

# Access to Work: staff guide

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# 1. Introduction

1. Access to Work (AtW) assists disabled people who are:
  - self employed
  - in paid employment or
  - due to start a job or Work Trial
2. AtW funding encourages employers to recruit and retain disabled people.
3. It offers financial help towards the extra cost of employing a disabled person and practical support to overcome work related obstacles resulting from disability.
4. In some cases the employer will share the cost.
5. Extra employment costs resulting from disability over and above those considered as reasonable adjustments can be considered.
6. AtW advisers have access to independent specialist assessors who can identify appropriate solutions to suit the customer's need.
7. Advisers work with the customer and their employer to give the correct support. Repayment of some or all of the costs are agreed in advance.
8. Repayments made under AtW are not liable for Income Tax.
9. All VAT queries must be signposted to HMRC.

## Principles of Access to Work

- **Above and beyond a reasonable adjustment:** Support that complements but does not replace or subsidise an employer's legal duty to make reasonable adjustments;
- **Additional costs:** Support that is over and above what a non-disabled person would need to do their job;
- **Meeting minimum needs:** Support that allows individuals to overcome workplace barriers that arise from their disability; and
- **Value for money:** Support that meets an individual's needs in the most cost effective way for the taxpayer.

## 2. Process Overview

### Steps involved in providing support

1. On initial contact:
  - provide information
  - answer general questions
  - check [eligibility](#) and
  - fill in the [application](#)
2. Application received:
  - make sure the customer is aware of the [elements](#) available.
  - assess the impact of their disability
  - complete a [business case](#), including agreed cost sharing
  - notify customer of the decision
3. Requirements agreed and obtained:
  - manage the [delivery of the support](#)
  - deal with any [change of circumstance](#)
  - record key dates for management information use
4. Customer sends in claim for repayment:
  - [review the claim](#) and evidence
  - authorise payment or
  - record [overpayment](#) and
  - consider a [fraud](#) referral.

### 3. Eligibility conditions for Access to Work

#### Eligibility

1. To receive support through Access to Work (AtW) the customer must :
  - be [disabled](#) or have a health condition that impacts on their ability to work
  - be 16 or over
    - there is no upper age limit for support as long as the employment is likely to continue
  - be in need of help at a job interview with an employer or
  - be about to start employment or
  - be about to start a [Work Trial](#) or
  - be about to start a Department for Education [supported internship](#) or BIS traineeship or
  - be about to start [self-arranged](#) work experience or
  - young person's [work experience](#)
  - be in employment, whether as an [employed](#) or [self employed](#) person and
  - not be getting Employment Support Allowance/Incapacity Benefit and/or NI credits only (or will cease to claim whilst in work) unless the customer is about to start a Work Trial. This includes Severe Disablement Allowance and Income Support (where paid as a result of incapacity for work). Unless the customer is in the [Permitted Work Higher Level](#), Permitted Work (PCA exempt) or Supported Permitted Work and
  - is living in [Great Britain](#), Northern Ireland, the Isle of Man and the Channel Islands are not included for AtW support
    - if the customer is [working abroad](#) support can be considered providing the job is based in Great Britain but certain restrictions apply
2. The DiSC3 eligibility screen asks if customer will 'earn a living'. This is no longer a test of AtW eligibility. If the customer is in or about to start paid employment then confirm that they will be paid at least the [National Minimum Wage](#). The answer to the question 'paid NMW?' should be recorded as the answer to the 'earns a living question' The DiSC3 system will be corrected as soon as possible.

## **CAP (Ceiling)**

3. From 1<sup>st</sup> October 2015, all new claims will be subject to a maximum annual award limit of 1.5x the [national average salary](#). This figure is set at £40,800 as of October 2015. This will be updated annually from April 2016.
4. Customers subject to the limit are recorded and subject to annual reviews where:
  - their progress can be monitored
  - their needs looked at
  - extra advice and support offered and
  - the updated limit applied to their award
5. Awards are calculated in the usual way and a ceiling (CAP) applied. Every effort should be made to explore with customers how the resources provided by AtW can combine with reasonable adjustment and their employers (or their own businesses resources if self-employed) to support the customer effectively in work.
6. For existing customers, the level of award in payment on October 1<sup>st</sup> 2015 will be protected until 1<sup>st</sup> April 2018 provided their needs remain the same.
7. If needs reduce below the level of the cap then rise above that level, advisers are permitted to use their discretion in applying the cap level to those whose requirements fall below the cap temporarily, for example a brief change of role or illness.

### **Examples of how the CAP may apply:**

Current award at October 1<sup>st</sup> 2015 is £50k, in December 2015 £60k of support needed. Applying the new rules means the customer won't be able to receive any more.

Current award at October 1<sup>st</sup> 2015 is £50k, in December 2015 support needed down to £40k but rises to £56k (pro rata) in January 2016, then, using adviser discretion support can go back to £50k.

These examples are not exhaustive.

### **Definition of disability**

8. People falling within the [Equality Act 2010](#) definition are eligible to apply.
9. When a customer's disability does not substantially affect their normal day-to-day activities but has a long-term and considerable adverse effect on their ability to do their job can apply.

10. Tell the customer that Jobcentre Plus makes a decision about disability for support purposes only and this decision should not be regarded as proof that the individual would meet the Equality Act 2010 definition if tested in a court of law.
11. Under the Equality Act 2010 employers have a responsibility to make reasonable adjustments. AtW may pay extra employment costs that go beyond what is reasonable for an employer to provide.

### **Confirming disability**

12. Normally there is no need to get a medical opinion from a qualified health care professional unless the application is for help under the [Travel to Work element](#).
13. AtW cannot be used to fund treatment for a disability or be used for diagnostic assessments for any type of disability or health condition.
14. At the initial contact stage
  - if there is disagreement with the customer or
  - difficulty in determining whether the effect of the customer's disability will introduce extra costs above those of a non-disabled person doing the job
    - ask for copies of any evidence the customer has, to be sent in with the application form.
15. Tell the customer that the AtW adviser may ask for a specialist assessment to identify the support needed, for example
  - technical
  - ergonomic or
  - third sector specialist (RNID / RNIB)
16. The adviser may ask for extra evidence they deem necessary at anytime during a claim in order to validate a request for support.

### **Dyslexia**

17. Ask if a diagnostic assessment has taken place other than the online self help test.
18. Where a dyslexia diagnostic assessment has not taken place and the customer does not know how this impacts on workplace day to day activity sign post them to their HR department, if available or to a specialist organisation to do an assessment.
19. Our contracted assessors do not conduct dyslexia diagnostic assessments. Their role, is to assess the customer's needs based on a diagnostic report and make suitable recommendations.

## **Mental Health Support Service**

20. Support is available to customers with a mental health condition who are either:
- going into work
  - absent from work as a result of their mental health condition
  - finding work difficult as a result of their mental health condition
21. The type of support includes:
- work focused mental health support, tailored to the individual
  - assessment of individual need to identify coping strategies, such as:
    - keeping a mood diary to identify triggers and changes in mood in order to increase own awareness and mood management at work
    - develop relaxation techniques when under pressure
    - produce a protocol to allow line managers to identify signs that the individual is becoming unwell (for example Wellbeing Recovery Action Plan, WRAP)
    - introduce techniques to improve concentration and focus, for example using a quiet room for complex tasks, identifying 'prime time' and completing most challenging tasks, using a 'dumping' pad for unwanted thoughts
    - practice cognitive behavioural techniques to reframe negative thoughts and plan positive actions
  - develop a support plan detailing the steps needed to enter, stay in, or return to, work. Suggesting reasonable adjustments in the workplace or in working practices, for example:
    - introduce a flexible working pattern to accommodate changes in mood and impact of medication
    - provide a mentor to give extra support in the workplace
    - temporary cut in targets or reallocation of certain aspects of job role
    - extra time to finish certain aspects of job role
    - extra training and development
    - regular formalised 1-2-1 meetings to look at concerns
    - a phased return to work
    - job coach/Support worker
  - advice and guidance to allow employers to fully understand mental ill health and how they can support employees with a mental condition,

for example educate colleague/employer about mental health conditions

## **What is employment?**

22. For Access to Work (AtW) purposes, employment is:
  - full or part-time paid work, whether permanent, casual or temporary;
  - a Work Trial arranged by Jobcentre Plus;
  - work in an unsupported or supported environment. There are some exceptions in the rules for [Work Choice](#)
  - not [voluntary work](#)
  - some [councillors and other elected officials](#), or appointees who have applied for positions on public organisation's boards;
  - not [training](#) except for training related to the customer's paid employment and undertaken whilst the applicant is in receipt of normal wages for the job.
23. To get support employed customers must:
  - have a contract of employment
  - be paid at least the National Minimum Wage or
  - where a customer is going for a job interview or has just started a job and payslips / contracts are not yet available, accept the job offer letter or letter confirming the interview or job start date as evidence.
24. Access the [National Minimum Wage](#) check list on GOV.UK to find out whether the customer has to be paid the NMW.
25. If during the initial contact with the customer there are doubts about the employment, tell the customer to send evidence with their application.
26. The evidence will be considered when assessing the customer's need for support.
27. Where the employer is a [ministerial government department](#), including the Department for Work and Pensions (DWP), or one of its agencies funding of changes is made by the employing department.
28. Customers who are registered with an agency must have a job to start before they can get support.
29. Approval of any type of AtW support cannot be given if there is evidence that a company is about to stop trading.

## **Civil Service and Government agency employees**

30. Employees of ministerial government departments including the Department for Work and Pensions (DWP) or one of its agencies will be



funded by the employing department. See [Appendix 1](#) for a full list of the ministerial government departments.

31. AtW can give advice, arrange assessments and make recommendations about what support is needed but each ministerial department will be expected to source and fund the support themselves.
32. AtW cannot assist in arranging assessments for employees of the Department for Work and Pensions or its executive agencies. Guidance for DWP employees can be found [here](#)
33. Applications from civil servants should be recorded on DiSC3 in the normal way. DiSC3 shows assessments as a separate element and the fact that AtW may be taking no action after the assessment will not affect MI and OA targets.

### **Members of the clergy**

34. Applications from members of the clergy, regardless as to their religious denomination, must be dealt with in exactly the same way as any other application.
35. The customer must be in paid employment. For example, Church of England clergy receive a salary or stipend but some other religious denominations work on a voluntary basis. AtW is not available for voluntary workers.
36. If customer's employment status in doubt, contact the employer or the religious organisation they belong to. Most contact details can be found on the Internet.

### **What is self employment?**

37. For Access to Work (AtW) purposes, self employment is:
  - operating a business either on the customer's own account or in partnership, or working for an employer on a self employed contractual basis or
  - operating a franchised business on a self employed basis
  - that the business satisfies the past or prospective [viability](#) tests and
  - possessing a Unique Tax Reference Number (UTR)
38. If the customer is employed by a company that they own but draw a salary taxed at source and pay Class 1 National Insurance contributions, they are employed not self-employed. If they pay Class 4 they are self-employed.
39. Work can be done:
  - from home

- on their own premises
  - on premises owned or leased by someone else
  - on a travelling basis, for example a piano tuner.
40. You must be satisfied that the applicant is self-employed by
- them providing a UTR and
  - request accounts for an established businesses or
  - a business plan of a standard acceptable to a bank or other financial institution, for example for new businesses.
  - In the case of self-employed applicants, such as entertainers who do not necessarily see themselves as being a business, then a UTR and CV is appropriate.
41. AtW cannot pay for the costs of setting up a business such as
- standard items of equipment
  - support for fact-finding
  - going on courses, seminars or similar events
- while the business is being formed.

### **Company directors**

42. If the applicant is employed by a company they themselves own, but draw a salary taxed at source and pay Class 1 National Insurance contributions, they are employed not self-employed.
43. Company directors are not entitled to the minimum wage therefore do not have to meet this eligibility condition to be able to get support.
44. Any business, of which they are a director and claiming AtW in respect of, must however satisfy the [business viability](#) test.
45. The customer must provide proof that the company is registered with Companies House in Cardiff.

### **HM Revenue and Customs checks for self-employment**

46. To make sure of consistency in determining whether an applicant is self-employed, you can rely on HM Revenue and Customs treatment of the customer's employment circumstances :
- if employed, they will be taxed under PAYE rules and the employer will pay Class1 National Insurance contributions under the same PAYE rules
  - self- employed customers will be taxed under the Self Assessment rules and have a Unique Tax Reference (UTR) number for that purpose. Customers will be managing their Class 2/4 contributions

through arrangements with the HMRC National Insurance Contributions Office

- for AtW purposes, all customers who state they are self-employed must provide proof of self-employment by providing:
  - their UTR - a unique 10 digit Tax Reference and either
    - accounts to demonstrate business viability for an established business or
    - a business plan for a new business

### **Business Viability**

47. It is a requirement for a self-employed person or business owner/director seeking AtW support to demonstrate that the business is a viable and legitimate concern.
48. To be considered viable, a business should in the course of normal operations, achieve a minimum level of turnover each year.
49. This level is set at the Lower Earnings Limit (LEL) of £5,824 per annum.

### **Start-up period and down-turns**

50. New businesses or periods of sole-trading may have an initial 12 month period “test trading” period from application where they do not have to turnover the LEL threshold.
51. However, any new application must be accompanied by a business plan. Advisers may decline any self-employment award if, in their judgement, the plan is unlikely to have any prospect of becoming viable.
52. Should self-employed trading or a business that has not previously satisfied viability test fail to achieve turnover of LEL in between annual review periods (excluding test-trading periods), then an award is terminated.
53. If a previously viable business fails to achieve turnover of LEL in between annual review periods, then a further award may be made for the following year, however if the business again fails to turnover the LEL in that following year then the award is terminated.
54. In all cases, periods for which an award is suspended – eg through temporary cessation of trading is disregarded.

### **Re-qualification**

55. A person who receives an award for AtW on a self-employed basis which is subsequently terminated because the business does not satisfy the viability test, may not re-qualify for another self-employment AtW award for a period of 5 years from the original application.

## **VAT**

56. All VAT queries must be signposted to HMRC.

## **Living in Great Britain**

57. Support can be applied for by anyone who is:

- normally living in and
- working in Great Britain and
- meets the eligibility criteria.

58. Access to Work does not cover:

- Northern Ireland, which has its own Disablement Advisory Service, or
- the Channel Islands or
- the Isle of Man.

## **Workers Posted from the European Community**

59. Workers posted to Great Britain by a company based in another European Community country are entitled to apply for support. The EC Posted Workers Directive (96/71/EC) requires equality of treatment for EC posted workers and local workers.

60. In the case of European Community posted workers, Access to Work should not apply the normally living in and employment based in GB rules, all other eligibility criteria apply.

61. On starting a job an individual must register with HM Revenue and Customs for National Insurance purposes.

62. You must seek verification of the individual's legitimacy for work by:

- making sure the customer has a current passport with immigration stamps indicating type of and period of leave to stay;
- asking for details of time and length of employment contract;
- asking for evidence of application for a National Insurance number and registration with HM Revenue and Customs for tax purposes;
- further information can be found on [GOV.UK](https://www.gov.uk).

## **Temporary residents**

63. Temporary resident customers learning a trade under "special government arrangement" schemes who are employed but only receive lodging and pocket money are not eligible for support.

## **Outside the European Economic Area**

64. Customers from outside the European Economic Area need a visa to live in the United Kingdom and this may also give them the right to work here, but they will not be given a National Insurance number until they start getting paid.
65. Confirmation that the visa allows the customer to work in Great Britain is enough to meet the residency requirement.
66. Ask the customer to send in the visa documents with their AtW1 application.
67. If the customer does not want to send important documents by post, tell them to get the documents copied and endorsed at their nearest Jobcentre, we will accept a verified copy of the document.

## **Immigration Employment Document (IED)**

68. Some customers will have an Immigration Employment Document (IED) that gives them the right to work in this country. Ask the customer to send their IED in with their AtW1.
69. If the customer does not want to send important documents by post, tell them to get the documents copied and endorsed at their nearest Jobcentre, we will accept a verified copy of the document.

## **Asylum seekers and refugees**

70. Asylum seekers who have made an application for recognition as a refugee and are awaiting a decision are not allowed to work and have no access to the mainstream welfare benefit system.
71. Customers who have a work permit or a leave to remain status do not need to hold a British passport. They are allowed to work in GB and receive support.
72. These cases must be closely monitored and, where the leave to remain is time limited, any support must also be time limited and subject to review.
73. Leave to remain is normally granted for five years after which the person can apply for Indefinite Leave to Remain. As soon as a person has been granted leave as a refugee they have immediate access to the labour market and to all key mainstream benefits.
74. Customers who have been given leave to work in Britain but with 'No recourse to public funds' are still allowed to apply for support. For the definitive list of all relevant public funds see the [UK Visa and Immigration website](#).
75. Ask the customer to send their notification of leave to enter or remain in with the AtW1.

76. If the customer does not want to send important documents by post, tell them to get the documents copied and endorsed at their nearest Jobcentre, we will accept a verified copy of the document.

### **Working abroad**

77. If the customer's job is normally based in Great Britain, but they need to travel abroad as part of their duties, support should be limited to 3 months in any one (rolling) year.
78. This will include, for example, the extra costs of a support worker.
79. After this period support can only be extended in exceptional circumstances and after agreement with the National Tier policy team.
80. Customers can take equipment supplied through the programme abroad if it is needed to carry out their duties providing the "owner " of the equipment has no objections.

### **Applicants getting benefit**

81. Customers getting certain benefits are not normally able to get AtW.
82. These benefits are:
- Incapacity Benefit (IB), including the award of National Insurance credits only
  - Employment Support Allowance (ESA) including the award of National Insurance credits only
  - Severe Disability Allowance
  - Income Support paid as a result of illness.
83. Exceptions to the above are where the claimant:
- is going for an interview, or
  - starting a Work Trial, or
  - has a job to start, and will stop claiming when employment begins or
  - is on Permitted Work Higher Level, Permitted Work PCA Exempt or Supported Permitted Work.
84. Applicants getting Jobseeker's Allowance (JSA) Contributory or Income Based may be able to get support if in a part-time job. They must declare this work when signing.
85. Applicants in receipt of Pension Credit may be able to get support if in a part-time job. They must declare this work to the benefits section.
86. Applicants receiving any other benefits, for example Council Tax Benefit, Housing Benefit are able to apply for AtW, provided they satisfy the eligibility conditions.

87. Fit for Work is a new assessment and advice service, due to go-live through a phased roll-out from December 2014 with full roll-out due to finish in the first quarter of 2015 - 16. Fit for Work will be delivered on behalf of DWP by a private supplier, Health Management Limited, in England and Wales, and by the Scottish Government in Scotland.

### **Fit for Work**

88. To be eligible for the Assessment service, individuals must be:
- employed (i.e. not self-employed or out of work)
  - resident in England, Wales or Scotland (including being within areas covered by HWS during the phased roll-out period)
  - referred by their doctor (at any time during their sickness absence) or by their employer (only at or after 4 weeks sickness absence)
  - not referred earlier to and accepted by the Assessment service within 1 calendar year of the current date of referral.

The two main elements to the service:

- **Assessment:** Once an employee has reached, or is expected to reach, 4 weeks of sickness absence they will normally be referred by their doctor for an assessment by an occupational health professional, who will look at all the issues preventing the employee from returning to work
- **Advice:** Employers, employees and doctors will be able to access advice via a phone line and website

### **Universal Credit**

89. Universal Credit is a single benefit paid to those in or out of work.
90. Any claimant with a disability or health condition will be able to apply for AtW funding for any paid work they do.
91. Those able to work are expected to do all they can to establish an adequate level of earnings.
92. Those in work, who are not considered to have an adequate level of earnings taking account of their disability or health condition, will be required to seek more work or better paid work.
93. Those not in work are required to seek as much paid employment as they are capable of.
94. There is no lower limit on the number of hours of paid employment that a claimant can expect AtW to support.
95. Funding is only available for employment that pays at least the national minimum wage.

96. There is no automatic time limiting of awards.

### **New Enterprise Allowance**

97. Customers who started NEA up to and including 31 December 2014 will continue to be eligible for Access to Work during the mentoring phase of NEA

98. Customers who started NEA on or after 5 January 2015 will not be eligible for Access to Work during the NEA mentoring phase.

99. As NEA is now a contracted provision, extra support is the responsibility of the provider.

### **Work Experience**

100. All work experience opportunities must be arranged in line with Jobcentre Plus guidance before support is authorised.

101. A non Access to Work adviser decides if the eligibility conditions for taking part in a work experience opportunity are met before an application is made.

102. Work experience opportunities are flexible, lasting between 2 and 8 weeks so it is important that the adviser finds out its duration.

103. This is to make sure the right amount of support is put in place, follow up agreed and is looked at again towards the end of the opportunity. This will allow the smooth transition into paid employment, if appropriate.

104. For the duration of the work experience, all costs will be paid by Access to Work including Travel to Work costs, if appropriate.

### **Self-arranged Work Experience**

105. From 31<sup>st</sup> March 2014 Jobcentre Plus claimants who arrange their own work experience placements with an employer may be eligible to apply for Access to Work support.

106. All self-arranged work experience placements must be arranged in line with Jobcentre Plus guidance before considering support.

107. Eligibility conditions for Jobcentre Plus claimants participating in a self-arranged work experience placement will be decided by non Access to Work advisers before an application is made. The process can be found on the Access to Work guidance homepage.

108. Jobcentre Plus claimants must be made aware that not all self-arranged work experience placements will be able to get support.

