcentre Plus invite them to.
- If your clients have a condition that severely limits what they can do, Jobcentre Plus won't expect your clients to take part in any work-focused interviews to get the higher rate of the allowance. However, your clients can still take part in them if they want. The medical assessment may find that they would have no difficulty working. If so, Jobcentre Plus won't pay your clients Employment and Support Allowance or give them National Insurance credits. If this happens, your clients may be able to get a different benefit. Find out more by visiting [www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk) or by contacting your nearest job centre.

# SECTION THREE

## THE EMPLOYMENT AND SUPPORT ALLOWANCE

### **What if your clients don't agree with the decision?**

If your clients think the decision taken is wrong, they must get in touch with Jobcentre Plus within one month of the date of the decision letter. If your clients contact Jobcentre Plus any later than this, Jobcentre Plus may not be able to help your clients.

If necessary, your clients can authorise another person to act on their behalf to contact Jobcentre Plus to discuss this decision. They can ask Jobcentre Plus:

- To explain their decision
- To write to your clients with the reasons for their decision
- To look at their decision again (your clients may think they have overlooked some facts or your clients may have more information to give Jobcentre Plus which affects their decision), or

Your clients can appeal against their decision to an independent tribunal, which must be in writing.

Your clients can do any or all of the actions listed above.

### **Is a medical assessment always needed?**

Some illnesses and disabilities are so severe that Jobcentre Plus can decide whether your clients can get Employment and Support Allowance without them having a medical assessment. If this applies to your clients, Jobcentre Plus will inform them.

### **What if your clients are terminally ill?**

There are special rules if your clients' doctor does not think they will live for more than 6 months. These rules ensure they get the most money possible. If this applies to your clients, speak to a Jobcentre Plus adviser.

### **What if your clients have a mental-health condition?**

If your clients have a mental-health condition, Jobcentre Plus may ask them to fill in a questionnaire about how this affects them. Jobcentre Plus will want to know if your clients have other health problems as well. They may talk to your clients' doctor, and they may have to see one of Jobcentre Plus' healthcare professionals.

### **What happens if your clients get better or worse?**

Your clients must tell Jobcentre Plus as soon as they start to get better and they:

- Are able to do more, or
- Start to feel a little better over a longer period of time. Your clients may start to feel better because they:
  - Have had an operation
  - Use something to help them with their illness, or
  - Start taking new medicine.

# SECTION THREE

## THE EMPLOYMENT AND SUPPORT ALLOWANCE

Your clients must also tell Jobcentre Plus as soon as their disability or illness changes or if it gets worse.

### **Making work pay**

One of the aims of Employment and Support Allowance is to help your clients be financially better off in work than on benefit. Their Jobcentre Plus personal adviser will help them work out how much they need to earn from a job so that they don't lose out. There are also some schemes to help your clients get back to work and be better off than on benefit. Ask a Jobcentre Plus adviser to tell your clients about:

- Job Grant
- Return to work credit
- Housing Benefit and Council Tax Benefit extended payments
- Training, and
- Working Tax Credit.

Please also see section six of this guide which offers information on the benefits and financial support available once a client starts work.

### **Can your clients work if they are on Employment and Support Allowance?**

There are some kinds of work your clients may be able to do while they are getting Employment and Support Allowance. These are:

- Unpaid work such as for a charity (voluntary work), or
- "Permitted work" – work your clients are allowed to do while they are on the allowance that could help them get a job in the future. Your clients can ask an adviser to tell them what permitted work is.

### **Employment and Support Allowance for young people**

There are special rules for young people. If your clients are aged 16 to 19, or if they are under 25 and go to college or university, then the following section will be relevant:

### **Can your clients get Employment and Support Allowance if they are aged 16 to 19?**

Your clients may be able to get contribution-based Employment and Support Allowance if they are 16 to 19. They must have been unable to work because of illness or disability for at least 28 weeks. It does not matter if they have not paid enough National Insurance contributions. These rules are called the 'youth provisions' of Employment and Support Allowance. In some cases, your clients may be able to get income-related Employment and Support Allowance, even if they have not been ill for 28 weeks. For more information, contact Jobcentre Plus.

# SECTION THREE

## THE EMPLOYMENT AND SUPPORT ALLOWANCE

### **Different benefit rates**

Those in the support group will receive a higher rate than those in the Work Related Activity Group. If someone currently claims Incapacity Benefit they will have the cash level of their benefit protected if they are moved over to the new ESA.

It is important to make a clear distinction between people who it is reasonable to expect to engage in a programme of activity and those for whom it is not. The support group will be a small proportion of overall ESA clients, reflecting the fact that work-related activity can be tailored to fit the needs of most other clients. It is right that the support group gets additional financial support as they have the most severe level of disability.

### **How is your clients' allowance worked out?**

Most people will get a basic rate of Employment and Support Allowance during the first 13 weeks of their claim. This is called this the 'assessment phase'. During this time, Jobcentre Plus decide whether your clients will continue to qualify for the allowance. Jobcentre Plus may be able to assess this based on your clients' illness or disability, or your clients may have to complete a questionnaire or attend a medical assessment.

If they refuse to have the medical assessment, or if they don't take part fully, your clients' entitlement to Employment and Support Allowance may be affected. Jobcentre Plus also assess whether they will be able to take steps to find work or whether their illness or disability so severely affects their ability to work that taking these steps would not be reasonable. After 13 weeks, as long as your clients still qualify for Employment and Support Allowance, they will move to the 'main phase' and get a higher rate of allowance.

### **How much will they get?**

Your clients won't get any money for the first 3 days of their claim. These are called 'waiting days'. In some cases, waiting days may not apply, for example if they have already had waiting days as part of an earlier benefit claim or a period of Statutory Sick Pay. After this they will get a fixed rate for the first 13 weeks of their claim. A different rate may apply if they have a partner; which is called the 'couples rate'. The amounts change in April each year. To find out more, please visit:

[www.jobcentreplus.gov.uk/contact/JobcentrePlusforthisyear'srates](http://www.jobcentreplus.gov.uk/contact/JobcentrePlusforthisyear'srates)

If your clients can't get Employment and Support Allowance, they may still be able to get National Insurance credits for each full week they are off work. The credits are important as they count towards future benefit claims, including State Pension.

# SECTION THREE

## THE EMPLOYMENT AND SUPPORT ALLOWANCE

### **Does age affect how much they get?**

During the assessment phase, the single person's rate of Employment and Support Allowance is higher if they are aged 25 or over. During the main phase, the single person's rate is the same regardless of age.

### **What if your clients had previously claimed Incapacity Benefit?**

If they stop getting Incapacity Benefit for a while, and then need to claim it again, there are some circumstances where they may get this benefit instead of Employment and Support Allowance. This depends on how long ago your clients last got Incapacity Benefit. Ask a Jobcentre Plus adviser for more information.

### **Will your clients have to pay tax on their Employment and Support Allowance?**

Contribution-based Employment and Support Allowance counts towards their taxable income. More information about tax from a local tax office or from a Jobcentre Plus adviser.

### **How is Employment and Support Allowance paid?**

Jobcentre Plus pay Employment and Support Allowance straight in to a bank or building society account. This is the best way to receive their benefit because your clients can choose how and when to take their money out of their accounts.

### **What if your clients want someone to collect their Employment and Support Allowance for them?**

Your clients may be able to get someone to collect their benefit for them. For help with this, speak to the bank or building society where they have their account. If they need to appoint someone to deal with Jobcentre Plus for them, speak to a Jobcentre Plus adviser.

# SECTION THREE

## THE EMPLOYMENT AND SUPPORT ALLOWANCE

### **Some clients can only take on certain jobs for a certain amount of time. Will the WCA reflect this?**

Entitlement is intended to be based on the effects a condition has on a person's capacity to work. This is not done on a 'snapshot' basis but over a reasonable period of time given the nature of the condition. In this way the benefit takes account of the effects of fluctuating conditions. The new WCA will also provide Personal Advisers with a Work Focused Health Related Assessment for clients. The assessment will help Jobcentre Plus advisers to understand their fluctuating conditions and tailor packages of help and support for the individual. It will also recognise that there may be the need to defer requirements at certain times so the package of interviews and support best fits the individual's needs.

### **When will the Work Focused Health Related Assessment be carried out?**

The assessment will be held at the same time as the Limited Capability for Work Assessment. It will be easier for claimants to attend one appointment instead of two and will help ensure that the report is available to the Personal Jobcentre Plus Adviser at an early stage of the intensive support phase. This will help ensure that they will begin to receive the benefits they are entitled to more quickly.

### **What happens if someone in the Work Related Activity Group does not attend for Work Focused Interview (WFI)?**

Their benefit may be reduced if they fail to attend without good reason or participate fully in a WFI. There will be safeguards in place to ensure the system is fair. For example, every effort will be made to contact clients before applying sanctions to make sure they understand what is required of them.

Someone with mental health problems would not be sanctioned without first contacting them or their carer/healthcare professional.

For the first four weeks of non-compliance a sanction worth half the amount of the work related activity component of the benefit will be deducted. If someone continues to refuse to comply, then over the next four weeks the remaining portion of the component will be deducted.

The sanctions are not designed to penalise clients but rather an encouragement to participate fully in the various return-to-work schemes. As soon as they begin to actively participate, then any sanctions will immediately be removed.

# SECTION THREE

## THE EMPLOYMENT AND SUPPORT ALLOWANCE

### **Why are Age Additions disappearing?**

It was felt that Age Additions had an overall negative effect because it could reinforce the prejudice that people who become ill or disabled early in life should be 'written off'. Age Additions are also not compatible with the Government's commitment to opportunity for all.

Re-entering employment when able to do so should be promoted as a genuine aspiration for all, regardless of age.

### **Why will ESA be set at a higher rate than Jobseeker's Allowance?**

The assessment phase rate of benefit will be aligned with the basic Jobseeker's Allowance rates so that ESA will only be at a higher rate once a person has undergone the main medical assessment.

However, once someone is on the main phase of ESA they will receive a higher amount of money than they do in the assessment phase.

### **Will there be any changes in the appeal process for ESA?**

There will be no change to the appeal process with the introduction of ESA. Clients who do not satisfy the WCA (ie do not have Limited Capability for Work) have the right to appeal and claim ESA at the assessment phase rate until the decision of the appeal tribunal is made. The time limits and manner of appealing remain the same.

### **Provision to help clients to return to work**

Most people claiming the Employment and Support Allowance will be expected to take reasonable steps to help prepare for a return to work. To do this, Jobcentre Plus will build on the Pathways to Work scheme (see next chapter).

Under Pathways your clients will have a Personal Adviser who will be able to discuss with them the full range of support. For example, Pathways provides programmes to help your clients manage their medical condition and also provides training and financial assistance that will increase their chances of being able to return to suitable types of work.

If your clients have a severe health condition or disability, they will not be expected to actively prepare for work. However, they will be able to volunteer for support if they want to return to work.

**Source:** Jobcentre Plus

SECTION

# FOUR



## PATHWAYS TO WORK

---

**Pathways to Work (PtW) is a new scheme that helps people aged 18 to 59 years old, to get work if they are receiving Incapacity Benefit or the new Employment and Support Allowance (started October 2008), or other benefits because of a health condition or disability.**

---

# SECTION FOUR

## PATHWAYS TO WORK

The scheme targets health-related, personal and external barriers to work, and provides clients with the appropriate range of support related to their disability to return to work.

This part of the guide is designed to initially give you four brief, easy-to-answer questions surrounding Pathways to Work. The chapter then proceeds to provide more detailed information surrounding this scheme.

### 1) What can your clients expect?

Many of your clients may well have many barriers between themselves and paid employment. Pathways to Work is designed to make the transition between benefits and the workplace as easy as possible. Under Pathways to Work your clients will be given a Personal Adviser who will work alongside them to help them find the best way to start work. The Pathways to Work adviser can provide many forms of practical help such as:

- Creating an effective CV
- Helping with application forms and job interviews
- Looking at how to increase new and existing skills
- Building your clients' confidence
- Looking for a job
- Becoming self-employed

### 2) Return to Work Credit

One of the major factors that your clients will be thinking about when returning to work is: *Will I be financially better off?* If your clients join Pathways to Work they will receive a Return to Work Credit, which is:

- A payment of £40 a week (£60 a week for London) for people starting work of at least 16 hours a week and earning no more than £15,000 per year
- For the first year at work
- Not a taxable amount

Anyone wishing to apply has to have been receiving an incapacity benefit for 13 weeks immediately prior to starting work.

### 3) How do your clients apply for Pathways to Work?

To find out more information about joining Pathways to Work contact your local Jobcentre Plus office or your local Pathways to Work provider. See the chart at the end of this chapter.

