

EQUITY

**Equity submission – Pathways to Work: Reforming Benefits and Support to Get Britain Working Green Paper**

## About

1. Equity is the largest creative industries trade union with 50,000 members united in the fight for fair terms and conditions across the performing arts and entertainment. Our members are actors, singers, dancers, designers, directors, models, stage managers, stunt performers, circus performers, puppeteers, comedians, voice artists, supporting artists and variety performers. They work on stage, on TV and film sets, on the catwalk, in film studios, in recording studios, in night clubs and in circus tents. The UK's creative industries generated £126bn in gross value added to the economy and employed 2.4m people in 2022, accounting for 6% of UK output.<sup>1</sup>
2. Most Equity members work on fixed-term contracts and, typically, fall into the category of Limb (b) workers who are considered self-employed for tax purposes and 'worker' for the purposes of employment law. Equity also represents workers who work on an entirely freelance basis. 3% of Equity's members identify as deaf or disabled. We have a dedicated Deaf and Disabled Members Committee (DDMC). We are committed to the social model of disability and ensuring that Deaf and Disabled people lead on issues that concern them.
3. Equity is the only UK trade union to offer an in-house advice service specialising in tax, national insurance and in particular, social security law. We provide a helpline, casework and representation to our members. For further information about Equity's advice service, kindly contact Emma Cotton ([ecotton@equity.org.uk](mailto:ecotton@equity.org.uk)) and Victoria Naughton ([vnaughton@equity.org.uk](mailto:vnaughton@equity.org.uk)).

## Summary

4. Equity welcomes the opportunity to respond to the government's consultation on the reforms proposed in the 'Pathways to Work' Green Paper, however we are disappointed that our members were not consulted prior to its publication.
5. Equity is clear that the social security system needs urgent reform to ensure that it adequately supports anyone that needs it. To this end, we have long called for industry-specific training for DWP staff, a social security system that understands and addresses the realities of being a self-employed / freelance creative worker and a system that is designed in collaboration with Deaf, Disabled and Neurodivergent (DDN) people to ensure that it provides adequate support.
6. Equity joins a wealth of trade unions, Deaf and Disabled People's Organisations (DDPOs), social security advice organisations, charities and human rights organisations, MPs and Parliamentary Groups, in strongly opposing the government's decision to make the largest cut to disability benefits ever assessed by the Office for Budget Responsibility (OBR) without

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<sup>1</sup> Evennett, H. 'Contribution of the arts to society and the economy', House of Lords Library, 2024

proper consultation.<sup>2</sup>

7. It is our assessment that the Green Paper's presentation of the issues is oversimplified and that its depiction of the UK social security system is disingenuous. As the government has decided not to consult on some of the proposals, we begin our response by addressing key issues not included in the consultation before then responding to the consultation questions. Key elements of our response are:
  - Equity does not accept that pathways to work for sick and disabled people will be improved by cuts to support but that reducing this support will prevent people from engaging with work.
  - There are existing mechanisms in the system for engaging with work while sick or disabled, but these are not currently understood or used correctly.
  - Before people are able to meaningfully engage with employment support, trust and respect must be restored within the system.
  - We are opposed to the extension of staff discretion to include decisions on conditionality and fitness for work and are clear that this would be a regression of rights. Decision-making on these crucial issues must be on a statutory footing with clear rights to appeal.
  - Access to Work (ATW) must be overhauled and placed on a statutory footing with clear rights to appeal. Support from ATW must be quicker and administered in a way that supports Equity members to work on short-term, sporadic contracts.
  - Unemployment Insurance Benefit must work for the self-employed and cannot put the self-employed at a disadvantage in comparison to PAYE workers. Time limiting a contributory medical retirement benefit is regressive and at odds with minimum standards in similar countries.
  - DWP must introduce a statutory safeguarding duty as per the recommendations of the Work and Pensions Committee. As part of safeguarding reforms, DWP must remove the Minimum Income Floor (MIF) for the self-employed which represents a significant safeguarding risk to Equity members.
8. Equity commissioned Jamie Burton KC of Doughty Street Chambers to provide a legal opinion on the compatibility of the proposed reforms with its obligations under international human rights law. The clear conclusion of this opinion is that the proposed reforms will breach the UK's international legal obligations to hundreds of thousands of disabled people and will further exacerbate the existing violation of the Government's

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<sup>2</sup> Joseph Rowntree Foundation, 'How rumoured disability and sickness benefit cuts compare to others since 2010', < <https://www.jrf.org.uk/social-security/how-rumoured-disability-and-sickness-benefit-cuts-compare-to-others-since-2010>>

human rights obligations with respect to the current system of disability benefits.<sup>3</sup>

9. We begin our response by identifying some key issues relevant across the Green Paper (p.4), then by addressing proposals not being consulted (p.8) on before responding to the consultation questions (p.12).

## **Key issues**

### **The economic arguments on which the Government justify cutting support are not coherent.**

10. Data from the OBR shows that total social security spending as a proportion of GDP is not forecasted to increase for the next five years.<sup>4</sup> While the percentage of spending on ill-health related social security *has* increased, even with further predicted increases, the percentage of GDP spend remains far lower than many of our European neighbours.<sup>5</sup>
11. The OBR has stated that it ‘cannot be certain’ about what is behind a rise in sickness and disability benefits, and that the basis from which to forecast future trends remains highly contextual.<sup>6</sup> Data shows that there is significant unclaimed eligibility for disability benefits in the system, with £870m of PIP eligibility and £750m of DLA eligibility going unclaimed.<sup>7</sup>
12. Disability Rights UK have set out how the Green Paper makes misleading use of benefit statistics<sup>8</sup> and Child Poverty Action Group (CPAG) have pointed to a rise in poor quality data.<sup>9</sup> The Resolution Foundation analysis of alternative labour market statistics found that inactivity may be over-estimated.<sup>10</sup>
13. Research by Pro Bono Economics and Z2K found that disability social security significantly enhanced the life satisfaction of recipients, demonstrating a significant benefit for the costs involved. It found:

*“...an average annual wellbeing improvement valued at £12,300 per person, and a potential £42 billion in annual economic benefits if support were maintained for the 3.5 million disabled people currently getting the support. Crucially, when compared with the annual costs of providing this support, estimated at £28 billion a year for this group, the economic benefits seem to outweigh the costs”<sup>11</sup>*

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<sup>3</sup> J. Burton KC, ‘Opinion on the compatibility of the Universal Credit and Personal Independence Payment Bill with International Human Rights Law’, 2025

<sup>4</sup> OBR, Economic and Fiscal Outlook 2025 – CP1289, p.112, chart 5.9

<sup>5</sup> TUC, TUC submission to Work and Pensions Committee inquiry – Getting Britain Working, 2025

<sup>6</sup> OBR, Economic and fiscal outlook – October 2024, 2024

<sup>7</sup> DWP, ‘Unfulfilled eligibility in the benefit system Financial Year Ending (FYE) 2024’, 2024

