



## **Work for people who are sick or disabled**

This factsheet sets out the work you can do if you are on sickness or disability benefits.

### **Permitted work**

If you are getting employment and support allowance (ESA), incapacity benefit (IB), severe disablement allowance (SDA), national insurance credits or income support (IS) because of incapacity for work you are allowed to do some permitted work.

You do not need the permission of a doctor to do permitted work but you should tell the Department for Work and Pensions (DWP) if you are working.

### **Permitted work for those on employment and support allowance, incapacity benefit, severe disablement allowance or national insurance credits**

You have a choice of permitted work options depending on your circumstances:

1. Permitted Work Lower Limit - under this option you can earn up to £20 a week for an unlimited period.
2. Permitted Work Higher Limit - you can work for a 52 week period, if the work is for less than 16 hours a week and your earnings do not exceed £92 a week after deductions. After you have done 52 weeks work there must be a gap of at least 52 weeks before you can work again, whereupon another 52 weeks work is permitted.
3. Supported permitted work - if you choose this work option you must be supervised by someone who is employed by a public or local authority or voluntary organisation which provides or finds work for people with disabilities. You cannot earn more than £92 a week.
4. Work done as part of a treatment programme done under medical supervision whilst someone is an in-patient or regularly attending as an out-patient of a hospital or similar institution. Again the limit is £92 per week.
5. If you are exempt from the IB/IS personal capability assessment - you can work for an unlimited period, if the work is for less than 16 hours a week and your earnings do not exceed £92 a week after deductions.
6. You are on ESA and you have limited capability for work related activity (you are in the support group) - you can work for an unlimited period, if the work is for less than 16 hours a week and your earnings do not exceed £92 a week after deductions.



## **Supported permitted work**

Guidance suggests that supported permitted work is work done by people who have a long term disability that has had "a significant impact on their ability to learn or sustain a traditional job which will always, or for a number of years, prevent them from working more than a few hours each week".

It should also be work that a person can do only with the support and supervision of someone other than their employer and be supervised by someone employed by a public or local authority or voluntary organisation which provides or finds work for people with disabilities.

The support worker must direct and oversee the performance of the worker regularly and the supervision must be more than the normal support provided in the workplace by employers.

## **Permitted work for those on income support and other means tested benefits**

If you are on income support, housing benefit or council tax benefit because you are incapable of work you can also do permitted work but any earnings which exceed your earnings disregards (£5, £10, £20 or £25 per week depending on circumstances) will be deducted from your income support.

## **Other allowed work**

The following kinds of work are also allowed:

- care of a relative or domestic tasks carried out in your own home
- work done as a councillor
- any activity in an emergency, to protect another person, or to prevent serious damage to property or livestock
- duties as a member of the DLA Advisory Board or as a 'disability member' of an appeal tribunal – one day a week is allowed
- an approved work trial arranged in writing with the employer by the DWP (or an organisation providing services to the DWP) for which you will receive no wages
- self-employed work done whilst you are 'test trading' for up to 26 weeks with help from a self-employment provider arranged by Jobcentre Plus.

## **What about the minimum wage?**

Generally if you do permitted work you should be paid the minimum wage for any work you are allowed to do. There may be some exceptions to this for certain work situations. For more information on this see the guide produced by the Department



For Business, Enterprise And Regulatory Reform on the minimum wage in the more help and information section below.

### **Disability Living Allowance**

If you are on Disability Living Allowance (DLA) and are not claiming one of the other benefits mentioned in this factsheet there are no restrictions placed on the work you do providing you satisfy the DLA rules. You should inform the disability benefits unit if you start work.

### **Voluntary Work**

You are allowed to do voluntary work if you are getting incapacity benefit, severe disablement allowance, national insurance credits or income support because of incapacity for work.

This voluntary work can be for anyone other than a close relative - parent, parent-in-law, step-parent, son, son-in-law, daughter daughter-in-law, step-son, step-daughter, brother, sister, or partner of any of these.

You must not be paid for your work, other than expenses 'reasonably incurred by [you] in connection with that work'. Permitted expenses can include travel, meals, child minding or the costs of caring for another dependant, equipment needed for work and use of a telephone. You may be treated as a volunteer if you are doing community service. There is no limit on the number of hours you can volunteer.

If you are getting income support (IS) you are still allowed to do voluntary work. You can do voluntary work for a charity, voluntary organisation, or any other organisation or individual.

If you are paid anything other than actual expenses, you are treated as being in paid work, and excluded from IS if you work 16 hours or more a week (24 hours or more if it is your partner who is the volunteer).

The Department for Work and Pensions (DWP) may also consider that it is unreasonable for you to provide your services for free in some cases and assume that you have earnings, whether you have been paid or not. This is known as having notional income.

### **Finding full time work**

If you stop claiming benefits to begin work but then stop working and reclaim you may be allowed to return to your previous benefit on the same rate or terms as before.

To do this you have to satisfy one of the linking rules. You can return to your previous benefit on the same rate or terms as before:

- if you reclaim incapacity benefit, income support, council tax benefit or housing benefit within 8 weeks.



- if you reclaim employment and support allowance within 12 weeks.
- if you reclaim incapacity benefit, income support, council tax benefit or housing benefit within 104 weeks and you are considered to be a welfare to work beneficiary. You are considered to be a welfare to work beneficiary if you have been incapable of work for 196 days. This can include any period where you were on statutory sick pay. You must also start work within one month of your entitlement to benefit ceasing.
- if you reclaim employment and support allowance within 104 weeks and you are a work beneficiary. To be a work beneficiary you must have had a limited capability for work for more than 13 weeks in your previous ESA award. You must also start work within one month of your entitlement to benefit ceasing.

You should seek advice before you consider full time work.

### **Housing benefit and council tax benefit extended payments**

Your housing benefit and council tax benefit can continue at your old rate for four weeks if you find work and you were getting :

- employment and support allowance (ESA)
- incapacity benefit (IB)
- income support (IS)
- income-based jobseeker's allowance (JSA)
- severe disablement allowance (SDA)

To get housing benefit/council tax benefit extended payments you must have been on one of the above benefits for at least 26 weeks and your job must be expected to last at least 5 weeks. You do not need to make a claim to receive extended payments.

### **Where can I get more help and information?**

Jobcentre Plus has produced a guide called Volunteering while receiving benefits, which is available from DIAL or via the JCP website at [www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk).

DIAL Great Yarmouth  
12a George Street  
Great Yarmouth  
Norfolk  
NR30 1HR  
01493 856900  
Monday to Friday 10am to 4pm