109. For AtW purposes self-arranged work experience placements must:

- help the claimant move closer to the labour market job and



- have a realistic prospect of securing paid work after the placement has ended.
110. The criteria for receiving support will be decided by an AtW adviser after getting additional information such as:
- has the employer said that there might be a vacancy for a paid role at the end of the work experience placement or soon (For example within 3 months)?
  - has the employer said that they would be willing to offer an interview for a paid role at the end of the work experience placement?
  - is the employer planning to recruit for roles similar to the work experience placement, secured by the claimant, with soon (For example within 3 months)?
  - does the claimant have written confirmation of the placement between them and the work experience employer?
111. Work experience opportunities that are not able to get support may be able to get support via the Flexible Support Fund
112. Self-arranged work experience can last between 2-8 weeks.
113. For AtW purposes:
- only one period of AtW support for self-arranged work experience placements is allowed in any one rolling year
  - self-arranged work experience cannot be used for a placement with an employer/organisation that a customer is currently, or has previously worked for on a voluntary basis.

### **Non- Jobcentre Plus Claimants**

114. Applications from disabled people wanting to arrange their own work experience, and who are not receiving a Jobcentre Plus benefit should apply for Access to Work in the normal way. The phone number can be found on GOV.UK.
115. The criteria for receiving Access to Work support for non-Jobcentre Plus claimants is exactly the same as for Jobcentre Plus claimants.

### **Supported Internships/Traineeships**

116. From 1<sup>st</sup> September 2013 young people who start a work placement with an employer as part of the Department for Education supported internship programme or a BIS traineeship will be eligible to apply for Access to Work support for the period of the work placement only.
117. Eligibility conditions for participation on a supported internship will be decided by the college offering the supported internship and whose

nominated placement officer will be responsible for telling Access to Work of the work placement before it starts.

118. Access to Work will fund:

- extra travel,
- job coach and
- other support including:
  - costs of equipment, if appropriate and
  - help the smooth transition into paid employment.

119. No other types of unpaid internships/traineeships will be able to get Access to Work support.

120. Enquiries about support should be routed via the college placement officer. They complete the referral stencil and e-mail to the Access to Work Operational Support Unit.

121. If any Operational Support Team(OSU) receives an AtW1 form from the Department for Education supported internship programme or a BIS traineeship it must be re-directed to:

Access to Work

4th Floor

Harrow JobcentrePlus

Kings House

Clarendon Road

Harrow, Middsex

HA1 1YJ

122. The referral process can be found on the [Access to Work homepage A-Z](#) under S

### **Sector– based work academies**

123. From 9<sup>th</sup> December 2013 customers starting a sector-based work academy (sbwa) opportunity will be eligible to apply for Access to Work support.

124. Sector-based work academies are available in England and Scotland.

125. Placements last up to six weeks and consist of three elements:

- pre-employment training;
- a work-experience placement with an employer in that sector; and

- a guaranteed interview for a job (including an apprenticeship) or other support to help participants through the employer's application process.
126. Only the work-experience element qualifies for Access to Work support.
  127. All sector-based work academy opportunities must be arranged in accordance with [Jobcentre Plus guidance](#) before Access to Work support is authorised.
  128. Eligibility conditions for participation on a sector-based work academy opportunity will be decided by non Access to Work adviser before an application is made.
  129. It is important that advisers find out the duration of the work-experience element to make sure the right amount of support is put in place, and agree to follow up and review towards the end of the opportunity. This is to allow the smooth transition into paid employment, if appropriate.
  130. For the duration of the work experience element, all costs will be paid by Access to Work including Travel to Work costs, if appropriate.
  131. The referral process can be found on the [AtW guidance homepage](#).

## **Work Trials**

132. Work Trials are used to find out an individual's suitability for a particular job vacancy by giving them an opportunity to try out the job for a short period.
133. They can last between 1 day and 6 weeks but must only be used when there is a genuine job vacancy that the employer wants to fill.
134. When on a Work Trial customers can:
  - continue to get benefits as well as
  - travel expenses
135. Payments of expenses are arranged by the Jobcentre.
136. Travel to work costs are paid by the Jobcentre not AtW.
137. All Work Trials must be arranged in line with [Jobcentre Plus guidance](#) before to Access to Work support is authorised.
138. Access to Work staff must follow the process for dealing with Work Trial customers as detailed in the AtW SOM.

## **Access to Work customer identified by frontline (non AtW) Adviser**

139. When a Work Trial customer is identified as possibly needing AtW support, the adviser must explain to the customer that:
  - they need to make an application urgently by contacting the [Operational Support Unit](#)

- they must tell the Operational Support Unit that they are starting a Work Trial rather than paid employment
- travel to work costs will be paid locally by the Jobcentre and not by Access to Work

140. The adviser then:

- emails the [Operational Support Unit](#) immediately, putting
  - Work Trial, customer name and national insurance number in the subject line
  - a named contact at the Work Trial company/organisation and
  - adviser/Work Trial coordinator details must be included in the main body of the email.

141. Any facts about AtW must only be given by an AtW adviser.

### **Customer contacts Operational Support Unit and makes an application**

142. When a Work Trial customer makes an application the contact team member must:

- type 'Work Trial' in the free text box next to the Job title question on the AtW1.
- note the top of the AtW1 with the words 'Work Trial' before the application is posted to the customer

### **Application returned and Adviser allocated**

143. When an application is returned, the allocation team member must:

- access their generic OSU inbox
- find the email that relates to the Work Trial customer
- copy and paste the email into the notes space of the customer detail screen in DiSC.

### **Adviser assesses customer needs and completes business case**

144. Access to Work Advisers must:

- assess customer needs to the same standard as non Work Trial applications
- consider cost effective temporary solutions, such as the hiring or loaning of equipment for the duration of the trial
- refer for independent assessment if the level of support cannot be decided or agreed with the customer

- tell the Work Trial employer that it is their responsibility to purchase, hire or loan any equipment required by the customer
- not include TTW costs in the assessment as these will be paid directly to the customer from the Work Trial budget
- align support with the start date of the Work Trial

## **Follow up**

145. Access to Work Advisers must:

- closely monitor the customer to make sure the support matches the duration of the trial and
- reassess the support if the customer secures employment

146. If the customer secures employment at the end of the trial close the Work Trial job down on DiSC. A new job can then be opened up for a new assessment period.

## **Permitted Work**

147. Permitted Work rules allow claimants to try some paid work as a stepping stone back into full time employment whilst still receiving Incapacity Benefit or Employment and Support Allowance.

## **Incapacity Benefit**

148. Customers on Permitted Work Lower Level are not considered for Access to Work support, as this type of work does not prove a real intent to move towards full time paid employment.

149. Customers are considered for Access to Work support if they are on:

- Permitted Work Higher Level or
- Supported Permitted Work or
- Permitted Work PCA Exempt are eligible for Access to Work.

150. Support will be limited to a maximum of 52 weeks in line with Permitted Work Higher Level time limit.

151. After a 52 week break, customers can re apply for Access to Work support for a further 52 weeks.

152. Every 52 weeks of support must be followed by a 52 week break. This can continue indefinitely.

## **Permitted Work Lower Level**

153. You can work and earn up to £20.00 a week

### **Permitted Work Higher Level**

154. You can work for less than 16 hours a week and earn no more than the permitted work earnings limit a week for up to 52 weeks.
155. After your first try at a fixed period of permitted work, if you cannot move into work of 16 hours or more a week, you can try again after a gap of 52 weeks. These subsequent periods of permitted work will last for 52 weeks from the date that work starts.

### **Permitted Work PCA Exempt**

156. You can work for less than 16 hours a week and earn no more than the permitted work earnings limit a week for as long as your illness or disability is considered severe enough that you meet the threshold of incapacity without undergoing a medical assessment.

### **Supported Permitted Work**

157. You can work for an unlimited period and earn no more than the permitted work earnings limit a week if you are doing work which is supervised by someone who is:
- employed by a public or
  - local authority or
  - a voluntary organisation, and
  - it is their job to arrange work for ill and disabled people.

### **Employment and Support Allowance**

158. Customers on Permitted Work Lower Level are not considered for Access to Work support, as this type of work does not prove a real intent to move towards full time paid employment.
159. Customers are considered for Access to Work support if they are on:
- Permitted Work Higher Level or
  - Supported Permitted Work or
  - Permitted Work Limited Capability for Work Related Activity
160. Support will be limited to a maximum of 52 weeks in line with Permitted Work Higher Limit time rules.
161. After a 52 week break, customers can re apply for Access to Work support for a further 52 weeks.
162. Every 52 weeks of support must be followed by a 52 week break. This can continue indefinitely.

### **Permitted Work Lower Level**

163. You can work and earn up to £20.00 a week

### **Permitted Work Higher Level**

164. You can work for less than 16 hours a week on average and earn no more than the permitted work earnings limit a week for up to 52 weeks.
165. After your first try at a fixed period of permitted work, if you cannot move into work of 16 hours or more a week, you can try again after a gap of 52 weeks. These subsequent periods of permitted work will last for 52 weeks from the date that work starts.

### **Supported Permitted Work**

166. You can work for an unlimited period and earn no more than the permitted work earnings limit a week if you are doing work which is supervised by someone who is:
- employed by a public or
  - local authority or
  - a voluntary organisation, and
  - it is their job to arrange work for ill and disabled people.

### **Permitted Work Limited Capability for Work Related Activity**

167. You can work for less than 16 hours a week for an indefinite period and earn no more than the permitted work earnings limit a week if you have been treated as having limited capability for work related activity.

### **Access to Work and Jobcentre Plus programmes**

168. There are limits on the use of Access to Work with some Jobcentre Plus programmes.

### **Work Programme**

169. Element support restrictions apply for the full 104 week duration whilst the customer is a participant on the Work Programme.
170. Applications from customers on the Work Programme will not have a specialist or dedicated referral process. They will be dealt with in the normal way.

171. The following table lists the elements which are/are not available via AtW

<b>Types of Access to Work Support</b>	<b>Available to customers who are on the Work Programme?</b>
1. Communication Support at Interview	NO
2. Travel to Work	YES

3. Support Worker in these categories:	
BSL Interpreter	YES
Carer	YES
Counsellor	NO
MHSS	NO
Driver	YES
Job-Aide	NO
Job Coach	NO
Lip Speaker	YES
Note Taker	YES
Palantypist	YES
Personal Reader	YES
Travel Buddy	NO
4. Adaptations to Equipment	YES
5. Special Aids and Equipment	YES
6. Travel in Work	YES

### Work Choice

172. A specialist advisory team handles queries raised by prime providers.

173. The specialist advisory team will only be able to discuss an application with the prime provider if a Third Party Permission Form has been completed.

174. The following table lists the AtW elements which are/are not available via the Work Choice provider.

Access to Work Element	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	
	MHSS	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 Premises and Equipment		YES	YES
Special Aids and Equipment		YES	YES
Miscellaneous including Travel in Work		YES	YES

### **Application Process via Specialist Advisory Team**

175. A specific Work Choice AtW1 form has been created to ensure Work Choice participants are easily identifiable.
176. The Work Choice AtW1 and all supporting information must be returned to the specialist advisory team within 6 weeks of employment or cost share rules may apply (see table above).
177. If any Operational Support Team(OSU) receives an AtW1 form from a Work Choice provider / customer (the form will have Work Choice on the top) it must be re-directed to:

Access to Work  
4th Floor  
Basildon Benefit Centre  
Great Oaks House  
Great Oaks  
Basildon  
SS14 1JE  
Phone 01268 633 397

178. The specialist advisory team only accept forms from customers participating in Work Choice.
179. A formal assessment will not normally be required for every customer.
180. The Work Choice provider working with the customer for a substantial period of time will have a clear understanding of support the customer needs once in work.
181. If a specialist assessment is required, only AtW approved assessors can be funded by AtW. Work Choice prime providers have a list of AtW approved assessors.
182. Work Choice providers can choose to use their own assessors if they wish, but in that case, AtW cannot fund.

### **Business Case Approval via Specialist Advisory Team**

183. Applications will be made by the specialist advisory team on receipt of:
- eligibility check list
  - Work Choice AtW1 application form
  - Third Party permission form
  - assessment report (if required) and
  - invoice for assessment if undertaken by an AtW approved assessor .
184. The specialist advisory team are responsible for approving or rejecting applications. Once a decision is made notification must be issued to the participant, provider and employer.
185. Support should not be purchased until approval has been received.
186. If the provider or employer decides to purchase any support before approval is received it is at their own risk.
187. If eligibility is not met at the approval stage the application will be rejected.
188. If the customer is unhappy with the decision, the standard AtW complaints procedure should be followed, i.e. the customer should write to the AtW Work Choice Manager at the specialist advisory team's address.
189. Although the provider may be responsible for completing the application any complaint should be made by the customer and not the provider. The provider may wish to support the customer during the process.

## **Repayment via OSU**

190. Once support has been purchased payment will be repaid following the standard AtW process. If the specialist advisory team receives any claims for repayment, they will be re-directed to the relevant OSU.

## **Reviews by Provider Resulting In Change**

191. Customers participating on Work Choice have regular reviews with their provider. If any change in support is identified the provider must notify the Specialist Advisory Team.

192. Changes in a customer's personal details are dealt with by the local OSU on form DP228JP.

## **Modules 1- 3 of Work Choice and Access to Work**

193. There are limits on Access to Work (AtW) support for applicants who are on Work Choice.

194. Module 1 of Work Choice Module 1 (job entry support – 6 months with occasional extension to 9 months), AtW is only available for those who are:

- AtW eligible and
- taking part in either Permitted Work or a Jobcentre Plus Work Trial

195. In Module 2 of Work Choice (in work support – up to 2 years) and Module 3 (longer term in work support with no time constraint) AtW is only available for those who are:

- AtW eligible, and
- who have moved into supported work of 16 hours or more and
- are being supported by the Work Choice Provider and
- the support required is not short term support, for example special aids and equipment, travel to work.

196. Short term support is support that embeds the customer in their employment, for example travel buddy.

197. Short term support is the responsibility of the Work Choice Provider.

198. Once the Work Choice customer is comfortable handling the journey to their supported employment, short term support will cease.

199. All current AtW rules apply, including employer / provider purchase and cost sharing where the individual is in Work Choice supported employment more than six weeks.

200. Either the employer or the Work Choice provider may contribute to AtW costs. It is for the employer and Work Choice provider to agree..

### **Exiting Work Choice**

201. Once the customer is ready to leave the Work Choice programme and enter unsupported employment the provider will explain the standard AtW process, providing them with appropriate telephone numbers.
202. Providers must inform the Specialist Advisory Team that the customer is leaving Work Choice.
203. The Specialist Advisory Team will amend records to make sure the customer is picked up in the AtW standard review process if they have been getting AtW support already.

### **Additional Job Coaching Support**

204. This help is not available to Work Choice customers in supported factories, or for embedding them into supported employment.
205. It is used to help customers leaving Work Choice into unsupported employment.
206. As the customer may not have received any AtW assistance whilst on Work Choice it is important that they are identified by the AtW OSU.
207. Applications must be processed urgently and where possible the same job coach should be used for continuity.
208. Providers have been asked to try and make sure of a smooth transition by alerting the customer to standard AtW processes as soon as a start date in unsupported employment is known. .

### **Remploy Mirroring Work Choice**

209. Remploy are mirroring Work Choice Provision in the majority of Work Choice contract package areas.

### **Supported factories/businesses**

210. Applicants working in supported factories/businesses are not eligible for adaptations to premises and equipment or for help from some types of support worker.
211. Sometimes people working in supported factories/businesses are placed on a work placement with another employer with a view to them progressing from Work Choice.
212. In these cases adaptations to premises and equipment can be considered but the likely duration of the placement must be taken into account.
213. Cost sharing applies where the customer is in their Work Choice supported employment for more than six weeks.

### **Travel to Work**

214. In some areas Remploy make a contribution to the Travel to Work costs.

215. These payments should be added to the normal public transport costs, and this total deducted from the total costs of travelling when calculating payments.

### **Blind Home worker's Scheme**

216. Applicants working under Blind Homeworkers Scheme (BHS) are not eligible for adaptations to premises and equipment or some forms of [Support Worker](#) help.

217. There is a separate capital budget to cover adaptations available via BHS.

218. Help under all other elements of Access to Work may be available subject to usual eligibility conditions.

219. Always check the evidence of employment before authorising support.

220. Some local authorities may withdraw assistance when the customer reaches 65.

### **Training and Further Education**

221. Access to Work (AtW) cannot be used for:

- Skills Build / Training for Work / Work Based Learning for Adults programmes where the customer remains on benefit or receives a Training Allowance;
- training for skill enhancement where the customer remains on benefit or receives a Training Allowance;
- student access to education.

222. AtW can be used for:

- Skills Build / Training for Work / Work Based Learning for Adults programmes where the individual is in paid employment;
- training in connection with the applicant's job including skills development and career progression or training that any other employee could be expected to attend, and the individual continues to be employed;
- day release from work to attend college or time off for study provided the training or study is connected to the applicant's work and they continue to be employed.

223. In all cases you must establish what support the employer would normally provide for training courses. These are not additional costs and cannot be supported through AtW.

### **Job related training**

224. The Equality Act 2010 places a duty on both employers and service providers to make reasonable adjustments.

225. AtW can help out with anything that is considered 'unreasonable' due to financial constraints. For example, if a visually impaired employee was sent on a training course it would be their employer's duty to ensure that the provider was aware that the person needed any handouts in large print.
226. It is the service provider's responsibility to provide these, however, they may well come to some agreement with the employer around any extra costs this might result in. This is seen as a reasonable adjustment.
227. If someone working for a small employer went on a course and needed very expensive BSL support, this may be unreasonable for both the employer and the provider due to financial reasons. This is the sort of case where AtW can help.

### **Induction training**

228. AtW can be considered for a short period of paid induction training as part of the job application process.
229. Support must be limited to the length of the induction period and reviewed if the individual is successful.

### **Redundancy training**

230. In cases where employees are being made redundant some employers will offer courses prior to leaving.
231. Additional support to attend such courses can be approved providing the individual remains in paid employment during the period of redundancy training.

### **Apprenticeships**

232. People serving apprenticeships are eligible for AtW support as they receive a wage and have a contract of employment. National Minimum Wage rates do not apply to people on apprenticeships.
233. If the apprentice stays with the same employer when qualified, cost sharing status will remain unchanged for the whole of the AtW period of three years from the beginning of the apprenticeship.

### **European Social Fund Programmes**

234. AtW support cannot normally be agreed for customers on European Social Fund (ESF) programmes as the ESF contract of employment will usually cover all costs.

### **Voluntary work**

235. Access to Work support cannot be offered to people in voluntary work.

## **Payments in kind**

- 236. AtW support cannot be given unless the customer is paid at least the national minimum wage.
- 237. Payments in kind do not count as contributing towards the NMW, however, accommodation is an exception to this. If accommodation is provided check GOV.UK for the amount allowable to count towards the NMW.

## **Local councillors and elected officials**

- 238. Councillors do not need to meet the national minimum wage requirements as they are not defined as workers in the National Minimum Wage Act 1998
- 239. Councillors elected to office in Scotland since 2007 are paid a salary rather than an allowance and are able to claim Access to Work providing all other eligibility conditions are satisfied excluding the NMW requirement.
- 240. In England and Wales, Councillors getting repaid for travel and meal allowances only, continue to be treated as voluntary workers and are not eligible for Access to Work.
- 241. Councillors getting allowances over and above the travel and meal allowances, for Access to Work purposes, are treated as in employment and may be able to get Access to Work support providing they meet other eligibility conditions excluding the NMW requirement.
- 242. Other elected officials, for example tribunal members, political party workers, volunteer groups, clubs, for which allowances and expenses are paid, are not generally regarded as in paid employment.
- 243. HM Revenue and Customs confirm that although subsistence and other similar payments are made and attract Tax/National Insurance, these are not treated as paid employment when paid for expenses incurred in carrying out duties.
- 244. Local Councillors and other volunteers who have AtW equipment supplied for use in other jobs may use this equipment in their council or voluntary duties, as long as the owner of the equipment (their employer) agrees.

## **Insurance**

- 245. The equipment owner must confirm that there is adequate insurance cover for equipment being used for voluntary work. If extra insurance cover is required it is the customer's responsibility to get the insurance.
- 246. The customer must seek financial support from the 'voluntary' employer to cover the insurance costs.

247. AtW advisers can help the customer to negotiate with the voluntary employer if necessary.



## 4. Applications

### Overview of Application process

1. When dealing with applications for Access to Work (AtW) you must:
  - Complete [DiSC3](#) application screens and advise customer of the evidence required
  - Update DiSC3 with additional information provided by the customer
  - Contact the customer and ask about [missing evidence](#) if appropriate
  - update DiSC3

### Eligibility

2. See [Eligibility](#) section for further information about the eligibility conditions that a customer has to meet to receive support through Access to Work

### New Applications – fast track

3. For an application to be fast-tracked, the customer must:
  - have a good level of knowledge about what support they need or
  - already have had their needs professionally assessed and
  - there have been no significant changes in the customer's condition since the assessment was undertaken

### Retrospective Applications

4. All applications for AtW must be made in advance.
5. You can only consider accepting a retrospective application if you have good reason to believe that the customer has been misdirected by the Department.

### Deferred Applications

6. If a customer wants to check their eligibility for AtW before they apply, tell them to contact us again when they have decided to go ahead with their application. We will then review their eligibility.
7. If the customer decides to apply and there has been a change in their circumstances since they first contacted us, update DiSC3 before producing the AtW application form.