<sup>8</sup> Disability Rights UK, ‘submission to the Work and Pensions Committee’s Get Britain Working: Pathways to Work inquiry’, 2025

<sup>9</sup> CPAG, ‘CPAG’s response to proposed changes to sickness and disability benefits’, 2025

<sup>10</sup> Resolution Foundation, Get Britain’s Stats Working: Exploring alternatives to Labour Force Survey estimates, 2024

<sup>11</sup> Pro Bono Economics, More than money: The lifelong wellbeing impact of disability benefits, 2025

14. The Disability Policy Centre has calculated that every £1 lost in benefits will push £1.50 on to other services, that tightening PIP criteria has never delivered savings and that the plans to save £5 billion may only deliver £100 million.<sup>12</sup>

**The impact of the cuts to health and disability support is likely to be far worse than government analysis suggests and the lack of clear and reliable data provided is unacceptable.**

15. The Government's impact assessment states that the proposed reforms would pull about 250,000 more people into poverty, however, the Joseph Rowntree Foundation (JRF) say the cut to PIP eligibility and health element of UC is likely to push closer to 400,000 more people into poverty.<sup>13</sup>

16. The impact assessment says that the changes will increase child poverty by 50,000, however, CPAG estimate that the cuts will push an extra 100,000 children into poverty, and that child poverty will reach 4.8 million by the end of this parliament.<sup>14</sup>

17. Over 3 million Disabled people will be impacted by a cut in their benefits, and we know that Disabled people are disproportionately at risk of poverty and hardship. Disabled people and their families now stand to lose up to £12,000 per year.<sup>15</sup> The government's impact analysis fails to properly scrutinise how the loss of PIP eligibility and UC health element would affect individuals, let alone the sheer amount of passported social security.<sup>16</sup>

18. The All-Parliamentary Party Group on Poverty and Inequality have published their response to the green paper citing the 'disproportionate impact of poverty and inequality' on Disabled people and calls for the proposed cuts to be abandoned.<sup>17</sup>

19. We note that there has been no impact assessment on ending the Work Capability Assessment (WCA) and the removal of rights that this will apparently entail. This is a key area on which we advise and represent members.

**The government's claims that the current social security system contains 'perverse incentives' to claim ill health and disability benefits have no coherent evidence base.**

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<sup>12</sup> [Disability Policy Centre, Tightening Criteria has Never Worked, 2025](#)

<sup>13</sup> [JRF, Where will cuts to sickness and disability benefits fall hardest?, 2025](#)

<sup>14</sup> [CPAG, 'CPAG's response to proposed changes to sickness and disability benefits', 2025](#)

<sup>15</sup> [JRF, Where will cuts to sickness and disability benefits fall hardest?, 2025](#)

<sup>16</sup> This includes: carers allowance; carers UC element; top-ups to other benefits, including Housing Benefit, Jobseeker's Allowance, Income Support, Working Tax Credit, Employment and Support Allowance and Pension Credit; the one-bedroom local housing rate for under 35s (who would otherwise only receive the lower shared accommodation rate); council tax discounts; travel support, including a Disabled Persons Railcard; exemption from the Benefit Cap, which otherwise limits the total amount of benefit income a person can get; access to accessible tickets for events.

<sup>17</sup> [APPG on Poverty and Inequality, The Disproportionate Impact of Poverty and Inequality on Disabled People, 2025](#)

20. There is no longer a specific social security payment made to Disabled people who are in work (Working Tax Credit) and no analysis of the removal of Working Tax Credit from Disabled workers has been carried out. Many of Equity's members claimed WTC, which provided an unconditional, means-tested subsidy to those moving from ill-health benefits back into work, and those receiving disability benefits who were already in work.
21. The compulsory move to Universal Credit (UC) has seen many of our members move from Disabled worker status on WTC to now being assessed as having a limited capability for work and work-related activity (LCWRA) by the UC system. As such, the system now labels them 'out of work' even though their circumstances have not changed. This recategorisation is incoherent and is a regressive step for Disabled workers.
22. We wish to see further analysis of how many people who are in receipt of ill health social security (Employment and Support Allowance (ESA) and UC (with LCW/LCWRA) are undertaking some work as the law allows. Many of our members contact us for advice and representation in this area, we provide more detail on this issue further on in our response.
23. Research conducted by JRF and Scope in 2024 found that only 20% of people who claimed health-related UC knew how much extra they would receive if they were placed in the LCWRA group before they applied, and almost 50% did not know they would be eligible for any extra money at all.<sup>18</sup>
24. Evidence has been presented to the Work and Pensions Select Committee (WPC) on the introduction of the WCA, a previous attempt to incentivise the long term sick and disabled people to get into work. This evidence showed that the policy was not associated with any increase in Disabled people moving into employment, but could be linked to significant increases in mental health problems and an estimated additional 600 suicides.<sup>19</sup>
25. The Green Paper argues that the high rate of the UC health payment compared with the low rate of standard allowance puts people off trying to work for fear of losing their health element. However, the law allows those who receive benefits on the grounds of ill health to work and it is a lack of understanding of the rules, combined with a deep distrust of DWP which in fact puts off many people. This is a detailed area of law that Equity's social security advice team frequently advises on, including the rules for self-employed claimants, which are frequently not understood. We do this in the absence of clear information and process provided by DWP. The government must commit to improve understanding and communication of the current rules, but not at a cost of cuts.

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<sup>18</sup> JRF, *Unlocking benefits: Tackling barriers for disabled people wanting to work*, 2024

<sup>19</sup> WPC, *Oral evidence: Get Britain Working: Pathways to Work*, HC 837, 2025. q.66. Note the calls for an independent inquiry into deaths linked to the UK's welfare benefits system, specifically those involving the Department for Work and Pensions (DWP), are ongoing. See also The Department by John Pring (2024); A 10-year investigation into how the actions of a government department, spurred on by politicians and the outsourcing industry, led to the deaths of hundreds of disabled people, and how they covered up their role in those deaths.

26. We welcome the Green Paper's commitment to enshrine in legislation the right to try work without automatic re-assessment. In writing this legislation, the government must commit to consulting Disabled people and expert advisers on its wording to ensure that it achieves its stated aim.
27. We also note, alongside our advice colleagues at CPAG and Citizens Advice, that the UC health payment in fact contains an in-built financial incentive in the form of the work allowance. Put simply, this is an amount of earnings you can keep before the 55% taper on earnings is applied. There is no automatic end of their claim or re-assessment of eligibility/health or disability status.