# SECTION FOUR

## PATHWAYS TO WORK

If your clients qualify to join this scheme (see below) they will be asked to attend an interview with a Pathways to Work adviser, who will:

- Discuss work opportunities
- Help them to identify suitable goals for work (with their health condition in mind)
- Explain the support that may be available to help them move into work

Through a series of Work Focused Interviews, your clients will get help to:

- Identify the sort of jobs they might like or be able to do
- Develop a personal action plan to help them get the job they want
- See how much better off financially they would be in work
- Get help from other organisations who can help them with problems such as managing debts
- Claim Working Tax Credit

#### **4) The Condition Management Programme**

Many of your clients may well be anxious about how they would cope holding down a job with a disability. The Condition Management Programme is designed to answer this anxiety.

The Programme will help your clients understand how best to effectively manage their disability when starting a job so that it has less of an effect on their daily lives. The support given to them in this programme is provided by healthcare professionals, and will take into account their personal needs and any issues that they may face when starting work.

Many people claiming incapacity-related benefits may feel they are not job ready and that they cannot return to work until they are fully recovered. However, waiting for a full recovery is likely to be counter-productive as many clients' health conditions worsen whilst they are in receipt of long-term benefits.

It is hoped that many people can make a quicker return to work with the right support and encouragement. By helping your clients to focus on their capabilities and how they can manage their health condition in the workplace, Pathways to Work aims to support your clients and assist them to lead full, active working lives.

Whatever extra help your clients may need when starting work, eg wheelchair access or visual impairment software, the law is clear that employers have the responsibility to make 'reasonable adjustments' to provide your clients with whatever they need to do well in a job.

# SECTION FOUR

## PATHWAYS TO WORK

### **The aim of a Condition Management Programme is to help your clients:**

- Understand more about their condition and how they can safely manage it in a work setting
- Feel more confident about seeking work and the prospect of remaining in work
- Recognise the early signs of a relapse or worsening of the condition and so enable your clients to take appropriate steps to seek help and/or make reasonable workplace adjustments

### **Accessing specialist support services**

Your clients may have many barriers to work. These may include: low levels of confidence and motivation, low skill levels, and specific issues such as homelessness and drug and alcohol dependency.

Each Pathways to Work provider will provide a tailored service that responds to the specific needs of its area. Consequently, services within Pathways areas will vary.

For advice on how to access specialist support services in your area, please contact your local Pathways provider. See the chart at the end of this chapter.

### **When did it start?**

Pathways to Work has been introduced across the country in three stages.

- First stage commenced in April 2007 with Jobcentre Plus-led schemes
- Phase 1 commenced on 3<sup>rd</sup> December 2007 – provider-led
- Phase 2 commenced on 28<sup>th</sup> April 2008 – provider-led

Check the chart at the end of this chapter to see which phase of Pathways to Work your area of England started on. For example, Surrey and Sussex started on April 28<sup>th</sup> 2008 because they are in a Phase 2 area.

### **Who is Pathways to Work for?**

Once you have found out which phase area your clients live in, the rest is simple to work out. If your clients are aged between 18 and 59 and make a:

- Fresh claim, or a
- Repeat claim following a break

for one of the following benefits *on* or *after* their Pathways to Work start date, they will automatically be considered for Pathways to Work. In this case, they will be mandatory Pathways to Work clients.

If they have been claiming Incapacity Benefit or another disability-related benefit *before* the above dates (see list below), then your clients will be not obliged to join Pathways to

# SECTION FOUR

## PATHWAYS TO WORK

Work. However they can join this scheme voluntarily (see further on in chapter for voluntary aspects of Pathways to Work).

It is envisaged that from 2009 Pathways to Work will be made mandatory for existing clients under age 25 and from 2010 it will be extended to all long-term incapacity benefits claimants.

### **Eligible benefits for Pathways to Work**

If your clients claim one of the following disability-related benefits they could be eligible to join Pathways to Work:

- Incapacity Benefit or the Employment and Support Allowance
- Income Support on grounds of incapacity
- Income Support whilst they are appealing against a decision that they are not incapable of work
- Severe Disablement Allowance
- National Insurance credits on the grounds of incapacity (which may be awarded on their own or in addition to payments of income-related benefits – Income Support, Housing Benefit, Council Tax Benefit or War Pension)
- Income Support with a disability premium
- Disability Living Allowance, provided the recipient is not in receipt of Jobseeker's Allowance, and is not in paid work of 16 hours or more per week
- Housing Benefit with a disability premium or Council Tax Benefit with a disability premium, provided the recipient is not in receipt of Jobseeker's Allowance, and is not in paid work of 16 hours or more per week
- War Pension, where this includes an Unemployability Supplement
- Industrial Injuries Disablement Benefit, where this includes an Unemployability Supplement
- Pensions Credit with a disability premium, or Pensions Credit with a doctor's statement (form Med 3 or Med 5) confirming they have a health condition or disability, provided the recipient is not in receipt of Jobseeker's Allowance, and is not in paid work of 16 hours or more per week, or
- A benefit equivalent to Incapacity Benefit that has been imported into Great Britain under the European Community Regulations on the co-ordination of social security and the terms of the European Economic Area Agreement

### **Do your clients have to join Pathways to Work?**

Not necessarily. If your clients apply for Incapacity Benefit or the new Employment and Support Allowance after the above dates, they might not be obliged to join Pathways to Work. This depends upon the nature and extent of their disability. There are two groups of clients supported by the Pathways service.

# SECTION FOUR

## PATHWAYS TO WORK

### **The Work Related Activity Group**

The majority of claimants of disability-related benefits will fall into this group. If your clients have been placed in this group following their Work Capability Assessment (see section on the Employment Support Allowance) they will have to join Pathways to Work.

Once in this group they will be helped to explore what could be done to help them get back to work. An assessment can be completed to ascertain what adjustments should be made at the workplace to help your clients do well in the workplace.

### **Support group**

The support group is designed for people with the most severe levels of disability or who are facing a terminal illness. There is no expectation of anyone in this group returning to work. Even if your clients make an application for incapacity-related benefit after the start date of their local Pathways to Work, they will still not be expected to join Pathways to Work. Their benefits will not be affected.

However, clients can take part in this scheme voluntarily. See section below on voluntary aspects of Pathways to Work.

### **Mandatory Work Focused Interviews**

The majority of Pathways to Work clients who will be referred to Pathways to Work providers will have to participate in Work Focused Interviews, unless the Work Focused Interview is screened out. Screened out\* clients do not have to attend the mandatory Pathways to Work five additional Work Focused Interviews, but will be required to attend all three-year reviews and trigger Work Focused Interviews.

All clients, including those who have been screened out, can also request access to Pathways to Work support on a voluntary basis.

(\* Screened out clients are those who do not fulfil the requirements for the provision. The Jobcentre Plus adviser will use a screening tool, a series of questions, to determine the clients' eligibility.)

### **Mandatory clients can waiver or defer Pathways to Work for the following reasons:**

#### **Reasons to waiver:**

- 1) Upon return to work
- 2) Move house to an area not covered by Pathways to Work
- 3) No longer qualify for the programme (ie benefit changes to Jobseeker's Allowance)
- 4) Terminal illness

# SECTION FOUR

## PATHWAYS TO WORK

### Reasons to defer:

- 1) Bereavement
- 2) Receiving hospital treatment
- 3) Pregnant over 11 weeks

### Importance of attending Interviews

Attending Work Focused Interviews is a condition of your clients continuing to receive their full disability-related benefits. It is very important that they attend and fully participate in all Work Focused Interviews and other actions arranged by either Jobcentre Plus or their Pathways to Work provider.

If your clients are not able to attend an interview, they will be expected to provide a good reason. If repeated failure to attend or participate occurs, the case may be referred and their benefit may be withdrawn.

### Voluntary elements of Pathways to Work

All clients claiming an eligible benefit (see above list) *before* the date when Pathways to Work started in their area, can access the voluntary elements of the service. If they 'opted in' for voluntary support they would be helped by a Pathways to Work adviser to move towards their job goal and independence.

Those clients who do not have to attend and participate in the mandatory Pathways to Work intensive interviews will still be required to attend their three-year reviews and trigger Work Focused Interviews.

### Client Choice

When your clients make a new claim for incapacity-related benefit they will be sent information about their local Pathways to Work provider. If they live in one of the following areas they will be able to choose between *two* different Pathways to Work providers:

- Cheshire, Halton and Warrington;
- North East Yorkshire and the Humber; and
- Surrey and Sussex

The difference for clients in districts operating Client Choice is that when they make a new claim for incapacity-related benefits and attend an initial Work Focused Interview with Jobcentre Plus, they will be asked to choose between two Pathways to Work providers for employment support.

# SECTION FOUR

## PATHWAYS TO WORK

By the time your clients attend the initial Work Focused Interview with Jobcentre Plus they will have been sent information about each of the Pathways to Work providers in their area.

**Source:** Jobcentre Plus

# SECTION FOUR

## PATHWAYS TO WORK

<b>JOBCENTRE PLUS Pathways to Work</b>	
<b>District PtW Providers</b>	<b>Jobcentre Plus Districts</b>
Jobcentre Plus <a href="http://www.jobcentreplus.gov.uk">www.jobcentreplus.gov.uk</a>	Ayrshire, Dumfries, Galloway and Inverclyde
Jobcentre Plus <a href="http://www.jobcentreplus.gov.uk">www.jobcentreplus.gov.uk</a>	Cumbria
Jobcentre Plus <a href="http://www.jobcentreplus.gov.uk">www.jobcentreplus.gov.uk</a>	Derbyshire
Jobcentre Plus <a href="http://www.jobcentreplus.gov.uk">www.jobcentreplus.gov.uk</a>	Dorset and Somerset
Jobcentre Plus <a href="http://www.jobcentreplus.gov.uk">www.jobcentreplus.gov.uk</a>	Essex
Jobcentre Plus <a href="http://www.jobcentreplus.gov.uk">www.jobcentreplus.gov.uk</a>	Glasgow
Jobcentre Plus <a href="http://www.jobcentreplus.gov.uk">www.jobcentreplus.gov.uk</a>	Greater Manchester Central
Jobcentre Plus <a href="http://www.jobcentreplus.gov.uk">www.jobcentreplus.gov.uk</a>	Greater Mersey
Jobcentre Plus <a href="http://www.jobcentreplus.gov.uk">www.jobcentreplus.gov.uk</a>	Highland, Islands, Clyde Coast and Grampian
Jobcentre Plus <a href="http://www.jobcentreplus.gov.uk">www.jobcentreplus.gov.uk</a>	Lanarkshire and East Dumbartonshire
Jobcentre Plus <a href="http://www.jobcentreplus.gov.uk">www.jobcentreplus.gov.uk</a>	Lancashire

# SECTION FOUR

## PATHWAYS TO WORK

Jobcentre Plus <a href="http://www.jobcentreplus.gov.uk">www.jobcentreplus.gov.uk</a>	Liverpool and Wirral
Jobcentre Plus <a href="http://www.jobcentreplus.gov.uk">www.jobcentreplus.gov.uk</a>	Northumbria
Jobcentre Plus <a href="http://www.jobcentreplus.gov.uk">www.jobcentreplus.gov.uk</a>	South Tyne and Wear Valley
Jobcentre Plus <a href="http://www.jobcentreplus.gov.uk">www.jobcentreplus.gov.uk</a>	South Wales Valleys
Jobcentre Plus <a href="http://www.jobcentreplus.gov.uk">www.jobcentreplus.gov.uk</a>	South West Wales
Jobcentre Plus <a href="http://www.jobcentreplus.gov.uk">www.jobcentreplus.gov.uk</a>	South Yorkshire
Jobcentre Plus <a href="http://www.jobcentreplus.gov.uk">www.jobcentreplus.gov.uk</a>	Staffordshire
Jobcentre Plus <a href="http://www.jobcentreplus.gov.uk">www.jobcentreplus.gov.uk</a>	Tees Valley

### Phase 1 areas

Provider-led Pathways to Work districts	
District PtW Providers	Jobcentre Plus Districts
Work Directions 0800 321 3137 (free from landlines) <a href="mailto:info@workdirections.co.uk">info@workdirections.co.uk</a>	Birmingham and Solihull
Seetec 0800 65 20 878 (free from landlines) <a href="mailto:pathways@seetec.co.uk">pathways@seetec.co.uk</a>	Black Country

# SECTION FOUR

## PATHWAYS TO WORK

<p>Work Directions 0800 321 3135 <a href="mailto:info@workdirections.co.uk">info@workdirections.co.uk</a> <a href="http://www.workdirections.co.uk">www.workdirections.co.uk</a></p>	Central London
<p>Work Directions 0800 321 3135 (free from landlines) <a href="mailto:info@workdirections.co.uk">info@workdirections.co.uk</a> <a href="http://www.workdirections.co.uk">www.workdirections.co.uk</a></p>	City and East London
<p>A4E Ltd 08454 23 02 30 <a href="mailto:pathwaysenquiriesD&amp;C@a4e.co.uk">pathwaysenquiriesD&amp;C@a4e.co.uk</a> <a href="http://www.a4epathways.co.uk">www.a4epathways.co.uk</a></p>	Cornwall and Devon
<p>Work Directions 0800 321 3139 (free from landlines) <a href="mailto:info@workdirections.co.uk">info@workdirections.co.uk</a> <a href="http://www.workdirections.co.uk">www.workdirections.co.uk</a></p>	Edinburgh, Lothian and Borders
<p>Triage Central 0800 1954166 0800 9179262 (Working Links sub-contacted to Fife) <a href="http://www.triagecentral.co.uk">www.triagecentral.co.uk</a></p>	Forth Valley, Fife and Tayside
<p>Shaw Trust <a href="http://www.shaw-trust.org.uk">www.shaw-trust.org.uk</a> 01204 537960</p>	Greater Manchester East and West
<p>Work Directions 0800 321 3136 (free from landlines) <a href="mailto:info@workdirections.co.uk">info@workdirections.co.uk</a> <a href="http://www.workdirections.co.uk">www.workdirections.co.uk</a></p>	Lambeth, Southwark and Wandsworth
<p>TNG Ltd 0845 6025573 <a href="http://www.pathwaystowork.info">www.pathwaystowork.info</a></p>	Lincolnshire and Rutland
<p>Shaw Trust <a href="http://www.shaw-trust.org.uk">www.shaw-trust.org.uk</a> 01603 599470</p>	Norfolk

