

Dear Mr Malpas,

On 7 September you asked:

As I understand current regulations on work while claiming ESA a claimant has to fill out a PW1 (also referred to as PW1 ESA) form. In my current professional role I am often required to assist clients to fill out various benefit forms, it is therefore helpful to me and others who have similar roles to know what information various forms ask for. To date I have been unable to acquire a blank PW1 form as it does not appear to be published on any DWP websites.

Could you please:

- 1 Tell me where a PW1 form can be found in the public domain in electronic form, or
- 2 If there is no answer to 1 can you provide a copy of this form
- 3 Can you advise if any policies or instructions to DWP staff exist that require the suspension of ESA payments when a PW1 form is requested (I have heard anecdotal evidence suggesting that claims are suspended when a PW1 form is requested and this is the reason for it not being readily available) could you confirm or deny this
- if such policy does exist can you provide copies of it.
- 4 Following from Q3 can you confirm or deny and/or provide relevant documents regarding the suspension of ESA payments pending a decision by a DM upon receipt by the DWP of a completed PW1 from a claimant.
- 5 If payments are suspended as a matter of course or policy following either the request for a PW1 by a claimant (as in Q3) or following the receipt by DWP of a PW1 (as in Q4) is there a procedure to check if the form has been filled out in relation to proposed or current employment or is it left to a D.M. i.e. could a claimant have their ESA suspended either as the result of requesting a PW1 or as the result of filing in a PW1 advising of proposed Permitted Working which has not yet begun.
- 6 If no such policies or staff instructions exist in relation to Q3 and Q4 can the DWP categorically state that ESA payments will not be suspended (obviously assuming that all else remains the same) until a DM has decided that the work a claimant is doing is not Permitted Work and that the claimant is actually doing this work

and receiving remuneration for it.

7 How many current DWP forms are not available in electronic form and is there a policy to decide which forms are and are not made available.

8 Is PW1 available from Job Centre Plus and can it be requested either by post or in person without the need to state your name.

Form PW1 is not available in the public domain in electronic form. I have attached a copy as requested. There are no policies or instructions to DWP staff that require the suspension of ESA payments simply because a PW1 is requested. There are no policies or instructions that require the suspension of ESA payments simply because DWP has received form PW1 and the Decision Maker's decision is pending.

It is not possible to give a categorical assurance that benefit will not be suspended since that will depend on individual circumstances. Suspension may be considered for a number of reasons. For example where a claimant works, but this has not been reported to DWP until form PW1 is received, suspension may be considered where the evidence suggests that there is a doubt about entitlement to benefit. Guidance about suspension is available in Chapter 2 of the [Suspension and Termination Guide](#).

You have asked how many current DWP forms are not available in electronic form. I can confirm that DWP holds information falling within the description specified in your request. However, we estimate that the cost of complying with your request would exceed the appropriate limit of £600. The appropriate limit has been specified in regulations and for central Government it is set at £600. This represents the estimated cost of one person spending 3½ working days in determining whether the Department holds the information, and locating, retrieving and extracting the information. Under section 12 of the Freedom of Information Act the Department is not obliged to comply with your request and we will not be processing your request further.

The availability of forms in electronic form varies for a number of reasons including differences in the services or benefits provided for people of working age, pension age or because of disability. A number of policies may be therefore be relevant but the overall DWP policy is to provide more services in digital formats. You can find further information on the DWP website page [Digital Services - getting people online](#).

Form PW1 can be requested in person at Jobcentres or can be posted to an address without having to provide a name. Information about permitted work is also provided on Directgov and in the leaflet [Employment and Support Allowance - help if you're ill or disabled](#).

If you have any queries about this letter please contact me quoting the reference number above.

Yours sincerely,

DWP Central Fol Team

Your right to complain under the Freedom of Information Act

If you are not happy with this response you may request an internal review by e-mailing freedom-of-information-request@dwpgsi.gov.uk or by writing to DWP, Central Fol Team, Caxton House, Tothill Street, SW1H 9NA. Any review request should be submitted within two months of the date of this letter.

If you are not content with the outcome of the internal review you may apply directly to the Information Commissioner's Office for a decision. Generally the Commissioner cannot make a decision unless you have exhausted our own complaints procedure. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow Cheshire SK9 5AF www.ico.gov.uk