**The green paper implies that by making the proposed cuts and spending on employment support, more sick and disabled people will go back into work, but this is discredited.**

28. The bulk of the cuts arising from the Green Paper will come from reducing entitlement to PIP. However, this represents inherent contradiction given that PIP is a benefit paid to people in work, and without it, many people could not work. One in six PIP claimants are currently in work<sup>20</sup>. This aspect is not examined in the Green Paper and represents a fundamental contradiction to its stated aims, as explained by Campaign for Disability Justice:

*"The notion of helping people into work by taking benefits away from them when they are already in work clearly does not withstand close scrutiny."*<sup>21</sup>

29. Research shows that cuts to social security result in negligible work outcomes.<sup>22</sup> CPAG estimate that a £4.8 billion cut could increase employment by around 50,000 (0.0001%) and that this negligible outcome is explained by the considerable practical barriers that low-income Disabled people, particularly those with children, face:

*'Reducing the adequacy of sickness and disability benefits does not change these barriers for most people, it just means lower living standards and higher poverty. The vast majority of the millions of households facing benefit cuts as a result of these changes will see no mitigation of these cuts through higher earnings.'*<sup>23</sup>

30. Citizens Advice research shows how it is unrealistic to expect that 'those currently considered unable to work can suddenly take on a full-time job' and be more likely to be able to work part time.<sup>24</sup> However, they note that, for those affected by the cuts, moving into part-time work is more likely to result in a loss of income.<sup>25</sup> They also illustrate how losing PIP leads to worsening health outcomes, in turn, pushing people further away from work:

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<sup>20</sup> [Trends in working-age disability benefit onflows - Office for Budget Responsibility](#)

<sup>21</sup> [Campaign for Disability Justice, Green Paper or Green Light for a cuts agenda?, 2025](#)

<sup>22</sup> [OBR, Further information on WCA reform, 2024](#)

<sup>23</sup> [CPAG, Response to proposed changes to sickness and disability benefits, 2025](#)

<sup>24</sup> [Citizens Advice, Pathways to Poverty, 2025](#)

<sup>25</sup> [Citizen's Advice, Work won't cut it: income from employment and benefits for disabled people, 2025](#)

*'For many, losing PIP will mean their health condition worsens. When our debt clients lose PIP, they cut their spending on health and care by an average of over £200 a month. They also spend an average of £130 less on food each month. Cutting back on these essential costs is likely to lead to worsening health outcomes.'*<sup>26</sup>

31. Evidence given to the WPC outlines how restricting access to benefits does not result in more work.<sup>27</sup> The benefit cap increased employment by a small amount, but the negative effect it had on people's mental health meant that economic inactivity rose by more.<sup>28</sup> Similarly, although the two child limit led to a 5% increase among those affected in relation to employment, overwhelmingly 90% of people impacted by the limit did not respond by moving into work.<sup>29</sup>
32. The OBR impact assessment on predicted employment outcomes of the previous government's proposed changes to the WCA, found that there would be a negligible impact – just 3%.<sup>30</sup> In a repeat of history, JRF state that the £1 billion investment in extra employment support proposed by the Green Paper will at most see 1%- 3% of those millions of Disabled people impacted by the cuts getting into work, people who, they note, are already disproportionately at risk of poverty and hardship and going without essentials already - 'the balance here is off the scale.'<sup>31</sup>

### **Analysis of proposals that are not being consulted on**

#### **Focussing PIP more on those with higher needs**

33. Under the proposals, claimants will need to score at least 4 points in a single daily living activity to qualify for the daily living component of PIP as well as the usual 8-point total for standard rate or 12 points for enhanced rate. A freedom of information request to DWP revealed that 1.1m people currently in receipt of standard rate daily living component and 209,000 people currently in receipt of enhanced rate daily living component do not meet the proposed new thresholds, therefore stand to lose this support.<sup>32</sup> As above, this will have significant impacts in pushing people into poverty and will have costs to the economy.
34. The importance of PIP to Disabled workers is demonstrated by calls for it to be improved

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<sup>26</sup> Citizen's Advice, Pathways to Poverty, 2025

<sup>27</sup> WPC, Oral Evidence HC 837, Q43 – 83, 2024 – Q.66

<sup>28</sup> WPC, Oral Evidence HC 837, Q1 - 42, 2025 – Q.25

<sup>29</sup> Ibid, Q.25

<sup>30</sup> OBR, Supplementary forecast information release: Further information on work capability assessment reform at Autumn Statement 2023, 2024

<sup>31</sup> WPC, Oral evidence: Get Britain Working: Pathways to Work, HC 837, 2025, evidence based on a briefing from the Learning and Work Institute, 'Estimating the Impacts of Extra Employment Support for Disabled People, 2025

<sup>32</sup> See FOI request to DWP

[https://www.whatdotheyknow.com/request/personal\\_independence\\_payment\\_pi\\_7/response/2989270/attach/html/3/Response%20FOI2025%2024990.pdf.html](https://www.whatdotheyknow.com/request/personal_independence_payment_pi_7/response/2989270/attach/html/3/Response%20FOI2025%2024990.pdf.html)

and enhanced by the TUC Disabled Workers Conference.<sup>33</sup>

35. PIP provides financial support to meet the extra living costs arising from having a long-term health condition or disability. Scope has shown that, in order to have the same quality of life as non-disabled households, disabled households need an average of £1,010 a month.<sup>34</sup> We have concerns that losing access to this financial support will be devastating for the ability of many PIP claimants to engage in society and access work.

36. Many Disabled creatives pay to work. PIP is particularly important for self-employed Disabled creatives in smoothing fluctuating income to ensure that costs can still be met. Combined with the failing Access to Work provision, removing access to PIP will force some Disabled people away from work. Equity's members are in no doubt of this fact:

*'These benefit reforms mean I will have to leave the acting profession. If I lose my PIP, I won't be able to afford all the things I need for my Cerebral Palsy which are not available on the NHS. For example, muscle release treatments, remedial massages, extra heating, legal cannabis therapy. Nor will I be able to afford to maintain my wheelchairs. All of which means I will not be well enough to continue to perform.'*

*'Losing PIP will make it unfeasible to continue working, as I have been denied Access to Work several times. My entire wage would be consumed by covering the cost of the support I need just to do my job. The extra energy costs I face from running life sustaining equipment such as an electric bed, air mattress, cough assist machine, and additional laundry due to medical needs will further push me into financial hardship.'*

*I will also lose my eligibility for a Blue Badge. As a wheelchair user, being unable to park in accessible spaces will severely restrict my independence and ability to participate in my community. The implications are endless but above all, this will strip me of my dignity. These cuts do not simply remove a benefit; they remove my ability to live, work, and exist with the basic rights and support that every person deserves.'*

37. We agree with Citizens Advice<sup>35</sup> that no justification or rationale has been provided to explain why those with the highest level of need in one area should be protected at the cost of those with lower but cumulative needs.<sup>36</sup> We have significant concerns that the government's announced changes will create a two-tier system meaning that some Disabled people have access to support that others are arbitrarily denied.