## **Application for a replacement item**

8. If a customer applies for a replacement item due to loss of the original, treat it in the same way as a new application. Consider the following points before deciding whether or not to replace;
  - what were the circumstances surrounding the circumstances of the loss
  - was it due to carelessness on behalf of the customer
  - was the loss avoidable

Only replace the item(s) if it was uninsured

## **AtW1 Application Form**

9. Complete the AtW1 form online using the DiSC3 system.
10. You must ask the customer about their ethnic background during the initial assessment of their eligibility to AtW because the relevant fields are not visible during the later stages of an application.

## **Evidence**

11. There is no need to obtain a medical opinion from a qualified health professional to assess a customer's eligibility unless the customer is applying for help with [Travel to Work](#).
12. During the application ask the customer for any evidence that they hold and is relevant. Decide if the evidence is sufficient to decide eligibility.

## **Missing evidence**

13. If evidence not received which a customer has been asked to provide, contact the customer and ask them to send it immediately.
14. If the customer disputes the need for the evidence or does not have it, explain that an adviser will review their eligibility and may ask for an independent assessment to be made.
15. In all cases record a summary of the action taken on DiSC3.

## **Application not Pursued**

16. If unsuccessful in contacting a customer on 3 consecutive occasions send them a letter to ask them to contact us within 10 days.
17. If the customer does not contact within the 10 days, close the application on DiSC and record the closure in DiSC notes
18. An application can also be closed if:
  - the customer contacts us to say that they do not wish to go ahead with their application

- an employer decides that an AtW contribution is not needed, provided this before any assessment costs have been incurred

## **Elements**

19. Ensure the customer fully understands the elements of AtW. They are:
  - Communication Support at Interview
  - Travel to Work
  - Support Worker
  - Adaptions to Premises and Equipment
  - Special Aids and Equipment
  - Miscellaneous (including extra in work travel costs)
20. The following paragraphs provide a brief description of each element with a link at the end of the paragraph to more detailed guidance.

## **Communication Support at Interview (CSI)**

21. CSI helps with the cost of employing an interpreter or communicator to accompany the customer to a job interview when the customer would find it difficult to understand or to make themselves understood.
22. CSI is generally used by hearing-impaired customers but is available to anyone who has a disability which affects their ability to communicate.
23. CSI is available for all job interviews including a new job with a new employer, irrespective of whether the vacancy was notified by jobcentre and internal promotion
24. CSI cannot be used for:
  - communication support within a job such as induction and job reviews see [Support workers](#)
  - customers attending interviews with Disability Employment Advisers or other staff at a jobcentre
  - attending other Jobcentre Plus programmes
25. More information about Communication Support at Interview in [Assessment CSI section](#)

## **Travel to Work**

26. Travel to Work can provide short or long term financial assistance to disable people who incur extra costs in travelling to and from work because of their disability. It is used to reimburse an agreed portion of the costs of taxis or adaptions to vehicles.

27. Travel to Work costs cannot be paid for customers on a Work Trial as these will be reimbursed by the jobcentre.
28. Customers are expected to contribute towards the cost of any adaptations to vehicles or the purchase of vehicles which they use for purposes outside work.
29. Car parking charges cannot be considered under any element.
30. The following travel costs are covered under other elements of AtW or other schemes/programmes:
  - Travel within working time is covered under [Miscellaneous](#)
  - Payments to a relative or friend for travel costs other than a mileage rate are covered by the [Support Worker](#) element
  - Purchase of specialised vehicles specifically for work must be dealt with under [Special Aids and Equipment](#)
  - Special arrangements apply to adaptations to vehicles bought or leased through [Motability](#)
31. AtW does not contribute to fares to interviews. The Flexible Support Fund may be able to help.
32. More information about the Travel to Work can be found in Assessment Travel to Work

## **Support Worker**

33. AtW offers financial help to cover the full cost of providing a Support Worker (SW) in the workplace and to help the customer to travel to and from work.
34. In all cases the support given is to help the customer to do their job. The SW must not do the work of or replace the disabled customer. The only exception to this is when we are paying for a Job Aide SW who can carry out up to 20% of the customer's job.
35. There are many different types of SWs and some customers may need more than one type to meet their needs. The following is a list of the different types of SW but it is not exhaustive:
  - British Sign Language(BSL) Interpreter
  - Carer
  - Counsellor
  - Driver
  - Job-Aide
  - Job Coach
  - Lip speaker

- Note Taker
  - Palantypist
  - Personal Reader
  - Travel Buddy
36. More information about different types of support work is in the [Support Worker](#) section.

### **Adaptations to Premises and Equipment**

37. Through AtW, help is available to pay the additional costs to modify an employer's or self-employed person's premises or equipment to allow a disabled customer to work and stay in work.
38. The different types of adaptations for which help is available are:
- ramps for wheelchairs
  - lifts
  - widening of doors
  - disabled toilet and washrooms
  - upgrades of computers and other equipment
39. If an entirely new piece of equipment is needed, the customer will need to apply for help under [Special Aids and Equipment](#).

### **Special Aids and Equipment**

40. Help is available for disabled customers to buy specialised aids and equipment, but only for employment purposes.
41. A special aid is any item that a disabled customer needs to do a job which a person without a disability would not need to do the same job.
42. Equipment is any tool that a customer needs to do a job and which most people would not need.
43. If the equipment needs to be attached or linked to an existing piece of equipment, then it should be classed as an adaptation. The customer would need to apply for help under the [Adaptations to Premises and Equipment](#) element of AtW.

### **Miscellaneous**

44. The [Miscellaneous support classification](#) is only to be used for short term or one off support and which does not come under any other elements or extra in work travel costs.
45. Only a few applications will fall in to the first category.

46. You must consider whether the costs come under other elements of AtW such as consultancy costs for adaptations to premises which would come under the [Adaptations to Premises and Equipment](#) element

## 5. Assessment

### Action

1. When assessing a claimant's eligibility for any element of Access to Work (AtW) first confirm that the customer's disability or health condition will affect their ability to do their job and if in doubt ask for [Assessment of the Impact](#).
2. Suggest reasonable adjustments to the employer and/or consider [Independent Assessment](#) .
3. Then identify the need for:
  - travel during working hours
  - communications support at a job interview
  - travel to work support
  - Support worker
  - adaptations to premises or equipment
  - special aids or equipment
  - miscellaneous support
4. When you have identified two or more solutions effect, review them and agree the most effective with the customer and employer. See [Considering Alternatives](#)

### Assess Impact of Disability

5. If it is not clear how a customer's condition affects the way they can or will do their job, arrange an assessment with a specialist for an objective analysis of how the customer's condition will affect their ability to a job. Do not ask for the assessment to identify or diagnose the condition or its causes.
6. Some customers will need to use an interpreter or another third party to help them with their application for AtW. That person might also help the customer to identify the types of support they need and offer to provide that support.
7. If you are concerned that the level of support requested is more than the customer needs, you can ask for an independent assessment through the contracted supplier.
8. You must not use AtW funds for diagnosis of disabilities or health conditions.

## **Historical Evidence and Assessments**

9. Any previous assessment that a customer has had due to having a job or being a disabled student or other private support, should be taken into account when assessing the level of support needed.
10. Further assessment may not be necessary unless the customer asks for one, the type of work has significantly changed or the previous assessment is no longer relevant.

## **Transferability/Portability of Equipment**

11. Always discuss the possibility of transferring equipment if the customer changes jobs in the future.

## **Work Psychologist**

12. Departmental Work Psychologists provide a case conferencing service that might be helpful to:
  - support analysis of complex customer needs
  - provide lead in defining the requirements and scope of external assessments

## **Independent Assessment**

13. Ask for an independent assessment if the customer disagrees with a previous assessment or it is difficult to decide whether there will be additional costs due to the disability/condition of the customer. However, in some cases such as where there is a need for Communicator Support at an interview, there will not be enough time to arrange an independent assessment.
14. Which type of assessment is appropriate will depend on the particular need/s of the customer.
15. Where the customer has applied for help with the costs of Travel to Work, a medical opinion may be helpful and the [Medical Request](#) form must always be used.
16. Other types of specialist assessments include:
  - technical for adaptations to premises and equipment
  - ergonomic – desk, chair , keyboard
  - impairment specific – 3<sup>rd</sup> sector organisations can provide expertise about special aids and equipment and adaptations to premises
  - product specific – suppliers and manufacturers of special aids and equipment can provide expertise about the use of their products and may be able to arrange trial periods for customers.



This is not an exhaustive list and you should familiarise yourself with the range and scope of specialists in your area.

## **Costs**

17. The costs of specialist assessments are met from general AtW budgets and are recorded under the appropriate element of AtW.
18. If the appropriate element of AtW has not been identified by the time the independent assessment is made record the cost under Miscellaneous.
19. All advice received should be clearly recorded in the customer's case, with supporting documentation and all action taken must also be recorded as supporting evidence. This is for approval and audit purposes and also you should attach any technical reports.

## **Miscellaneous**

20. Consultancy fees must not be met from the Miscellaneous budget if they can be met from the budget of one of the other elements of AtW.
21. For example: consultancy costs because of a task analysis to establish how many hours Support Worker provision is needed should be allocated to the Support worker element of AtW.
22. The cost of establishing which special aids are required comes under Special Aids and Equipment.
23. When the cost of establishing what support is required and this results in more than one type of support being identified, should be allocated to Miscellaneous.

## **Considering Alternatives**

24. If you identify more than one effective solution, they must all be recorded on the Business Case AtW2 form, together with the pros and cons of each one.
25. Then discuss each solution with the customer and employer to identify which is the most cost effective that fully meets the customer's needs.
26. If the customer/employer wants to use an option which is more expensive than another option which also fully meets the customer's needs, take this into account when you discuss contributions to be made.
27. Explain to the customer/employer that the AtW contribution will be based on the cost of the cheapest option which fully customer's employment needs.

## Vehicle Purchase

28. Normally AtW will not fund the purchase of vehicles but there are exceptional circumstances when the purchase of a vehicle would be the most cost effective option.
29. First identify to which element of AtW the cost of the support should be allocated. Different rules and considerations apply depending on whether the vehicle is work equipment or for travelling to work.
30. Vehicles such as
  - taxi for taxi drivers
  - lorries for hauliers
  - milk floats for milkman
  - tractors, mules, quad bikes, all terrain vehicles and any other equipment needed for agricultural work

are considered standard for these occupations

31. AtW does not fund the purchase of standard equipment but could fund adaptations to a customer's vehicle. This would come under the Adaptation to Premises and Equipment element of AtW and the guidance for this must be followed.
32. In exceptional circumstances, AtW can make a contribution to the purchase of a non standard vehicle where the standard vehicle cannot be used.
33. The contribution must be limited to the difference in the cost of the standard vehicle and the specialist vehicle with further deductions for business and social benefits.
34. Use the [Special Aids and Equipment](#) element of AtW to fund the contribution, using the guidance

## Travel

35. Travel to Work and 'Travel within Work' are different elements of AtW and there is detailed guidance to help you decide:
  - the customer's additional costs
  - the most cost effective solution
36. The ['Actual Cost of Travel'](#) section describes the circumstances when the purchase of a vehicle would be the most cost effective solution to a customer's travel to work needs
37. [Appendix 5](#) outlines the circumstances when AtW can fund the cost of an adaptation of a customer's own vehicle to allow them to travel to work

## Communication Support at Interview

38. Communication Support at Interview helps with the costs of employing an interpreter or communicator to accompany a customer at a job interview where the customer would have difficulties in understanding or making themselves understood.
39. It is normally used by hearing-impaired customers but it is available to anyone who has a disability which affects their ability to communicate.
40. It is available to all job interviews, including internal promotion.
41. Communication Support at Interview cannot be used for:
  - communication within a job such as job induction and job reviews, when you should consider a [Support Worker](#)
  - for customers attending interviews with a Disability Employment Adviser or other departmental staff
  - for attending other departmental programmes such as the Work Programme
42. Interpreters or communicators are to be employed in a format understood by the individual customer such as British Sign Language(BSL) or Lip speaking.
43. Other types of communication support such as Advocacy can be provided for customers with learning difficulties or mental health problems.
44. Usually Communication Support can be approved for up to 2 hours. In exceptional circumstances such as where a trade or aptitude test is involved, support can be provided for longer.
45. There is no limit to the number of interviews for which a customer can receive support but where they have repeated interviews which do not result in employment, consider referral to a disability employment adviser.
46. The following is a list of organisations which can provide information about British Sign Language or Lip Speaking:

Scottish Association of Sign Language Interpreters

Central Chambers, Suite 196

93 Hope Street

Glasgow, G2 6LD

Telephone 0141 248 8159

Scottish Deaf Association  
Central Chambers, Suite 62  
93 Hope street  
Glasgow, G2 6LD  
Telephone 0141 2482474 + 1854  
Textphone 0141 248 2477  
Fax 0141 248 2479

Association of Sign Language Interpreters for England and Wales and  
Northern Ireland  
Fortuna House  
Milton Keynes  
MK9 2EU  
Telephone 0871 474 0522  
Fax 01908 325259  
<http://www.asli.org.uk>

British Deaf Association  
Head Office  
3<sup>rd</sup> floor  
356 Holloway Road  
London, N7 6PA  
Telephone 02076 974 140  
Email [bda@bda.org.uk](mailto:bda@bda.org.uk)  
SMS/Facetime 07795 410724

## **6. Travel to Work**

### **Introduction**

1. Access to Work (AtW) can help pay towards the extra costs that arise as a result of a customer's disability or health condition.
2. The actual cost will depend on the method of transport used. AtW Travel to Work (TtW) will fund the most cost effective solution that fully meets the customer's needs.
3. If the customer decides to use a more expensive alternative TtW will only fund the difference between the normal cost and the most cost effective solution.
4. All TtW applications must be supported by a medical opinion from a suitably qualified health care professional unless it is clear from the customers' condition they are unable to use public transport.

### **Actions**

5. When considering a Travel to Work (TtW) application you must:
  - confirm disability prevents use of public transport and
  - identify if suitable home to work public transport is available
6. Then consider whether the customer needs:
  - temporary help
  - an adaptation to their vehicle or
  - can get a lift to work or
  - travel by taxi
7. Then identify if the customer:
  - has a motability vehicle
  - is entitled to a concessionary fare or
  - if a season ticket is available and
  - agree on the cost of the journey for a non disabled person
8. When all information is held decide on the most cost effective method of travel to work.

### **Normal Cost of Travel to Work**

9. Access to Work can help pay towards the extra costs that arise as a result of a customer's disability or health condition.

10. To decide if there are extra costs for Travel to Work you must first find out the normal cost of the journey for a person without a health condition or disability.
11. If the customer is recently disabled find out how they previously travelled to work.
12. If they previously drove to work the customer's contribution is 25 pence per mile.
13. Where no suitable public transport is available for all or part of the journey the customer's contribution is 25 pence per mile.
14. Where suitable public transport is available the customer's contribution is the normal public transport cost.

### **Independent Travel**

15. You must talk about the travel needs and choices available to support customers getting to and from work. Consider whether customer may only require support for part of the journey.
16. After initial support from Access to Work it is possible that a customer may eventually travel independently to work. In this case you must agree a travel plan and arrange for a short-term temporary solution to be in place.
17. Travel by taxi is available if this is the only choice due to the customer's disability.

### **Public Transport**

18. If public transport is not available at the times that the customer needs to travel it is not suitable.
19. If the journey by public transport would take more than 2 hours each way, it is unlikely to be suitable. You can use discretion to allow journey times of over 2 hours up to a maximum of 3 hours.
20. If suitable public transport is available, and the customer would use it if appropriate help or training was available, consider whether providing a [Support Worker](#) would be the most cost effective means of meeting the customer's travel needs.

### **Cost to the Customer**

21. If the customer is entitled to concessionary fares or free travel, the cost to the customer is the reduced fare or nil.
22. If season tickets are available you should assume that the customer will use one if it reduces the cost of travel.

## **Adaptations to Customer vehicles**

23. Disabled customers who drive to work can get the cost of adaptations to their vehicle to allow them to continue to use it.
24. Help may also be available through the [Motability](#) scheme if the customer is in receipt of:
  - Higher Rate Mobility Component of Disability Living Allowance or
  - Enhanced Rate Mobility Component of Personal Independence Payment or
  - Armed Forces Independence Payment or
  - War Pensioners' Mobility Supplement
25. Ask customers who get one of the above benefits if they wish to be supported through the Motability scheme.
26. The customer is free to choose whether they apply to Motability. A process map showing the relationship between the AtW process and the Motability process can be found at [Appendix 6](#).
27. Customer wishes to apply for Motability support:
  - refer them to Motability and
  - suspend assessment of the Travel to Work element until a response is received from Motability.
28. You must continue to assess any other elements of Access to Work support and put in place as quickly as possible.

## **Motability**

29. Customers who already have a suitable vehicle supplied through the Motability scheme should not need extra help from AtW.
30. A Motability vehicle that is not suitable for travelling to work, for example a motorised scooter, must not be taken into account when considering a customer's travel to work costs.
31. Customers not applying for motability or those who do not have a suitable vehicle from Motability may be able to receive Access to Work support to adapt a vehicle if this is the most cost effective solution.
32. You must tell customers that:
  - Access to Work will make a contribution towards adaptation costs
  - they are fully responsible for ownership, repairs, maintenance and all running costs
  - they make arrangements for the adaptation to be carried out and reclaim the agreed costs on completion
33. Applications for adaptations to vehicles should be supported by:

- an assessment of driving needs, usually through a [Motability accredited centre](#). or
  - a written medical appraisal, for example a healthcare professional's support for a customer asking for an automatic gearbox
34. Consider providing temporary alternative support while the adaptations are made.

### **Vehicles unsuitable for adaptation and purchases in lieu of adaptation**

35. Sometimes a customers' vehicle is unsuitable for adaptation. This can be due to age, or where it is more cost effective to replace a vehicle rather than adapt it, for example exchanging a manual transmission for an automatic.
36. AtW may be able to give a grant towards a vehicle that meets the customers' minimum needs.
37. The principle of cost effectiveness is taken in to account in every case regardless of the customers' social contribution. For example, it is hardly ever cost effective to pay taxi fares over a long period of time when considered alongside the approval of a grant towards a buying a vehicle. Some examples can be found at [Appendix 5](#).

**Note:** the examples are not exhaustive and are not meant to cover every scenario.

### **Adaptation of lease/hire vehicles**

38. The customer must check the terms of the contract before approval can be given for:
- adaptations requested for a leased vehicle or
  - one purchased via a finance arrangement
39. In either case permission in writing will be needed before adaptations can be made.
40. When assessing the cost of adapting a leased or hired vehicle take account of the subsequent cost of removal of the adaptation, if appropriate. These costs should be included in the customer's profile.
41. Consider providing other support on a temporary basis while the adaptations are being made.

### **Support Worker**

42. If a vehicle is available and the customer would use it given the correct help or training consider whether providing a [Support Worker](#) is the most cost effective way in meeting the customers needs.



### **Temporary assistance**

43. In some cases it may be more cost effective to fund training that will allow the customer to use public transport without help.
44. The aim of funding travel training is so the customer is able to use public transport on their own.
45. The customer may be more willing to consider this choice once settled in their employment. If this is the case, fund taxi travel for the first few months then look again at the customer's needs.
46. Occasionally a customer may need temporary help, for example where the customer has an epileptic fit and loses their driving licence for 12 months.
47. In cases where the customer has epilepsy, agree support for 12 months then look at again. If a customer's licence is not returned then extend support as appropriate.
48. Support should be considered on a case by case basis and looked at regularly.

### **Work Choice**

49. Travel to Work can be considered for Work Choice customers where they are eligible for Access to Work. If the only suitable Work Choice placement is beyond usual travelling distance, the normal cost can be reduced to the equivalent of the usual travelling distance.
50. In all cases specialist advisory teams must check if the Work Choice provider is subsidising the travel costs. If travel is being subsidised, the subsidy must be added to the normal travel cost.

### **Travel by Taxi**

51. In many cases the actual means of travelling to work will be by taxi. Access to Work may have a call off contract with a local taxi firm which must be used where possible.
52. The customer must provide 3 quotes from 3 different taxi firms who are registered with the local authority. The adviser to confirm that the rate charged is reasonable.

### **Shared taxis**

53. If taxis are shared, each Access to Work customer must contribute their public transport costs/mileage costs in full for the journey. Any other passengers sharing the taxi must contribute their share of the cost of the journey.
54. The combined contributions must be taken off the taxi fare and the outstanding balance met by Access to Work. This cost must be divided between customers sharing the taxi.

### **Lift from a friend colleague or family**

55. Where a friend, colleague or relative varies their journey to and from their place of work to give the customer a lift to and from work, Travel to Work can pay extra mileage cost if it exceeds the normal cost of the customer's journey.
56. Work out:
  - the mileage for the driver's usual journey directly to work
  - the actual mileage for the varied route
  - take off the usual mileage from the actual mileage
  - work out the cost of the extra mileage using the Access to Work mileage rate
  - take off the normal cost of the customers travel
57. If the driver is not varying their route then no Travel to Work cost applies.
58. Where a friend, colleague or relative makes two journeys to take the customer to and from work, the following applies:
  - if public transport is available:
    - the actual cost is the mileage cost for both journeys
    - the normal cost is the usual public transport cost for a single return journey;
  - if suitable public transport is not available:
    - the actual cost is the mileage cost for both journeys
    - the normal cost is the mileage cost for a single journey.

### **Flexible Personalisation**

59. Build in a tolerance to allow for small increases in support without the need for approval of a new business case and based on need only.
60. The percentage tolerance range must be between 1.5 and 5%, and must only be applied after all reasons have been included in the reaching of the yearly profile.
61. This tolerance must not be used for Special Aids and Equipment or Adaptation to premises and Equipment.

