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Overview

ESA is a benefit, which is paid if you are ill or disabled, providing financial support if you're unable to work and personalised help so that you can work if you are able to.

You can apply for ESA, whether you are employed, self-employed or unemployed. You could be transferred to ESA if you've been claiming other benefits, for example, Income Support or Incapacity Benefit.

There are three types of ESA: New style ESA, income-based ESA and Contribution-based ESA. Your circumstances will determine which type you will receive.

New Style ESA

To qualify for 'new style' ESA you'll need to:

- Have paid National Insurance contributions, usually in the last two to three years, either as an employee or through self employment. If you have acquired National Insurance credits they

will count too

- Have an illness or disability that affects your ability to work

Neither yours or your partner's income and savings will affect how much 'new style' ESA you will be paid.

If you are eligible for Universal Credit you will be able to claim it, at the same time or instead of the 'new style' ESA.

However if you get both Universal Credit and 'new style' ESA at the same time, your 'new style' ESA payment will be deducted from your Universal Credit payment.

Assessment phase

The first 13 weeks of your claim is called the 'assessment phase' and you are paid the basic allowance.

How much you'll get depends on your age:

- aged 18 to 24 years – up to £71.70 (per week)
- aged 25 years and over – up to £90.50 (per week)

Main phase

If you have been found to have limited capability for work, you will move onto the 'main phase' for New Style ESA and you will get the basic allowance, plus a 'support component' if you are put in the support group.

- basic allowance (standard rate) – up to £90.50 (per week)
- support component – £47.70 (per week)

Income Based ESA

To be awarded income-based ESA you need to have an illness or disability that affects your ability

to work, and in addition, you must receive either:

- A severe disability premium, or
- A severe disability premium was awarded within the last month and you're still eligible for it

Your National Insurance contributions in the last 2 to 3 years do not affect your eligibility for income-based ESA.

While your claim is being assessed

You'll normally get the 'assessment rate' for 13 weeks while your claim is being assessed.

This will be:

- up to £71.70 a week if you're aged under 25
- up to £90.50 a week if you're aged 25 or over

If it takes longer than 13 weeks to assess your claim, you'll continue getting the 'assessment rate' until you get a decision or until your ESA is due to end.

Your ESA will be backdated if you're owed any money after 13 weeks.

After you're assessed

You'll be placed into one of 2 groups if you're entitled to ESA. If you're able to get back into work in the future, you'll be put into the work-related activity group. Otherwise, you'll be put into the support group.

You'll get:

- up to £90.50 a week if you're in the work-related activity group
- up to £138.20 a week if you're in the support group

If you're in the support group

If you're in the support group and on income-related ESA, you're also entitled to the enhanced disability premium.

You may also qualify for the severe disability premium.

How is your ESA Assessed?

If you are entitled to receive ESA you will be placed in one of two groups:

- Work-related activity group - you will be required to attend regular interviews with an adviser
- Support group - there are no interviews

You may be asked to attend a Work Capability Assessment. The purpose of this is to ascertain to what extent your illness or disability affects your ability to work.

Reapplying for ESA

After your 'new style' or contribution-based ESA stops, it might be possible for you to re-apply. You would do this at least twelve weeks after your original claim has ended. Depending on:

- Your National Insurance contributions within the last 2 full tax years before the tax year you're claiming in
- Whether your health has deteriorated and you're placed in the support group

You might be eligible for ESA if your illness or disability affects your ability to work and you're:

- Below State Pension age
- Not receiving Statutory Sick Pay or Statutory Maternity Pay and you have not gone back to work
- Not in receipt of Jobseeker's Allowance

You can make an application for ESA if you're:

- Employed
- Self-employed
- Unemployed
- A student

You might be eligible to receive ESA if you've paid enough UK National Insurance (or the equivalent in an EEA or other country with which the UK has an agreement).

Health and work conversation

A health and work conversation is usually required to discuss the support you require. If you do need one, you will be informed after you claim it. They usually take place four weeks after the date of your claim.

They are sometimes not required, for example if you are hospitalised or terminally ill. You will need to attend if told to, otherwise your ESA might be reduced.

Work Capability Assessment

If you are required to attend a Work Capability Assessment you will receive a letter telling you where to go and what you have to do.

You will also be required to complete a 'Capability for work questionnaire' during the application. The questionnaire is different in Northern Ireland.

Important

If you do not complete the questionnaire or attend the assessment your benefit may be stopped. You may be able to obtain a recording of the assessment if required.