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<sup>33</sup> See TUC, 'Motion 34 A fair personal independence payment', 2024, <<https://congress.tuc.org.uk/motion-34-a-fair-personal-independence-payment/#sthash.9LqgCmNf.dpbs>>; Equity, 'Equity secures unions backing for campaign against disability cuts', 2025, <<https://www.equity.org.uk/news/2025/equity-secures-backing-for-campaign-against-disability-cuts>>

<sup>34</sup> Scope, *Disability Price Tag 2024: Living with the extra cost of disability*,

<sup>35</sup> *Pathways to Poverty: How planned cuts to disability benefits will impact the people we support* - Citizens Advice

<sup>36</sup> Under current rules, a person needs to score at least 2 points across 4 different daily living activities in order to qualify for the basic award of PIP (standard rate)

38. It is significant to note that the predecessor to PIP, DLA, used a more Disabled person-led form of assessment, more aligned with the social model of disability, by reviewing a claimant's description of their issues and then making an award accordingly with no medical model or points system involved. OBR analysis has shown that PIP has ended up costing more than DLA.<sup>37</sup> The government should consider this and how it might re-design disability benefits, such as the Scottish Government have done.<sup>38</sup>
39. The government's decisions in this area represent a breach of the UK's international legal obligations to hundreds of thousands, likely many hundreds of thousands of Disabled people. A legal opinion commissioned by Equity from Jamie Burton KC of Doughty St Chambers, highlights that '[t]he cuts to both the health element of UC and PIP are plainly "regressive measures" and ... the Government cannot show on the current evidence that the reforms comply with the limited conditions in which regressive measures are permitted under international law.' The opinion is also clear that the concessions offered by the government [on 27<sup>th</sup> June 2025] on PIP reform would not change this and would continue to represent a breach of human rights obligations to Disabled people not currently in receipt of PIP, but who would otherwise be entitled to it after the reforms came into force.<sup>39</sup>

#### **Scrap the Work Capability Assessment (WCA) & switch to a single assessment (PIP)**

40. Currently the WCA determines eligibility for the LCWRA element in UC (which DWP now refer to as the 'health element') and for ESA. Under the proposals, the WCA will no longer exist and eligibility for the health element of UC will be established purely through eligibility for the daily living component of PIP. It appears there will be no need to demonstrate incapacity for work. It is unclear what form of assessment will be undertaken in order to determine what conditions are placed on a claimant's UC claim or who will undertake this assessment. Contributory ESA will be incorporated into the new Unemployment Insurance Benefit, with no assessment.
41. The Green Paper states that the way in which this will impact those in special categories, including those who qualify via the substantial risk route, who may not otherwise be eligible for PIP is under consideration. 615,000 people currently receive UC/ESA but not PIP.<sup>40</sup>
42. We are clear that the WCA has its problems, but the scrapping of the WCA must not lead to a removal of rights in relation to decisions about work capability. Currently the system is underpinned by law, giving the individual the right to appeal to an independent tribunal.

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<sup>37</sup> OBR, *Welfare trends report – January 2019* see also; *WPC, Oral evidence, HC 837 Q1 – 42, Q.30*

<sup>38</sup> Scottish Government, 'Social Justice Secretary: "Scrap damaging welfare reforms"', 2025, <<https://www.gov.scot/news/social-justice-secretary-scrap-damaging-welfare-reforms/>>

<sup>39</sup> J. Burton KC, 'Opinion on the compatibility of the Universal Credit and Personal Independence Payment Bill with International Human Rights Law', 2025

<sup>40</sup> Stat-Xplore figures quoted in *Centre for Society and Mental Health, After the WCA: Competing visions of disability and welfare, 2024*

43. It is unclear from the Green Paper who will assess work capability under the new system and whether the assessment is to become discretionary. The new system must incorporate a statutory scheme with clear rights of appeal to an independent tribunal. We note in this context that there has been no impact assessment on the decision to scrap the WCA, opening the door to legal challenges.
44. The decision to scrap the WCA is premised on a factual error. The WCA does not put people into 'can work' and 'can't work' groups. This error has been identified in evidence given to the WPC.<sup>41</sup> As a result of a WCA a person will be found to be either: a) capable of work, b) have a limited capability for work or c) have a limited capability for work and work related activity. Therefore, the system finds people to have a *limited* capability, not no capability, and rules contained within UC and ESA allow for work to be undertaken despite these determinations.<sup>42</sup>
45. Switching to a single assessment goes against a key principle of the UK social security system that people with an incapacity to work are given requisite support, and that this support is different from support provided for the additional costs of disability. Financial support needs arise from both, and the Green Paper does not address this fact.
46. The experience of our social security advice team suggests that when social security is removed for new claimants but retained for old, it creates confusion as to who is entitled to what and when, as well as arbitrary income cliff edges. It creates complexity for advisers, claimants and DWP staff, and the result is that entitlements are missed.
47. The Green Paper is unclear about what will happen to those with short term conditions who don't meet the 12-month required period condition for PIP and no longer will get LCWRA yet still have significant ill health and health costs. For example, a pregnant woman who is at serious risk of damage to her health or to the health of her unborn child<sup>43</sup> if she does not refrain from work and work-related activity, or someone who has acute psychosis.
48. WCA legislation contains an essential safety net for those at substantial risk.<sup>44</sup> Scrapping the WCA removes this safety net and there is no similar protection within PIP or elsewhere, contradicting the ministerial promise that 'there will always, and should always, be a safety net for those in genuine need.'<sup>45</sup>

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<sup>41</sup> WPC, Oral evidence, HC 837, Q1 – 42, Q.27

<sup>42</sup> We note that no statistics on how many people who have passed the WCA and are working have been provided.

<sup>43</sup> CPAG, response to proposed changes to sickness and disability benefits, p.8

<sup>44</sup> A claimant can be treated as having LCWRA if, by reason of their health condition or disability, there would be a substantial risk to the health of the claimant or other were the claimant not found to have LCWRA. The provision can only come into play if a claimant has been found to have LCW but then fails to satisfy any of the LCWRA descriptors.

<sup>45</sup> DWP, Pathways to Work: Reforming Benefits and Support to Get Britain Working Green Paper, 2025, p.3

49. Without the WCA, the Green Paper does not address how claimants of the new Unemployment Insurance Benefit (UIB) will be separated into those who are able to look for work and those who are not.

### **Changes to LCWRA element and standard allowance**

50. The government is changing standard and health elements of UC so there is, in its view, less incentive to get the health element. The increase to the standard allowance for all will result in an additional £165pa to a single adult.<sup>46</sup> The LCWRA element stays at £97 per week but is frozen until 2029-30 (creating a loss in real terms). For new claimants, the element is reduced to £50. The increase to standard allowance goes nowhere near offsetting the reduction to health element for new claimants who see a reduction of £227pcm.<sup>47</sup>

51. While we welcome the increase to basic UC standard allowance, the increase still will not reach a sufficient level of support for claimants. It is underpinned by dubious and unnecessary claims around perverse incentives. The measure does not meet the requirements of the 2024 recommendation by the UN Convention on the rights of Persons with Disabilities (paragraph 90(f)) to provide adequate social security.<sup>48</sup>

### **Consultation questions**

<b>1.</b>	<b>What further steps could the Department for Work and Pensions take to make sure the benefit system supports people to try work without the worry that it may affect their benefit entitlement?</b>
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52. In order to instil trust in the system, claimants must be able to be certain that they are receiving correct, consistent and reliable information every time that they interact with DWP and Jobcentre Plus (JCP) staff and any aspect of the social security system.