# SECTION FOUR

## PATHWAYS TO WORK

<p>A4E Ltd 08454 23 33 33 <a href="mailto:pathwaysenquiriesWales@a4e.co.uk">pathwaysenquiriesWales@a4e.co.uk</a> <a href="http://www.a4epathways.co.uk">www.a4epathways.co.uk</a></p>	North and Mid Wales
<p>Work Directions 0800 321 3138 (free from landlines) <a href="mailto:info@workdirections.co.uk">info@workdirections.co.uk</a> <a href="http://www.workdirections.co.uk">www.workdirections.co.uk</a></p>	Nottinghamshire
<p>A4E Ltd 08454 23 33 33 <a href="mailto:pathwaysenquiriesWales@a4e.co.uk">pathwaysenquiriesWales@a4e.co.uk</a> <a href="http://www.a4epathways.co.uk">www.a4epathways.co.uk</a></p>	South East Wales
<p>A4E Ltd 08454 23 23 23 <a href="mailto:pathwaysenquiriesWY@a4e.co.uk">pathwaysenquiriesWY@a4e.co.uk</a> <a href="http://www.a4epathways.co.uk">www.a4epathways.co.uk</a></p>	West Yorkshire

### Phase 2 areas

Provider-led Pathways to Work districts	
District PtW Providers	Jobcentre Plus Districts
<p>Shaw Trust <a href="http://www.shaw-trust.org.uk">www.shaw-trust.org.uk</a> 0808 1802003</p>	Bedfordshire and Hertfordshire
<p>Shaw Trust <a href="http://www.shaw-trust.org.uk">www.shaw-trust.org.uk</a> 0808 1802003</p>	Berks, Bucks and Oxfordshire
<p>Reed in Partnership 0800 511 8084 <a href="http://www.reedinpartnership.co.uk/">www.reedinpartnership.co.uk/</a></p>	Cambridge and Suffolk

# SECTION FOUR

## PATHWAYS TO WORK

<p><b>CUSTOMER CHOICE</b>          Intraining Employability          07917 185636  <a href="http://www.intraining.co.uk">www.intraining.co.uk</a>  <b>and</b>          TNG Ltd          0845 6024391  <a href="http://www.pathwaystowork.info">www.pathwaystowork.info</a></p>	Cheshire, Halton and Warrington
<p>Working Links          0800 917 9262  <a href="mailto:Pathways@workinglinks.co.uk">Pathways@workinglinks.co.uk</a>  <a href="http://www.workinglinks.co.uk">www.workinglinks.co.uk</a></p>	Coventry and Warwickshire
<p>Working Links          0800 917 9262  <a href="mailto:Pathways@workinglinks.co.uk">Pathways@workinglinks.co.uk</a>  <a href="http://www.workinglinks.co.uk">www.workinglinks.co.uk</a></p>	Gloucestershire and Wiltshire
<p>Shaw Trust  <a href="http://www.shaw-trust.org.uk">www.shaw-trust.org.uk</a>          0808 1802003          01256 853340</p>	Hampshire and IoW
<p>Royal British Legion Industries          0800 3196841  <a href="mailto:pathways@rbli.co.uk">pathways@rbli.co.uk</a></p>	Kent
<p>Working Links          0800 917 9262  <a href="mailto:pathways@workinglinks.co.uk">pathways@workinglinks.co.uk</a>  <a href="http://www.workinglinks.co.uk">www.workinglinks.co.uk</a></p>	Leicestershire and Northants
<p>Reed in Partnership          0800 511 8960  <a href="http://www.reedinpartnership.co.uk/">www.reedinpartnership.co.uk/</a></p>	North and North East London

# SECTION FOUR

## PATHWAYS TO WORK

<p><b>CUSTOMER CHOICE</b>            Intraining Employability            07917 185636  <a href="http://www.intraining.co.uk">www.intraining.co.uk</a></p> <p><b>and</b></p> <p>Working Links            0800 917 9262  <a href="mailto:Pathways@workinglinks.co.uk">Pathways@workinglinks.co.uk</a>  <a href="http://www.workinglinks.co.uk">www.workinglinks.co.uk</a></p>	<p>North East Yorkshire and the Humber</p>
<p>Reed in Partnership            0800 511 8640  <a href="http://www.reedinpartnership.co.uk/">www.reedinpartnership.co.uk/</a></p>	<p>South London</p>
<p><b>CUSTOMER CHOICE</b>            A4E Ltd (new contact details pending)            08454 23 02 30  <a href="mailto:pathwaysenquiriesD&amp;C@a4e.co.uk">pathwaysenquiriesD&amp;C@a4e.co.uk</a>  <a href="http://www.a4epathways.co.uk">www.a4epathways.co.uk</a></p> <p><b>and</b></p> <p>Royal British Legion Industries – RBLI            0800 319 6842  <a href="mailto:pathways@rbli.co.uk">pathways@rbli.co.uk</a></p>	<p>Surrey and Sussex</p>
<p>Remploy            0845 155 2819  <a href="http://www.remploy.co.uk">www.remploy.co.uk</a></p>	<p>The Marches</p>
<p>Reed in Partnership            0800 511 8499  <a href="http://www.reedinpartnership.co.uk/">www.reedinpartnership.co.uk/</a></p>	<p>West London</p>
<p>Working Links            0800 917 9262  <a href="mailto:pathways@workinglinks.co.uk">pathways@workinglinks.co.uk</a>  <a href="http://www.workinglinks.co.uk">www.workinglinks.co.uk</a></p>	<p>West of England</p>

SECTION

# FIVE



## JOBCENTRE PLUS SCHEMES

---

### Who is there to help?

**If your clients are disabled and are planning to return to work, either full-time or part-time, there are lots of schemes they could possibly join and also many things that they can do for themselves.** For example, voluntary work will take your clients closer to working in a job that suits their interests, skills and abilities.

This section covers the Jobcentre Plus services available to help people with disabilities to:

- Find a job and return to the workplace
  - Not *only* remain in a job but to excel in the workplace
-

# SECTION FIVE

## JOBCENTRE PLUS SCHEMES

### **Looking for work**

To find details of local, regional and national jobs, your clients can call Jobcentre Plus on 0845 606 0234 or visit [www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk)

### **To claim a benefit**

If your clients need to claim a benefit they need to call 0800 055 6688 (textphone 0800 023 488).

Lines are open Monday–Friday 8am–6pm.

### **Disability Employment Advisers**

If your clients need extra employment support because of a disability, their local Jobcentre Plus office can put them in touch with one of their Disability Employment Advisers (DEAs).

Disability Employment Advisers can give your clients help and support regardless of their situation. They can help them to find work or gain new skills even if they have been out of work for a long time, or if they have little or no work experience.

Your clients' Disability Employment Adviser can offer:

- An employment assessment to identify what type of work or training suits them best
- A referral, where appropriate, to Work Preparation (see below), an individually-tailored programme designed to help some disabled people
- A referral to a work programme for disabled people, like the Job Introduction Scheme, WORKSTEP (see below) or Access to Work (see below)
- A referral, if needed, to a Work Psychologist for a more detailed employment assessment to identify the best work or training for them
- A job-matching and referral service – the DEA can let them know about jobs that match their experience and skills
- Information on employers in their area who have adopted the 'two ticks' disability symbol (see following chapter)

### **Employment assessments**

An employment assessment can help your clients to identify their abilities and strengths. At the end of it, they and their DEA will have created an action plan of steps they can take towards achieving their employment goals.

# SECTION FIVE

## JOBCENTRE PLUS SCHEMES

### **What happens at the assessment?**

Your clients' employment assessment will usually take place at their local Jobcentre Plus office or Jobcentre. They will have an interview with their DEA, which is an opportunity for the two of them to:

- Talk about their skills and abilities
- Discuss any previous work experience they may have
- Agree what might be the most suitable job for them

As part of the assessment, your clients may be asked to carry out some practical tasks and written work. These tasks will be similar to common tasks involved in various types of work.

The assessment may take half a day or longer, depending on your clients' individual needs. The DEA will discuss the length of your clients' assessment with them beforehand.

### **After the assessment**

Your clients and their DEA will talk about their assessment and agree on an action plan to help them achieve their job goals. Their action plan may include training or taking part in the Work Preparation programme.

An employment assessment does not affect your clients' benefits. They can also claim travel expenses for attending an assessment.

## **Disability Living Allowance**

Disability Living Allowance, sometimes referred to as DLA, is a tax-free benefit for children and adults who need help with personal care or have mobility difficulties because they are physically or mentally disabled.

### **Your clients may receive Disability Living Allowance if:**

- They have a physical or mental disability, or both
- Their disability is severe enough for your clients to need help caring for themselves or your clients have mobility difficulties, or both
- They are under 65 when they claim

If your clients are aged 65 or over, they may be able to receive Attendance Allowance (see below).

# SECTION FIVE

## JOBCENTRE PLUS SCHEMES

### **Disability Living Allowance has two parts called 'components':**

- A care component – if your clients need help looking after themselves or supervision to keep them safe
- A mobility component – if your clients cannot walk or need help getting around.

Some people will be entitled to receive just one component; others may receive both. The care component and mobility component are paid at different rates depending on how your clients' disability affects them.

### **Effect on other benefits and entitlements**

If your clients start to receive Disability Living Allowance it might increase the amount of other benefits or credits they are entitled to, such as Income Support, Pension Credit, Housing Benefit, Council Tax Benefit, Working Tax Credit and Child Tax Credit.

Disability Living Allowance is normally ignored as income for working out these income-related benefits and credits.

For more info visit [www.Direct.gov.uk/en/DisabledPeople/FinancialSupport](http://www.Direct.gov.uk/en/DisabledPeople/FinancialSupport)

### **Attendance Allowance**

Attendance Allowance, sometimes referred to as AA, is a tax-free benefit for people aged 65 or over who need help with personal care because they are physically or mentally disabled.

### **Who can receive Attendance Allowance?**

Your clients may receive Attendance Allowance if:

- They have a physical or mental disability, or both
- Their disability is severe enough for them to need help caring for themselves
- They are aged 65 or over when they claim.

If your clients are under age 65, they may be able to receive Disability Living Allowance.

Attendance Allowance is not usually affected by any savings or income they may have.

For more info visit [www.Direct.gov.uk/en/DisabledPeople/FinancialSupport](http://www.Direct.gov.uk/en/DisabledPeople/FinancialSupport)

# SECTION FIVE

## JOBCENTRE PLUS SCHEMES

### **Work Preparation programme**

If your clients are thinking about returning to work after a long period of sickness or unemployment, the Work Preparation programme offered by Jobcentre Plus may provide the support they need. Work Preparation is a very flexible, individually-tailored programme which, as its name suggests, can help your clients prepare for work.

#### **Work Preparation can help your clients by:**

- Helping to identify the type of work most suitable for them
- Providing work experience in a work environment
- Learning new skills or updating old ones
- Building their confidence

#### **The programme**

The programme usually lasts around six weeks, but can be extended to 13 weeks or more.

Programmes are normally available locally, either at the premises of a programme provider or a local workplace. Sometimes Work Preparation can be held at a residential centre.

At the end of a programme the provider will complete a final report and give a copy to your clients and to their Disability Employment Adviser. Your clients will then have an appointment with their DEA so that they can discuss the report. Together with their DEA, they will agree an action plan for the future, which may include looking for work, training or further education.

Contact your clients' Jobcentre Plus office to make an appointment with the DEA. The DEA will be able to discuss whether the Work Preparation programme is likely to provide your clients with the help they are looking for.

### **New Deal for Disabled People**

New Deal for Disabled People (NDDP) is a programme of advice and practical support, which helps people move from disability and health-related benefits into paid employment.

It is now being phased out and is now replaced by Pathways to Work. However, existing clients on NDDP will be allowed to complete on this scheme.

# SECTION FIVE

## JOBCENTRE PLUS SCHEMES

### **Access to Work – providing practical help at work**

Access to Work can help your clients if their health or disability affects the way they do their job. It gives your clients and the person they work for advice and support with extra costs which may arise because of their disability.