### **Buying a Vehicle**

62. In exceptional circumstances, buying a vehicle may be the most cost effective solution.
63. Access to Work support is only available as a contribution to the costs of a vehicle supplied through Motability. Access to Work funds, are not available to buy a vehicle from any other supplier.

64. AtW may contribute towards the deposit for a Motability vehicle.
65. All decision to give AtW support for buying a vehicle must be approved in advance by an AtW Senior Operations Manager.
66. If buying a vehicle is approved you must confirm that the customer is in getting:
  - Disability Living Allowance – Higher Rate Mobility Component or
  - Enhanced Rate Mobility Component of Personal Independence Payment or
  - Armed Forces Independence Payment or
  - War Pensioners' Mobility Supplement
67. You must refer the customer to Motability who will assess their circumstances and may be able to provide a suitable vehicle.
68. You must suspend assessment of the Travel to Work element of their Access to Work application until a response is received from Motability. A process map showing the relationship between the AtW process and the Motability process can be found at [Appendix 6](#).
69. If the customer needs any other elements of Access to Work support you must continue to assess put in place as quickly as possible.

### **Learner Drivers**

70. Customers can be considered for Travel to Work whilst they are learning to drive. Support can be approved for up to a year or the test date if sooner.
71. Before extending support further you must confirm that the learner is making progress and has a realistic prospect of passing the driving test.
72. Driving tuition cannot be paid for.
73. Access to Work cannot support the buying or adaptation of a vehicle for a learner driver.

### **Customers with more than one workplace**

74. You must find out whether there is a set pattern of travel on which to base costs. If no pattern, work out the extra costs for each destination based on the availability of suitable public transport/mileage and profile costs based on previous work patterns where known.

### **Travel costs within work**

75. Access to Work can be used to pay the extra costs of travel within work if the customer is expected to use:
  - a company car
  - their own vehicle or

- local public transport and is unable to do so because of their disability.
76. If the customer needs to travel by air/train the employer meets the additional cost.
77. Examples of the support are:
- costs of using a taxi for in-work travel, where public transport or a company car cannot be used
  - the cost of hiring a vehicle on a temporary basis where the customer's own vehicle is being adapted or repaired
78. When establishing extra costs, take into account all in-work travel costs the employer would normally pay. For example, mileage allowances or a contribution to the cost of a vehicle or the cost of a vehicle they supply.
79. If the customer is expected to pay some costs, deduct these, using either:
- the actual fare
  - the public transport rate or
  - AtW mileage rate to determine the extra cost.

### **Cost effectiveness**

80. If the work needs the customer to travel to a variety of sites and there is no default location provided by the employer, for example a piano tuner, use Travel to Work.
81. Before agreeing the support consider if the proposed solution is practical and cost effective. For example, if the customer is expected to use a company vehicle to do their job, such as a company rep, identify if a Support Worker driver is more cost effective than taxi fares.
82. Consider if it is more suitable and cost effective to adapt the company's vehicle (using the APE element) or the customer's own vehicle (using the Travel to Work element). If adapting a company vehicle the costs of removing the adaptation must be included in the agreed spend.
83. For customers expected to use public transport consider if training is appropriate and will be more cost effective than paying for taxis.

## 7. Support Workers

### Actions

1. Consider other options to a support worker.
2. If no other options identify:
  - suitable support worker(s) and
  - the tasks the support will take on
3. Check if help is already available within the work place.
4. Confirm the support worker will not do more than 20% of core duties.
5. Clarify whether the employer recruits or employs the support worker.
6. Confirm that the rates charged are reasonable and that holidays and sick leave are covered.
7. Decide on the AtW contribution towards the employer's costs.

### General considerations

8. The Support Worker (SW) element of AtW offers:
  - financial help to cover the full cost of providing a SW in the workplace and
  - to help the customer get to and from work.
9. In all cases, support is given to help the customer to do their job.
10. The SW should not:
  - be doing the work of or
  - replacing the disabled person
11. The only exception to this is where a work place SW is provided, then support is limited to 20% of the customer's job.
12. Support not directly work related, such as personal care facilities in the workplace, is not replacement of duties, and can be ignored in assessing whether the customer is being helped to do the job.
13. Identify the tasks that the SW will do for the customer and confirm they are all work related.
14. A support worker cannot give nursing care or help get the customer up and ready in the morning etc.
15. Access to Work support starts 'at the front door' – i.e. when a person is ready to go to work.
16. Decide:

- if the customer is decision making and directing the actions of the support worker
  - is the support worker allowing the customer to do the job
17. If yes to both questions identify tasks the support worker will do and decide how many hours can be supported up to a maximum of 100% of the customer's contracted hours.
  18. If the answer to either question is no a maximum of 20% of the customer's contracted hours can be supported as job aide replacement.
  19. There are many different [types of Support Worker](#) who can give different types of help; some will be ad-hoc or short term whilst others will be needed on a more regular basis.

### **Assessment of Need**

20. For each SW application you must consider if it is the most suitable and cost effective solution to meet the minimum needs of the customer.
21. Equipment like a loop induction system or use of a video relay system for someone with hearing problems, may be a more cost-effective solution than providing a SW for communication support.
22. Where the customer has problems with certain duties you must discuss job restructuring with the employer, this might avoid the need for a SW.
23. If a SW help agreed then decide what type of SW is most suitable, see [Types of Support Worker](#).
24. If you are unsure what level of support should be put in place, you can ask a Work Psychologist. They will help you identify the right support for complex cases.

### **Flexible Personalisation**

25. You must build a tolerance to allow for small increases in support without the need for approval of a new business case, where suitable, and based on need only.
26. The percentage tolerance range must be between 1.5 and 5%, and must only be applied after all factors have been included in the reaching of the yearly profile.

### **BSL Tutors**

27. Occasionally customers who are working as sign language tutors ask for support with communication in the classroom. All qualified BSL tutors have the skills to teach students without extra help. AtW interpreter support should be limited to the teachers first day in post and to meetings and events outside the classroom, such as an induction day.

## **Work Choice**

28. Customers who cannot do at least 80% of their core tasks may be more suited to Work Choice. You should facilitate this with the help of the local Disability Employment Advisor(DEA).
29. If a customer is now working for less than 16 hours a week but has an intention to increase their hours over time:
  - consider if the on going provision of a job coach or
  - job aide

will help the customer to achieve this goal.

30. With the approval of the Regional Manager you can extend support beyond the normal short period.

### **Does the Support Worker replace the need for another employee?**

31. Support is given to meet the customer's needs, not the employer's. AtW should not be used to help the employer avoid taking on other staff where needed.

### **Example:**

A Chief Executive role would be expected to have some type of Personal Assistant or Secretary therefore, we would not provide a SW to carry out tasks such as filing or photocopying. These tasks would not usually fall within the job description of someone working at Chief Executive level.

### **Is there a general benefit to the employer?**

32. Where a SW needs to be available at all times but may not be working all the time and is able to take on other duties consider if this gives any benefit to the business or firm? If there is some benefit to the employer you should negotiate a business benefit contribution.

### **Is there an overlap of support?**

33. If a customer is receiving funding from Disability Living Allowance/Personal Independence Payment or Independent Living Fund, you should find out how this may overlap with AtW funded support.
34. You should not assume that there is an overlap each case should be considered on its own merits.
35. DLA/PIP is for people who need help with personal care or have walking difficulties.
36. Independent Living Fund (I LF) is dedicated to the financial support of disabled people enabling them to choose to live in the community rather than residential care.

37. If a customer is receiving ILF, you should ask about their 'social care' package and negotiate with Social Services, who may continue to fund their personal care in work or contribute to the cost of extra support that is needed while the customer is at work.
38. If a personal carer can support the customer at work consider funding towards their travel costs.

### **Does Deadweight Apply?**

39. Under AtW, we cannot give help in situations where an employer has been giving support to an employee then withdraws help as a money saving strategy.
40. Employers have a legal obligation under the Equality Act 2010 to make reasonable adjustments, and if adjustments have already been made, employers cannot withdraw them just because AtW funding may be available.
41. If you have any doubts, you should ask for written evidence from the employer as to why support that was offered earlier has been withdrawn.
42. Deadweight can also apply to help offered earlier on a voluntary basis by a friend, relative or colleague if there has been no other change of circumstance, other than the withdrawal of help supplied earlier voluntarily.
43. If deadweight applies you should not offer AtW support.

### **Example:**

A technical design teacher has been receiving help from a classroom assistant to help with the lifting and carrying. Due to the teacher's disability, the assistant has been helping to set up some of the equipment under the teacher's supervision. The school has funded this for the last twelve months, but after a review of LEA budgets, they cannot afford to fund the assistant's post and an application for AtW has been placed. This is purely deadweight, so AtW help could not be offered.

### **Recruitment of Support Workers**

44. Unless there is a regional call-off contract in place, it is the employer's responsibility (or the customer's if they're self-employed) to recruit a SW.
45. If a call-off contract is in place in your region, but the customer or employer wishes to use a different provider, this is acceptable, but AtW support will be limited to the cost of providing support through the contracted route.
46. If the employer needs to recruit externally, you should tell them to do so through a recognised professional agency, for example members of the Federation of Recruitment and Employment Services (FRES).



47. Other local sources of advice include:
- Local Authorities
  - social workers already working with the customer
  - organisations or clubs working with disabled people
48. If a support worker (excluding BSL interpreters) is expected to work on a long term basis, typically more than 6 months, then Access to Work will normally fund on the basis of salaried hourly rates, rather than at the hourly rates typical of freelance or agency workers.
49. More information about organisations that can help with the recruitment of suitably qualified [interpreters](#) and advocates can be found in the [Communication Support at Interview](#) section of guidance.

### **What if the employer wants to provide the support through an existing employee?**

50. This can often be the most suitable and cost effective solution for all concerned. If the employee is being used to give full time support, AtW can repay:
- full salary
  - National Insurance
  - pension
  - leave and sickness payments.
51. We cannot, however make a contribution towards costs that the employer would have to meet anyway, such as heating, lighting and other building costs.
52. If the employee is only giving support for one or two hours a week, or on a more ad hoc basis you can repay the employer the standard going rate for that type of support in the local area. This is to make sure value for money from programme funds.
53. However, if you agree to pay the employer an hourly rate, you will need to confirm that the total profiled costs over the year will not exceed the SW's full salary. If it will, you should limit AtW funding to the full salary costs.
54. When employers use their own employees to support customers it is not right to pay a booking fee.

#### **Example:**

A customer needs 25 hours support per week and the employer has a suitably qualified employee who can give the necessary support. The employee's salary (including all on costs) is £27,000 per year.

The 'going rate' for support of this type is £28 per hour in the local area.

In this case you would need to work out the cost of support over the year – i.e 25 (hours per week) x £28 (rate per hour) x 52 (weeks per year).

As this total cost would be £36,400, which is significantly higher than their salary, you should restrict the AtW grant to £27,000.

However, if the same customer needed only 15 hours support per week, then using the average rate, it would work out at a cost of £21,840 per year, which is less than their salary, and therefore the most cost effective choice. It is this amount that we should pay.

### **What if the customer or employer wants to recruit a new employee as a Support Worker?**

55. Access to Work can repay:
  - full salary
  - National Insurance
  - leave and sickness payments and
  - recruitment costs including advertising
56. If asked by the employer, AtW can pay management costs up to 5% of the SW's gross salary. This covers the cost of adding the new employee to the payroll and any other HR activities.
57. Where an employer provides evidence to show that they have had to pay an amount greater than this percentage AtW will repay the full cost.
58. Redundancy and notice payments costs can be paid. Do not profile redundancy or notice payments into the applicant's profile, these costs should be profiled when, and if, they occur.
59. Provide an approval letter outlining the agreed support including the number of hours, rate of pay, etc. You will need to agree a fixed period for which we will pay to cover unexpected absences such as sick leave. It is usual to agree to pay for the SW if they or the customer are sick for up to 4 weeks.
60. If a customer accepts the responsibilities of being their SW's employer they might need additional support to fulfil this role properly. These costs can be approved through Access to Work where the need is related to their disability. You should agree an extra number of hours initially, but keep this under review. Do not meet this need through an increase in the hourly rate paid to the SW.
61. Rates of pay should be looked at again at the yearly review or if the level of support changes.
62. Customers and SWs who wish to find out their employment position must be told to contact their local HM Revenue & Customs (HMRC) office.

63. HMRC has a Helpline for new employers. The number is 0300 200 3211, textphone 0300 200 3212 and a [new employer pack](#) is sent to people who register through the helpline.
64. If any financial liability is incurred as a result of a customer being deemed an employer by the HMRC, you may arrange for the customer to be reimbursed from this element. In all such cases, tell the National Tier policy team of the details at once.
65. Customers who use family or friends to provide SW help are equally subject to the considerations above.

### **What if the SW is booked through an agency?**

66. For infrequent and ad hoc requirements this is usually the most suitable choice. Access to Work may have a call-off contract for this type of support which you should use if available.
67. If the customer or employer wishes to use an other supplier confirm that the rate quoted is reasonable. All quotes should be a total amount, including all support, travels costs and any necessary booking fees. This allows the AtW Adviser to see which agency offers the most cost effective solution for the entire service. If the other supplier's charges are greater than those that would be incurred from using the call off contract, limit the AtW support to the cost of providing suitable support through the call off contract.

### **Payment for a support worker**

68. Payment for a SW will only be made for the days on which a customer would usually work, and other days (such as leave) as written in the SW's contract of employment. You must ask for a copy of the SW's contract and keep it in the customer's case file to help verify future claims.
69. You should profile all costs over a 52-week period as the SW may be entitled to holiday/sickness payments from the customer/employer under the Working Time Regulations introduced in October 1998.
70. Under the regulations a worker is entitled to four weeks' leave. This is not in addition to contractual rights.
71. Access to Work will pay for these weeks leave, as it is an extra cost that would not have been relevant had they (employer or customer) not needed to employ the SW.
72. For Specific advice go to the [Health & Safety Executive](#) website.

### **Additional support worker costs / travel expenses**

73. SW travel expenses must be included in the hourly rate quoted for support. This makes sure we agree the most cost effective solution for the entire support.
74. If there are cases where we have agreed to pay travel expenses, repay costs at either the standard class public transport or the AtW mileage rate (25p per mile) if they have driven to the assignment.
75. Car parking charges cannot be reimbursed.

### **Additional support worker costs /Customer visiting overseas**

76. You will need to consider an application for SW help overseas.
77. The visit must be part of the customer's actual job and not be a developmental or career development opportunity.
78. If you are happy that the support is linked to the job and necessary, seek approval.
79. Any requests for travel or accommodation costs must be looked at carefully to make sure we are getting value for money.
80. You can use Expotel or the Internet to research the likely costs of this and authorise the most cost effective choice.
81. Support for people working abroad should be limited to 3 months in any one (rolling) year.

### **Additional support worker costs /SW attending meetings/conferences/training as a delegate**

82. Funding does not apply where a SW attends meetings, conferences or training sessions as a participant. The SW is engaged to give full support to the customer and cannot do this at the same time.

### **Additional support worker costs /Overnight support**

83. Where support is needed overnight, for example to be at a conference, the approved costs must be based on the [DWP Business Travel Policy](#) hotel rates. Repayment of necessary travel costs should be considered and must be limited to standard class public transport rates or the AtW mileage rate (currently 25p per mile) if the SW driving to the event.
84. However, if the SW drives the customer to the event, you will need to consider whether this is an extra cost, as the customer or their employer would have had to have met these costs as usual business travel.

### **Additional support worker costs /Meal allowance**

85. Extra SW meal costs owed for visits/trips outside their normal working pattern can be paid back on the production of a valid receipt. Costs will

be limited to the same restrictions and rates given within the [Departmental Business Travel/Expenses](#) guidance.

### **Additional support worker costs /Cancellation fees**

86. In some circumstances there may be a claim from a SW for a cancellation fee. Claims can be considered if the cancellation of the support is unavoidable and not caused by the actions of the SW or by the improvidence of the employer.

#### **Example:**

The customer has a SW for two hours each week for a team meeting, the customer phones in sick on the day of the meeting and notifies the SW that they will not be needed. As a result the SW claims a cancellation fee. This is alright for us to pay. However, if the employer cancelled the team meeting several days before but forgot to tell the SW, then the employer should take responsibility for this and meet any resulting costs.

### **Types of Support Worker**

#### **British Sign Language (BSL) Interpreter**

87. BSL Interpreters are specialist trained. They interpret English into BSL for deaf people or those with hearing problems.
88. There are different levels of qualification that interpreters achieve. You should make sure that a customer requiring this support understands the type of work situation that each skill level of interpreter can support. The customer must be able to make an informed decision about the level of BSL skill they need.

**Table of recommended levels of Interpreter for different types of assignment**

Type of event or meeting SW is needed for	Recommended minimum	
	CSW (Qualified NVQ Level 3 – level 6 Trainee)	BSL (Qualified NVQ Level 6)
Team meeting	X	
Training session – desk based	X	
Training session – technical	X	
Staff meeting – appraisal	X	
Staff meeting – disciplinary		X
Legal meeting (tribunals, court)		X

Conferences – known subject	X	
Conferences – unknown or technical		X

### **Level 3 and Level 6 (Trainee) Communication Support Worker (CSW)**

89. Communication Support Workers are qualified at NVQ BSL level 3 minimum, or level 6 Trainee, accredited by Signature
90. CSW are able to practice in most employment related environments (for example social workers, teachers of the Deaf, communicators, workers within Deaf organisations, schools, etc).

### **Level 6**

91. Interpreters are qualified at NVQ BSL Level 6, accredited by Signature & will have several years experience of regular BSL and are fluent in English & BSL.
92. BSL Level 6 interpreters are competent to practice in any employment related environment.

### **General Considerations for all Interpreters**

93. It is advisable that interpreters should not be expected to work for more than two hours without a break. If an event needs continuous interpretation for more than two hours two interpreters may be needed.
94. The event/environment
  - is this linked to the customer's actual job
  - has the employer/event organiser made all reasonable adjustments
  - is the setting informal or formal
  - are there structured breaks in place
  - will there be 'break out' or syndicate exercises
95. It is reasonable to expect breaks in any meeting/work activity, explore this with the customer.
96. If a second interpreter is needed you must talk about the possibility of the employer providing as part of a reasonable adjustment.
97. There are a number of issues to consider before agreeing what interpreter support is needed.
98. The participants
  - is it a straightforward one-to-one meeting
  - is there a large audience
  - are there several people going who require a BSL Interpreter

99. The content

- is the topic straightforward
- how important is the content
- will there be a rapid change over of speakers that makes interpreting more difficult
- what are the implications for the customer or others if there is a misinterpretation

### **Carer**

100. A carer is someone who helps a customer overcome physical barriers. For example, help with mobility or toilet use at work. Check with the customer whether they are getting help from elsewhere as there could be some [overlap with other benefits](#) such as Disability Living Allowance, Personal Independence Payment or Carers Allowance.

### **Counsellor**

101. For customers with anxiety, panic attacks or mental health related problems, a qualified counsellor may be useful in offering support and talking about work place coping strategies.
102. A counsellor might be useful in negotiating with an employer when a customer is experiencing problems coping with the job.
103. Support could be made available either at the customer's home or place of work.
104. This type of help is not available to Work Choice participants.

### **Driver**

105. A Support Worker driver may be authorised to:
- drive the customer to and from work or
  - travel during their working day.
106. It should not be used when someone varies their journey to drive a disabled person to work, or friends and relatives who are paid a mileage fee for the duty. These applicants must be considered under Travel to Work.
107. If a SW driver is needed on an on going basis tell the employer or customer to go through a recruitment agency.
108. If the SW is needed to make a return journey, but it is unlikely they could return home and get back to collect the customer within two hours, then we can pay an amount for 'downtime'. This payment must be limited to the National Minimum Wage rate. Details of the NMW rate can be found on GOV.UK.

109. This type of support is available for people on Work Choice.

### **Job-Aide**

110. A job-aide SW may be used where the customer is unable, due to disability, to do part of their job (up to 20% of customer's contracted hours).

111. This type of help is not available for people on Work Choice.

### **Job Coach**

112. A Job Coach is a person who gives specialised on-site support to someone disabled who has a job to start.

113. A Job Coach will help the employee:

- find a job
- learn the job and
- keep the job

114. Access to Work customers will have found a job by the time their application is taken or have a Work Trial to start. Therefore coaching for job search will not be funded by Access to Work

### **Learning the job**

115. A Job Coach analyses tasks and break them down into parts. The coach identifies skills and knowledge required to do the job.

116. They show the employee how to do each task:

- efficiently
- safely and
- in a logical way

117. A job coach can provide softskills coaching for customers with Asperger's syndrome or other learning difficulties. This helps them learn appropriate communication styles in the workplace.

118. Soft skills can include social graces, communication, language, personal habits, interpersonal skills, managing people and leadership. This list is not exhaustive, you can specify other duties in consultation with the customer, employer and job coach.

119. The coach stays with the employee until their learning needs are fully met and levels of support can be safely reduced.

120. This help is not available for people on Work Choice as the Work Choice Provider will help them embed themselves in the job.



