

Withdrawn

This publication is withdrawn.
The publication is no longer current.

Work Choice Provider Guidance

Annex 6 (2017) - The Access to Work Programme

This Annex pertains to all referrals to Work Choice during the contracts' extension period in England and Wales effective from April 2017; specifically from 25th April for contracts originally awarded in 2010, and from 7th April for Remploy.

For guidance pertaining to all referrals to Work Choice made prior to this extension period please see the previous version of Work Choice Provider Guidance which has been retained on GOV.UK for reference:

<https://www.gov.uk/government/collections/dwp-provider-guidance>

General Principles

A6.1. The underlying principle of Access to Work is to fund support, over and above that which is reasonable for an employer to fund, to enable someone with a disability to overcome practical disability-specific obstacles in work and enable them to do their job.

A6.2. Access to Work does not fund normal business running costs or general costs that every employer and employee has.

A6.3. Access to Work can support the additional costs of disabled people in self employment and home working, but only in relation to a disability-specific need, not for the normal set up or running costs of a business.

A6.4. An individual is eligible to apply for Access to Work when they have secured paid employment. This includes apprenticeships but you should be clear - support is only available for the placement, not for any educational establishment.

A6.5. There are a number of elements (or types of support) usually available within Access to Work, subject to an approved application, some of which are one-off payments and some ongoing funding:

- adaptations to equipment
- specialist aids and equipment
- travel to work
- travel in work
- support workers of many kinds e.g. job coach
- communication support at job interview

Access to Work in Work Choice

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A6.6. In both Module 2 and Module 3 of Work Choice the ultimate goal for each participant is progression into unsupported employment. The Access to Work scheme is a valuable tool to enable the achievement of this aim. As a provider of Work Choice you are expected to provide certain elements in para 6.5 as part of your service to your programme participants.

You are expected to offer support at interview, (including communication support), and other types of support worker i.e. job coaching.

A6.7. The following table lists the Access to Work elements which are/are not available to Work Choice participants and which you should provide as part of your service.

Access to Work Elements	Available whilst on Work Choice Programme		
			Cost Share may be required
Communication Support at Interview		NO	
Travel to Work		YES	
Support Worker in these categories:	BSL Interpreter	YES	
	Carer	YES	
	Counsellor	NO	
	Driver	YES	
	Job-Aide	NO	
	Job Coach	NO	
	Lip Speaker	YES	
	Note Taker	YES	
	Palantypist	YES	
	Personal Reader	YES	
	Travel Buddy	NO	
Adaptations to Equipment		YES	YES
Special Aids and Equipment		YES	YES
Mental Health Support Service		NO	
Miscellaneous including Travel in Work		YES	YES

Work Choice Module One

A6.8. Access to Work is only available for people in paid employment, self employment or people with a firm offer of paid employment, so would be available to some, but not every, participant in Module One of Work Choice.

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A6.9. If, in Module One, you and your eligible participant agree that a period of Permitted Work could be helpful in achieving their goal of work of 16 hours or more, you should note that time-limited Access to Work support may be available. (See Annex 5 for information about Permitted Work).

A6.10. Similarly if, in Module One, you and your eligible participant agree that a Work Trial would assist, Access to Work support can be available. You must be clear that the individual must be participating in a Jobcentre Plus created and controlled Work Trial to be eligible. Individuals who participate in an equivalent trial, created and controlled by yourself, are not eligible for support from Access to Work. Note: Travel to Work is not funded by AtW for those on a Jobcentre Plus work trial – this should be explored with Jobcentre Plus.

A6.11. Any participant moving into unsupported work at any point can make an application to Access to Work in the normal way.

Work Choice Modules Two and Three

A6.12. Participants moving into supported work (including supported work in a Supported Business) would be entitled to apply to Access to Work, but not for short term support designed to settle them into their job, as this is your role as Work Choice provider.

A6.13. Work Choice participants who start supported work would be able to apply for Access to Work Support for:

- adaptations to equipment;
- specialist aids and equipment;
- support worker for personal care in work;
- BSL interpreter or other support worker for ongoing and regular communication support;
- additional costs for travel to work and travel in work;

Assessing support needs and requesting Access to Work

A6.14 You (or an expert with whom you contract) should assess the support requirements of the individual Work Choice participant, this should include:

- discussing and agreeing reasonable adjustments and Equality Act 2010 responsibilities with the employer before any Access to Work applications are made, considering the best value-for-money solutions;
- discussing with the individual how their support needs may reduce over time, e.g. need may decrease as they become used to the job;
- making the employer aware that they will be responsible for any normal mandatory cost share (see para. A6.49);

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- discussing with the employer how they might take on more responsibility for support in the future;
- negotiating voluntary contributions from the employer and customer.

