Your benefits are Changing

Employment and Support Allowance
What is Employment and Support Allowance (ESA)?

ESA was introduced in October 2008 to help most people with an illness or impairment to move into work.

Can I claim ESA?

You can claim ESA if your ability to work is limited by ill health or impairment. To claim ESA you must also:

• Be aged 16-64
• Undergo a 13 week assessment phase
• And either
  a) have made enough National Insurance contributions,
  b) be under 20 (or in some cases under 25),
OR
  c) be on a low income.

I am currently on Incapacity Benefit, will I automatically move onto ESA?

No, you will have to be reassessed. The Department for Work and Pensions will contact you and tell you what to do to apply for ESA. All claimants will be moved off Incapacity Benefit by 2014.
How do I apply for ESA?

Start your application by telephoning 0800 055 66 88. Customers with speech or hearing impairments can use a text-phone on 0800 023 48 88.

Customers unable to claim by telephone can claim through a representative or interpreter by using a printed form, or face-to-face at Jobcentre Plus offices.

You can download a copy of the form online at www.gov.uk/employment-support-allowance/how-to-claim or pick up a copy from the Jobcentre Plus office.

What information will I need?

- A valid medical certificate saying that you are unable to work
- Your National Insurance Number
- Proof of identity e.g. driving license or passport

What happens after I put my claim in?

You will then enter what is called a 13 week assessment phase. During this time you will undergo a face-to-face Work Capability Assessment (WCA) conducted by a company called Atos. During the WCA you will be assessed on your ability to work and carry out day-to-day tasks.
What is a Work Capability Assessment?

A Work Capability Assessment is a face-to-face assessment/meeting which may last up to an hour.

During this time you will be assessed on your ability to do various activities. The outcome of the WCA will affect whether you get ESA and the amount of benefit that you will receive.

Will I have to undertake an assessment even if I am moving from Incapacity Benefit/Income Support?

Yes. There is no automatic transfer.

Will I have to undertake the Work Capability Assessment no matter what my impairment or health condition is?

Yes, most people will have to undergo the assessment – there is no exemption because of your impairment or health condition. Those with a terminal illness may be exempt.

When am I likely to have the WCA?

You will be asked to attend a WCA after you have applied for ESA, during the 13-week assessment phase. If you are currently receiving Incapacity Benefit you will be contacted when your application is due to be renewed and asked to apply for ESA.
Annika, 34 years old, Cardiff

Annika lives with Fibromyalgia, post traumatic stress disorder and has been recently been diagnosed with bipolar (a mental health condition). Annika experiences chronic pain which has a detrimental impact on her mental well-being and physical state. Annika also has a benign tumor which presents additional discomfort.

Annika has been in receipt of incapacity benefit for some time. Last year she received a letter from DWP explaining a change to incapacity benefit to Employment and Support Allowance (ESA). She was invited to attend a Work Capability Assessment (WCA) to determine her eligibility for ESA.

Annika did not have a positive experience of the WCA. She felt the assessor had already made up their mind before she walked through the door. She found the questioning difficult and struggled to recall detail when asked specific questions. The experience made her feel like she was on trial. Annika was awarded very few points and ESA was not awarded as the assessor declared Annika ‘fit for work’.

Annika is currently appealing the decision with support from those around her including health professionals and family.

Annika states: “It’s a waiting game now going through the appeals process. It takes a long time. I know I’ll get through it but I am genuinely concerned for others who are less able than me and who may not have the support I have from professionals and family.”

Annika talked about the excellent support she’s had from health professionals including her occupational therapist, consultant rheumatologist and social worker.
What will the WCA be like?

The WCA will assess your ability to undertake tasks. The assessment will consist of three parts:

• Assessment of limited capability for work
• Assessment of limited capability for work-related activity
• Work-focused health-related assessment

Who will carry out the Work Capability Assessment?

The WCA will be carried out by a healthcare professional employed by Atos, such as a doctor or nurse, NOT your GP or consultant.

Where will the WCA take place?