53. Equity stands in solidarity with PCS members at DWP who have consistently argued for a more caring social security system and for adequate time and training for staff to be able to do their jobs. Equity is clear that DWP staff must be adequately trained to provide correct, reliable information to claimants about their rights when claiming and working. Staff must be given enough time to ensure that they can tailor their advice appropriately to each claimant's personal circumstances.

54. It is the experience of Equity members who interact with the social security system as well as the experience of our social security and tax advice team that this is currently not the case. On numerous occasions, DWP staff have not understood the nature of self-employment or freelance work, especially in the creative industries and this can lead to incorrect or incomplete information being given to claimants. The managed migration of

<sup>46</sup> Resolution Foundation, *A dangerous road? Examining the 'Pathways to Work' Green Paper*, 2025

<sup>47</sup> JRF, 'How health-related benefit cuts add up', 2025

<sup>48</sup> UN CRPD, *Report on the follow-up to the inquiry*, 2024

Disabled self-employed workers from Working Tax Credit to Universal Credit highlighted the low understanding by UC staff of the Disabled self-employed workforce. Jobcentres around the country failed to understand that claimants could be both self-employed and disabled at the same time, and how UC should deal with their claims.

55. Additionally, advice, reporting systems and processes should be consistent with each other, match the law and operate at a granular enough level of detail to allow accurate reporting of earnings. Poorly designed reporting systems currently have limited options for claimants to be able to accurately report their earnings which can delay payments and result in incorrect assessments.<sup>49</sup> For one Equity member, an autistic claimant with LCWRA status, reporting new self-employed earnings caused six months of delayed payments, an incorrect WCA referral, and unnecessary meetings and processes. This resulted in the claimant experiencing suicidal ideation and severe financial hardship.
56. The result of unreliable information and systems that plunge claimants into financial hardship due to inadequate design is that claimants lose money and entitlements through no fault of their own and are often forced to spend significant lengths of time challenging incorrect decisions. This completely erodes any trust that they might have in the proposition that they could try working without it affecting their entitlement.
57. In addition to tackling concerns that working will prompt re-assessment, DWP must address the issue experienced by Equity members in which a claimant's ability to work is incorrectly used to not award PIP. PIP eligibility is not contingent upon a claimant's ability to work, however, a claimant's ability to hold a job and the associated tasks that come with this are regularly used as reasons to refuse PIP. When claimants provide statements to healthcare professionals about how they cope with work while being disabled, these are often ignored.<sup>50</sup>
58. Changes to the system must be clear, public and grounded in the legislation. There is a distinct lack of trust in the discretion of work coaches due to repeated instances of poor advice or the rules being applied incorrectly. Claimants need to be assured that their work coach will not deem a reassessment necessary just because they have entered work.

2.	<b>What support do you think we could provide for those who will lose their Personal Independence Payment entitlement as a result of a new additional requirement to score at least four points on one daily living activity?</b>
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<sup>49</sup> In order to report self-employed earnings, a UC agent must create a 'to do' which enables the claimant to enter the earnings figures. The UC system is designed such that the first stage in that process is for claimant to declare a 'change of work and earnings'. The questions in the 'change of work and earnings' interface are confusing and do not match the reality. They require the claimant to identify as either employed, self-employed, both or unemployed. None of those categories match the circumstances of for a disabled self-employed person with some new earnings. A claimant has no choice but to choose 'self-employed'. This starts a 'self-employed journey' within UC, including a GSE determination, which is entirely inappropriate, confusing and appears to be misunderstood by UC staff.

<sup>50</sup> Child Poverty Action Group, *The future of the work capability assessment*, 2023

### **3. How could we improve the experience of the health and care system for people who are claiming Personal Independence Payment who would lose entitlement?**

59. Equity fundamentally disagrees with changes to the social security and welfare support system that reduce eligibility for Personal Independence Payment, which will result in sick and disabled people who rely on this payment to mitigate against the additional costs associated with their sickness and/or disability losing access to money that they need to get by on a daily basis. The best way to support sick and disabled people who currently rely on support to meet the additional costs of their disability in the form of PIP is to financially support people to meet the additional costs associated with their disability.
60. We are concerned that the government has apparently not considered how it will support those that it proposes to remove PIP eligibility from at the same time as proposing to remove this eligibility. In the government's own analysis, 800,000 people can expect to lose entitlement to the daily living element of PIP, amounting to an average yearly loss of £4,500.<sup>51</sup> However, according to analysis by the Child Poverty Action Group (CPAG), changes to PIP eligibility will affect 1.5 million people who, if they lost their entitlement, would lose on average £100/week (CPAG, 2025).<sup>52</sup>
61. As the government is not consulting on the changes to PIP eligibility, Equity joins other organisations in expressing concern that, unless the government pauses their proposed reforms immediately, high numbers of people could lose their entitlement to PIP with further support from government being unclear.
62. Equity members have highlighted their concern regarding the impacts of changes to PIP eligibility on passported benefits (extra support that someone receiving PIP might be eligible to receive). This will see some people not only lose their income from PIP, but also financial support such as housing support, carers' allowance and see people facing council tax increases, compounding the impact of losing PIP eligibility.
63. In addition, members have raised concerns about the impacts on qualifying for support for sick and disabled people outside of the benefits system. Support such as the disabled railcard and blue badge require forms of proof and members have raised concerns that those who lose PIP eligibility are losing the, often, easiest form of proof that enables access to other support. Through making it harder for sick and disabled people to access support through PIP, the government risks considerably increasing difficulty in other areas of support that people rely on in everyday life, including to access work.