A6.15 You should note: applications for certain types of support, e.g. taxi fares, will require three quotes.

A6.16. Please be aware that that the ultimate decision on the eligibility of participants for Access to Work and, if eligible, the types and level of support they should receive, will rest with the Jobcentre Plus Access to Work Specialist Advisory Team.

A6.17. In all cases the application will be in the participant's name and the participant will be responsible for notifying any changes in their personal details.

Contact Arrangements with Access to Work teams

A6.18 You have access to a Work Choice-dedicated Specialist Advisory Team, who will be pleased to advise you and discuss any queries you may have about the appropriateness of an application to Access to Work.

A6.19 . Your dedicated contact is the Access to Work Adviser Manager, tel. 01268 633478

A6.20 For queries regarding claims, reimbursements and changes in participants' personal details, Access to Work should be notified via this contact number: 0345 268 8489.

Access to Work Application Process

Employer Contact

A6.21 It will be for you, as a Provider of Work Choice, to establish and maintain contact with employers throughout this process. All Access to Work applications are job specific; applications can only be made if the participant is in paid employment, self-employed, taking part in a Jobcentre Plus Work Trial or has a job to start. You will be responsible for liaising with potential employers, acting as advocate for your participant and ensuring that the required support is available. You must provide information to employers about Access to Work, discussing issues such as reasonable adjustments. Once the job has been secured you may need to discuss voluntary contributions, if appropriate.

Eligibility

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A6.22 If you believe your participant would benefit from Access to Work support, you must first ensure they satisfy basic Access to Work eligibility conditions. The Participant must:

- be disabled or have a long term health condition that impacts their ability to work;
- be 16 or over;
- be employed or self employed or taking part in a Jobcentre Plus Work Trial or have a job to start; and
- not be in receipt of Incapacity Benefits / Employment And Support Allowance and/or National Insurance credits only (or will cease to claim once in work), unless on Permitted Work; and
- be resident in Great Britain, excluding Northern Ireland, the Isle of Man and the Channel Islands, with a job based in Great Britain.

Third Party Permission

A6.23 You should note that implicit consent is given for Work Choice Advisers therefore third party consent is not needed.

Application

A6.24. If support is required, you should telephone the Access to Work Contact Team on 0345 268 8489. This number can be used by the participant, the Prime Provider or any sub-contractor acting as the participant's Work Choice Adviser, when supporting the participant. (You should note that form AtW1 has been discontinued.)

Please note: whilst the dedicated phone line, above, is the preferred means of contact, for participants with a disability which precludes use of a phone there is an email address: atwosu.london@dwp.gsi.gov.uk or a text in-box – 0345 608 8753.

A6.25 The application must be made following consultation with your participant and their employer (taking into account the participant's disclosure wishes). You will be required to consider how the participant's disability will affect their job and what adjustments they believe will be needed.

A6.26 In addition, information must be provided regarding what employer solutions and reasonable adjustments have been considered or tried, and what support Work Choice is providing for the participant.

A6.27 You should contact the Access to Work Team as soon as the job start is known, having obtained all relevant information, prior to contact, to progress the application.

A6.28. Where there is an imminent job start, you may wish to consider funding any initial payments. Please note that support should not be purchased until

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approval has been received. If you decide to purchase any support before approval is received it is at your own risk. Please discuss this with your Contact Team.

A6.29. You must be mindful that the application must be made before or within the first six weeks of employment; otherwise cost share rules will apply (see para. A6.49).

A6.30. When you telephone the contact team, they will take basic details which they will forward to the AtW Allocations/ Advisor Team. You should provide your contact details (phone and email) so that the AtW Advisor can call you back, as your participant's recognised Third Party, to take full details of the support request. They will then consider the request and make a decision as to what support Access to Work may be able to offer.

A6.31. You should note: the AtW Allocations/ Advisor Team will make three attempts to return the call. If your sub-contractor is making the initial contact it is recommended they provide two alternative contact numbers and also give a named contact for their Work Choice prime provider, as a fallback contingency.

Assessment

A6.32. A formal assessment of needs may not be required for every participant. If you have been working with your participant for a period of time in Module One you are likely to have formed an opinion of what support they may need once they start work. Once your participant has a specific job to start, their precise support needs can be further explored, involving their employer.

A6.33. Once the application is received, if the Access to Work adviser requires more specialist advice to determine the best support for the participant, then they will refer to a contracted assessor from the Access to Work list.

A6.34. If you choose to seek advice elsewhere you must pay for it yourself.

A6.35. Any assessment undertaken by an organisation not contracted by Access to Work and Jobcentre Plus should, as a minimum:

- explore reasonable adjustments;
- explore and consider all options;
- consider cost effectiveness;
- take into account social and business benefits;
- consider the tapering off of support.