## **Keeping the job**

121. The Job Coach checks progress, initially at pre-agreed intervals and then on an ad hoc basis. This can be requested by the employee or employer. This may be when:
  - a change of job or personal circumstances occurs or
  - when an employee's performance or behaviour gives cause for concern
122. The Job Coach aims to support and encourage an employee to become as independent as possible, taking into account individual circumstances, until the level of support needed is reduced to a minimum.
123. Job coaches work primarily, though not only, with the learning disabled and those with mental health conditions.
124. They can also be used to help and support other groups of people such as the physically disabled.
125. If an employee, as a result of an illness or accident, needs to change the way they do their job or re-learn their job, this support can include:
  - settling in
  - help with learning or re-learning their job
  - coping strategies
  - travel
  - making prompt cards for learning and routine tasks
  - some advocacy work with the employer e.g negotiating reasonable adjustments
126. As the role of the Job Coach is flexible, their duties may include some or all of those outlined above. This list is not exhaustive and you can specify other duties in consultation with the customer, employer and job coach.
127. To reflect the flexibility of job coaching you must make sure that the support put in place is tailored to the needs of the individual.
128. It is essential that an action plan is drawn up between customer and job coach. This is done during the first weeks of support. It identifies how support will taper off to a point where it is no longer needed on a regular basis.
129. Once the action plan has been drawn up you will need to look at it regularly to make sure that support is tapering off as planned.
130. Job coaching is always more intensive during the first weeks or months of work. Intensive means working actively with the customer for all or

part of each working day. This intensive period is varied to individual needs but should not last longer than 26 weeks.

131. An individual may require intensive support for longer than 26 weeks. There is discretion to allow up to a further 13 weeks provided an extension will allow support to begin to taper off.

For example, a problem or crisis in someone's personal life may mean that they take longer to settle in work than expected or their work activities or line manager have changed during their first weeks at work.

132. At the end of the intensive period of support, job coaching must begin to taper off as recorded in the action plan. The tapering off period is not fixed and needs to take account the individual needs. The aim must be that the individual will be working unaided within a suitable period of time.
133. If support is not beginning to taper off by the end of the 26 weeks (plus the 13 week extension if appropriate) the customer must be advised that referral to Work Choice is appropriate. The adviser must facilitate this with the help of the local DEA.
134. Even after an individual is working unaided there may be times when further job coaching is needed. For example if the work changes or there is a change of line manager or location.
135. Support is flexible, tell the customer they can ask for further support at anytime by making a change of circumstances application.
136. In these situations, the adviser simply confirms with the customer and Job Coach the reason for the request and how many hours of coaching needed and fund accordingly.
137. A new application is needed if the individual moves to new employment or if the last contact from them was more than 3 years ago.
138. If the number of requests for extra support suggests the need for long term continuous support, the customer must be advised that referral to Work Choice is appropriate. The adviser must facilitate this with the help of the local DEA.
139. Job coaches are employed by a variety of organisations, including charities and local authorities. Some work on a self-employed basis. It is essential that advisers make suitable checks to avoid double funding. Deadweight needs to be taken into consideration.
140. The employer may provide a Job Coach with suitable knowledge and experience of the role from within the workforce. Individuals may already have a Job Coach who has helped them secure the job and it is usually sensible to allow this coach to continue in the role.

### **Advisers must:-**

- Assess and agree initial levels of support with both customer and Job Coach.
  - Check for evidence of any pre existing funding streams by asking the customer, employer and Job Coach
  - Check that deadweight doesn't apply
  - Establish the period of intensive support likely to be required up to a maximum of 26 weeks
  - Agree an action plan with the Job Coach at around the 3 week stage which should clearly give an indication as to how and when the amount of support is likely to taper off, for example, full time intensive support for the first 2 months followed by a week by week reduction, if appropriate, until support has been reduced to a minimum.
  - Agree a review date two thirds of the way through the intensive activity period of support
  - Review the action plan with the customer and Job Coach to confirm that the need for support is tapering off
  - Exceptionally, agree an extension of up to 13 weeks if the need for further intensive support has been clearly identified with the customer and Job Coach.
  - Set a review date before the extension period has elapsed to check that support is tapering off. If it becomes apparent that the customer is unable to work unaided after an extension period has been granted, refer to Work Choice as an urgent retention case.
141. Any cut or withdrawal of support must be agreed with the customer and Job Coach.
142. A customer can ask for further help at anytime if their circumstances change.
143. This type of help is not available to Work Choice participants in supported employment but can be used to help people on Work Choice placed in unsupported employment.

### **Lip Speaker**

144. Lip speakers are trained so that their speech is easy to lip read.
145. They are used in conferences or meetings where the speakers are not trained to lip speak.
146. They repeat silently what is being said by the speaker using clear lip patterns.

147. Support can be put in place for people with hearing problems who do not use BSL.
148. If the event is likely to last more than a couple of hours you may need to consider the provision of two lip speakers.

### **Note Taker**

149. A Note Taker gives workplace support for customers who have:

- a hearing impairment or
- dyslexia

For example a customer whose hearing is impaired may need a note-taker at meetings and conferences.

150. Before authorising a note taker talk to the employer, there is usually someone at the meeting taking notes or minutes. If so there is no need for a SW note taker. This type of support is available for people on Work Choice.

### **Palantypist**

151. A Palantypist allows someone with hearing problems to go to meetings and conferences.

152. Spoken words are input in to a machine using Palantype chords. The information is converted into full written English that is seen on a screen or produced in transcript.

### **Personal Reader**

153. Support is available for those needing help with reading. This may be due to dyslexia, blindness or visual impairment.

154. They need access to text that cannot be provided by scanners or other special aids.

155. It is likely to be used in conjunction with special aids but the two forms of help must not overlap.

156. Support may be used as an interim measure when a customer is waiting delivery of equipment or other support.

157. This is available to people on Work Choice.

### **Travel Buddy**

158. This is someone who accompanies the customer when travelling to and from work. For example where a customer has:

- epilepsy
- a visual impairment

- a problem connected to the fear of travelling such as agoraphobia and who cannot manage travelling alone.

159. You may wish to consider this type of support for a short and decreasing period to allow someone newly disabled to become confident using public transport, rather than offer long term TtW support.

160. This type of support is not available to people on Work Choice.

### **Other**

161. Support workers can also deliver:

- strategy training to help individuals with specific learning difficulties or mental health issues cope better in work
- out of work support for customers experiencing mental health issues
- disability awareness training for colleagues and supervisors

## **8. Adaptation to Premises or Equipment (APE)**

### **Actions**

You must:

- confirm that APE applies
- talk about job restructuring with the employer
- visit the customer's place of employment
- arrange the correct technical expert to assess changes needed
- confirm the employer has met all necessary legal obligations
- confirm the employer/customer have relevant permissions
- confirm the proposed solution is fit for purpose/value for money
- consider the business benefit and daily living needs
- consider providing temporary support

### **Confirm that Adaptations to Premises or Equipment is suitable**

1. An APE application is for alteration to premises or equipment that changes them from how they were originally built/supplied. Do not confuse with a Special Aids and Equipment (SAE) case which supplies equipment.
2. Adaptations to new premises is not funded through Access to Work (AtW). Adaptations to premises will only be allowed in exceptional cases and is looked at by the National Delivery Manager where exceptional hardship exists.
3. Adaptations to customers' own vehicles must not be put under either APE or SAE. They sit within the Travel to Work element.
4. Adaptations to a specialist vehicle supplied by the employer such as a mechanical digger are put under the APE element.
5. It can be difficult, particularly with equipment, to decide whether an item should be under APE or SAE. To make this easier, think about the equipment being used by the customer and if it can be bought, or each piece of it, in its eventual state. If it can, then it's more likely that the item will be an SAE.
6. For example, providing a split keyboard may seem like an APE, as the customer's PC needs adapting. However, a split keyboard can be bought from a retailer and used without further changes. It is therefore a SAE.

7. Providing specialist software should come under SAE. However, if the software needs re-scripting to work fully with other software used by the customer it should come under APE.
8. A relevant piece of equipment may be adapted to meet the customer's needs for employment or self employment for the AtW award. Providing it is expected to stay serviceable for the life of the award, AtW will contribute to the cost for adaptations. Other conditions for the APE award must also be met.
9. If the equipment is not in place at the place of employment / self employment or is unlikely to stay serviceable throughout the full AtW award period the application must be dealt with under Special Aids and Equipment (SAE)..

### **Technical Experts**

10. Various external experts are available to help you decide on the right support needed. You should consider:
  - the customer's disability
  - your own areas of expertise and
  - the probable type of adaptation, eg building or employer's equipment

### **Visit the place of Employment**

11. Where an adaptation to premises is needed a visit to the place of employment must be made. This is by you or the expert.
12. Visit self-employed customers in the home or at the registered premises.

### **Employer's legal responsibilities**

13. Employers must make adequate provision for disabled people present on their premises. This applies to both employees and visitors and takes into account all forms of disability. You must be satisfied that employer has taken action to carry out their legal responsibilities before ATW funding is allowed.
14. Employers have a number of legal responsibilities under the:
  - Factories Act, 1961;
  - Offices, Shops and Railway Premises Act, 1963;
  - Building (Fourth Amendment) Regulations, 1985;
  - Chronically Sick and Disabled Persons (Amendment) Act, 1976;
  - Building Regulations, Part M, or in Scotland, Technical Standards, Part T;
  - Health and Safety Acts and other Regulations;

- Equality Act 2010,
  - England and Wales – regulatory Reform (Fire Safety) Order 2005 and Fire Safety (Scotland) regulations 2006.
  - Other European Union Regulations.
15. These regulations cover:
- access to premises
  - sanitary facilities
  - parking and
  - other aspects of a disabled person’s needs on working premises and buildings to which the public has access.
16. For advice on current regulations employers can contact:
- Local Authority Planning Departments
  - the Health and Safety Executive
  - Equality and Human Rights Commission and
  - Fire and Rescue Authorities.
17. Under Health and Safety requirements employers must do regular workstation assessments. Before agreeing to a ATW assessment you must ask for sight of the workstation assessment report and make sure its recommendations have been addressed.
18. Under Fire safety requirements employers have to:
- carry out fire safety risk assessments and
  - implement proper fire precautions and protections measures and
  - maintain a fire management plan
19. Funding cannot be used where there is a duty on the employer to supply facilities for disabled members of the public on their premises. For example, disabled access to public areas in a building. This applies even if there are disabled employees who also need the facilities.

### **Employer’s Equality Act 2010 obligations**

20. You must not give legal advice on Equality Act 2010 obligations.
21. Employers not sure about their legal responsibilities refer them to the [Equality and Human Rights Commission website](#) or asked to phone the helpline, details are on the website.
22. The Equality Act 2010 places a duty on an employer to make reasonable adjustments for disabled employees. Access to Work funding cannot be used to support these changes. Before agreeing AtW support, confirm the employer is taking steps to support these changes. The fact that



Jobcentre Plus agrees to provide AtW support does not mean that an employer has satisfied their duty under the Equality Act 2010.

23. Detailed advice for employers can be found at the [Equalities and Human Rights Commission website](#)
24. A fact sheet with information about landlord and property managers responsibilities can be found on the [Office for Disability Issues website](#)

### **Government buildings**

25. Support cannot be given for adaptations to Crown premises. A crown building is one owned by a Government Department, including those leased to another Government Department or Agency.

### **Remploy business sites**

26. Adaptations to Premises cannot be used if the customer is employed in a supported factory or Remploy business site. These factories are set up specifically for the employment of disabled people. Any support is provided as part of the working conditions.
27. Customers put with employers through Remploy Interwork are able to apply for AtW help.

### **Planning permission**

28. Some employers will need to apply for planning permission or need landlord's permission before carrying out an adaptation.
29. Where possible the customer should have quotations for building work and relevant permissions before your visit. Estimates of costs must include installation and training in use where suitable.
30. Extra costs, for example Architect's fees can be agreed in advance in order for the permissions to be sought.
31. The Local Authority may own a building for which they are being asked to approve a planning application. Request a statement of assurance from the Local Authority that it has complied with its legal obligations before any AtW funded alterations are made.
32. If AtW is not able to fund APE because relevant permissions are being sought, consider providing alternative [temporary support](#).

### **Value for money**

33. Before agreeing support you must consider if it is more cost effective to replace equipment rather than making an adaptation. Consider:
  - is the adapted equipment likely to need replacing within the period of agreed support

- is it more cost effective to get new equipment, although above present needs, if it presents a cheaper long term solution
  - any plans the employer has to upgrade equipment soon
  - the three quotes received before any planned work takes place
34. If you decide it is more cost effective to buy new equipment rather than adapting existing equipment the award must be made under [Special Aids and Equipment](#).
35. Decisions must be clearly documented in the business case.

### **Leasing and renting**

36. Leasing or renting equipment is usually expensive. Problems may occur if further adaptation is needed later on. For example, a penalty clause for early termination or the need to negotiate a new lease or rental agreement.
37. Before entering into lease or rental agreements all other possibilities must be looked into.
38. In some circumstances leasing or rental is the best choice. For example where an employee is on a short fixed term contract. Value for money must be the over-riding reason in deciding which course of action to take.

### **Preferred contractors**

39. Employers may wish to use contractors of their choice rather than the contractor who has supplied the cheapest quote. They may choose to have other work done at the same time to minimise disruption to the workplace.
40. Unless the company has an exclusive contract, AtW will only pay the agreed costs based on the lowest estimate that satisfies the customer's needs. The employer is responsible for any excess costs as well as any cost sharing arrangement.

### **Business benefit**

41. You must consider whether customers of the business or non-disabled colleagues during their work will use the adaptation. Consider if this will be of general benefit to the company. If there is a general business benefit a contribution must be sought, as well as a compulsory cost share.

### **Adapting home premises**

42. Where an adaptation to a customer's own home or premises is requested, you must make sure the adaptation is primarily for employment needs, not daily living needs.

43. An adaptation may be useful for daily living needs or increase the value of the property. Where this occurs take into account when talking about cost sharing.
44. Where an adaptation is requested that exceeds the minimum need, AtW only meets the minimum need cost.

### **Temporary support**

45. Adaptations to premises may be delayed by the need to get quotes or for a contractor to schedule the work into their plans. In these cases a short-term interim solution, for example a support worker, should be considered so that customers are inconvenienced as little as possible.
46. Temporary support must be taken into account when preparing the business case for approval.
47. If planning permission is refused, temporary support may be extended while you work with the employer to consider other choices. For example resubmission of amended proposals, re-location of employee.
48. Costs of temporary support must be allocated to the relevant account code for the support, not against APE.
49. Fill in an AtW2 for the temporary support you recommend and get it authorised within 5 days.

## 9. Special Aids and Equipment

### Actions

1. When considering the customer's request for items:
  - has the customer already had their own assessment
  - refer for an independent assessment, if needed
  - consider if it is standard equipment for the job
  - confirm it is an essential in work disability need
  - decide if it is provided by the NHS
  - consider available choices
  - get quotes
  - is it cost effective/value for money
  - consider temporary support
  - explore, with employers, the potential for a voluntary/reasonable contribution towards agreed solutions

### Agreeing on the Item(s) needed

2. When dealing with an applicant's request take into account their knowledge and awareness of possible solutions. This can be helpful and accurate in identifying need.
3. When a customer expresses a preference for, or awareness of, a specific item, managing customer expectation is vital to the AtW process. You must consider:
  - compatibility
  - usability
  - technological development and
  - value for money.
4. We aim to supply a fit for purpose and cost effective solution. This means looking at a range of choices and, if appropriate, rejecting a preferred choice in favour of another.
5. This does not stop the customer getting their preferred choice but we only contribute towards the most cost effective solution which meets the customer's employment needs.

### In work disability needs

6. Access to Work meets extra costs arising from disability. When considering applications:

- be sure the equipment is essential and the job cannot be done another way without the special aid
- consider the type of aid requested.
  - AtW does not provide aids of a medical nature. The term 'medical aids' includes anything used or worn about a person, that effectively treats or improves their disability or health condition and are outside of their working environment. This includes items such as:
    - glasses/frames
    - contact lenses
    - insulin pumps
    - cochlear implants
    - functional electronic stimulus devices, etc.
    - AtW fund the lens, colour test, tinted glasses but not prescription and frames for Irlens Syndrome
- applications for aids can be considered if there is a clear work related need, not just a social need, such as:
  - [Wheelchairs](#)
  - electric scooters
  - digital hearing aids
  - specialist walking sticks etc
- aids requiring invasive surgery cannot be supported under any circumstances
- be satisfied that the item is not standard equipment used by anyone doing the job
- be satisfied that there is no Health and Safety requirement for the employer to provide the equipment other than for the disabled employee
- make sure, if appropriate, a workstation assessment is planned or finished and that the report recommendations will be addressed wherever possible. AtW will only help in meeting extra costs that arise from disability
- check the employer is acting on their responsibilities and making all reasonable adjustments
- take into account any aids the customer has that may be useful. AtW does not replace help voluntarily given in the past unless there has been a change of circumstance

7. The AtW assessment process must not be delayed where an employer has to finish or fully act upon health and safety, workstation assessment or Equality Act 2010 responsibilities.

### **Hearing aids**

8. All applications for hearing aids must be supported by an audiology report.
9. The letter must be provided:
  - by the NHS Audiology Department or
  - accredited private dispensers of hearing aids working on behalf of the NHS
10. All letters from private dispensers must state they are working on behalf of the NHS. Letters from other private dispensers of hearing aids are not acceptable for Access to Work purposes.

### **Assessments**

11. Before recommending an application it may be necessary to get:
  - medical, specialist or technical advice
  - advice from suppliers or manufacturers
12. Advice is needed where it is difficult to identify whether a disability results in more problems over and above those of a non-disabled colleague doing the same job.
13. Technical or medical assessment costs are met by general Access to Work assessment budgets.
14. External assessment or consultancy costs are met from the Access to Work budget and are not subject to cost share.

### **Considering choices**

15. Some customers have a clear idea of what they feel is the best solution for their needs. Before recommending the application make sure all choices have been fully explored, including arranging any specialist or technical assessments where appropriate.
16. Consider:
  - can the job be restructured to remove the need for special aid or equipment
  - if the planned choice meets the minimum suitable requirement and offers the best value for money
  - can the employer be expected to provide the equipment for other non disabled employees

- can the employer provide the equipment as a reasonable adjustment
- will supplying the special aid benefit other employees
- does the installation of the equipment affects other employees, for example is a training need created, environment issues
- is the employer prepared to fund the equipment without Access to Work help.

### **Demonstrations and trial periods**

17. Besides an introductory demonstration a trial period may be necessary. If possible trial periods must be negotiated at no charge with the suppliers. If a fee is charged a maximum of two weeks trial should be agreed.
18. The cost of familiarisation training and the availability of support services in case of breakdown must be included.

### **Standard equipment**

19. Access to Work (AtW) will not fund items that are:
  - standard equipment
  - standard business costs or
  - Health and Safety requirements
20. These are needed whether the person doing the job is disabled or not.
21. If a solution is identified that includes both standard and extra items AtW will only cover the cost of the extra items.
22. The same rules apply to both self employed and employed customers.

### **Medical Equipment**

23. Access to Work can help with a grant towards the cost of medical equipment providing:
  - the item needed is vital to help the customer to carry out their job
  - it is identified as a solution after an assessment and does not pose a threat to the customer's health or condition
  - the item is not available through the NHS or there is a significant waiting list which would put the customer's job in jeopardy
  - it does not involve surgery/treatment

### **Wheelchairs**

24. All applications must have an NHS assessment.

25. A customer with a voucher towards the cost of buying a wheelchair must use it towards to the overall cost
26. A social and domestic contribution is taken into account. This is based on the number of days the customer works regardless as to whether the wheelchair is used on a non working day. Cost share is applied where appropriate.
27. The aids or equipment bought with AtW support are the property of the purchaser, who is the employer or the customer.
28. The purchaser is responsible for all:
  - insurance
  - maintenance and
  - running costs including
  - the costs of repair or replacement of parts

### **Cost effectiveness**

29. Our policy is to repay an agreed part of the cost towards suitable equipment that meets the customer's minimum requirement to do the job.
30. Consider voluntary/reasonable employer contribution.
31. Quotes are required for each item. These can be obtained from the Workplace Assessment Report, customer or employer.
32. The limits are :
  - £500 and under – 1 quote needed
  - £501 - £10,000 - 2 quotes needed
  - Over £10,000 - 3 quotes needed
33. Where a wide range of models exists get the best value for money and the most cost effective solution to fully meet the customer's minimum agreed needs.
34. Where a recommendation is made consider the most cost effective solution.
35. If the customer or employer wish to buy a higher value solution, which exceeds the customer's needs AtW support will be limited to the cost of the cheaper solution.
36. Value for money is achieved by giving the right support for the customer's need. This does not necessarily mean the cheapest solution, if it does not fully meet the customer need or if there are hidden costs for training, delivery or installation.



### **Temporary support**

37. Consider how AtW can give best value for money, especially if temporary support is needed whilst equipment is being arranged.
38. AtW aims to give help as quickly as possible. Where there are unavoidable delays for example set up of equipment, training, familiarisation, interim solutions such as support worker help may be considered. Customers and employers should be informed of likely delays and advised of the reasons.
39. AtW will not fund expensive on going temporary support where an employer or customer fails to give information or buy equipment previously agreed.
40. The cost of a temporary solution is recorded under the appropriate AtW element. For example Support Worker.

### **Motability**

41. If adapting the customer's vehicle is the most cost effective solution, consider if [Motability](#) applies.
42. If they are, ask the customer if they wish to use Motability to assess and install suitable adaptations.

### **Temporary Support**

43. If a vehicle is to be adapted, consider putting temporary support in place until the adapted vehicle is available.

# 10. Miscellaneous support classifications

## Information

1. Examples of support classified under Miscellaneous are:
  - extra, in work travel costs because of disability
  - short term or one off support which cannot be classified under other Access to Work elements for example:
    - the cost of disability awareness training for close colleagues of a disabled person
    - consultancy fees for establishing what are standard costs for a business, or where the element of support is not known at consultancy stage
    - Extra costs giving work related training at home for a customer who is unable to travel to a training centre
2. Attribute other costs to Miscellaneous when they cannot be applied to any specific element of support.