### **4. How could we introduce a new Unemployment Insurance, how long should it last for and what support should be provided during this time to support people to adjust to changes in their life and get back into work?**

<sup>51</sup> Citizen's Advice, *Pathways to Poverty*, 2025

<sup>52</sup> Child Poverty Action Group, *response to proposed changes to sickness and disability benefits*, 2025

64. We welcome the decision to consult on this measure and note that further detail on this proposal will be published in a White Paper this Autumn. We urge the government to consult fully with Disabled people, trade unions and other representative organisations on designing this provision.
65. UIB must work for the self-employed and those working in freelance positions and positions with fluctuating earnings. As part of this, there must be clear, statutory criteria for how 'unemployment' is defined, how this would trigger access to UIB and how this is applied for the self-employed and those in non-standard employment. Criteria must make clear how periods of lower earnings and periods out of work for self-employed / freelance workers will be considered and must be clear on how UIB for the self-employed will interact with the minimum income floor as it currently applies to self-employed workers. Additionally, any overlap of UIB with Statutory Sick Pay must not disadvantage the self-employed.
66. To make UIB work for self-employed workers on an equal basis, Class 2 National Insurance Contributions (NICs) must enable full entitlement. The introduction of UIB should come in tandem with an overhaul of NIC record-keeping and staff training to allow people to access adequate information to understand their entitlements to social security support. NI record information must be improved so that it gives up to the minute detail of NI contributions, the class of NI credit (Class 1 or 3), the precise social security entitlement that this gives and how someone can improve their record to secure entitlements. A single agency must oversee NI records and corresponding social security entitlements. Information and communications around UIB must be clear that it is a contributory benefit.
67. Any work-related requirements must be based on a statutory framework and not left up to work coach discretion. Under UIB, work-related requirements must include a prolonged period of 'same job search' that is longer than the current provision in Regulation 97(4) of the Universal Credit Regulations 2013 in order to allow claimants to find work in their industry. Equity's members are trained professionals, and we are clear that the role of the social security system involves supporting claimants to find work relevant to their skillset and professional qualifications, not forced into searching and applying for jobs that do not align with this. UIB as part of the social security system must recognise the professionalism of creative work and improve understanding of the industry as a whole to ensure that new structures and support work for everyone.
68. Equity does not agree that UIB should be time-limited. Even with the longest proposed period (12 months), the abolition of contributory ESA is an enormous regression from the fundamental social security principle of state medical insurance, and this is a particular loss for the self-employed who do not benefit from employer alternatives. As highlighted by CPAG, there are currently 310,000 people receiving 'contribution-based ESA', 98% of

whom have been receiving this support for over five years due to having a limited ability to work. Under current proposals for UIB, this group of people would only be eligible for support for 6-12 months.<sup>53</sup>

69. Equity is clear that current contributory Employment and Support Allowance claimants must receive transactional protection beyond 2028.

70. Making UIB a time-limited benefit creates a cliff-edge of support for those who do not qualify for support from UC after their entitlement period. While the Green Paper states that people will still be able to claim UC after the UIB entitlement period, even those who have contributed national insurance but who do not qualify for UC under means testing – for example, due to savings or cohabitation – are at risk of losing significant support. This risks claimants' financial independence, putting people at risk of destitution or financial coercion.<sup>54</sup>

<b>5. What practical steps could we take to improve our current approach to safeguarding people who use our services?</b>
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71. DWP must follow the recommendation of the WPC's inquiry into Safeguarding Vulnerable Claimants to 'legislate for a statutory duty to safeguard vulnerable claimants that applies to the whole DWP, and for which the Secretary of State is ultimately accountable'.<sup>55</sup>

72. As called for in the WPC report as well as by other organisations, DWP must review all aspects of the social security system from a safeguarding perspective, particularly the conditionality regime.

73. There is an inherent contradiction in the government's decision to abolish the WCA with no consultation yet increase face to face assessments in the meantime. The government has not committed to ensure that payments are not stopped if a claimant fails to attend. There is considerable evidence that stopping payments as a consequence of failing to attend assessments is a common theme in benefit death cases, as highlighted by the United Nations CRDP,<sup>56</sup> Work and Pension select committee reports<sup>57</sup> and the case of Jodey Whiting.<sup>58</sup>

74. Equity has long called for DWP to remove the Minimum Income Floor (MIF) for the self-employed. Self-employed claimants deemed gainfully self-employed, through experience of the MIF, face a financial penalty that is greater than a sanction as it is applied to the entire household award, rather than just part of it as is the case of sanctions.

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<sup>53</sup> CPAG, 2025

<sup>54</sup> In research by the EHRC, disabled people in England and Wales were around twice as likely as non-disabled people to report that they had experienced emotional or financial abuse in the last 12 months. EHRC, *Being disabled in Britain 2016: A journey less equal*, 2016

<sup>55</sup> WPC, *Safeguarding Vulnerable Claimants*, 2025

<sup>56</sup> UN CRPD, 2024, see para 86, and recommendation 90(b) and (d).

<sup>57</sup> WPC, *Safeguarding Vulnerable Claimants*, p.7

<sup>58</sup> [Disabled woman killed herself after DWP mistakenly withdrew benefits | Benefits | The Guardian](#)

75. The implementation of the MIF leaves workers suddenly unable to afford their housing costs, bills, food or other necessities and Equity member research has highlighted that being subject to the MIF has significant impacts on mental health.<sup>59</sup> Members have told Equity about being diagnosed with anxiety and/or depression due to the impact of being subject to the MIF, with some becoming inactive in the labour market due to the impact on their health. Safeguarding claimants and those interacting with the social security system means adequately supporting them to know that they will be able to pay their living costs month to month, and not being constantly worried that they will lose almost their entire income in an instant due to the MIF.
76. Equity has previously highlighted that the social security system does not adequately support the self-employed, freelance workers in the creative industries or Disabled workers.<sup>60</sup> This inadequacy in support for workers in these groups increases stress and anxiety for claimants.
77. Members frequently tell us that DWP staff do not understand freelancing and self-employment, resulting in poor support, inefficient claim handling and incorrect information being passed to claimants who are treated as self-employed. Additionally, members report that DWP staff frequently do not understand the nature of work in the creative industries, and their attitude towards this work contributes to driving away those who the system should be supporting. Members also report that DWP staff are poorly trained to understand different disabilities, health conditions and varied access requirements, also resulting in poor information and support being given to DDN claimants.
78. As a result of this, members have told Equity that they have little trust in DWP staff due to instances in which they have received low quality advice, no support with their careers and incorrect decisions have been made in respect to their entitlements, all having significant wellbeing implications. One member, a UC claimant talking about moving from Working Tax Credit, told Equity “I credit being here today with not having to deal with the job centre”.
79. In order to build trust and adequately support and safeguard people interacting with the social security system, Equity members tell us that a single, regular point of contact is key. This reduces the need for claimants to have to continually re-explain their circumstances, and would enable a more personal and consistent approach to supporting claimants to access their entitlements and support to find work if this is wanted.
80. As above, DWP staff must be adequately trained to provide correct information to claimants the first time around, ensuring that anyone interacting with the social security system feels supported and confident that they can trust the advice they receive and the decisions that are made. This training must be industry-specific and co-produced with Disabled people to ensure that it is sufficient and inclusive. Equity and our members again

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<sup>59</sup> Not Here to Help, a report for Equity by the University of Warwick, <https://www.equity.org.uk/campaigns-policy/policy/universal-credit-report>

<sup>60</sup> [Equity response to WPC call for evidence on 'Reforming Jobcentres'](#)

offer to work together with DWP to improve understanding of the industry among staff.