This scheme enables an employer to make any reasonable adjustments, covered by the Disability Discrimination Act, that are necessary for your clients to start work.

#### **Access to Work might pay towards:**

- The equipment your clients need at work
- Adapting premises to meet their needs
- A support worker
- The cost of getting to work if your clients are unable to use trains or buses
- A communicator at job interviews, if necessary

#### **Who can get Access to Work?**

Your clients may be able to get Access to Work if they are:

- In a paid job
- Unemployed and about to start a job
- Self-employed

and their disability or health condition stops them from being able to do parts of their job.

Your clients' disability or health condition may not have a big effect on what they do each day, but may have a long-term effect on how well they can do their job. If your clients think that this applies to them, they should talk to a Jobcentre Plus adviser.

#### **Contacting your local Disability Employment Adviser**

If your clients feel that the type of work they do is affected by a disability or health condition that is likely to last for 12 months or more, they should ask the Disability Employment Adviser at their local Jobcentre Plus office about Access to Work. They can put your clients in touch with their closest Access to Work Business Centre to check whether they are eligible for help.

# SECTION FIVE

## JOBCENTRE PLUS SCHEMES

### **Permitted work**

Your clients cannot usually work while they are receiving Incapacity Benefit or other disability related benefits. However, Permitted Work allows them to do some types of work- within limits. It enables your clients to test their ability for doing some work and perhaps gain new skills.

Permitted Work is a benefit arrangement - employers do not offer 'permitted work'. Your clients do not need approval from their doctor or have to have a medical test just because they are doing permitted work.

Before your clients start any work, and also to find out more about this arrangement, ask a Jobcentre Plus adviser.

### **Your clients can work:**

- For earnings of up to and including £20.00 a week for an unlimited period
- For less than 16 hours a week, on average, with earnings up to and including £88.50 a week for a 52 week period
- For less than 16 hours a week, on average, and earn up to and including £88.50 a week.

### **Supported Permitted Work**

Supported Permitted Work is work that is supervised by someone who is employed by a public or local authority or a voluntary organisation to arrange work for disabled people. It also includes any work your clients perform whilst under medical supervision as part of a hospital treatment programme.

Your clients can work in Supported Permitted Work and receive earnings of up to and including £88.50 a week for an unlimited period.

### **Income Tax**

If your clients start permitted work, they may be liable to pay tax on their extra income. They must notify HM Revenue & Customs (HMRC) as soon as they start work.

### **Effect on other benefits**

If your clients receive Income Support, Housing Benefit or Council Tax Benefit and they do Permitted Work, any earnings will be taken into account when assessing these benefits.

Your clients can work and earn up to the Permitted Work limit of £88.50 or £20.00 - depending on the type of permitted work they do. This will have no effect on their receiving Incapacity Benefit.

# SECTION FIVE

## JOBCENTRE PLUS SCHEMES

### **Find out more about Permitted Work**

For more information contact your local Disability Employment Adviser at your clients' local Jobcentre Plus office.

### **Job Grant**

Job Grant is a work-related payment made by Jobcentre Plus that aims to help clients in the transition from benefit into paid work. The Grant is non-taxable and is paid on a discretionary basis. Job Grant awards are:

- £100 for single clients and couples without children
- £250 for Lone Parents and couples with children.

Provider-led Pathways clients are eligible if they have been entitled to a qualifying benefit for the previous 26 weeks immediately prior to moving into work that will last at least 5 weeks.

Your clients do not need to make an application for the Job Grant. Each local Jobcentre Plus office is responsible for automatically identifying eligible clients.

### **Job Introduction Scheme – Grants for employers**

The Job Introduction Scheme (JIS) is available through Jobcentre Plus. It can help your clients if they are looking for work or about to start a job and have a disability that may affect the kind of work they will do.

JIS pays a weekly grant to your clients' employer for the first six weeks that they are employed to help towards their wages or other employment costs, such as extra training.

### **Who is eligible?**

To qualify under JIS rules, the job can be full or part-time, but must be expected to last for at least six months, including the JIS period. The scheme cannot be used for jobs with government agencies or departments, for Permitted Work Lower Limit (PWLL) jobs, for jobs in WORKSTEP or for a New Deal job for which the New Deal subsidy is being paid.

If your clients are about to start a job and they or their employer have genuine concerns about their ability to manage it because of their disability, contact their Disability Employment Adviser (DEA). Your clients can discuss whether JIS would be available in their circumstance.

# SECTION FIVE

## JOBCENTRE PLUS SCHEMES

### **The grant and how your clients are paid**

JIS pays a weekly grant to your clients' employer for the first six weeks that they are employed. In exceptional circumstances, and after agreement with your clients's DEA, this may be extended. Your clients' employer will pay them the normal rate for the job.

### **WORKSTEP – help with finding and keeping a job**

If your clients have a disability that makes it difficult for them to find or keep a job, WORKSTEP may be able to help them. This employment programme provides supported work over 16 hours a week to disabled people facing complex barriers to getting and keeping a job. The WORKSTEP programme also offers practical assistance to employers.

Since WORKSTEP offers supported employment over 16 hours a week, a person would lose their claim for Incapacity Benefit. However, depending on how much money the person earns, other forms of benefit could continue.

See the end of the chapter on Incapacity Benefit for other forms of benefit that can be accessed whilst in employment.

Your clients may benefit from WORKSTEP if they have a disability and wish to have a job where they can:

- Develop their skills
- Have the opportunity to develop and progress
- Have the right kind of support when they need it.

Your clients should contact their Jobcentre Plus office and ask to be put in touch with a Disability Employment Adviser (DEA). The DEA will tell your clients whether they are eligible for the programme and help them to decide whether it is right for them.

### **Tailoring to your clients' needs**

Whatever the type of job, WORKSTEP can provide support to your clients and their employer:

WORKSTEP gives your clients the opportunity to work in a variety of different jobs through a wide range of organisations from small high street shops to national companies. Your clients will get the same wage as non-disabled colleagues doing the same or similar work.

# SECTION FIVE

## JOBCENTRE PLUS SCHEMES

If your clients are starting a new job, the WORKSTEP provider will introduce them to their manager and colleagues at work and keep in touch to make sure everything is going smoothly.

Your clients will be able to agree a development plan with their WORKSTEP provider and their employer which makes sure they get the necessary training and support to learn to do their job, and develop in it.

### **Residential Training**

Residential training for disabled adults is a programme that helps long-term unemployed disabled people secure and maintain jobs or self-employment. The programme is provided when there are no suitable alternative programmes available locally.

If the training is part of Jobcentre Plus provision, it should not affect your clients' claim for benefits. If unsure, check with your local Disability Employment Adviser.

The training takes place in a residential setting in accessible buildings. Staff members with specialist knowledge of disability issues teach the courses.

The programmes are tailored to assist clients in securing employment through a combination of guidance, work experience, vocational (work-based) training and qualifications.

### **Who is Eligible?**

Residential training for disabled adults will help your clients if they:

- Are a UK resident
- Have a physical and/or sensory disability or learning difficulty
- Are aged 18 or over
- Can not access suitable local training
- Are unemployed and have the potential to take up employment, including supported employment.

Your clients will receive an allowance during their training and their residential costs, which can also include some travel costs, will be paid for by the Residential Training Unit.

# SECTION FIVE

## JOBCENTRE PLUS SCHEMES

### Types of courses

Courses vary from college to college, with over 50 courses of vocational training available through the programme. Many lead to National Vocational Qualifications (NVQs). Here is a selection:

Administration	Audio-visual technician	Construction trades
Catering	Cycle mechanics	Decorating
Electronics	Engineering	Horticulture
Information technology	Leisure/tourism/travel	Recording studio
Retail	Teleworking	Vehicle refinishing

The length of courses will vary according to your clients' needs, but will not exceed 52 weeks. Some training programmes are specifically designed for people with a hearing or visual impairment.

### How to apply

There are 10 specialist course providers located throughout England. Your clients should contact their DEA at their local Jobcentre Plus office

### Better-off Calculation

Jobcentre Plus and a number of other organisations such as the Citizens Advice Bureau have access to a *Better Off Calculator*, which will give your clients an estimate of how much better off they might be in a job.

Using this tool, an adviser would be able to calculate all your clients' present out-goings, such as utility bills, mortgage, rent etc, and compare it against all their present forms of income, such as Incapacity Benefit, Housing Benefit, etc. The adviser would then make a calculation to *estimate* how much better off they would be working. It is important to emphasise that this provides only a rough estimate and is only as accurate as the information provided by your clients.

# SECTION FIVE

## JOBCENTRE PLUS SCHEMES

If your clients have any worries especially about how they will cope financially between coming off benefits and waiting for their first pay slip, speak to an adviser from Jobcentre Plus or the Citizens Advice Bureaux. They will be able to tell your clients about the extra help that is available to help them make the “leap” from benefits to work.

For example, people who find a long-term job whilst on Pathways to Work receive a Return to Work Credit. This will give £40 a week tax-free (£60 in London) during their first year at work.

Source: Jobcentre Plus, DWP, Direct.gov

SECTION

# SIX



## THE BENEFITS AND FINANCIAL SUPPORT AVAILABLE ONCE A CLIENT STARTS WORK

# SECTION SIX

## THE BENEFITS AND FINANCIAL SUPPORT AVAILABLE ONCE A CLIENT STARTS WORK

When your clients start work over and including 16 hours per week, they will stop receiving Incapacity Benefit or the Employment and Support Allowance which started in October 2008. However, there are sources of financial support, which ensure that your clients will continue to receive certain benefits even whilst in employment.

### **Permitted work**

Your clients cannot usually work while they are receiving Incapacity Benefit, the Employment and Support Allowance, or other disability-related benefits. However, permitted work allows them to do some types of work – within limits. It enables your clients to test their ability for doing some work and perhaps gain new skills.

Permitted work is a benefit arrangement – employers do not offer 'permitted work'. Your clients do not need approval from their doctor or have to have a medical test just because they are doing permitted work.

Before your clients start any work, and also to find out more about this arrangement, ask a Jobcentre Plus adviser.

### **Your clients can work:**

- For earnings of up to and including £20 a week for an unlimited period
- For less than 16 hours a week, on average, with earnings up to and including £88.50 a week for a 52-week period

### **Job Grant (Jobcentre Plus)**

Job Grant is a work related payment made by Jobcentre Plus that aims to help clients in the transition from benefit into paid work. The Job Grant is a non-taxable, discretionary payment.

See chapter on Jobcentre Plus schemes for more information.

### **In Work Credit**

In Work Credit is a fixed tax free payment of £40 per week (£60 per week in London) for parents bringing up children alone. It is payable for up to 52 weeks on top of your clients' earnings, when they start work of at least 16 hours per week.

### **Your clients can receive this credit if they are:**

- Bringing up children on their own
- Starting work of at least 16 hours a week
- Expect that work to last 5 weeks or more

# SECTION SIX

## THE BENEFITS AND FINANCIAL SUPPORT AVAILABLE ONCE A CLIENT STARTS WORK

### **And if they have:**

- Been getting Income Support or Jobseeker's Allowance or a combination of these benefits for at least 52 weeks or more without a break.

Your clients must claim before they start work. The claim form for In Work Credit must be completed and returned to their nearest Jobcentre Plus office within 5 weeks of starting work.

[For more information contact: www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk)

### **Disability Living Allowance (DLA)**

Disability Living Allowance, sometimes referred to as DLA, is a tax-free benefit for children and adults who need help with personal care or have difficulty getting around because of a physical or mental disability. DLA can also be paid if your clients are in work.

Your clients may receive Disability Living Allowance if:

- They have a physical or mental disability, or both
- Their disability is severe enough to need help caring for themselves or getting around, or both
- They are under 65 when they claim.

If they are aged 65 or over, they may be able to receive Attendance Allowance. See the chapter on Jobcentre Plus Schemes for more information.

### **Council Tax Benefit and Housing Benefit - local Councils**

Someone is assessed for Housing Benefit and Council Tax Benefit at the same time. Contact local Council for an application:

#### **Council Tax Benefit**

- Council Tax Benefit is available if someone's income and capital (savings and investments) are £16,000 or below
- A Second Adult Rebate is available if someone shares a home with another adult (not a partner or civil partner) who is unable to pay towards the Council Tax.

#### **Disabled band reduction scheme**

This scheme ensures that disabled people do not pay more Council Tax because they live in a larger property than they would have needed if they were not disabled. Having a disability does not automatically entitle your clients to a reduction.

To find out more information, contact your clients' local Council:

[www.local.direct.gov.uk/mycouncil](http://www.local.direct.gov.uk/mycouncil)

# SECTION SIX

## THE BENEFITS AND FINANCIAL SUPPORT AVAILABLE ONCE A CLIENT STARTS WORK

### **Housing Benefit**

This is available to those on a low income and in need of financial help to pay all or part of someone's rent

### **Housing Benefit is not usually available if someone:**

- Has savings of over £16,000, unless someone is aged 60 or over and getting the 'guarantee credit' of Pension Credit
- Lives in the home of a close relative
- Is a full-time student (unless disabled or have children)
- Is an asylum seeker or is sponsored to be in the UK.

