

## **Making Work Accessible, with Access All Areas**

### **Answers to questions from the livestream audience.**

Here, we've answered some of the questions from the livestream. We've kept people's names in so you can easily look for the questions you asked. Let us know if you'd like us to remove your name.

Unfortunately, I've not had time yet to make an accessible version of this document because of the detail. I will try to record a zoom video going through these questions soon and post it on the webpage too.

As always, this is all just from my experience. I'm not a legal expert, and I don't work for DWP. **Please do your own research, get other advice, and let me know if you think anything I've said below is incorrect.**

Happy reading!

Patrick



**2:20 PM Ash Cox**

**AAA Team, after event can you make a list of links of things/people that have been mentioned please :)**

Hey Ash! On this webpage, you can check out

- The presentation slides
- The livestream recording

And this document will try to answer questions from the chat.

We'll keep adding other resources as they come.

Hopefully we haven't forgotten anything. If you can think of anything else though, or have any questions now, please do reach out to [hello@accessallareasproductions.org](mailto:hello@accessallareasproductions.org).



**2:45 PM Drake Music**

**Is it likely that people would be on ESA and UC, or is it one or the other?**

Thanks for the question Drake Music. I have an update on this for you from what we discussed at the event.

While usually someone will have either UC (Universal Credit) or ESA (Employment Support Allowance), it is possible for people to have both. An attendee at the event pointed out to me in the break that this was the case for them.

Here's some more detail:

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## Claiming both ESA and Universal Credit

- **Contribution-based or New Style ESA:** This can be claimed alongside Universal Credit if the person has enough **National Insurance contributions** (for example, through a previous salary). Universal Credit may top up the person's income if they have additional financial needs or a low household income.
- **Income-related ESA:** This has mostly been replaced by Universal Credit, so people who would have qualified for income-related ESA are generally now directed to claim Universal Credit instead. However, some people are still receiving legacy benefits like income-related ESA if they haven't been migrated to Universal Credit yet.

If someone is on **New Style ESA** and needs extra financial support for rent, children, or other costs, they may claim Universal Credit as well. However, Universal Credit payments will usually be reduced to account for the ESA payment.

### 1. Employment and Support Allowance (ESA)

- **New Style ESA** is for those who have a disability or health condition that affects their ability to work and who have made enough National Insurance contributions.
- People can receive this for up to **12 months** if they're in the **work-related activity group** or indefinitely if in the **support group** (for those with more severe disabilities).
- ESA provides a regular income, but it is typically lower than Universal Credit, so many people claim both.

### 2. Universal Credit (UC)

- Universal Credit is a means-tested benefit designed to provide financial support for those on a low income or out of work.
- It includes extra payments for disabled people, carers, housing costs, and children.

### 3. Claiming Both

- **If someone is on New Style ESA and needs additional support**, they can apply for Universal Credit.
  - **UC will be reduced** by the amount of ESA they receive. For example, if someone gets £100 a week from ESA, their Universal Credit will be reduced by £100 per week.
  - They might still receive extra support for housing, children, or caring responsibilities through UC.
  - **People in the Support Group on ESA** often receive higher payments and may qualify for additional Universal Credit support if they have other financial need.
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**C****2:47 PM Charlotte Gaughan**

**Hello there, this is all so useful so far. We run a short paid placement scheme which does have the opportunity for an access support worker to be with participants during their shifts. Would this be something someone with limited capacity to work get involved with or does it have to be a specific charity supporting them**

Yes. It sounds like they could do this, as long as you keep in mind the suggestions for navigating limited capacity for work. There's a slide in the presentation that might help so have a look.

I do not believe your organisation needs to be a registered charity. I think you just need to be able to say that, for this role, it is designed specifically to support disabled people into work, and **it is a supported role.**

I'd suggest

- Check which benefits the person is on
- If it's Universal Credit, it's more flexible.
  - o They'll need to report their monthly earnings on their UC portal
  - o Their earnings might impact how much UC payments they get. There's detail on the slide.
- If it's ESA,
  - o there are strict limits to how much they can get paid each week. Check here <https://www.gov.uk/employment-support-allowance/working-while-you-claim#:~:text=You%20can%20usually%20work%20while,than%20%u00a3183.50%20a%20week>
  - o They'll need to submit a PW1 Form (Permitted Work form)
  - o <https://assets.publishing.service.gov.uk/media/6605833af9ab410011eea528/PW1-04-24.pdf>
  - o As it's a supported role, fill in the relevant bit on the PW1 form to say this.

**L****2:48 PM Lily Norton**

**Considering how complicated benefits are - that was one of the most clear explanations! Thank you! Are there any potential implications from proposed upcoming benefits changes?**

Hi Lily

Yes, there likely will be. It's difficult to know exactly how they'll impact.