# 11. Cost Share

## Overview

1. Mandatory cost share can apply to all applications for Adaptions to Premises and Equipment (APE), Special Aids and Equipment (SAE) and Miscellaneous (except Travel in work) where:
  - the customer has been in paid employment for more than six weeks at the time of their application
  - the customer has been in paid employment for less than 6 weeks when they make their first application but then makes a subsequent application
  - the customer makes a renewal application
  - the customer makes an application for a non cost share element of AtW and then makes a subsequent application for either APE, SAE or Miscellaneous (except Travel in Work)
2. It is applied when the employer will have additional costs whether or not they retain the customer as an employee.
3. Mandatory cost share does not apply to applications for APE, SAE or Miscellaneous (except Travel in Work) providing the customer has been in paid employment for less than 6 weeks. In these cases any costs would be met by AtW in full.

## Cost share Applies

4. Where cost share applies, there is a threshold below which AtW pays none of the cost.
5. There is a £10,000 ceiling below which AtW pays up to 80% of the approved costs and above which AtW pays all the costs over the 3 year AtW period
6. There are four categories of employers:
  - micro employers with 1-9 employees
  - small employers with 10-49 employees
  - medium sized employers with 50-249 employees
  - large employers with 250 or more employees
7. With micro and small employers there is nil cost share and AtW pays all costs.
8. The threshold below which AtW pays no costs is £500 for medium sized employers and £1000 for large employers.

9. Do not include voluntary workers or take into account the number of hours an employee works when calculating the number of employees.

### **Recording Application Details**

10. You must identify the size of the employer by recording micro, small, medium or large in the notes space on DiSC and change the cost share status if necessary.
11. In all cases, the cost share marker status and AtW start date should be entered on DiSC3 jobs screen.
12. Details of the AtW application history must always be recorded in the customer's case to ensure there is a record of cumulative costs paid by the employer in repeat applications within the 3 year AtW period.
13. Once the 3 year AtW period ends, the cost sharing period starts again.

### **Franchises**

14. A franchise is a right given to an individual or group to market or sell a company's goods or services within a certain area or location.
15. An individual or group who purchases a franchise is called a franchisee and it is the franchisee who is the employer and not the company whose goods or services are being marketed or sold.
16. When you consider cost share you must establish how many people in total the franchisee employs as they may run more than one shop. If there is still doubt after contacting the franchisee you must use your discretion. Generally the benefit of doubt should be given to the franchisee .

### **Calculating the Threshold and Ceiling**

17. The thresholds include VAT even if the employer may be able to claim it back at a later date.
18. Any contribution made by an employer, including voluntary contributions, should be deducted from the total cost before any mandatory cost share is calculated.
19. You cannot take into account costs that an employer met before the application was made.
20. Where AtW support benefits a number of individuals such as improved building access and there are several disabled employees, only apply one threshold.
21. A threshold per person must be applied in cases of bulk applications for equipment.

## **Employer Involvement**

22. Generally it is the customer's employer who will be the cost sharer but sometimes a third party such as a Work Choice provider, contributes some or all of the cost. It is for the employer and the provider to decide who will contribute.
23. Involve employers as soon as possible in the application process and get their agreement to cost sharing before an application is approved.

## **Contacting the Employer**

24. In most cases, before an employer is approached, you must obtain the customer's written permission to disclose information.
25. You can agree not to contact a customer's employer but **only** if there is no requirement for the support to be used on the employer's premises or the employer is not required to confirm details of support received on the claim form. Cost sharing criteria still applies and you must be satisfied that the customer will meet the costs before you approve the application. Monitor such cases closely to avoid the possibility of fraud.
26. In all cases, an employer should be asked for a voluntary contribution whether or not cost sharing applies.
27. Any voluntary contribution made by an employer must be deducted from the total cost before you calculate any mandatory cost share contribution.
28. Always discuss with the employer the possibility of the customer taking the equipment with them if they go to another job with a new employer.

## **Multiple Employers**

29. Some customers will have more than one employer at the same time but need the same level of support for each job.
30. If the customer's cost share status is the same for all jobs, you must calculate the total support costs (regardless of the number of employers) and negotiate a fair cost share for all employers.
31. At the same time ensure that AtW pays no more than the share expected of it as part of the total cost.
32. Ownership of equipment will depend on the type of equipment is needed. For example computer software loaded onto an employer's system would be jointly owned as all employers would require a licence to run it.

## **Freelance workers**

33. Customers such as actors or people with technical jobs in the arts and media industries may have a series of employers or a series of short term contracts with one employer.
34. You do not need to approve short term contracts with each employer if you are satisfied that the customer can be classed as a freelance worker.
35. If you are in doubt about whether the customer is a genuine freelance worker, you can ask to see supporting documents such as membership of a relevant professional body or union, an appointment letter from the employer or the customer's self employed tax reference. Store copies of any document seen in the case file.
36. Treat freelance workers in the same way as self employed customers and record them as self-employed on DiSC.

## **Job Movers**

37. You must not consider cost share in cases where the customer moves from one employer to another even if there is no break between jobs, provided they apply within the first 6 weeks of starting the new job.
38. A customer who moves from one job to another within the same company such as on promotion is subject to cost share. They must complete a new AtW1 application form and the application must be treated as a renewal and given a new AtW start date.
39. Cost share applies in the following situations:
  - a change in a customer's health condition or disability creates a new need means a new AtW1 must be completed to make a repeat application
  - a change in a customer's job description creates a new need but there is no fundamental change in their duties should be treated as a repeat application within the existing AtW period
  - a new employer takes over the business but the customer's job remains the same should be treated as a repeat application but no need for a new AtW1
  - a new employer who changes the customer's fundamental duties creates a new need for the customer means a new AtW1 must be completed with a new AtW start date

## **Self-Employment**

40. If a customer becomes self-employed during the AtW 3 year period, they are no longer subject to cost share.

41. A voluntary contribution can still be requested.
42. When deciding if a self-employed customer is eligible for AtW, do not take into account the fact that they are earning the equivalent of the national minimum wage.
43. Customers who set up their own limited company and use PAYE are treated as employed

## 12. Complete Business Case

### Overview

1. You must start the completion of the business case by reviewing the details held on DiSC3 and check the employer and jobs screens for the customer to confirm that all required information has been recorded.
2. If the customer has provided evidence from a healthcare professional or has asked for independent assessments to confirm their needs, ensure the assessments are recorded on DiSC3 along with any other documentation in the customer's case.
3. The business case authorises all foreseeable Access to Work (AtW) for a customer over the 3 year AtW period and you must include all relevant costs.
4. Some costs which are over and over can be allowed as part of the AtW award and the following paragraphs give examples of other costs that might arise.
5. You must identify these other costs or where necessary [estimated](#) and included in the AtW2 business case.
6. An eligible AtW cost is the cost of the lowest suitable estimate.
7. If the employer or customer decides to use a different supplier, AtW can only fund the cost of the lowest suitable estimate

### One-off Costs

8. The installation or adaption of equipment can cause one-off costs such as delivery charges, installation and user training and these costs must be included in the business case.

### Support Worker Employment Costs

9. You must ensure that employment of Support Workers meets all relevant statutory obligations.
10. They must be paid at the national minimum wage and have the opportunity to take breaks and leave in accordance with working hours obligations.
11. Confirm the amounts or rates shown in the business case are appropriate.
12. Interpreters must not be expected to work more than 2 hours without a break. If a customer needs continuous translation for longer, the cost of 2 interpreters can be allowed.
13. The cost of sick leave and holiday cover can be included if necessary. Do not expect customers and Support Workers to align their leave dates.



14. If the employer is employing the support worker directly, you can reimburse expenses such as:
  - full salary
  - NI contributions
  - pension, leave and sickness payments
  - advertising costs for employers who have to recruit an interpreter from scratch
15. AtW can also pay for management costs for adding a new employee onto the payroll and any subsequent HR activities. This should usually be capped at 5% of the support worker's gross salary but can be more if the employer has proof.

### **Support worker Expenses**

16. The support worker's normal travel to work costs should be included in their original quote. If it is necessary for the support worker to make additional journeys to meet the customer's needs, an estimate of their mileage at the rate of 25p per mile must be included in the business case.

### **Estimates**

17. Any single item of spending with a single supplier over £500 must be supported by appropriate estimates.
18. The number and type of estimates depends on the expected level of expenditure as follows:
  - under £500 1 quote needed
  - between £501 - £10,000 2 quotes are needed which must be recorded in the business case
  - over £10,000 3 written quotes needed

### **Ineligible Costs**

19. Aids or equipment bought with AtW support belong to the purchaser who could be the employer or the customer.
20. The purchaser is responsible for all insurance, maintenance and running costs, including cost of consumables.
21. The employer keeps their responsibilities or premises and equipment which has been adapted with AtW support.

### **Deadweight**

22. AtW cannot give support where an employer has been providing support for an employee and then withdraws that support to save money.

23. Employers have a legal obligation under the Equality Act 2010 to make reasonable adjustments. If adjustments have already been made the employer cannot withdraw them just because AtW support might be available.
24. If you have any doubts, ask for written evidence as to why the support has been withdrawn
25. Deadweight can also apply to help previously offered by a friend, colleague or relative.
26. If deadweight applies you must not offer AtW support. See the example below.

### **Example**

A Technical Design teacher has been receiving help from a classroom assistant with lifting and carrying. Due to the teacher's disability, the assistant has also been helping to set up some of the equipment under the teacher's supervision. The school has funded this help for last 12 months but following a review of LEA budgets, they cannot afford to continue to fund the assistant's post and an application for AtW support has been made. This is deadweight and therefore AtW support cannot be offered.

### **Business Benefit**

27. If AtW support gives a significant benefit to the employer's business, you must agree an additional contribution from the employer to cover the cost of providing that benefit.
28. The extra contribution must be deducted from the overall costs before any mandatory cost share is calculated.
29. The most likely situation where there may be a business benefit is when AtW support has been given for Adaptions to Premises and Equipment(APE) and Special Aids and Equipment(SAE) but it can also apply to the other elements of AtW.
30. You must consider whether the business' customers or non-disabled colleagues are likely to use the adaptation or equipment and if this will generally benefit the business.
31. Record your decision about an extra contribution in cases where there is a business benefit on DiSC3.

### **Adapting home premises**

32. If a customer asks for an adaption to their home or premises, you must make sure that the adaptation is mainly for their employment needs and not for daily living needs.

33. You must also consider whether the adaptation will increase the value of their property. If it does, this must be taken into account when you agree a business/personal contribution from the customer.

### **Business Benefit from Support Workers**

34. If a support worker is needed regularly or be available at all times but is not working all of that time, they may be able to take on other duties.
35. You must consider whether this is of general benefit to the business. If you decide there is some general benefit, agree an appropriate business benefit contribution.

### **Social and Domestic contributions**

36. If a customer asks for AtW support which obviously has a social or domestic benefit you must agree a contribution from the customer.
37. The amount is based on the number of days a customer is not at work regardless of whether the equipment is used. If a customer chooses to leave the equipment at work then a contribution is still needed.
38. Occasionally when the purchase of a vehicle has been approved the customer must meet a high proportion of the cost as there is always a significant social and domestic benefit.

### **Other contributors**

39. Apart from the employer and customer you must always consider whether a contribution from other sources is appropriate such as another organisation or provider such as the Work Programme.

### **Agree Contribution**

40. Contact employers, providers and the customer to explain and agree the levels of mandatory and voluntary contributions they need to make.
41. If the employer is VAT registered they will probably be able to reclaim the VAT paid on special aids and equipment and you must ask the employer to contribute this amount in addition to any other voluntary contributions.
42. Record the decisions and details of contributions on the AtW2 business case.

### **Voluntary Contribution**

43. In all cases, whether or not mandatory cost sharing applies, you must ask the employer for a voluntary contribution.
44. Any voluntary contribution must be deducted from the total cost before you calculate the amount of any mandatory cost share.

## **Employer Involvement**

45. Generally the customer's employer will be the cost sharer but sometimes it will be a third party such as a Work choice provider.
46. It is for the provider and the employer to agree who will contribute and you must not become involved in the negotiations.
47. If mandatory cost share applies but the employer is not willing to cost share and no other cost share can be found, AtW support cannot be authorised.
48. Always involve the employer in the application process as soon as possible.

## **Multiple Employers**

49. Some customers will have more than one employer at a time but need the same level of support for all jobs.
50. If the customer's cost share status is the same for all jobs you must calculate the total cost of the support needed and agree a fair cost share for all the employers.
51. At the same time make sure that the level of AtW support is no more than the share expected of it as part of the total cost.
52. The customer has a single threshold and cost share level regardless of the number of employers they have at the same time.
53. Ownership of equipment will depend on the type of equipment needed.

## **Freelance Workers**

54. Customers such as actors or people in technical jobs in the arts and media may have a series of employers or short term contracts with the same employer. These are classed as Freelance workers
55. Freelance workers are treated in the same way as self-employed workers and are recorded as self-employed on DiSC.
56. Mandatory cost share does not apply with freelance workers and you do not need to agree any cost share with each successive employer.

## **Decision**

57. You must submit the completed AtW2 Business Case for approval before any support is bought.
58. Normally approval is given for the whole of the 3 year AtW period.
59. The grade of the approving officer depends on the cost of the AtW.
60. The following table shows the maximum amounts that can be authorised by which grade.

AtW Adviser	Up to £25,000 per customer over 3 years
AtW Regional Manager	Up to £100,000 per customer over 3 years
AtW Senior Operations Manager	All applications for support of over £100,000 in a 3 year period

### **Advance payments**

61. Exceptionally, advance payments may be considered following an assessment of the customer's needs.
62. If an advance payment is approved, payments for additional costs can be made for up to one month's support.

### **Approval**

63. An adviser can also be an approving officer for their own business case. This is providing the costs remain within the financial limits shown in the above table for the 3 year AtW period.
64. An approving officer can ask for advice from a more senior officer if the case includes new, complex or unusual expenditure.
65. As an approving officer, you must have the agreement of the National Delivery team before you approve the purchase of a car.
66. Part approval can only be undertaken if separate elements have been created in DiSC as part on the business case.
67. Once the approving officer is satisfied that the costs in the business case are reasonable, the customer's needs have been met and all other contributors and cost sharers have agreed appropriate contributions, the business case can be approved.
68. The decision must be recorded on DiSC3.
69. When the approving officer is not the adviser, they should tell the adviser of their decision.
70. The adviser should then tell the customer, employer and any other contributors in writing, of the decision using the DiSC3 letter.

### **High Cost Items**

71. When a business case includes costs of over £15,000 on a single item, the approving officer must consider contacting whoever buys the item, to agree appropriate terms if the supports stops being needed during the 3 year AtW period.
72. If the buyer is an employer, a transfer of equipment to a new employer at a discounted price could be agreed.

73. If the employer wants to keep the equipment for other employees, an agreement should be reached for some of the AtW contribution to be refunded.
74. If the buyer of the equipment is self employed, you must try and get agreement for AtW costs to be refunded if the business is sold.
75. If a self employed customer's business stops trading for other reasons, it is possible that other creditors will have prior rights on the business assets.
76. Any agreement reached must be recorded in writing, copies must be signed by both parties and the AtW copy kept in the customer's case file.

### **Notification**

77. When the adviser notifies by letter the customer, employer and any other contributors of the decision, the adviser should amend the letter to make sure it includes specific information about what has been approved. This includes:
  - the calculation of the award
  - the responsibilities of the purchaser as follows
    - maintenance and supply of consumables such as paper or batteries
    - insurance
    - allowing the customer to take suitable equipment if they change job
    - disposal of equipment when it is no longer needed
78. You must include contact details in case of enquiries about payments or the customer needs to report a change of circumstances.
79. If AtW support has been given for Permitted Work you must make it clear that the support is only for a maximum of 52 weeks.
80. Include in the notification relevant forms for the buyer of the support to claim reimbursement. For example include a DP226JPs if the customer is paying for a taxi or a DP224JP if an employer is adapting their premises.
81. A DP228JP must be sent with all approval notifications

### **Follow up**

82. The notification tells the customer or employer to go ahead with getting the support needed but with some types of support such as adaptations to premises or purchase of equipment, it may be some time before the support is in place. See the [Delivery of Support](#) section for more information.

## Reconsideration Process

83. The following gives details of the AtW Reconsideration process:
- decision notification to the customer to include details on the escalation process if they do not agree with the decision
  - the reconsideration inbox to be owned and managed by Halifax Reconsideration Team
  - reconsiderations to be dealt with in date order to meet the 10 day internal timescale
  - the Reconsideration Team to notify the customer within 48 hours of receipt of their reconsideration request by email or by whichever method of contact the customer asks for
  - the customer to be told their case will be reconsidered within 10 working days
  - the reconsideration to be undertaken using the Quality Check standard/template and put onto the quality database
  - the AtW Reconsideration Team adviser to tell the customer of the reconsidered decision in writing
  - the customer to be told that no further action will be taken if the original decision is upheld
  - the AtW Reconsideration Team to keep ownership of the case if the original decision is overturned and this must be treated as a new claim
  - feedback to be given to the original adviser (copying in their manager) using the QAF template

### Application Rejection letter:

If you want us to look at our decision again, you must contact us **within 4 weeks** of the date at the top of this letter. You can contact the Access to Work Reconsideration Team using the details at the top of this letter or by email at [northeast.atw@dwp.gsi.gov.uk](mailto:northeast.atw@dwp.gsi.gov.uk)

### Customer Decision Grant Approved letter:

#### If you think our decision is wrong

You can ask us to look at our decision again. You must contact us **within one month** of the date at the top of this letter. You can contact the Access to Work Reconsideration Team using the details at the top of this letter (or on page one of this letter if on page 2) or by email at [northeast.atw@dwp.gsi.gov.uk](mailto:northeast.atw@dwp.gsi.gov.uk)

If you contact us later than one month, we may not be able to help you.

## 13. Delivery of Support

### Actions

1. Confirm the required support has been [ordered / procured](#)?
2. Identify the expected [delivery date\(s\)](#) for support
3. Check that the support is delivered / provided on the [expected date](#)?
4. Confirm the support meet the [customers needs](#)?
5. Confirm that any appropriate [training](#) has been undertaken.
6. Decide when to [review](#) the case.

### Procurement

7. Once the Business Case has been approved, the required support can be purchased. Access to Work performance is assessed by measuring how soon the support is delivered after the customer's application is made. The case manager should take action to ensure that the required support is in place as soon as possible, chasing progress, taking account of any unexpected delays and putting temporary support in place where appropriate.
8. In most cases the employer will recruit the support worker or pay for the adaptation of premises or purchase of equipment. When they have incurred costs they will claim reimbursement of the agreed amount from AtW.
9. Self-employed customers will procure support themselves.

### Communications Support at Interview

10. You and the customer should agree between yourselves how a communicator is to be recruited. In many cases it will be the Disability Employment Adviser (DEA) rather than the AtW adviser who will work with the customer to employ suitable support.
11. When engaging a British Sign Language (BSL) or Lipspeaking interpreter preference must be given to qualified interpreters registered with [SIGNATURE](#) or [SASLI](#). BSL or Lipspeaking interpreters who are not registered with either SIGNATURE or SASLI should not be engaged.
12. Professional Advocacy support should be arranged through [Mencap](#) or the [Scottish Independent Advocacy Alliance](#).
13. You must take account of general Jobcentre Plus purchasing guidelines. There may be local call-off contracts in place. If you are using other



sources of communication support, costs must not exceed the cost of using these contracts without good cause.

14. Where Communication Support at Interview support has been provided follow up when the result of the interview is known. This is to see if the customer has been successful and will require further support to take up the employment.

### **Support Workers**

15. The method of recruiting and employing the support worker will have been agreed as part of developing the business case.
16. Some local partnership organisations and larger employers have call-off contracts in place with organisations who supply support workers or interpreters. Where such a contract exists it must be used to recruit the required support worker.
17. If the customer or employer wants to use an alternative supplier, this is acceptable but the AtW funding will be limited to the cost of the most cost effective suitable option.
18. In some cases the employer will have decided that an existing employee is able to take on the support tasks, and this will be a suitable and cost effective option.
19. If the employee is providing full time support, the eligible cost for AtW will be the full salary costs including NI and pension contributions, providing this is no more expensive than employing an external support worker.
20. If the employee is providing support on a part time basis while also doing some of their original job, AtW can reimburse the employer at the standard rate for that type of support in the local area.
21. If you agree to pay the employer based on the standard rate for that type of support in the local area, ensure that the total cost over the year does not exceed the worker's full time salary. AtW will fund salary costs up to a maximum of the employee's current salary. Calculation of eligible costs for support workers must be based on the standard rate for those type of support in the local area you must not apply a pro rata calculation to their current salary.

### **Adaptations to Premises or Equipment**

22. Adaptations to premises can have long lead times and additional unexpected delays can occur while work is being carried out. The case manager should monitor progress and provide or extend temporary support if required.

### **Preferred contractors**

23. Employers may wish to use contractors of their choice to make adaptations, rather than the contractor who has supplied the lowest

suitable quote. They may also choose to have some other work done at the same time to minimise disruption to the workplace.

24. Access to Work will only pay the agreed costs based on the lowest estimate that satisfies the customer's needs. The employer is responsible for any excess costs as well as any cost sharing arrangement.

### **Special Aids and Equipment**

25. Where aids or equipment have been provided on a trial basis during the assessment stage the supplier can be expected to complete the sale quickly when the funding is approved. For other cases ask the employer when delivery of the aid or equipment is expected, and follow up to confirm delivery.

### **Training**

26. Ensure that the equipment meets the customer's needs, and that they have received all relevant training. If other people need to be trained in relation to the equipment, ensure that they have successfully completed the training and that cover has been considered for holidays or sickness.