### **Other restrictions**

- If someone lives with a partner or civil partner only one person can get Housing Benefit
- If someone is single and aged under 25 it is possible to receive only Housing Benefit for bed-sit accommodation or one room in shared accommodation

### **Local Housing Allowance**

Available from 7th April 2008, the Local Housing Allowance is the new way of working out Housing Benefit if someone rents from a private landlord.

This allowance is aimed at private tenants on a low income, renting property or room from a private landlord.

### **Free Training (accessed mainly through colleges)**

Many training courses accredited to level 2 (equivalent to a GCSE) in colleges are free to adults. This free entitlement is available even to those in work, as long as they have yet to attain a level 2 qualification

- Train 2 Gain is a new service aimed at equipping employees with a relevant level 2 qualification in the work place. For more information visit: [www.traintogain.gov.uk/](http://www.traintogain.gov.uk/)

### **Tax Credits**

Tax credits are payments from the government and fall into two categories:

- Working Tax Credits
- Child Tax Credits:

### **How much do your clients get?**

This depends on things like:

- How many children live with your client
- Whether your clients work - and how many hours they work
- If they pay for childcare

# SECTION SIX

## THE BENEFITS AND FINANCIAL SUPPORT AVAILABLE ONCE A CLIENT STARTS WORK

- If your clients or any child living with them have a disability
- If they are aged 50 plus and are coming off benefits

Your clients' payments also depend on their income. The lower their income, the more tax credit they can get.

### **Working Tax Credit**

To be eligible your clients must be over 25 years old, work more than 30 hours a week and earn less than £11,700 if single or £16,300 with a partner. Call the helpline for more information: 0845 300 3900 or textphone: 0845 300 3909.

### **Child Tax Credit**

To be eligible your clients must be responsible for at least one child or young person who normally lives with them.

### **How to qualify**

Your clients should visit the HM Custom and Revenue website to see if they qualify for tax credits. To qualify they will be asked to take a 5 minute on-line test: [www.hmrc.gov.uk](http://www.hmrc.gov.uk)

### **Return to Work Credit**

On Pathways to Work your clients would receive a Return to Work Credit

- This is a payment of £40 a week (£60 a week for London) for people starting work of at least 16 hours a week and earning no more than £15,000 per year
- This is for the first year at work
- Non taxable.

Source: Jobcentre Plus, Direct.gov

SECTION

# SEVEN



## THE LAW AND OTHER SUPPORT FOR DISABILITY

---

### Employment rights and the Disability Discrimination Act

Disabled workers share the same general employment rights as other workers, but there are also some special provisions for them under the **Disability Discrimination Act (DDA)**. Under the DDA, it is unlawful for employers to discriminate against disabled people for a reason related to their disability, in all aspects of employment.

---

# SECTION SEVEN

## THE LAW AND OTHER SUPPORT FOR DISABILITY

### **The Act covers things like:**

- Application forms
- Interview arrangements
- Proficiency tests
- Job offers
- Terms of employment
- Promotion, transfer or training opportunities
- Work-related benefits such as access to recreation or refreshment facilities
- Dismissal or redundancy
- Reasonable adjustments in the workplace

Under the DDA, your clients' employer has a duty to make 'reasonable adjustments' to make sure they are not put at a substantial disadvantage by employment arrangements or any physical feature of the workplace. Examples of the sort of adjustments your clients' employer should consider include:

- Allocating some of your clients' work to someone else
- Transferring your clients to another post or another place of work
- Making adjustments to the buildings where your clients work
- Being flexible about your clients' hours – allowing them to have different core working hours and to be away from the office for assessment, treatment or rehabilitation
- Providing employee training
- Providing modified equipment
- Making instructions and manuals more accessible
- Providing a reader or interpreter

### **Things to consider at work**

Your clients can play an active role in discussing these arrangements with their employer. Your clients might also want to encourage their employer to speak to someone with expertise in providing work-related help for disabled people. For example the Employers' Forum on Disability [www.employers-forum.co.uk](http://www.employers-forum.co.uk) or 020 7403 3020.

The Equality and Human Rights Commission, which has replaced the Disability Rights Commission, provides guidance and advice for your clients and their employer about the Disability Discrimination Act and what adjustments might be reasonable. Issues for your clients and their employer to consider may include:

# SECTION SEVEN

## THE LAW AND OTHER SUPPORT FOR DISABILITY

- How effective will an adjustment be?
- Will it mean that your clients' disability is slightly less of a disadvantage or will it significantly reduce the disadvantage?
- Is it practical?
- Will it cause much disruption?
- Will it help other people in the workplace?
- Is the cost prohibitive?

Your clients may want to make sure that their employer is aware of the Access to Work programme run by Jobcentre Plus (see Section Five). Through this programme, employers can receive advice on appropriate adjustments and possibly some financial help towards the cost of the adjustments.

Access to Work makes it difficult for an employer to present financial concerns as a reason to avoid making reasonable adjustments.

### **Action to take if discriminated against**

If your clients believe that an employer has treated them less favourably than others for a reason related to their disability, or if their employer has not made reasonable adjustments for them in the workplace, your clients may want to consider taking action.

### **What are the steps?**

As a first step, your clients might want to have an informal discussion with their employer about their needs and why they feel they are being discriminated against. The employer could be reminded of their responsibilities and your clients' rights under the DDA.

If this discussion does not provide a satisfactory outcome, your clients could make a complaint through the employer's internal grievance procedure.

If still not satisfied, your clients might want to contact ACAS (Advisory, Conciliation and Arbitration Service) [www.acas.org.uk](http://www.acas.org.uk) or make a complaint to an employment tribunal.

See the Equality and Human Rights Commission section below on *Using your rights*, and visit [www.eoc.org.uk](http://www.eoc.org.uk) for a full explanation.

If your clients wish to make a complaint to an employment tribunal, they must do so within three months of the date of the act of discrimination.

Visit [www.Direct.gov.uk](http://www.Direct.gov.uk) for more details.

# SECTION SEVEN

## THE LAW AND OTHER SUPPORT FOR DISABILITY

### **Disclosure to an employer**

If your clients are thinking of starting work, the decision whether or not to tell an employer about their disability could possibly give your clients additional cause for concern.

There is no obligation for your clients to disclose a disability. However, there are some things they might want to consider in making that decision.

### **Should your clients tell a potential employer about their disability?**

Although your clients may be uncertain about how an employer may react, there are good reasons for telling a potential employer about a disability. Employment is covered by the Disability Discrimination Act. This means it is unlawful for employers to discriminate against disabled people in their recruitment and selection procedures.

Under the DDA, employers must also consider making any 'reasonable adjustments' your clients might need in order to enable them to work for them. If your clients don't declare a disability, an employment tribunal might decide that their employer was justified in failing to make adjustments for them. However, it could also decide that your clients' employer could reasonably be expected to know about their disability even if it is not declared.

### **Deciding how and when to declare a disability**

The DDA is the law, but keep these points in mind when deciding whether to disclose a disability.

- If your clients are asked in an interview or on an application form whether they have a health condition or disability, answer in a straightforward way. Make the distinction between a health condition and a disability
- If your clients sign a declaration saying they do not have a disability when in fact they do, this may have consequences later on

### **Application forms and medical questionnaires**

Some application forms ask direct questions about disability, so your clients can give all the details they feel are important when completing the form. If necessary, your clients should explain how the disability would affect them in a work environment – or if it has no practical effect, say so.

# SECTION SEVEN

## THE LAW AND OTHER SUPPORT FOR DISABILITY

- Your clients should focus on their aptitudes and abilities and say why they think they are the right person for the job
- If your clients feel that being disabled, or their life experience due to their disability, increases their ability to do the job, turn this into a positive and mention this on the part of the application form that asks why they are suitable for the job
- For example, if applying to a charity that deals with disabilities in the workplace, someone with personal experience of this subject could be seen by the employer as a potential asset to the organisation
- Your clients may also be asked direct questions about disability and health on a medical questionnaire. Whether they will need to fill one out, and at what stage they do this, can depend on the type of job or employer

### **Attending interviews**

It is a good idea to disclose a disability before an interview, although this is not a legal requirement. If your clients are shortlisted for an interview and need practical support such as a sign language interpreter or help getting to the interview, they should contact the employer to arrange this.

It is much easier for employers to respond to your clients' needs if they can prepare in advance. If your clients wait until the interview to declare that they have a disability, it may take them by surprise. They may ask irrelevant questions about your clients' disability that they could have answered simply on the application form.

The job interview should be spent explaining why and how your clients are the right person for the job, not focusing on issues of disability.

### **Employers with a commitment to employing disabled people**

Your clients' decision to disclose a disability may be influenced by their judgement about the attitude of a particular employer. The following points may help your clients make that judgement.

- Many employers have equal opportunities policies and also an *Investors in People* mark. These organisations will have a certain commitment to recruiting and employing without prejudice. Your clients may feel more comfortable disclosing a disability if the company has declared that it will not discriminate because of a disability
- Your clients should also look out for the Jobcentre Plus 'two ticks' disability symbol on job adverts (see below). This symbol means that the employer has made a commitment to employing disabled people and that your clients are guaranteed a job interview if they meet the minimum conditions for the job

# SECTION SEVEN

## THE LAW AND OTHER SUPPORT FOR DISABILITY

**Equality and Human Rights Commission – [www.eoc.org.uk](http://www.eoc.org.uk)**

Everyone has the right to be treated fairly at work and to be free of discrimination on grounds of age, race, gender, disability, sexual orientation, religion or belief. The Equality and Human Rights Commission (EHRC) provides a valuable source of information and guidance surrounding disability rights within the workplace.

The Disability Discrimination Act says a disabled person is someone with ‘a physical or mental impairment, which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities’. Importantly, only the courts can say if a particular individual is defined as disabled under the legislation.

EHRC provides a list of issues surrounding education and employment that, as an adviser working with people with disabilities, you will need to be aware of. The following list, provided by EHRC, explains what the law says and importantly how your disabled clients can exercise their rights:

- **Disability discrimination: your rights**  
See the section above on the DDA
- **Words used to define disability**  
The Equal Opportunities Commission (EOC) provides a detailed explanation to the words and terms used in the DDA to define the different types of disability such as: a physical or mental impairment, substantial, long-term etc
- **Disability in education**  
A section on your rights as a student with a disability. Skill also provides comprehensive advice on disabilities in education [www.skill.org.uk](http://www.skill.org.uk)
- **Access to services**  
The Disability Discrimination Act gives people rights in the way they use services or receive goods
- **Using your rights**  
This section provides an explanation of the options for sorting out unfair treatment with an employer *without* having to take legal action

Also, it provides an explanation of the step-by-step process of making a tribunal claim.

# SECTION SEVEN

## THE LAW AND OTHER SUPPORT FOR DISABILITY

### The disability symbol



#### What the symbol means

The symbol is a recognition given by Jobcentre Plus to employers who have agreed to make certain positive commitments regarding the employment, retention, training and career development of disabled people.

#### These commitments are:

- To interview all disabled applicants who meet the minimum criteria for a job vacancy and to consider them on their abilities
- To ensure there is a mechanism in place to discuss, at any time but at least once a year, with disabled employees, what both parties can do to make sure disabled employees can develop and use their abilities
- To make every effort that, when an employee becomes disabled, they are given support to stay in employment
- To review the organisation's commitment each year to supporting disabilities in the workplace, and to assess past achievement, plan ways to improve and let employees and Jobcentre Plus know about progress

Your clients should ask at their local Jobcentre Plus office for information on employers in their area who have adopted the 'two ticks' disability symbol.

### Training for disabled employees

All employees should have equal access to a company's training programmes. Your clients' employer must not deny them training opportunities just because they are disabled.

Their employer must also make reasonable changes to improve the accessibility of a training programme. Changes might include:

# SECTION SEVEN

## THE LAW AND OTHER SUPPORT FOR DISABILITY

- Providing individual training for disabled employees to use any adaptations or special equipment used in the workplace
- Re-training employees who become disabled to allow them to remain in their present job or take a different job
- Providing training material in different formats, making sign language interpreters available and allowing trainees to bring a personal care attendant on a course
- If necessary changing the physical location of the training to accommodate employees' disability

### **Your clients' employer should also ensure that they:**

- Train other staff to understand their policy towards disabled people
- Provide disability equality training for all staff who have contact with the public
- Give the example of good practice by setting standards within the organisation
- Ensure the services they are providing are accessible to disabled people

### **Thinking of studying?**

Skill, the National Bureau for Students with disabilities, produces a leaflet entitled: *Studying and Claiming Benefits as 'incapable of work'*, which highlights all the main issues facing students on Incapacity Benefit or on other disability-related benefits.

Your clients can download this leaflet at [www.skill.org.uk](http://www.skill.org.uk)

### **Local councils**

Most local councils in England will have Local Area Agreement (LAA) targets designed specifically to help disabled people return to work. Many councils with LAAs will work closely with a local college network to offer return-to-work schemes and projects for people on either Incapacity Benefit (ESA from October 2008) or other forms of disability-related income support.