81. Staff interacting with claimants must be given the time to be able to treat claimants with care and due attention. Members tell Equity that calls with JCP staff are often cut short by staff time constraints. DWP needs to resolve the retention issues in Jobcentre Plus which are forcing Jobcentres to reduce their support for claimants due to high work coach caseload.<sup>61</sup>

6.	<b>How should the support conversation be designed and delivered so that it is welcomed by individuals and is effective?</b>
7.	<b>How should we design and deliver conversations to people who currently receive no or little contact, so that they are most effective?</b>

82. While an increase in funding for employment support is welcome, it should not come at a cost of cuts to vital support or be enforced by the fear of sanctions. DWP research shows that sanctions do not lead to better or more work outcomes.<sup>62</sup> We are pleased to see that the Green Paper recognises that ‘good quality employment is a determinant of health’, however, note that several elements of the system, elaborated below, do not promote access to good work.

83. The characteristics of good work vary depending on the needs and circumstances of each claimant, and we are clear that the definition of ‘good work’ for a Disabled person should be led by them, not mandated by DWP, and should be supported by a work coach with expertise in this area. Currently, there are only 1-2 Disability Employment Advisers for each Jobcentre and investment is clearly needed, but not at the expense of cuts to support.<sup>63</sup>

84. Equity is absolutely opposed to support conversations being a part of the conditionality of benefits. Support conversations should be entirely voluntary and offered as a genuine offer of support to claimants who want it. Compulsory engagement will not create an environment where the support conversation is welcomed by claimants, instead creating a sense that claimants are not trusted.

85. In order to be effective in supporting people with finding work, support conversations should be conducted by staff with industry-specific training, designed in co-production with Disabled people and premised in the social model of disability.

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<sup>61</sup> [National Audit Office, Supporting people to work through jobcentres, 2025](#)

<sup>62</sup> [DWP, The Impact of Benefit Sanctions on Employment Outcomes, 2023](#)

<sup>63</sup> Evidence given to the WPC highlights that, “The huge potential investment in employment support for disabled people is completely undone by making millions of people financially worse off, with many hundreds of thousands into poverty, and many not being able to receive benefits at all—benefits that might support them in finding a job in the first place. The increased investment in employment support could be positive. We are yet to see how many disabled people that would support in finding work. It is, sadly, completely offset by the sledgehammer that is £5 billion to £7 billion worth of cuts coming.”, [WPC Oral Evidence](#) HC 837, Q.51

86. Members have repeatedly highlighted that DWP staff have a poor understanding of the reality of being self-employed and / or freelance in the creative industries and have told Equity that the advice they have received has been poor and often conflicting. In order for the support conversation to be effective and welcomed, there needs to be an inbuilt, formal avenue for claimants to be able to raise concerns and make formal complaints about their experience with a work coach if necessary.

87. Equity is concerned about DWP's desire to increase face to face engagement with claimants, and we are clear that any increase in face-to-face engagement must not come at the cost of accessibility. Members have told Equity how they have routinely found their reasonable adjustments not met while interacting with Jobcentres, with one member saying:

*"When I was moved compulsorily from ESA to UC I was forced to go to the jobcentre when a video call would have worked. I identified my accessibility needs in my UC account and requested the reasonable adjustment of a video call. I can't stand or walk any distance without severe pain and chronic fatigue, as well as depression, anxiety from complex trauma and debilitating brain fog. I am waiting for a wheelchair. UC ignored my requests for a video call and I had to repeat it several times. The video call was refused and the alternative of a home visit was offered but due to UC's own ESA migration case overload a home visit was not available for several weeks and would have delayed my first UC payment. In the end I just went so my payment wasn't delayed, but this caused significant exhaustion and pain, and worsened my symptoms and I needed help to manage. In the jobcentre, the lift was not signposted or labelled, and there was no one to help me and no buzzer by the stairs. The lift was locked. I requested a private room but the door didn't shut. I hope I never have to go there again."*

Equity supports a model where all interactions can be face-to-face, online or via phone according to the needs of the claimant. There should be no arbitrary targets for the number of interactions that should be face-to-face or otherwise as this would only serve to incentivise not adequately meeting reasonable adjustment needs.

<b>8.</b>	<b>How we should determine who is subject to a requirement only to participate in conversations, or work preparation activity rather than the stronger requirements placed on people in the Intensive Work Search regime.</b>
<b>9.</b>	<b>Should we require most people to participate in a support conversation as a condition of receipt of their full benefit award or of the health element in Universal Credit?</b>
<b>10.</b>	<b>How should we determine which individuals or groups of individuals should be exempt from requirements?</b>

88. Equity joins Unite and other unions in being opposed to in-work conditionality for the receipt of social security support. In-work conditionality means that those in work have to make time to comply with UC work-related requirements, usually in work hours. This does

not leave workers with time for rest and likely reduces the likelihood of people staying in work.

89. The WCA is currently used to decide the extent of work-related requirements and, if it is abolished, an alternative mechanism will be needed. Decisions about who should engage with support conversations must be made on a statutory basis and not left to the discretion of work coaches. Evidence from CPAG<sup>64</sup> and from Equity's work with members suggests that discretion for work coaches to adapt conditionality requirements, often lead to negative outcomes for claimants.
90. As above, work coaches do not understand the reality of being a self-employed creative. Creative professionals have to spend a significant amount of time preparing for their jobs and 'working to get work'. Our research shows that members are spending on average 12.1 hours a week undertaking costly and/or unpaid work<sup>65</sup> just to engage with employment opportunities.<sup>66</sup>
91. The sporadic and precarious nature of the industry requires our members to be available at short notice to attend auditions and rehearsals. These elements of the profession are not compatible with the current work-related requirements system and members frequently report DWP staff requiring them to attend JCP appointments under threat of sanction, instead of their scheduled auditions and rehearsals, undermining their paid work. One member told us:

*"I am a creative professional but have to pretend not to be to get any money. I am increasingly despairing. I am stuck in two worlds and on one hand trying to deal with this and on the other trying to pretend it is not happening and things will be fine so I can keep working without falling to pieces."*

<b>11. Should we delay access to the health element of Universal Credit within the reformed system until someone is aged 22?</b>
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92. Equity disagrees with delaying the health element of Universal Credit to age 22. The rise in the cost of living has a significant impact, regardless of age, and research with Equity's student members has found that students are already struggling to cover the costs of audition fees and hidden course costs. This research highlighted that students are not being supported adequately by existing financial support, with 65% of student members in receipt of a maintenance loan saying that it did not cover their living costs. As a result, over three-quarters (76%) had to work and 15% went into debt to cover costs.<sup>67</sup>

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<sup>64</sup> CPAG, 2025

<sup>65</sup> This can include contacting agents, creating self-tapes, learning lines for auditions, travelling to and attending auditions, contacting networks, keeping social media updated, attending events and related workshops, or opportunities to network and researching the sector.

