

Freedom of Information request 2013-5991

Date received: 18th December 2013

Date of response: 20th January 2014

Information request

As I understand it a person in receipt of Employment Support Allowance may do some paid work under the 'Permitted Work Rules' while claiming these benefits, the number of hours allowed and the maximum amount of income a claimant may have before these benefits will be affected is made available, as is information on how this work may affect entitlement to Housing benefit and Council Tax Benefit and fortnightly paid benefit entitlements.

Would you please supply details of the following under the freedom of information act;

1/ details of the numbers of IB and/or ESA claimants who were known to be participating in 'permitted work' prior to this government taking office in 2010, in all categories' of permitted work. And the total numbers & percentages of claimants' that have had their benefits' stopped and or whom are under appeal from internal medical examinations undertaken at the Stockport assessment centre 18 Deanery Way, Stockport, SK1 1NA.

2/ details of the numbers of IB and ESA claimants who have participated in 'permitted work' subsequent to this government taking office in 2010, on a year by year basis, in all categories of 'permitted work'.

Further I have been unable to find any guidance regarding what the DWP decision makers are to accept as allowable 'permitted work' under the regulations and since this information is significant to any claimant considering doing or in my case undertaking 'permitted work', I would be grateful if you could also provide, for the responses to one and two above, details of what types of work were and are generally accepted by your department as 'permitted work', how long these periods of permitted work lasted for and what in general were the outcomes for those claimants who participated in permitted work. And please provide all guidance on periodic review of permitted work. And guidance on the statement made in my medical assessment of the maximum period of 3 month period of a return to work for me ref: page 5 statement number 10 of secretary of State's response document 20 June 2013. And your guidance in combining medical assessments with prescribed structure of support claimants' back into work. And the numbers with percentages of" back into work numbers & percentages" for persons not on appeal against those who are on appeal. I also request the year on year percentage of all claimants' who have been assessed as fit for work under ATOS medical assessments full term.

I trust I have submitted the mandatory requirements of my incoming and outgoing information.

DWP response

In response to your request as a whole, I can confirm that the Department does hold some information relating to your query. However we estimate that the cost of complying with your request in whole would exceed the appropriate limit of £600.

The appropriate limit has been specified in regulations and for central Government it is set at £600. This represents the estimated cost of one person spending 3½ working days in determining whether the Department holds the information, and locating, retrieving and extracting the information. Under section 12 of the Freedom of Information Act the Department is not obliged to comply with your request and we will not be processing it further.

However there is some information available within cost and this is detailed below.

Information that is available within cost for questions 1 and 2 is the number of Incapacity Benefit (IB)/Severe Disablement Allowance (SDA) claimants taking part in permitted work by type of permitted work in Great Britain and Stockport local authority as at May 2010, 2011, 2012 and 2013, which is the latest data available, this is given in Table 1 below.

Table 1: Caseload for IB/SDA claimants taking part in permitted work by type of permitted work, Great Britain and Stockport local authority: May 2010 to May 2013

Year	Area	Type of permitted work				
		All permitted work	Lower level	Supported	Higher limit	Higher limit subsequent
2010	Great Britain	44,000	21,100	15,500	6,800	600
	Stockport	200	100	100	100	-
2011	Great Britain	42,000	21,100	15,200	5,000	700
	Stockport	300	100	100	100	-
2012	Great Britain	31,200	15,800	12,600	2,300	400
	Stockport	200	100	100	-	-
2013	Great Britain	17,300	8,200	8,200	600	300
	Stockport	100	-	100	-	-

Source: DWP Information Governance and Security Directorate, 5% Samples.

Notes:

1. The preferred statistics on benefits are now derived from 100% data sources. However, the 5% sample data still provides some detail not yet available from the 100% data sources. The proportions derived have been scaled up to the overall 100% total for the benefit.
2. Figures have been rounded to the nearest hundred. “-“ denotes nil or negligible.
3. Permitted Work Categories (current rates):
 - Permitted Work Lower Level (Up to £20 per week for unlimited period)
 - Supported Permitted Work (Up to £99.50 per week for unlimited period (*supported))
 - Permitted Work Higher Limit (Up to £99.50 per week and less than 16 hours for up to 26 weeks)
 - Permitted Work Higher Level Subsequent (PWHL after 52 week gap (*supported))

The support must be given by a person employed by a public or local authority or voluntary organisation. Further information can be found at: <https://www.gov.uk/incapacity-benefit>

Information that is available within cost for your other questions is guidance on permitted work for decision makers. This can be found from the Decision Maker's Guide Chapter 41, specifically paragraph 41187. This can be accessed via the link:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/252042/dmg-vol8-ch41.pdf

Also, please see the attached extract (Reviewing Permitted Work.pdf) from guidance which deals with reviewing permitted work.

Please be aware that there is no guidance about combining medical assessments with prescribed structure of support. Advisers are not medically trained and do not have sight of the assessment. They determine the level and type of support, for a claimant placed in the Work Related Activity Group, based on discussions with the claimant at the New Joiner Work-Focused Interview and subsequent flexible interventions.

Discussion will vary based on the claimant's circumstances but should include:

- the history of the claimant's health condition, and
- whether it is a relatively new condition from which the claimant will recover or if it is a long term condition which can be managed and any challenges the claimant may have which impacts their ability to prepare for or obtain work and discuss the options available to support them overcome these challenges.

In response to the last part of your query regarding the numbers and proportions of those found fit for work through the Work Capability Assessment (WCA) process, the Department publishes statistics on the WCA process on its website through the following link:

<https://www.gov.uk/government/collections/employment-and-support-allowance-outcomes-of-work-capability-assessment>

In particular, the number and percentage of claimants who are found “fit for work” through their initial functional assessment, by month of claim start can be found in Table 1a which gives monthly, quarterly and yearly data (both calendar and financial). The number and percentage of claimants who appealed their fit for work decision in the initial functional assessment and whether or not the appeal was upheld or overturned can be found in Table 3. The latest edition of the publication was updated in October 2013 and can be accessed directly through the link below:

<https://www.gov.uk/government/publications/esa-outcomes-of-work-capability-assessments-october-2013>