Call your local council to find out if they have an LAA return-to-work scheme  
[www.local.Direct.gov.uk/mycouncil](http://www.local.Direct.gov.uk/mycouncil)

### **Childcare**

Childcare might be an important consideration if your clients are starting work or education.

# SECTION SEVEN

## THE LAW AND OTHER SUPPORT FOR DISABILITY

**Day care and childminding for children under eight years of age includes the following:**

- Day nurseries
- Playgroups
- Private nursery schools
- After school clubs and holiday playschemes
- Childminders
- Crèches open for six days or more per year
- Children centres

If your clients have any questions about paying for childcare the Children and Families Information Service will have specialist advisers who will be able to provide information about what is available in your clients' area.

**The main areas for funding for childcare include:**

- Funded nursery education
- Child Tax Credit
- Working Tax Credit
- Funding for parents aged 16–19

**Useful childcare organisations**

- [www.childcarelink.gov.uk](http://www.childcarelink.gov.uk) is a national website linking you to your local Sure Start and Children and Families Information Service
- The Daycare Trust exists to promote high quality affordable childcare for all. Visit their website or call their helpline to find out about sources of funding for your clients' childcare [www.daycaretrust.org.uk](http://www.daycaretrust.org.uk) Helpline 020 7840 3350
- Working Families works in a unique way with employers and parents and carers to help parents and carers balance their work commitments and home responsibilities. [www.workingfamilies.org.uk](http://www.workingfamilies.org.uk) is a comprehensive website providing information and advice for working parents

*“Waving not drowning”* is Working Families' project for parents of disabled children who work or want to work. It provides a network, a free newsletter and a dedicated helpline 020 7017 0072, open on Wednesdays, Thursdays and Fridays from 9.30am–1pm and 2–4.30pm.

For free advice on Tax Credits, flexible working and rights at work, parents can also call the free helpline on 0800 013 0313, open Monday to Friday.

# SECTION SEVEN

## THE LAW AND OTHER SUPPORT FOR DISABILITY

### **The Get PAID Project – [www.getpaid.org.uk](http://www.getpaid.org.uk)**

As an adviser working with clients on various forms of incapacity-related benefits, you will probably come across many forms of disability. Because each person is unique, even people with the same disability can ‘present’ differently, and consequently will have different needs and barriers to starting work.

When giving advice and support to people with disabilities it is important to be aware of some of the general and also the specific issues related to your client’s disability. The following section provides a valuable web-based resource for advisers when seeking advice on the various factors that should be considered for a specific disability. The resources below will enable you, as an adviser, to help your client consider their specific needs against the needs of the job they are applying for.

The Get PAID Project has produced a directory of resources and information for a wide range of professionals working with people with learning difficulties and/or disabilities, in accordance with the Disability Discrimination Act.

#### **The website includes:**

- A comprehensive list of different disabilities
- A series of ‘toolkits’ containing information and advice on a wide range of issues surrounding each specific disability, including:
  - Employment and legal advice
  - Aiding disability through technology
  - Tips for tutors
  - Examples of reasonable adjustments
  - Teaching strategies
  - Policies and guidelines
  - Types of induction loops
  - Transport

#### **Job/career profiles**

The following websites provide comprehensive information on jobs and careers, including: work and conditions, qualification entry requirements, skill requirements, hours involved etc.

Each of the websites below will contain information that will enable you to advise your clients on which career to choose. By going through this information together with your clients you can help them to consider their specific needs against a particular job. The resources below will also give advice on vocational restrictions because of a disability, eg colour blindness and electrical engineering.

# SECTION SEVEN

## THE LAW AND OTHER SUPPORT FOR DISABILITY

- [www.Direct.gov.uk/careers](http://www.Direct.gov.uk/careers) then go to Search Careers online
- [www.connexions-direct.com/jobs4u](http://www.connexions-direct.com/jobs4u)
- [www.advice-resources.co.uk/adviceresources/general/dir/learningdirectory/](http://www.advice-resources.co.uk/adviceresources/general/dir/learningdirectory/)

**Source:** Jobcentre Plus, Direct.gov, Equality and Human Rights Commission, Sure Start

SECTION

# EIGHT

## ALTERNATIVE WAYS OF WORKING



---

**If your clients are thinking of returning to work there are alternatives to working the average full-time day of 9am–5pm.** The following section provides some different approaches to work, which may help your clients to enter the job market. Some of the following alternative ways of working could accommodate their specific needs and responsibilities and help them to ‘juggle’ with work and other areas of their life.

---

# SECTION EIGHT

## ALTERNATIVE WAYS OF WORKING

### **Self-employment**

Becoming your own boss is the chosen option for 3.5 million people in the UK. There are approximately 250,000 small and medium-sized enterprise start-ups each year. Not only does self-employment offer your clients the chance to support themselves and make a living, it also offers freedom, flexibility and autonomy. Starting a new business is both exciting and rewarding, but it is also full of challenges. The level of commitment that your clients will need should not be underestimated!

### **Permitted work**

If your clients are on Income Support with a related disability and want to become self-employed, please see the Permitted work section in the chapter on Jobcentre Plus schemes.

### **Benefits include:**

- Being your own boss and making your own decisions
- Flexibility may enable your clients to 'juggle' work and domestic responsibilities
- Allows them to 'run with' a long-held desire to run a business
- Entrepreneurs can make a lot of money. The opposite is also true!

### **Drawbacks may include:**

- A significant time and financial commitment
- Difficulty separating home and work life
- Your clients or a bookkeeper will have to complete tax assessments
- No company pension, sick leave or annual leave
- Possible isolation

### **What sort of idea does your client have in mind?**

Your clients will need either a product they can make and sell, a service that they could provide, or skills to offer. Your clients' first step will be to seek professional advice on a range of issues surrounding the setting up of a business:

- The writing of a business plan
- Financial control
- Advertising and marketing
- Bank loans and funding
- Feasibility and commercial viability of the business

# SECTION EIGHT

## ALTERNATIVE WAYS OF WORKING

There are many organisations that your clients can approach for business start-up advice:

- [www.businesslink.gov.uk](http://www.businesslink.gov.uk) (Also includes business start-up advice for disabled people)
- [www.start.biz/home](http://www.start.biz/home)
- [www.startups.co.uk](http://www.startups.co.uk)
- [www.fredericksfoundation.org](http://www.fredericksfoundation.org) (Business start-up advice for disabled people. Covers most of Southern England)
- [www.adp.org.uk](http://www.adp.org.uk) (The Association of Disabled Professionals)
- [www.fsb.org.uk](http://www.fsb.org.uk) (Federation of Small Businesses)

### Working from home

A homeworker is anyone who works from home. Many workers arrange with their employers to work some of the week from home and some of the week from the office. A person can perform many kinds of work from home, but many homeworkers in the UK are employed in manufacturing, making a wide range of items from footwear to car components.

### Employment rights

As a homeworker, employment rights (eg annual leave, pension rights etc) depend on your legal status. There are three main categories: 'workers', 'employees' and 'self-employed'. Your clients should be aware that this isn't always the same as your tax status (so you can be self-employed for tax purposes but be a 'worker' for employment rights purposes).

### Pros and cons of homeworking

#### Benefits include:

- Ability to combine working and domestic/family responsibilities
- No commute to work – time and financial saving
- Flexibility and convenience

# SECTION EIGHT

## ALTERNATIVE WAYS OF WORKING

### **Drawbacks include:**

- Many homeworkers are incorrectly classified as self-employed, making them ineligible for employment rights such as sick pay, maternity pay, redundancy, pension rights and rights against unfair dismissal
- Often work with few health and safety precautions
- Often work long hours with low pay
- The possibility of feeling isolated

### **Be aware of bogus job offers**

Some adverts for homeworking jobs are scams. Your clients should never have to pay to work, so they should never send money up front to people or companies who claim they can give work at home.

- A common scam involves adverts about addressing and filling envelopes which ask for a registration fee. If a fee is paid, often all you will receive is advice to place adverts, but no actual work
- Another asks for money for home assembly kits and promises your money back and payment for completed kits. However, the advertiser will pocket any money sent, claiming the kit you assembled didn't meet the required standard

If your clients have been the victim of a homeworking scam, contact your local Trading Standards Department [www.tradingstandards.gov.uk/](http://www.tradingstandards.gov.uk/)

### **Teleworking**

The main difference between 'homeworking' and 'teleworking' is that teleworkers, who may work full-time from home, are usually doing office work rather than practical work. They frequently make use of computers and other electronic devices to do their work and communicate directly with their office base. Some teleworkers spend part of their week working in the office and part working at home. As with homeworking, your clients' rights will depend on their employment status, if they are an employee they will have the same rights as any other employee. Visit the Telework Association for advice and support [www.tca.org.uk](http://www.tca.org.uk)

# SECTION EIGHT

## ALTERNATIVE WAYS OF WORKING

### Pros and cons of teleworking

#### Benefits include:

- More flexibility about the hours they work, allowing them to meet commitments at home, like childcare
- Freeing up time and money that might be spent on travelling
- Helping to reduce stress because of the above reasons.

#### Drawbacks include:

- The possibility of feeling isolated
- Missing out on office-based learning opportunities
- Your clients may have to sacrifice living space to set up a workstation which will satisfy health and safety standards
- Your clients' employer is likely to insist that they must inspect their workstation to make sure it's suitable. Some people may feel having to let an employer into their home is an invasion of privacy

### If your client wants to work from home

The law says employers must consider requests from parents of young or disabled children and there's often a good case for allowing employees to vary their work patterns. However, unless it says so in the employment contract, your clients' employer doesn't have to agree.

### Flexible working and work-life balance

It's important to balance work, home life and any specific needs your clients may have. The right to ask for flexible working aims to help employers and workers agree on work patterns that suit everyone.

#### What is it?

'Flexible working' is a phrase that describes any working pattern adapted to suit someone's needs. Common types of flexible working are:

# SECTION EIGHT

## ALTERNATIVE WAYS OF WORKING

- Part-time: working less than the normal hours, perhaps by working fewer days per week
- Flexitime: choosing when to work (there's usually a core period during which you have to work)
- Annualised hours: your hours are worked out over a year. Together with the employer you decide when and how you work the hours during the year
- Compressed hours: working your agreed hours over fewer days
- Staggered hours: different starting, break and finishing times for employees in the same workplace
- Job sharing: this is a job designed for one person, shared between two people

Your clients could combine any of these working patterns to come up with something to suit their circumstances.

### Who can your clients ask for flexible working?

Anyone can ask their employer for flexible work arrangements, but the government has introduced a legal right in order to encourage applications. Provided they are an employee (but not an agency worker or in the armed forces) and have worked for the employer for 26 weeks continuously before applying, your clients will have the legal right to ask if they:

- Have a child under six or a disabled child under 18
- Are responsible for the child as a parent/guardian/special guardian/foster parent/private foster carer or as the holder of a residence order
- Are the spouse, partner or civil partner of one of these
- Are applying to care for the child

Under the law an employer must seriously consider any application someone makes, but they don't have to agree if there's a good business reason not to. A person has the right to *ask* for flexible working – not the right to *have* it.

Many organisations with an *Investors in People* mark may well have a commitment to offering flexible working hours to their employees.

### Voluntary work

This is a very well-recognised way of returning to work. The following list includes some of the ways that voluntary work can help your clients find work:

# SECTION EIGHT

## ALTERNATIVE WAYS OF WORKING

- Develop new skills
- Gain experience
- Receive a job reference
- Get training in new areas of work
- Explore career interests
- Increase their contacts, which could provide job leads
- Build their confidence
- Have fun!

There are many different sorts of voluntary work available. Visit your local Volunteer Centre or visit the following websites for local volunteering opportunities:

- [www.volunteering.org.uk](http://www.volunteering.org.uk) (Volunteering England)
- [www.do-it.org.uk](http://www.do-it.org.uk)

If your clients receive benefits, voluntary work may affect their benefit payments or credits. Check with your local Jobcentre Plus office before any voluntary work begins.

**Source:** Direct.gov, Business link London

SECTION

# NINE



## MOBILITY AND TRAVEL TO WORK

---

**Mobility outside the home is vital for independence, particularly for people with a disability who are planning on returning to work.** The following section lists the different options that your clients could consider to help them travel to work.

---

# SECTION NINE

## MOBILITY AND TRAVEL TO WORK

### Mobility Centres

Mobility Centres offer advice and assessment to people who want to be mobile following an illness, injury or accident. This may include driving a motorised scooter or returning to driving a car.

Being able to drive brings independence and freedom; but because of a disability getting back behind the wheel of a car can be difficult. The network of Mobility Centres across the UK offer professional information and advice to people with a disability which may affect their ability to drive or access to a motor vehicle.