Permitted work

If you do 'permitted work' it will not usually affect your entitlement to ESA. Permitted work is when both the following applies:

- You are earning up to £167 a week
- Your working hours are less than 16 hours per week

There's no limit on the number of weeks your permitted work can last for.

Supported permitted work

You will be able to do 'supported permitted work' and earn up to £167 per week. Supported permitted work must be one of the following:

- You are part of a treatment programme
- You are supervised by someone from a local council or voluntary organisation and their job is to arrange work for disabled people

When your work begins you need to fill in form PW1 and send it to the Jobcentre Plus office that deals with your benefit claim.

You will need to tell Jobcentre Plus if you do any volunteer work, however this doesn't normally affect your ESA.

Income and savings

Your income might affect your income-related or contributory ESA. Income can include:

- Yours and your partner's income
- Any savings over £6,000
- Your pension income

You will not be eligible for income-related ESA if you have savings over £16,000.

How to apply

You will need to make a 'new claim appointment' by telephoning the Universal Credit helpline. If you cannot use the phone you can make an appointment in person at your local Jobcentre Plus.

Universal Credit helpline

T: 0800 328 5644 (option 2 then option 6)

Textphone: 0800 328 1344

NGT text relay (www.relayuk.bt.com) (if you cannot hear or speak on the phone): 18001 then 0800 328 5644

Monday to Friday, 8am to 6pm

Find out about call charges

To claim Contribution-based and income-related ESA you need to telephone the contact centre to apply for contribution-based and income-related ESA.

Contact centre

T: 0800 169 0350

Textphone: 0800 023 4888

NGT text relay (if you cannot hear or speak on the phone): 18001 then 0800 169 0350

Welsh language telephone: 0800 012 1888

Monday to Friday, 8am to 6pm

Find out about call charges

You can also fill in and print out the ESA1 form

(assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/912684/esa1.pdf) and send or take it to your local Jobcentre Plus office.

Call the contact centre to ask for accessible formats of the ESA1 form, such as braille, large print or audio CD.

There's a different way to apply in Northern Ireland.

Information and documentation to make your claim

You will need the following to make your claim:

- National Insurance number
- A fit note (sometimes called 'sick note' or 'doctor's note')
- Your GP's address and phone number
- Your home and mobile telephone numbers
- Your employer's address and telephone number and dates of employment or last day you worked
- Your bank account details

- Full details of any other money you're getting, such as benefits or sick pay

If you are applying for income-related ESA, you will also need your:

- Mortgage or landlord details
- Your Council Tax bill

Appeals

If you disagree with a decision about your claim you have the right to ask for a 'mandatory reconsideration'

(assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/683380/if-you-disagree-with-a-decision-made-by-dwp.PDF).

You should seek advice from a welfare benefits specialist, or contact your local advice agency.

Change in circumstances

It is essential to report any changes, as you risk your ESA being stopped or reduced if you do not report a change straight away.

A change of circumstance could include:

- If you are starting or stopping employment, education, training or an apprenticeship
- If you are moving home
- If you are changing your name
- If anyone is moving into or out of your home, for example your partner or a child
- Any changes to any benefits you or anyone else in your home receives
- Any changes to your pension, savings, investments or property
- Any changes to other money you receive (for example student loans or grants, sick pay or money you get from a charity)
- Changing your doctor
- Any changes to your medical condition or disability
- If you are going into hospital or a care home or sheltered accommodation
- If you are going abroad for any length of time

Telephone the ESA helpline if you're not sure whether you need to report a change. You risk being prosecuted or have to pay a £50 penalty if you give any wrong or incomplete information, or do not report a change straight away.

If you're claiming Universal Credit and the 'new style' ESA, you must report your change in circumstances to both these services.

Transfer from incapacity benefits to ESA

You may be transferred to ESA from either: Incapacity Benefit, Income Support (due to illness or disability), Severe Disablement Allowance. You will be told whether you're in the support group or work-related activity group if you are transferred.

You will be required to have a Work Capability Assessment to determine your ESA eligibility. If you're eligible, your benefit will be transferred automatically avoiding any breaks in the payments you receive.

If the amount of benefit you currently receive is less than ESA, your money will increase as soon as you move to ESA.

You'll be entitled to a 'top-up payment' if the amount of benefit you currently receive is more than the normal ESA amount. Therefore you will continue to receive the same amount of money as you receive now.

The ESA payment you receive will not then rise until the normal amount of ESA has increased by the amount of the top-up payment.