My thoughts are

- The Work Capability Assessment, which is the test for “limited capacity for work”, will disappear. It will be replaced by the PIP assessment so people don't need to do 2 different tests.
- Unfortunately, I think it will become harder to get PIP, and harder to get the higher rate of benefits payments that are linked with having limited capacity to work.
- This isn't certain yet, but this might mean that some disabled people won't have the “Work Allowance”. So, for example, their benefits might be affected if they work at all, rather than being allowed to earn a certain amount. This isn't sure though, so let's keep an eye out.
- There will be a “right to try” work. Which I think will mean that disabled people will be able to start work without the risk of immediately losing benefits. This isn't fully clear yet.
- Otherwise, I think the approach will be pretty much the same. We'll still need to go through the same process of understanding what benefits people are on, understanding their work allowance, and taking steps to ensure that benefits aren't affected by work.

Nothing is certain yet. Let's keep sharing learning. Please do reach out if you have any updates when the changes do happen.



### **2:49 PM Magpie Dance**

#### **This is great info! How is it best to approach legal guardians with this information and encourage them to help in the job centre/payment process?**

We'd suggest

- Book a meeting to talk them through it.
- Remember that it's their choice and responsibility. If they don't want to proceed, it's usually not our position to pressure them to.
- Maybe use a “finance form”. We use a simple finance form with each artist to record their benefits etc. It also helps us to talk through it with them, so they understand the process. We'll put an example of this on this webpage soon.
- Once you understand the individual's benefits, explain to the legal guardians how much they can earn etc.
- Maybe try to get them to watch the livestream recording!
- Prepare letters explaining the situation for their job centre and ask them to book a meeting to discuss it with the job centre if they're willing.
- Stress to the jobcentre that the work is limited (if this is the case) and that the only reason people can do this work is because it's a specific programme to support people with limited capacity for work to do some

work, and that it will only ever be within the work allowance because of access needs.



### **2:54 PM Dance Leaders Group**

**If you have delivery staff on PAYE / payroll casual worker contracts, is it okay to have a disabled people on freelance service agreements - will this raise red flags in terms of contracting?**

I don't see why it would be an issue. We use casual worker contracts sometimes where it's the best employment model.

I would still follow the suggested steps for making sure the work is within the Work Allowance, and helping the employee to prove limited capacity for work if necessary.



### **2:59 PM Kerry Holland**

**I've found the problem with UC is that it's assessed in arrears. Meaning at the end of the 1st month with no wage, comes through as though I'm still receiving a wage. Is this avoidable?**

I'm not 100% sure how to get around this.

You could try to send a message through the UC portal's journal in advance. You could try telling them that you will not receive a wage in the coming month, and ask them to reinstate the payment as you will need it.

I'm not sure if this will work. If you'd like to, you can email us on [hello@accessallareasproductions.org](mailto:hello@accessallareasproductions.org) to let us know.



### **3:02 PM Northern Ballet Learning**

**Have you had to support disabled people to register as self employed? I find that not a lot of people are registered, and don't want to register. How do you support people with this? Thanks**

We have an easy read about self-employment that we'll try to share soon on this webpage.

Some steps we'd suggest:

- Of course, ultimately, it's up to the individual.
- You can offer to go through the registration on screen on a zoom call.
- Remind them that if they're earning over £1000 a year freelance, they're legally required to register.
- If they get benefits, DWP may become aware that they're getting paid.

- If they don't register and don't pay tax that's owed, they might be fined.
- They might need photo ID to register, so they might need to get a passport if they don't have one.
- If they do then register, be ready to contact the job centre and make it very clear that it's for limited work only, and that they will not be working over the permitted work allowance (if relevant).



### **3:03 PM Prism Arts**

#### **any advice for paying someone who is at risk of financial abuse ?**

The first thing we'd suggest is to ensure that the organisation's Designated Safeguarding Officer has awareness of any plans to pay people, and ensure that everyone involved in the process is aware of who to speak to with safeguarding concerns - including the person getting paid.

Charities have a duty of care to safeguard vulnerable people. If you do suspect abuse of a vulnerable adult, the organisation's safeguarding officer can contact local adult social services for advice.

**Good tip here from C Breen!**



### **3:06 PM C Breen**

**for really good support with benefits, if you are based in Greater Manchester and/or have access to zoom, Greater Manchester Coalition of Disabled People (GMCDP) have regular BENEFIT TIPS SOCIALS**



### **3:49 PM Magpie Dance**

**@Access All Areas is there somewhere I can access your policies in Easy Read format?**

We don't have easy read versions of every policy, as sometimes it's more accessible to go through key policy points with a creative support worker or a relevant staff member. However, any suggestions / templates from others would be welcome!



### **3:59 PM Rose Chorlton**

**Question about the Job Aide - when applying for this, would you apply for it to be a regular thing like with the support worker grants, e.g. 1 day a week for 2 years. Or about a specific job/event?**

So, all support will need to be related to "specific work". Even if the customer is freelance, you'll need to make the case of how many hours a year they'll be working, and what their "average working week" is like.

Or, you can also apply for a single job if you prefer. You will just need to break down what an average week's work looks like for the support worker, usually in Access to Work's "Support Worker Record of Tasks".