The WCA will be carried out at a Medical Examination Centre, within reasonable distance to your home. In exceptional circumstances the WCA can be carried out at your home.

What happens after the Work Capacity Assessment?

You will receive a letter outlining the outcome of the assessment and stating whether you are eligible for ESA or not. You will be allocated to one of these groups:

Work Related Activity Group

If you are placed in this group then you will be expected to undertake work-focused interviews with your personal adviser. If you do not attend you risk a reduction in your benefit.
Support Group

If you are placed in this group you will be considered to have an impairment or health condition which has a severe effect on your ability to work. You will not be expected to take part in any work-related activity.

Will I receive help to get into work?

If you are in the Work Related Activity Group you will have regular contact with a personal adviser. They will help you to:

- Discuss your job goals
- Develop your skills
- Plan steps to finding work

How much ESA will I receive?

This will depend on:

- What type of ESA you get (contributory or income-related)
- What level of support you are considered to need
- Whether you are aged 25 or over
- Whether you are in your assessment phase
- Whether you live with a partner or not.
What do I do if I am unhappy about the outcome of the assessment?

If you are unhappy you can ask for a revision of the outcome. Your claim will then be re-considered by the Decision Maker. If you are still unhappy, there is an appeal process. You will need to appeal within one month of the date of the decision you disagree with.

You will need to use a form called ‘If You Think Our Decision Is Wrong’. These forms are available from Jobcentre Plus Offices.

What happens if I am not eligible for ESA?

If your appeal is unsuccessful you may be able to claim Job Seeker’s Allowance (JSA).

How long can I get ESA?

Contributory based ESA for those in the Work Related Activity Group will be limited to 12 months. There is no time limit if you are in the support group or if you are claiming Income Related ESA.
Where can I find out more?

More information can be found online at:

- Department for Work and Pensions (DWP) Website: www.dwp.gov.uk/esa
- The Citizens Advice Bureau also has helpful information on its website: http://www.citizensadvice.org.uk/index/getadvice.htm
- Benefits and Work provide online information about disability and incapacity benefits www.benefitsandwork.co.uk

More information can be found by telephone:

- **Turn 2 Us**: Freephone: 0808 802 2000 (8am-8pm Monday-Friday) - Provides advice on welfare benefits.
- **Benefit Enquiry Line Freephone**: 0800 882 200 Textphone: 0800 243 355 (8am-6pm, Monday-Friday) - Provides general advice on welfare benefits.
- **The Your Benefits are Changing advice line**: 0300 303 1073, or text change to ‘80018’ and an advisor will phone you back.
- From June if you want to make a new claim for PIP, telephone 0800 917 2222 (textphone 0800 917 7777)
Make sure you keep regular contact with your GP/Health Professional, to keep your records up to date and accurate.

Photocopy all forms, certificates, and letters sent.

Keep a note of all dates when letters were sent and received

Make sure you keep all relevant paperwork together in one place, e.g. a box, plastic wallet etc.

Obtain welfare rights advice about your entitlements and help with completing forms as early in the application process as possible (e.g. from Citizens Advice Bureau, Local Authority Income Maximisation Service).

If you wish to appeal make sure you start the process quickly, as there is a time limit of 1 month after the decision.
Before a face-to-face assessment, let Atos know you want an audio recording of the assessment. You have a right to request this.

Request a copy of the written report of your WCA. This is useful if you disagree with the outcome and are going to appeal.

In some areas you can get a representative to attend a Tribunal Hearing with you (this can be done through your local Citizens Advice Bureau).

Ask a friend or family member to travel to the WCA and Tribunal Hearing with you. This will help you to calm your nerves and provide moral support. They will often ask how you travelled to the assessment/hearing venue.

Familiarise yourself with the assessment process, the questions that will be asked and the assumptions that the assessor is likely to make based on your actions and responses, and the criteria that you will be assessed against. See Where can I find out more? to find out who you can contact for help.

Don’t understate the impact of your impairment or health condition, particularly if you have a fluctuating condition.