A6.36. Once a decision has been made a Decision Notification and Participant's Declaration will be sent to you or to the participant and the employer, together with leaflets "Information for Customers" or "Information for Employers" if the application is successful.

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A6.37 The participant will be required to sign and return the declaration. AtW funds or claim forms will not be released until the declaration has been returned.

A6.38 If the participant is unhappy with the decision, a reconsideration can be requested ; this information is included in the decision letters to customers. You may wish to support your participant during this process.

Purchasing Support

A6.39 Once the approval notification is received support can be purchased. Either the employer, yourself or your participant should submit claim forms, supported by invoices, to the Access to Work Payment Centre, location as advised by the Access to Work Team.

A6.40 As Prime Provider, you are responsible for monitoring the timely delivery of any support/equipment. Please inform your AtW adviser when support is in place.

A6.41 Before any payments can be made, the support must be in place. Therefore you may wish to consider implementing target dates to assist in the monitoring of support.

A6.42 The Access to Work Specialist Maintenance Team will contact you for updates on delivery or any problems experienced.

A6.43 Note: If your participant requires assisted travel to work, and uses taxis, Access to Work only meets the cost in excess of the usual public transport fare which a non-disabled person would pay for the same journey.

A6.44 This excess is normally claimed by, and reimbursed to, the participant. Should your participant find it difficult to meet these reimbursable expenses prior to their first payday, and you wish to assist for a few weeks, you will be reimbursed in the same way

A6.45 In this case the participant should still complete the required form (DP226JP, Claim for travel to work costs) which must be countersigned by their employer to confirm accurate information. The participant should then submit the DP226JP form and supporting information. If you have paid the taxi firm, the participant should input your details in the payee section and not their own. Following this period a DP228JP (New or amended details) must be completed by the participant to amend the payee details.

A6.46 Your participant may wish to consider opening an account with the taxi firm for future payments allowing them to obtain regular invoices.

Reviews

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A6.47 All Access to Work support must be reviewed as part of your normal progress reviews with your participant. You must ensure that the support needs are still appropriate and adequate and record this in their Development Plan (see Section 9). You should raise any change of circumstances regarding support requirements via the Contact Team on 0345 268 8489 noting that, if a participant gets a second Access to Work support element after 6 weeks, cost share rules may apply.

Retention Cases

A6.48 If you are considering requesting Access to Work support for a Retention case (see Section 8) you must be aware that certain elements of Access to Work support may require the employer to share the cost, if their employee has been working with them for at least 6 weeks. If a participant gets a second Access to Work support element after 6 weeks, cost share rules may apply.

A6.49 If cost share is applied, it operates as follows:

- nil contribution for small and micro employers (up to 49 employees);
- a £500 threshold below which Access to Work does not pay any costs for medium sized employers (50-249 employees);
- a £1000 threshold below which Access to Work does not pay any costs for large sized employers (250+ employees);
- a £10,000 ceiling below which Access to Work pays up to 80% of the approved costs and above which Access to Work pays all the costs over the 3 year Access to Work period.

A6.50 Occasionally you may be called in to give Retention support to an employee who has previously been supported by a Job Coach supplied by Access to Work. Under current rules, Access to Work pays for a 'short term' job coach, for a period of 26 weeks, with the expectation that the need would diminish over this time. If it does not, Access to Work will consider an extension of up to another three months, with the expectation that it will reduce over time. If, at the end of this time, it is clear that a significant need for job coach support still exists the customer will be invited to move into Work Choice. This will become a Retention case for you, in Work Choice terms, as the potential participant will be employed.

Participant Leaves Work Choice

(Also see Section 9 - Development Planning and Leaver Reports)

A6.51 Once the participant is ready to leave the Work Choice programme and enter unsupported employment the standard Access to Work process must be explained to them. To ensure a seamless transition from supported to unsupported employment, this discussion must take place as soon as a start date is known. It is essential that your participant fully understands that

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support will not be withdrawn at the point of leaving the Work Choice programme.

A6.52 Your participant needs to be informed:

- of relevant telephone numbers;
 - of required forms – when to complete and who to send them to;
 - that their support will be reviewed by the Access to Work Team.
- Throughout the Work Choice programme Providers should have made participants aware that support will be tapered off as they achieve independence;
- of the process they should follow if they require job coaching support which was provided by you whilst on Work Choice.

A6.53 You must also inform the Access to Work Specialist Advisory Team that your participant is leaving Work Choice as they will need to amend records ensuring that the participant will be picked up in the Access to Work standard review process. To ensure a seamless transition from supported to unsupported employment, this notification must take place as soon as a start date is known.

A6.54 Additionally you must inform the employer so they are aware that any queries they may have in the future should be referred to the Access to Work Contact Centre.