#### Most Mobility Centres offer:

- Advice with regard to getting in and out of a vehicle
- A driving ability assessment
- A car adaptation assessment
- An opportunity to gain experience and confidence with:
  - Scooters and motorised wheelchairs
  - Driving a car with new disability controls
- Training courses for both cars and motorised wheelchairs

Your clients can attend whichever centre is the most convenient. For further information contact your clients' local Mobility Centre on 0800 559 3636 or visit [www.mobility-centres.org.uk/](http://www.mobility-centres.org.uk/)

### The Motability Scheme: options for buying or hiring a car

Buying and adapting a car to suit a disability can be expensive. The Motability Scheme, run by the independent not-for-profit organisation Motability, gives disabled people the opportunity to own or lease a car at an affordable price.

#### How the scheme works

The Motability Scheme can help your clients with leasing or buying a car if:

- They receive the War Pensioners' Mobility Supplement or
- They receive the higher rate of the mobility component of Disability Living Allowance (DLA)

Your clients can apply if they have 12 months or more of their Disability Living Allowance award remaining. However, your clients will need to return their Motability car

# SECTION NINE

## MOBILITY AND TRAVEL TO WORK

if their Disability Living Allowance award is *not* renewed during the time that they have the car.

Even if they don't drive, your clients can apply for a car as a passenger and propose two other people as their drivers.

Your clients can also apply for a car on behalf of a child aged three or over who is entitled to the higher rate mobility component of Disability Living Allowance.

### **How does the scheme work?**

Through the contract hire scheme your clients can lease a new car supplied by a Motability Accredited dealer for at least three years. Comprehensive insurance, routine servicing and breakdown assistance are included. However, they will need to pay for the fitting and removal of any adaptations.

### **Financing the car and adaptations**

To meet the costs of adaptation of your clients' car, it is worth contacting:

- Motability, who may be able to provide a grant through their own charitable fund or the Specialised Vehicle Funds
- A charity that works in the area of your clients' disability, eg Multiple Sclerosis, to see if they will cover these costs. For a list of disability organisations and their websites please go to the end of this guide
- Their local Disability Employment Adviser at a local Jobcentre Plus office to see if the Access to Work scheme can cover the necessary costs of adapting their vehicle
- Their local council to enquire if they offer a grant scheme for disabled drivers

### **Your clients won't have to pay VAT on either:**

- The cost of hiring a car through the Motability Scheme or
- The cost of any work involved in adapting a vehicle for a disabled driver.

### **To join Motability**

To find out more about the Motability Scheme, contact Motability on the numbers below, or visit their website [www.motability.co.uk/](http://www.motability.co.uk/) telephone 0845 456 4566, minicom 0845 675 0009.

### **The Blue Badge scheme**

This scheme provides a range of parking concessions for people with severe mobility problems who have difficulty using public transport. The scheme operates throughout the UK.

# SECTION NINE

## MOBILITY AND TRAVEL TO WORK

### **About the scheme**

The concessions apply to on-street parking and include free use of parking meters and pay-and-display bays. Badge holders may also be exempt from limits on parking times imposed on others and can park for up to three hours on single and double yellow lines as long as they are not causing an obstruction.

To apply for a Blue Badge contact your local council [www.local.Direct.gov.uk/mycouncil](http://www.local.Direct.gov.uk/mycouncil)

### **Travelling by train**

The Disabled Person's Railcard allows your clients to buy rail tickets at a discount of up to a third for a 12-month period. If another adult is travelling with them, they can also travel at the same discounted fare.

For more detailed information contact the Disabled Person's Railcard helpline.

Telephone 08456 050 525 textphone 08456 010 132 or visit [www.disabledpersons-railcard.co.uk/](http://www.disabledpersons-railcard.co.uk/)

Special arrangements can be made for disabled or mobility-impaired passengers when travelling by train. National Rail need as much advance warning as possible, more than 24 hours, if they need any assistance from staff.

This is particularly important if your clients' journey includes getting on or off a train at an unstaffed station. Staff cannot lift disabled passengers or heavy items like mobility scooters. When booking a journey, your clients should give as much detail as possible about their needs. For services that offer seat reservations, the local contact person can reserve a seat or wheelchair space for them without charge.

### **Intercity services**

All intercity train services are wheelchair accessible. Access to the train is provided by a ramp kept at the station.

### **Local and regional services**

Most trains can accommodate wheelchair users and new trains also have facilities to assist sensory impaired people, for example public information systems that are both visual and audible.

To arrange a train journey in the UK, contact National Rail Enquiries. Telephone 0845 7484 950 textphone 0845 6050 600.

# SECTION NINE

## MOBILITY AND TRAVEL TO WORK

### **Buses and coaches**

New single-decker and double-decker buses are increasingly accessible to disabled people, including wheelchair users.

Since 1 April 2008, people with a disability are entitled to free off-peak travel on local buses anywhere in England.

In addition, local authorities may offer extra benefits to their residents. For example, free or reduced off-peak tram or rail travel, or free bus travel before 9.30 am Monday to Friday. For more information on bus concession pass providers in England visit the Department for Transport website [www.dft.gov.uk](http://www.dft.gov.uk)

### **Community transport**

In your clients' area there may be community transport services, provided by your clients' local Council, available to people who have difficulty using public transport. These services do vary by local area, and there are often fewer services in rural areas. Visit the following website to contact your clients' local Council to find out what community transport services they offer [www.local.Direct.gov.uk/mycouncil](http://www.local.Direct.gov.uk/mycouncil)

### **Taxi schemes**

Your clients' local council may operate taxi schemes, using vouchers or tokens. If they qualify, they will be given a card or a number of tokens which can be exchanged with certain taxi firms instead of cash. The local council then pays the taxi firm.

### **London taxis – 'black cabs'**

All London taxis are accessible to disabled customers. Your clients can book a taxi over the telephone using the 'One Number' service on 0871 871 8710.

### **Dial-a-ride**

Dial-a-rides are available across the UK. Similar to taxis they can be pre-booked and are accessible to wheelchair users and are generally for anyone who has difficulty with public transport. Services will vary from place to place. A Google search will quickly give your clients' local Dial-a-ride service.

**Source:** Direct.gov, The Forum of Mobility Centres

SECTION

# TEN

## ORGANISATIONS THAT PROVIDE SERVICES TO PEOPLE WITH A DISABILITY



# SECTION TEN

## ORGANISATIONS THAT PROVIDE SERVICES TO PEOPLE WITH A DISABILITY

[www.navca.org.uk](http://www.navca.org.uk) (National Association for Voluntary and Community Action)

Each region of England will have its own Voluntary Service Council, which will include all of the community groups in your area. Many of these groups, many of which are charities, will be able to offer your clients careers advice and support to help them return to work and education. Visit the above site to find your local office.

### List of useful careers websites offering useful information on job profiles, CV and job interview advice, course information etc

- <http://nextstep.Direct.gov.uk/>
- [www.direct.gov.uk/careersadvice](http://www.direct.gov.uk/careersadvice)
- [www.prospects.ac.uk](http://www.prospects.ac.uk)
- [www.advice-resources.co.uk/adviceresources/general/dir/jobprofiles/](http://www.advice-resources.co.uk/adviceresources/general/dir/jobprofiles/)
- [www.cvbuilder-advice-resources.co.uk/](http://www.cvbuilder-advice-resources.co.uk/)
- [www.connexions-direct.com/jobs4u](http://www.connexions-direct.com/jobs4u)
- [www.bbc.co.uk/learning/](http://www.bbc.co.uk/learning/)
- <http://jobseekers.Direct.gov.uk/>
- [www.support4learning.org.uk](http://www.support4learning.org.uk)
- [www.ngh.org.uk/](http://www.ngh.org.uk/) (National Group on Homeworking – gives advice for people wanting to work from home)

### Skills and Interests Assessment

- [www.advice-resources.co.uk/adviceresources/general/tools/skillsandinterests/](http://www.advice-resources.co.uk/adviceresources/general/tools/skillsandinterests/)

### Voluntary work

- [www.volunteering.org.uk](http://www.volunteering.org.uk) (Volunteering England)
- [www.do-it.org.uk](http://www.do-it.org.uk)

### Childcare

- [www.childcarelink.gov.uk](http://www.childcarelink.gov.uk)
- [www.daycaretrust.org.uk](http://www.daycaretrust.org.uk) (Helpline 020 7840 3350)
- [www.workingfamilies.org.uk](http://www.workingfamilies.org.uk)

# SECTION TEN

## ORGANISATIONS THAT PROVIDE SERVICES TO PEOPLE WITH A DISABILITY

### Business start-up

- [www.businesslink.gov.uk](http://www.businesslink.gov.uk) (Also includes business start-up advice for disabled people)
- [www.start.biz/home](http://www.start.biz/home)
- [www.startups.co.uk](http://www.startups.co.uk)
- [www.fredericksfoundation.org](http://www.fredericksfoundation.org) (Business start-up advice for disabled people. Covers most of Southern England)
- [www.adp.org.uk](http://www.adp.org.uk) (The Association of Disabled Professionals)
- [www.fsb.org.uk](http://www.fsb.org.uk) (Federation of Small Businesses)

### Funding directories

- [www.adviceresources-fundingdirectory.co.uk/](http://www.adviceresources-fundingdirectory.co.uk/)

### Local council

Most local councils in England will run schemes that help people with disabilities return to work. Contact your local council to find out if they run a return-to-work scheme  
[www.local.Direct.gov.uk/mycouncil](http://www.local.Direct.gov.uk/mycouncil)

### Course-finding websites

- [www.direct.gov.uk/careersadvice](http://www.direct.gov.uk/careersadvice) (visit *find a course*)
- [www.advice-resources.co.uk/adviceresources/general/dir/learningdirectory/](http://www.advice-resources.co.uk/adviceresources/general/dir/learningdirectory/)

### Job search websites

- [www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk)
- [www.retailchoice.com](http://www.retailchoice.com)
- [www.nhscareers.nhs.uk](http://www.nhscareers.nhs.uk)
- [www.jobsgopublic.com](http://www.jobsgopublic.com)
- [www.lqjobs.co.uk](http://www.lqjobs.co.uk)
- [www.agencycentral.co.uk](http://www.agencycentral.co.uk)
- <http://jobseekers.Direct.gov.uk/>
- [www.socialworkcareers.co.uk](http://www.socialworkcareers.co.uk)
- [www.insidecareers.co.uk](http://www.insidecareers.co.uk)
- [www.jobsunlimited.co.uk](http://www.jobsunlimited.co.uk)

# SECTION TEN

## ORGANISATIONS THAT PROVIDE SERVICES TO PEOPLE WITH A DISABILITY

### **Employment support for disabled people**

- Concise guide to supporting disabled people [www.Direct.gov.uk/disabledpeople](http://www.Direct.gov.uk/disabledpeople)
- Disability Alliance works to break the link between poverty and disability, producers of the Disability Rights Handbook [www.disabilityalliance.org](http://www.disabilityalliance.org)
- Employers' Forum, disability in the workplace [www.employers-forum.co.uk](http://www.employers-forum.co.uk)
- Mencap has produced a number of useful guides including 'Making it Work' for people with learning difficulties [www.mencap.org.uk](http://www.mencap.org.uk)

### **The above include information on:**

- Employment support
- Financial support
- Education and training
- Rights and obligations
- Disabled parents

### **Advocacy**

- Disabled parents
- Equal Opportunities Commission [www.eoc.org.uk](http://www.eoc.org.uk)
- Employers' Forum, disability in the workplace [www.employers-forum.co.uk](http://www.employers-forum.co.uk)

### **Disabled entrepreneurs and self-employment**

- Business Link London [www.businesslink.go.uk](http://www.businesslink.go.uk)

### **Education**

- Skill [www.skill.org.uk](http://www.skill.org.uk)
- The Education Grants Advisory Service [www.egas-online.org](http://www.egas-online.org)

### **Government departments**

- Department for Work and Pensions [www.dwp.gov.uk](http://www.dwp.gov.uk)
- Department of Health [www.doh.gov.uk](http://www.doh.gov.uk)
- Driver and Vehicle Licensing Agency (DVLA) [www.dvla.gov.uk](http://www.dvla.gov.uk)
- Health and Safety Executive (HSE) Infoline [www.hse.gov.uk](http://www.hse.gov.uk)
- Jobcentre Plus [www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk)
- Valuing People (for people with disabilities) [www.valuingpeople.gov.uk](http://www.valuingpeople.gov.uk)

### **Disability organisations**

- Action for Blind People [www.afbp.org](http://www.afbp.org)

