

Withdrawn

This publication is withdrawn.

The publication is no longer current.

SES Provider Guidance

Annex 8 – Permitted Work

Permitted Work

A8.1. SES is for people who aspire to work for 16 hours or more following completion of provision. All referrals to SES will be made on this basis.

A8.2. Permitted Work supports the government's commitment to removing barriers to work for people with long term health problems who want to take steps back to work.

A8.3. Customers claiming certain incapacity-related benefits may undertake some element of part time work to test out their capacity to work and to help with the transition into long-term work.

A8.4. If you are assisting a participant who is in receipt of a qualifying benefit, you and your eligible participant may wish to consider Permitted Work as an interim step to achieving their employment goal.

A8.5. You should note that it is the responsibility of the Jobcentre Plus, Benefit Delivery Centre to decide whether a customer can be permitted to work under the Permitted Work rules.

A8.6. Permitted Work is for claimants who are in receipt of one of the following due to illness or disability:

- Employment and Support Allowance(ESA)
- Incapacity Benefit
- Severe Disablement Allowance
- National Insurance Credits

Permitted Work in SES

A8.7. You will agree with your participants which national or local schemes and services will help enable them to become ready to work.

A8.8. You and your participant may agree that Permitted Work might be a helpful. The categories of Permitted Work, are as follows:

[DN: Permitted work will change in April 2017, in line with the announcement in the Summer Budget 2015 that the maximum period of PW will be abolished. We await details before revising this Section.]

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Permitted Work Higher Limit (PWHL) allows the claimant to:

- Work for fewer than 16 hours per week (on average); and
- Earn up to and including the PWHL rate per week, currently £115.50, whilst remaining on benefit for a period not exceeding 52 weeks (but note: earnings over the Income Support disregard will cause a reduction in that benefit).
- Claimants must wait a further 52 weeks before starting PWHL again
- Claimants must notify work (permitted work or any other work) as soon as practically possible in the same way as other changes in circumstances.

Permitted Work Higher Limit Subsequent (PWHLS):

- Although Permitted Work Higher Limit is only allowed once during a period of claim, the claimant can undertake a further period if there has been a gap of at least 52 weeks between the end of one PWHL period and the beginning of the next.
- Claimant on PWHLS may apply for Access to Work.

Permitted Work Lower Limit (PWLL):

- Claimants can do small amounts of work at any time to maintain contact with the labour market for social inclusion purposes.
- Must earn no more than the PWLL rate per week, currently £20, for an unlimited period.
- Claimants on PWLL are not eligible for Access to Work Supported Permitted Work:
- Allows the claimant to work for unlimited hours for an unlimited period for as long as they are on a qualifying benefit or are receiving credits.

Supported Permitted Work (SPW):

- Currently claimants can earn no more than the SPW per week, currently £115.50, and earnings over the Income Support disregard will cause a reduction in that benefit.
- No limit to the number of hours worked.
- Remain on benefit for the duration of the work.
- Special rules apply to the work being supported. The work must be supervised by someone whose job it is to arrange work for people with disabilities. This must be a public or local authority or voluntary organisations the activities of which are carried on otherwise than for profit. If in doubt you must check with Jobcentre Plus.
- SPW employment is also applicable where work is part of a treatment programme undertaken under medical supervision while the person is an in-patient, or is regularly attending as an out-patient of a hospital or similar institution.
- Claimants on Supported Permitted Work can apply for Access to Work

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Permitted Work - Limited Capability for Work Related Activity (PWK - LCWRA):

- Claimants in the Support Group can work for an indefinite period if they:
- Work for fewer than 16 hours, on average; and
- Earn no more than the Permitted Work Higher earnings Limit (PWHL).
- Permitted work LCWRA is fully disregarded for ESA(C) and ESA(IR) provided it remains within the limits.

Permitted Work Personal Capability Assessment Exempt (PWPCAE): Applies to IB claimants only:

- A category of permitted work introduced for claimants who are Personal Capability Assessment (PCA) exempt.
- Claimants can work for fewer than 16 hours a week (on average) and earn up to and including PWHL rate per week. Income support is reduced if the earnings are within this limit but above the relevant Income support disregard. Work can be undertaken for as long as the claimant remains PCA exempt.
- Claimant on PWPCAE can apply for Access to Work

A8.9. Whilst every effort is made to ensure this guidance is up to date, if you and your participant agree that Permitted Work might be a helpful option **you must check on the current rules and rates** via this link: <https://www.gov.uk/employment-support-allowance/eligibility> or via Jobcentre Plus.

A8.10. You should note that PW income is not always disregarded by other agencies (e.g. Housing Benefit or Council Tax Benefit). If your participant decides to consider PW, you must undertake or obtain a Better Off in Work calculation to ensure that any decision to undertake PW does not financially disadvantage your participant

Note: The earnings limits quoted above are correct at Sept 2016 but **you should check** with Jobcentre Plus as they can be subject to change. You or your participant should ask for Fact sheet DWPF01 (English version), or DWPF01 W (Welsh version).

Universal Credit.

Note: There is no concept of Permitted Work under Universal Credit. Instead there are enhanced work allowances or earnings disregards which become applicable under certain circumstances.

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