Job aid is just considered a type of support worker so the approach would be the same.

Check out Section 6 of the Access to Work Staff Guide for a breakdown of different types of Support Workers, if you're into that kind of thing! 😊

<https://www.gov.uk/government/publications/access-to-work-staff-guide/access-to-work-staff-guide#support-workers>



**4:00 PM Kerry Holland**

**I thought access to work is only available if you are already employed? how can it work for job interviews and auditions?**

If you can prove that you'll have regular work coming up, you can apply for a grant for a year, based on the number of hours you expect to work for the year. Then, you could use some of this grant towards auditions or interviews too.

Or, you can apply to Access to Work specifically for support at an audition or interview. The problem with this is that it takes so long for them to reply that it's probably not worth it.

I think it's most relevant to know that, if you do have a grant for your freelance career, you can claim for support during auditions and interviews.



**4:02 PM Jon Joe Clennell**

**What is the difference between self employed and freelance ?**

The words often mean the same thing. Here's a handy table that shows some differences between the two. Lots of people use them to mean the same thing though.

Key Differences

Aspect	Self-Employed	Freelance
Type of Work	Can involve running a business, selling products, or providing services	Usually offers specialized services like writing, designing, or consulting
Employment Status	Always self-employed	Self-employed, but specifically works on contracts or projects
Clients	May have regular customers or clients	Often works with multiple clients on short-term projects
Work Arrangement	May have staff or operate solo	Typically works alone or collaborates with others on projects
Tax Responsibility	Responsible for all business finances	Also responsible for taxes, often submits self-assessment tax returns



#### 4:07 PMHijinx Theatre

**Question from Sami: If someone has registered as self-employed because they've earned over £1000 then a couple of years later their turnover is likely to increase so they want to apply for AtW, can they get around not needing to meet the LEL in that first year of increase?**

Hey Sami. Unfortunately I don't think so. AtW will want to see a tax return showing that they've met the Lower Earnings Limit, or else see proof that they've got work coming up that will take them over the LEL.

You could ask Access to Work and try, but they might not approve it.



#### 4:23 PMPrism Arts

**if you're awarded access to work for an extended period of time on a specific hourly rate. Can you go back to them and ask for this to be altered as minimum wage etc goes up?**



Yes you can. You need to do a "Change of Circumstance" with Access to Work. As always, the wait time is long. So if you can, try to plan ahead for this, and make the case for a higher rate at the start if you can.

You can do this by emailing AtW, or calling them. The email must come from the customer and not the third party.

<https://www.gov.uk/access-to-work/after-you-apply>

Telephone: 0800 121 7479

Textphone: 0800 121 7579

I just have the London email: [ATWOSU.LONDON@DWP.GOV.UK](mailto:ATWOSU.LONDON@DWP.GOV.UK)



#### 4:23 PM Hijinx Theatre

**Q from Sami: Does SW fee have to be hourly rather than daily or weekly like an actor?**

Yes. They will always want hourly rate.

Just work out what the hourly equivalent is for, say, a 7 or 8 hour day.

Note that AtW don't pay overtime. They'll just pay the agreed rate for the agreed number of hours. So if overtime is likely, you might want to take that into account when setting your day rate.

#### **Important tip!**

**Always push for an annual number of hours, not a weekly number of hours.**

**If you get awarded a weekly number of hours, you'll never be able to claim over that weekly amount, even if the hours change.**



#### 4:26 PM Amy Smith

**We're considering trialling the 4 Day Week, and we're interested in what this might do to ATW settlements in progress... Any thoughts?**

I don't see how it would affect it. You would just need to count the hours worked. If staff are working a 4 day week, and therefore getting paid more per day, then this would be the same for the support worker. You'd just need to make sure you apply for the right hourly rate for the support worker.



#### 4:26 PM Drake Music

**Can you recommend good ways to find support workers etc?**

We don't really have much to suggest other than asking peer companies, like ourselves or Graeae theatre. I know there will be resources out there, but unfortunately I don't know them well.

We are hoping to run more Creative Support Worker training in the future so do keep an eye out for that.

**4:26 PM Drake Music****Do you think a musician's CV can count instead of a business plan?**

Yes that should be fine. It does depend on the individual advisor. But they say that a CV is fine for "entertainers", like actors or performers. Apologies for being so theatre centric!

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**And that's it! If we've missed any of your questions, send us an email at [hello@accessallareasproductions.org](mailto:hello@accessallareasproductions.org) and we'll try to answer.**

It's been a pleasure talking to you all about this.

As always, we don't have all the answers. Please take everything I've said here with "a pinch of salt". Do your own research, and if you think I've said anything incorrect, let me know. I'm always learning and would really appreciate to hear if you have any updates or new information on any of this.

I know it's a tricky and emotional subject. I also know that a lot of us are worried about changes that are coming from the government. Let's all keep in touch, and keep working together to understand how best to support people in work.

Thanks everyone!  
Patrick