<sup>66</sup> Equity, *Not Here to Help*, 2024

<sup>67</sup> Equity, 'Break Down Barriers' campaign, <<https://www.equity.org.uk/campaigns-policy/abolish-audition-fees>>

93. If a student is not able to work to supplement the inadequate existing financial support due to their health or disability, not being able to rely on UC health for support will have a direct impact on the ability of sick and disabled young people to undertake training and stay in higher education.
94. The Sutton Trust highlights that creative occupations have some of the highest proportions of degree holders in the economy with 69% of the workforce in key creative sectors holding a degree in comparison to 26% of the entire workforce. In this context, the inaccessibility of creative degrees to working-class students directly impacts the lower proportions of working-class individuals in creative workforces.<sup>68</sup>
95. The Youth Guarantee will not be sufficient to support everyone under the age of 22 and will not meet the needs of young people who are unable to work due to their sickness or disability.

<b>13.</b>	<b>How can we support and ensure employers, including Small and Medium Sized Enterprises, to know what workplace adjustments they can make to help employees with a disability or health condition?</b>
<b>14.</b>	<b>What should DWP directly fund for both employers and individuals to maximise the impact of a future Access to Work and reach as many people as possible?</b>
<b>15.</b>	<b>What do you think the future role and design of Access to Work should be?</b>
<b>16.</b>	<b>How can we better define and utilise the various roles of Access to Work, the Health and Safety Executive, Advisory, Conciliation and Arbitration Service and the Equalities and Human Rights Commission to achieve a cultural shift in employer awareness and action on workplace adjustments?</b>
<b>17.</b>	<b>What should be the future delivery model for the future of Access to Work?</b>

96. Equity welcomes the Green Paper's proposals to oversee a shift in culture around workplace adjustments by improving employer understanding of their reasonable adjustment obligations under the Equality Act 2010. This is a positive shift in culture and, as a trade union, we recognise the importance that employers fulfil their legal obligations. As representatives of self-employed workers, we are concerned that there is no mention of them or their concerns in this section of the Green Paper.
97. Equity has given extensive evidence on Access to Work (ATW) over the past years, covering our members' experiences of the programme as well as our recommendations for reforms to ATW to improve its effectiveness and ensure that it functions to provide vital assistance that people need to access work. Any and all reforms to the ATW system must be designed and implemented in collaboration with Disabled people and through the lens of the social model of disability.

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<sup>68</sup> The Sutton Trust, *A Class Act*, 2024

98. While figures vary, and more recent research is needed, it is generally understood that the overall financial benefits of ATW far outweigh its costs.<sup>69</sup> We are clear that any reforms to ATW must result in more funding for the system, reforms must not result in any cuts to funding at all.
99. For ATW to be effective in providing the support that people need to access work, it must be placed on a statutory footing with clear rights and avenues for applicants to appeal against decisions made and a clear route of escalation.
100. Members tell Equity that when they try to access support through ATW, they experience a wealth of issues including unacceptably long wait times which often result in members losing work, they are consistently subject to incorrect application of guidance on freelance workers and that the process is intrusive and labour intensive which often results in additional delays.
101. Delays and inflexibility in the ATW system directly result in people not being able to work. Recent research by Decode has shown that, for a self-employed worker, the current wait time for an application to be referred to a Case Manager is 55 weeks.<sup>70</sup> Once referred to a Case Manager, a worker can then expect to wait a further 26 weeks for a final decision. If that worker wishes to appeal the decision, they can expect to wait a further 17 weeks. This is an absurdly, unacceptably long timescale for anyone to have to wait for vital support to access work and has a particularly devastating effect on those, such as Equity's members, who rely on short-term, project-based work. For example, one Equity member was offered a part in an 8-month-long national tour but had to turn the job down because ATW could not process approval for an increase in existing support-worker hours in the 4-week window that the member had to secure the work. In another instance, ATW suddenly removed approval for a support worker for an Equity member who told us "I can no longer attend auditions or do paid work of any kind now. Literally has taken away my ability to do my job."
102. In addition to unacceptable wait times, research has also found that 86.5% of applicants were awarded less than they were requesting in support and, at renewal, almost 9 in 10 people (89.5%) had their renewal requested reduced from the previous year. On average, Disabled people had their grants reduced by 53%.<sup>71</sup>
103. Equity members repeatedly tell us that ATW staff do not understand the reality of being a self-employed / freelance worker in the creative industries and that this lack of understanding contributes further to members not receiving the support that they need to access work. One member told us:

*'In an effective system there would be many more specialist advisors with knowledge*

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<sup>69</sup> In 2004, The Disability Employment Coalition calculated that for every £1 spent on ATW, the treasury received £1.48 in taxes paid and lower benefits claimed, *Access to Work for disabled people*, 2004; in 2015 research by the Centre for Economic and Social Inclusion estimated that ATW generated on average £1.14 in fiscal flow backs per £1 spent on the programme. CESI, *Access to Work: Cost Benefit Analysis*, 2015

<sup>70</sup> Decode, *The Realities of Access to Work in 2024-25*, May 2025

<sup>71</sup> Ibid.

*and understanding of the acting profession than there are at present. An effective system would also have a fast-track service to cope with the last-minute demands of the acting profession, for example wheelchair accessible accommodation for face-to-face auditions'*

104. Additionally, members highlight that there is a lack of understanding of disability amongst ATW staff, which can lead to staff believing that they know better what an applicant needs for work than the Disabled person applying for support.
105. Staff handling applications must have industry specific training to understand the industries that applicants are working in and must be able to provide support tailored to the specific requirements of these industries. For Equity's members, this crucially involves having a single, regular and consistent point of contact at every interaction with ATW, as well as a system in which support could be passported between jobs. This is particularly important for several reasons, notably that due to the short-term and sporadic nature of work in the creative industries ATW support can be needed at short notice, at different locations and with different engagers.
106. At present, members find themselves having to re-explain their support needs to new staff at each interaction, meaning that often the responsibility lands on Disabled people to continually express and advocate for themselves through a process that can be intrusive. With a single, consistent point of contact who knows an applicant's needs, support can be tailored and provided according to different circumstances as the applicant engages with projects. One Equity member with experience of the ATW system told us:
- 'An effective ATW scheme would be one where you have an initial assessment with a fully qualified person who understands the nuances of both disability and working as a self employed worker in the entertainment sector. Then have a passport that is on the system, with different options of an award depending on the nature of your work. Either a calculated amount for the year. Or when you need support for an audition/ interview and when you get offered a job. All you have to do is make a phone call say what support you require for that job and it is actioned with immediate effect.'*
107. DWP must remove the business viability test from ATW which currently acts to create a barrier to support for low earners. This threshold for support serves to drive Disabled workers away from work as, if they do not meet the lower earnings limit, they cannot access support through ATW that they need to engage in work.
108. Support workers engaged through ATW must be paid on time, and at trade union approved rates. Support workers engaged for work in specific industries should be paid at a rate that reflects the specialist knowledge required to provide support in those industries.

## **Contact**

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