### **Ownership, Insurance and Disposals**

27. The aids or equipment purchased with AtW support are the property of the purchaser, who could be the employer or the customer. The purchaser is responsible for all maintenance, insurance costs and for disposal when appropriate.
28. Do not, under any circumstances, give advice as to how unwanted items should be disposed of other than, if appropriate, allowing the customer to take equipment with them to a new job.
29. The employer retains their responsibilities for premises and equipment adapted with AtW funding.

### **Transferability/Portability of Equipment**

30. Where possible, negotiate the transfer of equipment with both employers when a customer changes job.
31. Customers changing jobs with an existing employer should take their equipment with them.
32. Access to Work will pay reasonable removal and transportation costs for the transfer of equipment between employers if it is cost effective to do so.
33. To prevent delays in providing support advisers should consider purchasing new equipment if necessary

## **Delivery Date**

34. Identify the date that each element of support is expected to be delivered. The adviser should confirm that the support has been provided on the expected date and record the date that each element is delivered on the DiSC system.
35. As each element is delivered or implemented check with the customer that it meets the assessed needs. If the customer's needs are not adequately met record as part of the case history and an updated business case will be required to secure any additional funding required for alternative solutions.

## **Delays**

36. Continue to closely monitor delivery until all approved elements are in place. When delays occur in delivery, consider putting temporary support in place.

## **Reviews**

37. Once all the required support is in place and has been confirmed as meeting the customer's needs, consider how often to review the case.
38. Tell the customer when the review is due and agree an appropriate date and method of contact or venue with the customer.
39. All customers must sign a renewal declaration as part of each review, see template at [Appendix 3](#).

## **Annual Reviews**

40. As a minimum all cases must be reviewed annually.

## **One off Support**

41. Where the customer was provided with one off support, the review can be completed using the DiSC3 letter and the [Appendix 3](#) template to:
  - confirm that the customer's work related needs have been met
  - ask if there has been any change in the customer's circumstances
  - offer the customer the option to discuss any additional requirements with an adviser.
42. Issue the appropriate DiSC3 letter and the renewal declaration with a return envelope, if it is not returned within 14 days, phone or email the customer, explain the requirement for a signed renewal declaration and issue a duplicate renewal declaration.
43. If the customer has not returned the declaration within a further 14 days the adviser must arrange to visit the customer, note the case file and DiSC3.

44. If the customer indicates on their review declaration that all their requirements are not being met, arrange a meeting to review the requirements and put additional support in place if appropriate.

### **On Going Support**

45. For customers who are receiving on going support consider if a visit or telephone review is required. If a visit is arranged the AtW renewal can be completed at the meeting. For other reviews post the renewal declaration to the customer.
46. As part of every review confirm that:
- the support is being provided
  - the support continues to meet the customer's needs
  - claims for reimbursement are being made promptly
  - the amounts claimed are in line with the spend profiled for the customer
  - any [changes in the customer's circumstances](#) have been reported
  - any additional requirements for support are identified
47. In all cases confirm the customer is aware of their duty to notify Access to Work immediately if there is any change in their circumstances.

### **Shorter Review Periods**

48. Shorter review periods will be appropriate where;
- the customer has a temporary job or,
  - the adviser has concerns about the long term viability of a business or,
  - it has not been possible at the initial assessment to define the exact level of support required or,
  - the level of support required is expected to reduce over time as the customer becomes more familiar with their job or more able to use public transport.
49. Shorter review periods are equally applicable to employed customers, self employed customers or freelance workers. Where shorter review periods are required they should normally be quarterly, unless it is clear that employment will end earlier.
50. Where short review periods apply, a face to face meeting will probably be most effective but the adviser can agree a different type of meeting if appropriate. Contact the customer in advance of the meeting to confirm the purpose of the meeting and agree with the customer what evidence, if any, the customer can provide at the meeting to confirm their continued employment or self employment.

51. At the review meeting the adviser must discuss the situation with the customer, review any evidence available and decide if AtW support can be continued.
52. As part of every review the adviser must confirm that:
  - the support is being provided
  - the support continues to meet the customer's needs
  - claims for reimbursement are being made promptly
  - the amounts claimed are in line with the spend profiled for the customer
  - any [changes in the customer's circumstances](#) have been reported
  - any additional requirements for support are identified
53. In all cases confirm that the customer is aware of their duty to notify Access to Work immediately if there is any change in their circumstances.
54. Decide to extend the award for a short period, but the award should not be extended into a period when it is known that an employed or self employed customer will no longer be employed.
55. Support for freelance workers can be continued if the support is necessary for them to continue to secure employment, and it is reasonable to expect them to continue to secure periods of employment. Where the award is extended for a short period the adviser will arrange another review in 3 or 6 months.
56. Alternatively the adviser may decide that continuing employment is no longer an issue and set the next review for a year's time.

## **14. Change of Circumstances**

### **Identifying changes of circumstances.**

1. Access to Work customers must report any change in their circumstances to the Access to Work team. Remind customers of the need to report changes whenever you review a case.
2. Customers report changes by various of means of communication.
3. Customers in receipt of other Government benefits(OGB) or credits can report changes to another government office. Access to Work accepts changes in customer's circumstances details from OGDs.
4. Where the change may have an impact on the amount of AtW support payable you must seek confirmation from the customer that the change has happened.
5. If the customer is on Work Choice notify the specialist advisory team.
6. The DiSC3 record for the customer must be updated with all relevant changes and support reassessed if necessary.
7. If the change is likely to result in an increase in support from AtW, ask the customer to complete a new AtW1. Store written notifications and copies of evidence in the customer's case file.

### **Authorising changes to approved support**

8. A change in the customer's circumstances or a change in the rates charged for AtW support may necessitate an increase in the authorised amount of AtW support.
9. Leeway exists to allow small increases in support without the need for approval of a new business case.
10. In all cases the decision to apply the leeway must be confirmed by an adviser not previously involved in assessing the customer's needs. Confirmation that leeway applies must be recorded on the customer case file and the DiSC3 system.
11. Leeway cannot be allowed if the total amount of increases (including the increase currently being considered) since the last signed authorisation is £500 or more.
12. Leeway cannot be allowed if it takes the total amount approved into a higher approval bracket, for example if a Regional Manager has authorised expenditure of £59,900, increases of, or totalling £100 or more cannot be given leeway as this would take the total amount

approved to the level where Senior Operations Manager authorisation is needed.

### **Change to customers health**

13. Some health conditions can switch unpredictably between periods when the symptoms are stable to periods of deterioration. When a customer's health deteriorates there is likely to be an impact on their ability to do their job, but it may not be possible to fully re-assess the customer's requirements until their health stabilises. Record details of the change in a note on DiSC3 and consider booking a review at an suitable date in the future.
14. Consider whether temporary support could be put in place. This will enable the customer to retain their employment while their needs are reassessed or until they recover from the temporary change in their health or condition. Respond sensitively and flexibly to customers in these circumstances.
15. If increased support needed it must be supported by a revised business case and approved before more AtW payments are made. The cost share decision applied to the existing award will apply to the extra needs for elements where cost share applies.
16. A change in the customer's condition may lead to a reduction in the support required. Record the change and advise the customer that their requirements will be fully re-assessed at the end of the current AtW period. The customer/employer continues to claim repayment for elements of the AtW funding that are still required. If the customer has a Support Worker supplied by an agency, advise the agency of the changes in support needed.
17. Where the customer or their employer, employ the Support Worker, AtW can continue to fund the normal level of support for a maximum of 4 weeks. The profiled expenditure for the customer should be left unchanged, so that if the customer's condition deteriorates again the full amount of support originally agreed can be provided without delay.
18. All claims must be checked to make sure overpayments are not made.

### **Change in personal details**

19. Customers or other government departments can report changes in the customer's personal details. Update the DiSC3 record with all relevant changes and support reassessed if necessary. Notify any other government department or agency that needs the information, and record the action in a DiSC3 note.
20. Most changes in personal details will have no impact on AtW support. Changes of address may have an effect on Travel to Work costs or on a Support Worker's activities.

## **Change of name**

21. If the customer's name changes, update the DiSC3 record, verify the bank account details and update them if needed. If the customer's signature is held to verify claims, request a new specimen signature from the customer.

## **Change of Address**

22. If the customer moves to an address outside the AtW Operational Support Unit's(OSU) area:
  - identify the new OSU's contact details
  - give customer new contact details
  - ask customer to contact the new OSU as soon as possible
23. The customer must contact the new OSU if they want to continue getting AtW support.
24. When the customer contacts the new OSU:
  - search DiSC3 to identify the previous OSU
  - ask for the transfer of DiSC records and case file
25. When DiSC record and case file held by new OSU:
  - look at the support in place
  - is the support still correct
26. If more support needed consider if deadweight applies.

## **Changes to Employment**

### **Same employer, different job.**

27. A new job with the same employer may result in a change in support.
28. Make sure the job is new by confirming new duties or change in earnings.
29. If a new job the case is treated as a new application therefore:
  - a new AtW1 must be completed
  - create a new job entry and AtW start date in DiSC3
  - reassess the support needed
  - identify changes
  - apply Cost share
  - create an updated business case for extra costs and submit for approval



30. If new elements of support to be supplied, monitor delivery and consider the need for temporary solutions until the required solutions are in place.

**New employer (new owner of business), same job.**

31. Under the [TUPE](#) regulations the new owner of a business is obliged to take on the contractual obligations of their predecessor. This includes the cost sharing agreements with Access to Work.
32. Customer makes contact as a new employer has taken over the business:
  - update the employment details on DiSC3
  - contact the new employer to confirm they will carry forward the existing support arrangements
  - make sure the new employer is aware of their ownership and maintenance obligations for any equipment provided
33. If the employer wishes to renegotiate support arrangements, for example providing a Support Worker from internal staff rather than on going cost share, review the business case.
34. The change can be approved if it means a reduction or no change in the AtW support.
35. If the new arrangements mean an increase in the AtW funding, deadweight must be considered.
36. AtW will not pay for support that appears to have been withdrawn to secure funding from AtW.

**New employer, different business, same job.**

37. Customer starts work for a new employer doing the same job for which they previously received AtW support.
38. Identify the elements transferable to the new employer and negotiate with both employers for them to be transferred.
39. Some elements will not be transferable and others no longer needed.
40. Identify all extra needs for support and their costs.
41. Reconsider and agree cost share for extra needs, if appropriate. Create a new business case to include the revised needs.
42. If SAE or APE being transferred from the previous employment:
  - create nil cost elements for these
  - add any costs associated with the transfer and
  - submit the business case for approval
  - monitor delivery of support.

### **Freelance Workers**

43. Customers doing the same job on short contracts with various employers are treated as self employed.
44. This allows the customer to take responsibility for their support needs and saves the adviser having to repeatedly negotiate with employers for the transfer of support.

### **New location, same employer, same job**

45. An employer may ask an employee to work temporarily at a new location. They will take responsibility for normal extra costs resulting from the move.
46. If AtW funds significant support for the customer for example a Support Worker, it may not be reasonable for the employer to bear all the costs of maintaining this support to the new location..
47. You must negotiate with the employer making sure they make all reasonable adjustments.
48. Any requirement for more support must be shown on an updated business case and approved before extra costs are repaid.
49. If the new location is outside Great Britain AtW support can continue for a maximum of 3 months.
50. Where it is known that a customer will be working abroad set a review date on DiSC3 for 10 weeks time or the expected date of return, whichever is the shorter.
51. At the review date confirm that the customer has or will return to working in Great Britain within the 3 month limit.
52. If they are not expected to return before the end of the 3 month limit:
  - advise the customer that support will end when the limit is reached and
  - they will need to make a new application if they return to Great Britain
53. If the customer has exceptional reason for continuing to work outside Great Britain refer to the National policy team for approval before extending the support beyond 3 months.
54. When the 3 month limit has been reached end the AtW award so that further payments are not made.

### **Change in Employment Status**

55. Support can continue where a customer is suspended from their employment but still employed.
56. This includes paying for support workers to allow the customer to take a full part in meetings that may impact on their employment.

57. The DiSC3 system must be updated to make sure payments:
- are not made for support no longer needed and
  - the case is looked at regularly to determine if the customer has resumed normal work or is no longer employed

### **Changes to policy**

58. Changes to the AtW policy may impact on individual customer payments.
59. Unless the new policy announcement specifically states otherwise, payments to customers or their employers must not be changed until their current agreement period, normally 3 years, is finished.

### **Changes to Available Support**

60. Technological improvements may lead to a better way of overcoming a customer's barriers to work.
61. If a customer requests more support due to the availability of a new form of support and their other circumstances remain the same, consider whether the new technology provides a more cost effective solution to the customer's support needs.
62. If the new technology will reduce costs complete a revised business case and submit for approval.
63. In other cases tell the customer their requirements will be fully reviewed at the end of the current AtW period.
64. Keep up to date with the introduction of new products and services that may be of help to customers.
65. Any adviser or manager aware of new products via intranet, advertising, attendance at events, talking with customer etc, should alert other AtW staff at communications meetings.

## **15. Review of applications in payment**

### **Customer claims**

1. Payment is made on a repayment basis on the receipt of:
  - correctly completed applications and
  - original copies of costs
2. Payment can be made direct to:
  - a customer
  - their employer or
  - a third party

### **Pro forma invoices**

3. A customer or employer may not be able to pay an invoice due to cash flow problems. In this case, with the approval of the Regional AtW manager, accept a pro forma invoice with an application to trigger payment direct to the supplier.

### **Frequency of applications for on going support**

4. Encourage customers to submit applications on a regular basis, ideally on a 4-week cycle. Variations are acceptable if circumstances dictate.
5. Applications must not be made or submitted before the last day for which payment is claimed.
6. All applications must be submitted within 6 months of the date the original spending was incurred.
7. Do not issue pre-paid envelopes for return of applications.
8. All completed applications must be sent to the Operational Support Unit for authorisation.

### **Forms in alternative formats**

9. Computer accessible forms in txt and Word formats can be found on the [Access to Work Intranet site](#) under F for forms.
10. These are for customers unable to fill in printed forms.

### **Specimen signatures**

11. Signatures of applicant, employer contact, support worker or anyone involved in countersigning forms should be kept and used for verification purposes.
12. The signature on every application must be checked against the specimen signature(s) held.

### **Retention of documents**

13. All documents should be retained for 14 months after case closure.
14. If there has been an overpayment or fraud interest documents must be kept as an exception(s).
15. Once the exception(s) is cleared, keep paperwork for 14 months.

### **Incorrectly completed forms**

16. Payment teams must not accept forms where amounts have been amended or overwritten.
17. These should be returned to the customer with a covering letter. Explain why it is not possible to process. Ask them to resubmitted with mistakes corrected and signed, not initialled, by the customer.
18. Applications signed prior to the last day for which help is claimed must be returned for re-signing at the appropriate time.

# 16. Overpayments

## Overview

1. Access to Work grants are paid under section 2(1) of the Employment and Training Act 1973. Payments under the 1973 Act are not social security benefits for the purposes of benefit legislation, and therefore overpayments are not recovered in the same way as general social security benefits.

## Vulnerable Customers

2. Before any recovery action is taken, voluntary or otherwise, customers individual circumstances must be taken into account.
3. Vulnerable customers may include those with mental health conditions, physical disabilities or learning difficulties. A customer's personal circumstances could make them vulnerable.
4. All cases must be dealt with sensitively and in accordance with the Department's [vulnerable customers](#) policy.

## Recovery Action

5. All overpayments are calculated by the National Access to Work team.
6. Once calculated and regardless as to how they happened, all overpayments must be referred to the Accounts Receivable team.
7. All recovery action is taken by Norcross.
8. You must not enter into any agreement with the customer as to how the overpayment is to be recovered this will be done by Norcross.

# Appendix 1: Ministerial Government Departments

The following departments of the Westminster Government have agreed to fund all adjustments for staff directly employed by them and based at any location. **This means that Access to Work support is NOT available to employees of Ministerial Government Departments listed below unless covered in exceptions and variations. This includes travel costs. If in doubt, check GOV.UK.**

- Attorney General's Office
- Business, Innovation and Skills (Department for)
- Cabinet Office
- Education (Department for)
- Communities and Local Government (Department for)
- Culture, Media and Sport (Department for)
- Energy and Climate Change (Department of)
- Environment, Food and Rural Affairs (Department for)
- Foreign and Commonwealth Office
- Government Equalities Office
- Health (Department of)
- Home Office
- International Development (Department for)
- Justice (Ministry of)
- Northern Ireland Office
- Office of the Advocate General for Scotland
- Office of the Leader of the House of Commons
- Office of the Leader of the House of Lords
- Prime Minister's Office (No 10)
- Scotland Office
- Transport (Department for)
- Treasury (HM)
- Wales Office
- Work and Pensions (Department for)

This list is subject to change and may not be exhaustive.

Further information can be found on GOV.UK

### **Exceptions and variations:-**

#### **Ministry of Defence**

The Ministry of Defence will only fund adjustments for staff employed at their main building in Whitehall

#### **Department for Work and Pensions**

The Department for Work and Pensions will fund adjustments for all staff, including those employed by its executive agencies.

#### **Home Office**

The Home Office will fund adjustments for staff directly employed by them at any location and staff employed by the UK Visas and Immigration (formerly UK Border Agency). All other Executive agencies of the Home Office are eligible for Access to Work funded support.

#### **Border Force**

Border Force is a separate agency to UK Visas and Immigration, therefore, eligible for Access to Work support

#### **Child Maintenance Group**

The Child Maintenance Group is now part of DWP, therefore, Access to Work funding is not appropriate.

#### **Executive Agencies**

With the exception of the Home Office and the Department for Work and Pensions, Ministerial Government Departments will not fund adjustments for staff employed by their executive agencies. For example, the National Offender Management Service (HM Prison Service and the Probation Service combined) is an executive agency of the Ministry of Justice; therefore, adjustments required by their staff will be funded by Access to Work. Further information on executive agencies can be found on GOV.UK.

#### **Non-ministerial Government Departments**



Non-ministerial government departments have not agreed to fund adjustments for their staff, therefore, Access to Work is appropriate. Further information on non-departmental government bodies can be found on GOV.UK

### **Assessments**

Access to Work can provide assessments for people employed in any Ministerial Government Department other than DWP. All assessments for DWP staff must be dealt with by the [Reasonable Adjustments Support Team](#) (RAST).

## Appendix 2: Access to Work – request for medical opinion

**APPLICANT:**

**ADDRESS:**

I, the above named, hereby authorise you to supply Jobcentre Plus with any information that will support my application for help through the Access to Work programme.

I have applied for assistance under the Access to Work programme, which provides funding for practical support to disabled people in or entering paid employment to help overcome work related obstacles resulting from disability. In order to progress my application could you please answer the following questions.

**Applicant's signature:**

**Dated:**

-----  
-----

### **To be completed by medical practitioner / GP.**

*\*(Delete as appropriate)*

Please tick, if in your opinion, due to his/her medical condition the applicant

- \*Is unable to travel by public transport
- \*Is unable to drive
- \*Has a long-term (lasting over 12 months) condition that adversely affects his or her ability to carry out normal day-to-day activities or affects them at work only.

Please give further information that you may consider relevant

.....  
.....  
.....  
.....  
.....

**Medical Practitioner/GP's signature:**

**Dated:**

**Print Name Please:**

**Medical Practice Stamp –**

N.B. Costs incurred will be reimbursed on receipt of invoice

Your help in this matter is very much appreciated and I have enclosed an envelope for you to return the above information.

Thank you for your time and co-operation in this matter.

Access to Work Adviser  
Jobcentre Plus

## Appendix 3: Client renewal declaration

I CONFIRM THAT I HAVE BEEN RECEIVING ACCESS TO WORK ASSISTANCE AS DESCRIBED SINCE \_\_\_\_\_.

MY DISABILITY NEEDS AT WORK ARE/ARE NOT BEING MET  
*(delete as appropriate).*

I HAVE REPORTED ALL CHANGES IN MY CIRCUMSTANCES

I HAVE RECEIVED AND READ THE INFORMATION LEAFLET ON THE ACCESS TO WORK RULES AND MY RESPONSIBILITIES.

SIGNED .....

Date .....

Name

Address

*Please return this page to the Operational Support Unit.*

## Appendix 5: Adapted Vehicles

The guidance in this appendix only applies to vehicles required as the most cost effective solution to a customers Travel to Work needs as described in the 'actual cost of travel to work' section of the Travel to Work chapter.