# SECTION TEN

## ORGANISATIONS THAT PROVIDE SERVICES TO PEOPLE WITH A DISABILITY

- Adult Dyslexia and Skills Development Centre [www.adultdyslexiacentre.co.uk](http://www.adultdyslexiacentre.co.uk)
- Alzheimer's Society [www.alzheimers.org.uk](http://www.alzheimers.org.uk)
- Arthritis Care [www.arthritiscare.org.uk](http://www.arthritiscare.org.uk)
- Association for Spina Bifida and Hydrocephalus (ASBAH) [www.asbah.org](http://www.asbah.org)
- BackCare (The Charity for Healthier Backs) [www.backcare.org.uk](http://www.backcare.org.uk)
- Blind in Business Association [www.blindinbusiness.co.uk](http://www.blindinbusiness.co.uk)
- British Computer Association of the Blind (BCAB) [www.bcab.org.uk](http://www.bcab.org.uk)
- British Deaf Association [www.signcommunity.org.uk](http://www.signcommunity.org.uk)
- British Dyslexia Association (BDA) [www.bdadyslexia.org.uk](http://www.bdadyslexia.org.uk)
- British Heart Foundation [www.bhf.org.uk](http://www.bhf.org.uk)
- British Institute of Learning Disabilities [www.bild.org.uk](http://www.bild.org.uk)
- British Polio Fellowship (BPF) [www.britishpolio.org.uk](http://www.britishpolio.org.uk)
- British Stammering Association [www.stammering.org](http://www.stammering.org)
- Cancer BACUP (British Association of Cancer United Patients) [www.cancerbacup.org.uk](http://www.cancerbacup.org.uk)
- Changing Faces [www.changingfaces.org.uk](http://www.changingfaces.org.uk)
- Cystic Fibrosis Trust [www.cftrust.org.uk](http://www.cftrust.org.uk)
- Diabetes UK [www.diabetes.org.uk](http://www.diabetes.org.uk)
- Down's Syndrome Association (England, Wales and Northern Ireland) [www.downs-syndrome.org.uk](http://www.downs-syndrome.org.uk)
- Dyspraxia Foundation [www.dyspraxiafoundation.org.uk](http://www.dyspraxiafoundation.org.uk)
- EmployAbility [www.employ-ability.org.uk](http://www.employ-ability.org.uk)
- Epilepsy Action [www.epilepsy.org.uk](http://www.epilepsy.org.uk)
- Foundation for People with Learning Disabilities [www.learningdisabilities.org.uk](http://www.learningdisabilities.org.uk)
- Global Business Coalition on HIV/AIDS [www.businessfightsaids.org](http://www.businessfightsaids.org)
- Haemophilia Society [www.haemophilia.org.uk](http://www.haemophilia.org.uk)
- Headway the brain injury association [www.headway.org.uk](http://www.headway.org.uk)
- Huntington's Disease Association (HDA)(Formerly Huntington's Chorea) [www.hda.org.uk](http://www.hda.org.uk)
- Joseph Rowntree Foundation [www.jrf.org.uk](http://www.jrf.org.uk)
- Leukaemia Care Society [www.leukaemiacare.org.uk](http://www.leukaemiacare.org.uk)
- Limbless Association [www.limbless-association.org](http://www.limbless-association.org)
- Long-term Medical Conditions Alliance (LMCA) [www.lmca.org.uk](http://www.lmca.org.uk)
- Manic Depression Fellowship (MDF) – The Bipolar Organisation [www.mdf.org.uk](http://www.mdf.org.uk)
- Mencap [www.mencap.org.uk](http://www.mencap.org.uk)
- MIND (The National Association for Mental Health) [www.mind.org.uk](http://www.mind.org.uk)
- Multiple Sclerosis Society of GB & N Ireland [www.mssociety.org.uk](http://www.mssociety.org.uk)
- Muscular Dystrophy Group [www.muscular-dystrophy.org](http://www.muscular-dystrophy.org)
- Mobilise [www.dda.org.uk](http://www.dda.org.uk)
- National AIDS Trust [www.nat.org.uk](http://www.nat.org.uk)

# SECTION TEN

## ORGANISATIONS THAT PROVIDE SERVICES TO PEOPLE WITH A DISABILITY

- National Autistic Society [www.nas.org.uk](http://www.nas.org.uk)
- National Society for Epilepsy [www.epilepsynse.org.uk](http://www.epilepsynse.org.uk)
- Parkinson's Disease Society (PDS) [www.parkinsons.org.uk](http://www.parkinsons.org.uk)
- RADAR [www.radar.org.uk](http://www.radar.org.uk)
- Rethink Severe Mental Illness [www.rethink.org](http://www.rethink.org)
- Ricability [www.ricability.org.uk](http://www.ricability.org.uk)
- Royal National Institute for the Blind (RNIB) [www.rnib.org.uk](http://www.rnib.org.uk)
- Royal National Institute for Deaf People (RNID) [www.rnid.org.uk](http://www.rnid.org.uk)
- Royal College of Speech and Language Therapists [www.rcslt.org](http://www.rcslt.org)
- Sane [www.sane.org.uk](http://www.sane.org.uk)
- SCOPE [www.scope.org.uk](http://www.scope.org.uk)
- Sense (UK Deafblind Charity) [www.sense.org.uk](http://www.sense.org.uk)
- Spinal Injuries Association [www.spinal.co.uk](http://www.spinal.co.uk)
- The Stroke Association [www.stroke.org.uk](http://www.stroke.org.uk)
- Terrence Higgins Trust [www.tht.org.uk](http://www.tht.org.uk)
- The Dyslexia Institute [www.dyslexia-inst.org.uk](http://www.dyslexia-inst.org.uk)

### **Technology, access, ergonomics, and occupational health**

- AbilityNet [www.abilitynet.org.uk](http://www.abilitynet.org.uk)
- Centre for Accessible Environments [www.cae.org.uk](http://www.cae.org.uk)
- Chief Medical Officer Wales [www.cmo.wales.gov.uk](http://www.cmo.wales.gov.uk)
- English Heritage [www.english-heritage.org.uk](http://www.english-heritage.org.uk)
- Ergonomics Society [www.ergonomics.org.uk](http://www.ergonomics.org.uk)
- Society of Occupational Medicine [www.som.org.uk](http://www.som.org.uk)

SECTION

# ELEVEN



## LOCAL CONTACTS



SECTION

# TWELVE



# GLOSSARY

# SECTION TWELVE

## GLOSSARY

### Glossary

**AA – Attendance Allowance** – A tax-free benefit for people aged 65 or over who need help with personal care because they are physically or mentally disabled.

**Access to Work** – A Jobcentre Plus programme that gives your clients and the person they work for advice and support with extra costs which may arise because of their disability.

**Aimhigher** – A service that helps people to consider the steps necessary to enter Higher Education.

**Better Off Calculation** – Provided by Jobcentre and the Citizens Advice Bureau, it will give clients an *estimate* of how much better off they might be in a job.

**Blue Badge scheme** – A UK-wide scheme that provides a range of parking concessions for people with severe mobility problems who have difficulty using public transport.

**Client Choice** – A term that describes a Pathways to Work client being able to choose between two different Pathways to Work providers in a region. Client choice in England is available in only three regions.

**Connexions** – Youth support service for 13–19 year olds and for those with learning difficulties to 25 years old.

**Careers Advice Service** – A helpline providing a source of impartial advice for adult learners on courses, careers, funding and childcare.

**DDA** – Disability Discrimination Act (1995 and 2005).

**DEA** – Disability Employment Advisers – A Jobcentre Plus adviser who specialises in clients with a disability.

**DLA** – Disability Living Allowance – A tax-free benefit for children and adults who need help with personal care or have mobility difficulties because they are physically or mentally disabled.

**DWP** – Department for Work and Pensions

**Employment assessment** – Carried out by a DEA it aims to help your clients to identify their abilities and strengths, leading to an agreed action plan to work.

**ESA – Employment and Support Allowance** – Replaced Incapacity Benefit and Income Support paid on incapacity grounds for new claimants from October 2008.

# SECTION TWELVE

## GLOSSARY

**Flexible working** – Any working pattern adapted to suit someone's needs.

**IAG – Information Advice and Guidance** – Careers advice.

**IB – Incapacity Benefit** – Is paid to people who are too sick or disabled to work and who made their claim before October 2008.

**Two types:**

- Contributory-Based Incapacity Benefit
- Non-Contributory-Based or 'Incapacity Benefit in Youth'

**JCP – Jobcentre Plus** – Has replaced Job Centres in most areas. JCP is the amalgamation of Job Centres and the Benefits Agency.

**JIS – The Job Introduction Scheme** – Available through Jobcentre Plus. It pays a weekly grant to a disabled client's employer for the first six weeks that they are employed. The grant helps towards the client's wages or other employment costs, such as extra training.

**Job Grant** – A work-related payment made by Jobcentre Plus, that aims to help clients in the transition from benefit into paid work.

**JSA – Jobseeker's Allowance** – A return to work benefit for those who are actively seeking work.

**Local Housing Allowance** – A new way of working out Housing Benefit if someone rents from a private landlord. Available from 7<sup>th</sup> April 2008.

**Mobility Centres** – Mobility Centres offer advice and assessment to people who want to be mobile following an illness, injury or accident. This may include driving a motorised scooter or returning to driving a car.

**National Insurance Credits** – Are designed to protect someone's National Insurance record for basic State Pension and Bereavement Benefit. They may also maintain an entitlement to other benefits.

**NDDP – New Deal for Disabled People** – A programme of advice and practical support, which helps people move from disability and health-related benefits into paid employment.

It is now being phased out and is now replaced by Pathways to Work. However, existing clients on NDDP will be allowed to complete on this scheme.

**nextstep** – nextstep is a free, impartial, face-to-face service, offering advice on learning and careers for adults.

# SECTION TWELVE

## GLOSSARY

### **NI – National Insurance Contributions**

**Non-compliance sanction** – An action that is taken by Jobcentre Plus against a benefit claimant who repeatedly fails to participate in a return to work activity, such as a WFI. It will result in a loss of benefit for a period until the claimant starts to actively participate.

**Pathways to Work Provider** – A private company that holds the contract to run Pathways to Work in a particular region of the country. See end of Pathways to Work chapter for further details.

**PCA – Personal Capability Assessment** – A medical assessment for people claiming Incapacity Benefit, which is now being replaced by the Work Capability Assessment.

**Permitted work** – Work that your clients are allowed to do while they are on Incapacity Benefit or the Employment and Support Allowance, that could help them get more work when they are better.

**Personal Capability Assessment form or IB50 form** – Form sent by Jobcentre Plus when someone has been on Incapacity Benefit for more than 28 weeks.

**PtW – Pathways to Work** – A new scheme that helps people aged 18 to 59 years old to get work if they are receiving Incapacity Benefit, other benefits because of a health condition or disability, or the new Employment and Support Allowance.

**Residential training** – A Jobcentre Plus programme for disabled adults that helps long-term unemployed disabled people secure and maintain a job or self-employment. The programme is provided when there are no suitable alternative programmes available locally.

**Return to Work Credit** – A credit for those on Pathways to Work. It is paid tax-free to people starting work of at least 16 hours a week and earning no more than £15,000 per year for the first year at work. It is worth £40 a week or £60 a week in London.

**SKILL** – The National Bureau for Students with Disabilities [www.skill.org.uk](http://www.skill.org.uk)

**Support group** – This is designed for people on the Employment and Support Allowance with the most severe levels of disability or who are facing terminal illness. This group will not be expected to work, unless they really want to.

**Teleworking** – Working from home, performing mainly office-type duties.

**The Condition Management Programme** – A programme attached to Pathways to Work that helps clients understand how best to effectively manage their disability when starting a job, so that it has less of an effect on their daily lives.

# SECTION TWELVE

## GLOSSARY

**The disability symbol** – A symbol given by Jobcentre Plus to employers who have agreed to make certain positive commitments regarding the employment, retention, training and career development of disabled people.

**The Motability Scheme** – A scheme that gives disabled people the opportunity to own or lease a car at an affordable price.

**WCA – Work Capability Assessment** – The new medical assessment attached to the Employment and Support Allowance. It will replace the Personal Capability Assessment.

**WFI – Work Focused Interview** – An interview with either a Jobcentre Plus adviser or Pathways to Work adviser. The aim is to enable and encourage a client to take further steps towards finding a job. Also, attendance of the WFI is a condition of receiving a benefit.

**Work Focused Health Related Assessment** – Produced from the Work Capability Assessment, it will enable Jobcentre Plus and Pathways to Work Personal Advisers to understand their clients' condition and tailor packages of help and support for the individual.

**Work Preparation Programme** – A Jobcentre Plus programme that offers a tailored programme which can help your clients with a disability prepare for work.

**Work Related Activity Group** – This is designed for the majority of those claiming the Employment and Support Allowance. This group will be helped to explore what could be done to support them to get back to work.

**Working Tax Credit** – A credit available to those over 25 years old, who work more than 30 hours a week and earn less than £11,700 if single or £16,300 with a partner.

**WORKSTEP** – This Jobcentre Plus employment programme provides supported work over 16 hours a week to disabled people facing complex barriers to getting and keeping a job. The programme also offers practical assistance to employers.

# DISCLAIMER STATEMENT

This is a guide to some areas of Incapacity Benefit and the Employment and Support Allowance, specifically aimed at helping claimants back to work. It is not meant to tell clients exactly what their rights are. The information in this guide may become out of date over time. We have done our best to make sure that the information in this guide is correct as of January 2009.

Calls to 0845 numbers from BT landlines should cost no more than 2p per minute during the day and no more than 1/2p per minute after 6pm, plus a 5p (approx) charge for connecting the call. You may have to pay more if you use another phone company, or if you are calling from abroad. Calls from mobile phones can cost more, so check the cost of calls with your service provider.