Scenario	Policy/Process	AtW/Customer Contribution
<p><b>Customer already has their own vehicle that they can't use as it needs adapting</b></p> <p><b>This would come under the Travel to Work/AV element of AtW</b></p>	<p><b>Policy:</b> We can help with adapting a vehicle if this is the most cost effective solution.</p> <p>Customers will be required to make a contribution based on the number of days in the week when they do not work but will have use of the vehicle.</p> <p><b>Process:</b> Arrange for an assessment through an approved centre, see <a href="http://mobility-centres.org.uk">mobility-centres.org.uk</a>, to determine what adaptations the customer needs and whether the vehicle is suitable for adaptation.</p> <p>(Driving assessments are not included in the contracted holistic assessment)</p>	<p>We will fund the adaptations but the customer will be asked to make a voluntary social benefit contribution.</p> <p>Calculate the maximum AtW contribution using the following formula:</p> $\frac{\text{cost of adaptation}}{7} \times \text{N}^{\circ} \text{ of days worked}$ <p>Example:</p> <ul style="list-style-type: none"> <li>• Adaptation cost is £2800</li> <li>• Customer uses the car to get to/from work five days per week</li> </ul> <p>AtW contribution =</p>

	<p>Consider alternative support (such as taxis) if this is needed in the interim.</p>	$\begin{array}{r} \text{£2800} \quad \times \quad 5 \\ \hline 7 \end{array}$ <p>= Total AtW contribution of £2000 = Customer's social benefit contribution of £800</p>
<p><b>Vehicle unsuitable for adapting or vehicle purchase in lieu of adaptation</b></p> <p><b>This would come under the Travel to Work/AV element of AtW</b></p>	<p><b>Policy:</b> If a vehicle is unsuitable for adapting, for example, because it is too old or not large enough for the customers' needs then AtW can contribute towards the cost of a vehicle that meets the customers' minimum requirements. Sometimes, it is more cost effective to purchase a vehicle that meets the needs of the customer rather than adapt an existing one.</p> <p><b>Process:</b> Advise the customer that they must contribute towards the cost by trading in their existing vehicle against the cost of the newer one. As it will usually be more cost effective in</p>	<p>Use the formula as above but take into account the trade in value as part or all of the social contribution.</p>

	<p>the long run to adapt a newer car, AtW can assist towards the purchase of a vehicle up to 2/3 years of age, regardless as to the age of the vehicle being traded in. Customers' must be advised that moving them up the market to a newer car should be seen as a one-off and no further grants will be provided to purchase a newer car than the one they already have. Customers should, as far as possible, provide their own quotes.</p>	
<p><b>Customer already has their own manual vehicle but now needs an automatic car</b></p> <p><b>This would come under the Travel to Work/AV element of AtW</b></p>	<p><b>Policy:</b> We can help meet the additional cost of an automatic vehicle.</p> <p>When we fund the additional cost of an automatic, this should be based on a like for like swap (ie the same manufacturer, model and age of car).</p> <p>If it is not possible to find a similar vehicle with an automatic gearbox, the customer should look for the next available option</p>	<p>AtW can pay the difference between the car that the customer currently has, and a similar car which will meet their minimum needs.</p> <p>Examples:</p> <ul style="list-style-type: none"> <li>• Customer has a three year old manual Ford Focus which he can no longer use</li> <li>• He needs to use a car to travel to work four days per week</li> </ul>

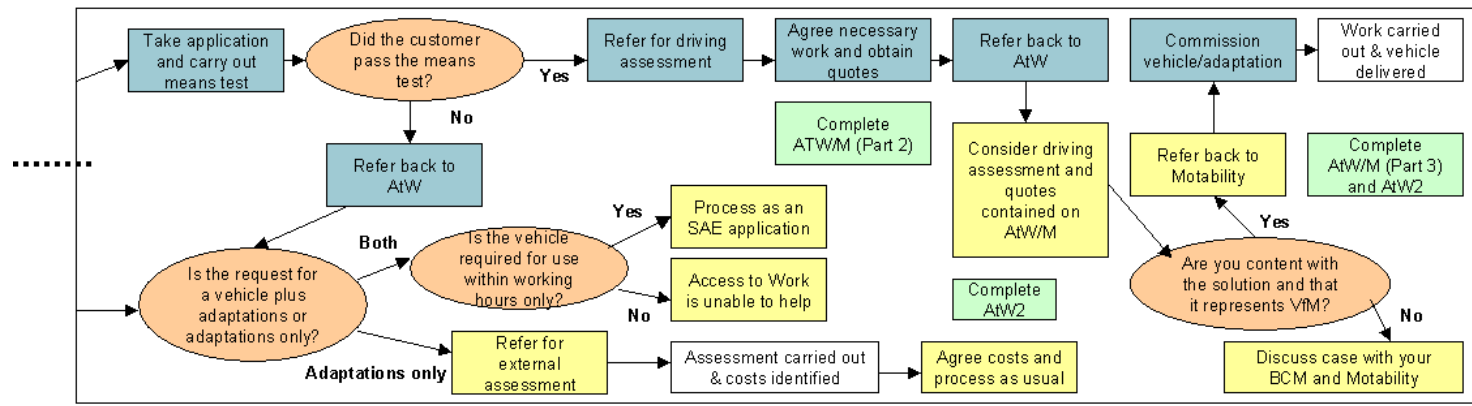
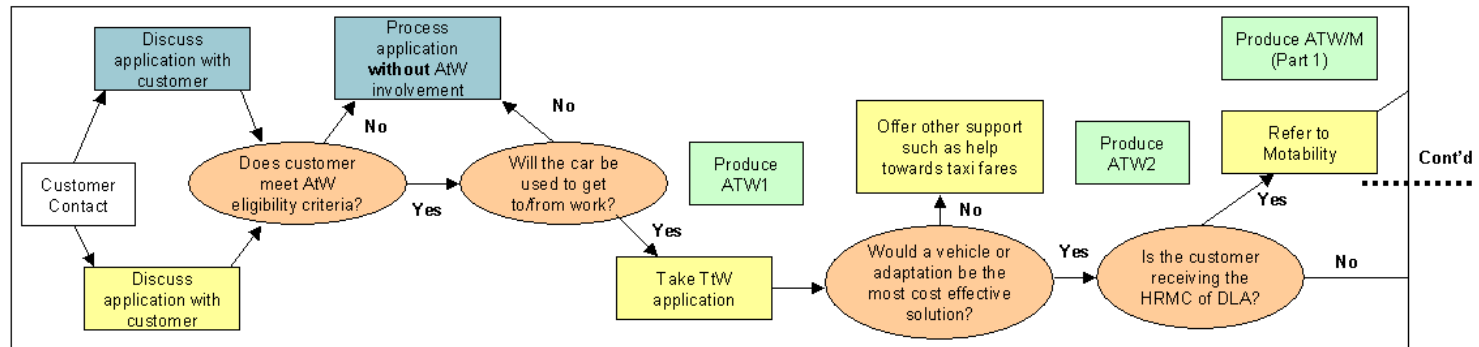
	<p>that would meet their minimum needs.</p> <p>If a customer's current vehicle is much older than the required vehicle, they should contribute the trade in price of the old vehicle towards the newer car and, in addition, make a social use contribution using the 7<sup>th</sup> formula used above.</p> <p>When we have provided a grant towards a newer automatic vehicle, it should be stated to the customer that we have now 'moved them into the automatic car market' and we will not help with any further grants towards any subsequent automatic vehicle.</p> <p>In general, a second-hand automatic vehicle may cost up to £500 more than a manual of the same model, age and condition, although newer vehicles may cost more.</p> <p><b>Process:</b></p>	<ul style="list-style-type: none"> <li>• He has seen an automatic car of the same age and spec at a local dealer and would have to trade in his car plus an additional £450</li> </ul> <p>This is a clear 'like-for-like' swap, so AtW will pay the additional costs. The customer should also be asked to pay a social benefit contribution worked out using the 7<sup>th</sup> formula – ie</p> $\frac{450 \text{ (extra cost)} \times 3 \text{ (days he doesn't work)}}{7}$ <p>This means that the customer should be asked to make a social benefit contribution of £192.85.</p>
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	<p>Advise the customer that we can help meet the additional costs of an automatic car of the same age/model as their existing vehicle.</p> <p>Costs of less than £500 can be authorised. Quotes must be obtained for anything over this amount.</p>	
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## Appendix 6: Access to Work and motability

### AtW and Motability



# Factsheet: Access to Work for Sector-based Work Academies

If you have a health condition or a disability, Access to Work can give practical and financial support to help you to overcome difficulties to starting or keeping a job.

Access to Work advisers can also give practical advice to an employer who offers a work experience placement as part of a sector-based work academy.

If Access to Work is appropriate, help is available for the work experience part only.

## How can it help me?

Access to Work can help pay for support you may need because of your health condition or disability.

The types of help available are:

- practical help during your time on work experience such as a support worker, job coach or a sign language interpreter
- aids and equipment in your workplace
- adaptation to equipment to make it easier for you to use
- money towards any extra travel costs to and from your work experience if you can't use available public transport or your own transport
- an interpreter or other support at a job interview if you have difficulty in communicating

## Do I qualify for this help?

You can apply for help from Access to Work for sector-based academy work experience placements if you have a disability or health condition that is likely to last for at least the next 12 months and which affects your ability to do your work experience. You also need to be;

- aged 18 or over
- living in England or Scotland
- about to start a sector-based work academy work experience placement

## **How do I apply**

For further information about the Access to Work programme or to apply, contact the Customer Service Team on the numbers below:

- Telephone 0141 249 4000
- Textphone 0845 6025850

# **Factsheet: Access to Work for Work Experience for Disabled Young Persons aged 18-24**

If you have a health condition or a disability, Access to Work can provide practical and financial support to help you overcome barriers to starting or keeping a job.

Access to Work advisors can also give practical advice to an employer or work experience provider.

If eligible for Access to Work, support will be available for customers aged 16-24 when undertaking a work experience opportunity.

## **How can it help me?**

Access to Work can help to pay for support you may need because of your health condition or disability, for example:

- practical help during your time on work experience such as a support worker, job coach or a sign-language interpreter
- aids and equipment in your workplace
- adapting equipment to make it easier for you to use
- money towards any extra travel costs to and from work experience if you can't use available public transport or your own mode of transport
- an interpreter or other support at a job interview if you have difficulty communicating

## **Do I qualify for this help**

You can apply for Access to Work support for work experience if you have a disability or health condition that has a long-term negative effect on your ability to do your work experience. Long-term means lasting or likely to last for at least 12 months and:

- you are aged 16 or over, and
- you live in Great Britain (England, Scotland or Wales), and
- you are about to start a new work experience opportunity

## **How do I apply?**

For further information about Access to Work or to make an application, contact our customer service team on:

Telephone: 0141 249 4000

Textphone: 0845 602 5850

Email: [atwosu.glasgow@jobcentreplus.gsi.gov.uk](mailto:atwosu.glasgow@jobcentreplus.gsi.gov.uk)

Web: [www.direct.gov.uk/accesstowork](http://www.direct.gov.uk/accesstowork)

# **Factsheet: Access to Work for Self-arranged Work Experience**

Access to Work can give practical and financial support to help you overcome difficulties to starting or keeping a job due to a disability or long term physical or mental health condition.

Access to work can also give practical advice and guidance to employers to help them understand physical and mental health conditions and how they can support employees.

Customers claiming a benefit and who start a self-arranged work experience placement with an employer may be entitled to Access to Work support as well as disabled people starting a self-arranged work experience placement and who do not claim a benefit.

## **How can it help me?**

Access to Work can help pay for support you need because of a disability or long term health condition. The types of support that may be available through Access to Work are:

- aids and equipment in your workplace
- adaptations to equipment to make them easier for you to use
- money towards extra travel costs to and from work experience if you can't use available public transport or your own transport
- employing an interpreter or other support at a job interview if you have difficulty communicating, or
- other practical help during work experience such as a support worker, job coach or a sign language interpreter

## **How do I apply?**

If you are claiming benefit speak to your Jobcentre adviser. If you are not claiming a benefit find out more at [www.gov.uk/access-to-work](http://www.gov.uk/access-to-work):

# Process: Work Experience for Young People aged 18-24

## Referrals

Referrals for disabled young people aged 18-24 on Work Experience must come from Jobcentre Plus Advisers. Therefore enquiries to AtW from those interested in or participating in Work Experience should be referred to their local Jobcentre.

The adviser must provide the young disabled person with a copy of the Young Person's work experience fact sheet from the AtW Guidance Homepage – [English](#) or [Welsh](#).

The Jobcentre Plus Adviser must email the appropriate AtW Operational Support Unit immediately using the following e mail address - [atwosu.london@dwp.gsi.gov.uk](mailto:atwosu.london@dwp.gsi.gov.uk) putting 'Work Experience' in the subject line. The main body of the email must include the customer name and national insurance number, a named contact for the company/organisation where the customer is about to start the Work Experience, and the Adviser/Work Experience co-ordinator details.

## Assessment

The case must be allocated to an AtW adviser to make an assessment of need by contacting the young person and the Work Experience employer to agree what type of support would best meet workplace needs.

Adviser must update DiSC with information and input their details as the owning adviser.

The adviser must then agree necessary support with disabled young person and the work experience employer and issue award letter and declaration.

Adviser to provide an update to the Jobcentre Plus Adviser/Work Experience co-ordinator.



# **Process: Access to Work (AtW) for People at a sector-based work academy (SBWA)**

## **Referrals**

Advisers must make referrals for disabled people 18+ at a sector-based work academy. Therefore enquiries direct to AtW from those interested who are at a SBWA must be referred to their local Jobcentre.

The adviser must identify that the disabled person may benefit from AtW and provide the person with a copy of the [sbwa fact sheet](#).

The JCP adviser must email the AtW Operational Support Unit immediately using the e mail address - [atwosu.london@dwp.gsi.gov.uk](mailto:atwosu.london@dwp.gsi.gov.uk), putting 'Sector-based work academy' in the subject line. The main body of the email must include the disabled person's name and national insurance number, a named contact for the company/organisation where the person is about to start at the sbwa and the adviser/sbwa co-ordinator details.

## **Assessment**

The case must be allocated to an AtW adviser to make an assessment of need by contacting the disabled person and the sbwa employer to agree what type of support would best meet workplace needs. The adviser/sbwa co-ordinator details must be input into DiSC notes.

Adviser must then agree the necessary support with the disabled person and the employer, and updates the Adviser/sbwa co-ordinator

# **Process: Access to Work Advance Payment Process**

## **Eligibility**

Confirm that a customer is eligible for Access to Work in the normal way.

## **Assessment of Support**

The initial part of the assessment process will be as normal, including any external assessment where appropriate.

Advance payments should only be considered following an assessment of needs by an adviser and only in exceptional cases.

When an adviser decides that a new customer might benefit from advance payments they must check if the customer has any history of fraudulent applications for Access to Work.

If there is a record of fraud the adviser will note the case record that the customer is not suitable for advance payments.

If the customer does not have any history of fraud the adviser must clearly explain how advance payments work.

The adviser must ensure that the customer and/or their representative fully understands the advance payment option and their responsibilities if they decide to take up the option.

The customer and/or their representative must be made aware that they will be expected to take responsibility for managing their own funds. For example if a customer wants payments to be made direct to a taxi company, the adviser must explain that it is the customer's and/or their representative's responsibility to agree a contract with a firm.

If a customer has decided that their employer will also employ a Support Worker then an advance payment is not appropriate

## **The Process**

Access to Work can make payments for additional costs of up one month's support in cases where a customer would struggle to take up work because of the upfront costs of the support they need.

Advance payments can continue for a maximum of 3 months. After that time, costs will be refunded in arrears in the usual ways but the change from advance to arrears can be staggered over a further period of 3 months as follows:

- adviser agrees advance payment and issues terms and conditions to customer and/or their representative
- customer and/or their representative asked to return form to London Operational Support Unit (OSU)
- OSU authorises payment once they have received customer's signed agreement to terms and conditions
- spread sheet to be completed
- OSU to start the process to reverse payments in advance to payments in arrears over 3 months
- OSU issues claim forms and instructions about future claims and where forms should be returned to

The customer and/or their representative is responsible for:

- identifying and buying the appropriate support
- collecting evidence of the support bought for the Access to Work adviser during the case review
- notifying the adviser of any changes in their circumstances as soon as possible

Any changes in the cost of support during the advance payment period will be taken into account during the next scheduled case review.

The customer can cancel the arrangement at any time during the advance payment period.

The adviser must explain the payment options to the customer and/or their representative and if they are interested in advance payments, the adviser must give them the terms and conditions.

The adviser must give the customer and/or their representative time to read the terms and conditions and ask any questions.

Once the adviser is satisfied that the customer and/or their representative has fully understood the advance payment option they can offer it to the customer.

If the customer wants to take up the offer of advance payments, the adviser must record the decision on DiSC and issue DP228 form for the customer's account details.

If the customer does not want to take up the offer of advance payments, the decision must be recorded in note form on DiSC and continue with the case.

The customer and/or their representative must be asked to provide the adviser with quotes from potential suppliers of the support needed. These quotes are to be used when assessing and discussing the customer's needs to decide an appropriate amount for the advance payment.

## **Business Case**

Once the customer returns the signed copy of terms and conditions, the completed DP228 and quotes for expected costs, the adviser must check whether costs are reasonable and use this information to complete business case on DiSC. The business case must show the total funding for the 3 year Access to Work period as normal.

Adviser must send the DP228 to the OSU payments team to set up the payee details on DiSC and to get the RM reference.

The adviser must email a request for authorisation of the advance payment to their manager and record on DiSC details of the amount and period covered by the advance payment in the notes space for the relevant part of Access to Work.

The customer must be advised how long a payment will take to reach their account.

The team Manager must indicate that a payment request is authorised by forwarding the request to the nominated officer in the OSU payments team for immediate payment.

## **Reviews**

Advisers must review cases at least a week before the current advance payment is due to run out. A review should:

- confirm that the amount paid was reasonable
- confirm that the customer can show how they have used the payment to buy the support
- check and issue the level of funding needed for the next period
- check for any changes in the customer's circumstances

If the amount advanced was significantly more than needed then the excess must be put towards the next advance payment. If the amount was less than needed, the adviser must update the business case and increase the next payment and pay arrears for the initial shortfall.

The adviser can withdraw the advance payment if it is clear that the payment is not being used for purpose it was intended.

The adviser must decide on the length of the next advance payment period up to the maximum of 3 months and a date and format for the next review. Straightforward cases can be delegated to the payments team for the next review.

## **Management checks**

Manager must;

- use the Access to Work Quality Assurance Framework to review a percentage of assessment of need discussions between an adviser and a customer
- review all advance payment authorisations
- use the Access to Work Quality Assurance Framework to review a percentage of case reviews

### **Additional information**

Access to Work will make payments for additional costs of up to one month's support; for example, in cases where a customer would struggle to take up work because of the affordability of the upfront cost of their support.

Advance payments can continue for a maximum of 3 months before the customer moves to the standard refund of costs in arrears. The transition from advance to arrears can be staggered over 3 months.

- Adviser agrees advance payment and issues terms and conditions to customer.
- Customer to return signed form to London OSU.
- OSU receives terms and conditions and authorises payment
- Spread sheet completed
- OSU begins process to reverse process to payment in arrears within the 3 month window.
- OSU issues claim forms and instructions on future claims and where forms should be sent to.

### **Customer Responsibilities**

- 1 To identify and purchase suitable support.
- 2 To collect evidence of the support purchased and make this available to their AtW adviser at the case review.
- 3 If the cost of support changes during the advance payment period this will be addressed at the next scheduled case review.
- 4 The customer will notify AtW of any change in their circumstances as soon as possible.
- 5 The customer can choose to cancel the arrangement at any time.

The adviser will outline the payment option to the customer and ask if they are interested. If the customer is interested in the offer the adviser should issue the customer with the Terms and Conditions.

The customer must be given time to read the terms and conditions and ask any questions they have. When the adviser is confident that the customer understands the advance payment option they can offer it. If the customer wants to take up the offer, the adviser will record the decision on DiSC and issue a DP228 form for the customer's account details.

If the customer declines the offer the adviser should record the decision in a note on DiSC and continue with the case using existing procedures.

The customer will be asked to provide the adviser with quotes from potential suppliers of support and these will be used in the appraisal of need discussion between the adviser and the customer to determine an appropriate amount for the advance payment.

## **1 Business Case**

When the customer returns the signed copy of the terms and conditions, the completed DP228 and the quotes for their expected costs the adviser will check that the expected costs are reasonable and use this information to complete the business case on DiSC. The business case will show, as normal, the total funding for the 3 year AtW period.

The adviser will FAX the DP228 to the OSU payments team who can set up the payee details on DiSC and get the RM reference.

The adviser will email a request for authorisation of the advance payment to their manager.

The adviser will record details of the amount and period covered by the advance payment in the notes space for the relevant element on DiSC.

As no special systems will be used to make the payment, the adviser should give the customer a realistic idea of how long a payment will take to reach their account.

Advance payment requests will be reviewed by the Team Manager. To indicate that the payment request is authorised the team manager will forward the request to the nominated officer in the OSU payments team for immediate payment.

## **2 Payment**

The payments team will issue the advance payment to the customer or their representative. Payments will be recorded on DiSC and issued through shared services / RM.

## **3 Reviews**

Advisers will review cases at least a week before the current payment is expected to run out.

The aims of the review are:

- Confirm that the amount paid was reasonable
- Confirm that the customer can demonstrate how they have used their funding to purchase support
- Check and issue the level of funding required for the next period
- Check for any changes in the customer's circumstances.

The Adviser will confirm that the amount paid was appropriate by reference to the evidence supplied by the customer. The customer (or 3<sup>rd</sup> party) will provide evidence of how they have used the money for their support needs by providing receipts or invoices and completing an annotated claim form.

The customer and adviser will discuss any variation between what was used and what they expected to use. Advisers should find out why the variation has occurred and consider whether any action is required. No action is required for minor work related variation such as a day's illness or overtime work at short notice.

If the amount advanced was significantly more than required then the excess will be treated as applicable to the next advance payment period.

If the advance payment amount was less than needed then the adviser will update the business case and increase the next payment to the level required, adding arrears for the initial shortfall.

The adviser can withdraw the facility if they have doubts about how the funding is being used.

The adviser will decide on the length of the next advance payment period up to a maximum of 3 months.

The adviser will agree a date and format for the next review with the customer.

If the case is straightforward the adviser can decide to delegate the next review to payments team.

#### **4 Management Checks**

Managers will use the AtW QAF to review a percentage of appraisal of need discussions between the adviser and the customer.

Managers will review all advance payment authorisations.

Managers will use the AtW QAF to review a percentage of case reviews.