



Employment and support allowance overview

1. What is employment and support allowance?

Employment and support allowance (ESA) is a new benefit paid if your ability to work is limited by ill health or disability and you are claiming after 27 October 2008. It replaces both incapacity benefit (IB) and income support (IS) paid on the grounds of incapacity.

2. What are the rules for ESA?

If you are claiming ESA you must:

- be at least 16 years old
- be under pensionable age
- undergo a 13 week assessment phase
- satisfy one of the following:
 1. a contributory test
 2. be under age 20 (or 25 in certain cases)
 3. a low income test

3. What is the assessment phase?

This applies to all new ESA claimants, with the exception of those who are terminally ill. The assessment usually takes place over 13 weeks, but can be longer, during which claimants undergo a work capability assessment and a work focused interview.

3.1 The work capability assessment

The ESA work capability assessment (WCA) is more complex than that currently used for incapacity benefit. The assessment will be carried out by a health care professional working on behalf of the Department for Work and Pensions. It is intended to:

- find out whether you have a 'limited capability for work'.
- find out whether you have a 'limited capability for work-related activity'.
- carry out a 'work-focused health-related assessment'.

The test for 'limited capability for work' has many similarities to the incapacity benefit PCA. Points are scored based on your ability to carry out a range of physical or mental health activities as appropriate. You score points according to your inability to carry out these tasks. If you score 15 points you are deemed to have limited



capability for work and can stay on ESA. If you fail this part of the test you will be moved onto jobseeker's allowance instead.

The 'limited capability for work-related activity' test is used to decide whether you are placed in the support group of claimants or the work-related activity group (see 8). The test has a list of 46 descriptors, relating to both physical and mental functions. If at least one of them fits, you will be placed in the support group of claimants.

The 'work-focused health-related assessment' (WFHRA) collects information about your 'functional capacity' to carry out tasks. This focuses on the things you can do as opposed to the limited capability for work assessment, which focuses on the things you cannot do. The WFHRA also collects information about any health interventions that could improve your functional capacity and thus support a move back into work. This could include the use of appropriate aids and adaptations. The information collected in the WFHRA is put into a 'capability report' which is used in the work-focused interview.

For more information see our Factsheet - [employment and support allowance medical tests](#).

3.2 The initial work-focused interview

You are expected to attend an initial 'work-focused interview', unless you are terminally ill. This will normally take place during the 8th week of their ESA claim. At this interview a 'personal adviser' will discuss your work prospects, the steps that you are willing to take to move into work and the support available to you. As a guide, the personal adviser will be using the capability report that was produced in the work-focused health-related assessment.

The interview can be waived if you are likely to be starting a job or returning to work. The personal adviser can also defer an interview if, because of your condition, it would be inappropriate at that particular time.

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4. The contributory test

You will need to have paid enough National Insurance contributions in specific tax years to satisfy this test. If you do pass the test you will receive a flat-rate benefit, which is similar to incapacity benefit.

Contributory ESA has no age-related additions or additions for dependents (such as a wife, husband or civil partner or child) premiums or allowances for housing costs. In order to get additions for your partner, premiums or housing costs you will need to also satisfy the low income test (see 6).

If you need extra money to look after a child, you should claim child tax credit .



5. Under age 20

If you have limited capability for work from and claim ESA before the age of 20 (or 25 if you have been in education or training) you do not have to satisfy the contribution conditions.

6. The low income test - income related ESA

This is a test similar to income support. In brief, your needs (and those of your partner if you have one) are compared with your resources, such as your income and savings, and the income-related allowance worked out from this comparison.

You cannot get income-related ESA if your capital or savings (or you and your partner's capital or savings) is above an upper savings limit of £16,000.

Your benefit will also be affected if your capital or savings (or you and your partner's capital or savings) is above a lower savings limit of £6,000. If you are permanently in a care home this lower limit is £10,000.

7. Those in the support group

If it is decided that you have a limited capability for work-related activity, you will be placed in the support group of claimants. If you are placed in this group, you will not have to undertake work-related activities (though you can volunteer to do so if you want).

8. Those in the work-related activity group

If it is decided that you do not have a limited capability for work-related activity, you will be placed in the work-related activity group of claimants. You will have to adhere to strict work-related conditions in order to continue receiving the benefit in full. This will involve attending a series of five further work-focused interviews in addition to the initial work-focused interview.

These interviews will normally take place each month and at them the personal adviser will try to help you back into work. As with the initial work-focused interview, they will be using the capability report as a guide. They will draw up an 'action plan', which will outline the activities that you could undertake to help you move into work.

9. How much is ESA?

9a. The assessment phase

During the assessment phase you are paid a 'basic allowance'. This is set at a similar level to that of jobseeker's allowance. If you are aged under 25 you will receive a reduced rate of this basic allowance. Once you have completed the assessment period the reduction for under 25s does not apply.



If you are on contribution related ESA you will get:

under 25 – £50.95
age 25 and over – £64.30

If you are on income based ESA you may get:

single and under 25 – £50.95
single and age 25 and over – £64.30
lone parents age 18 and over - £64.30
couples age 18 and over - £100.95

You may also be able to get additional premiums (pensioner, severe disability, carer and enhanced disability premiums). For more detailed information see Factsheet [employment and support allowance guide](#). There is no disability premium with ESA.

After the assessment phase you can receive one of two additional payments depending on whether you are placed in the work-related activity group or the support group.

9b. Work related activity phase

If you are placed in the work-related activity group you will receive a work related activity component of £25.50.

If you are on contribution based ESA you will get:

under 25 – £89.80
age 25 and over – £89.80

If you are on income based ESA you may get:

single and under 25 – £89.80
single and age 25 and over – £89.80
lone parents age 18 and over - £89.80
couples age 18 and over - £126.45

You may also be able to get additional premiums and housing costs.

9c. Support group phase

If you are placed in the support group you will receive a support component of £30.85. If you are terminally ill this component will be paid to you during the assessment phase.

If you are on contribution based ESA you will get:

under 25 – £95.15
age 25 and over – £95.15



If you are on income based ESA you may get:

single and under 25 – £95.15
single and age 25 and over – £95.15
lone parents age 18 and over - £95.15
couples age 18 and over - £131.80

Everyone in the support group, who is on income based ESA, gets the enhanced disability premium (included in the figures above). You may also be able to get additional premiums and housing costs.

10. Sanctions

Both the initial work-focused interview and the follow-up interviews are mandatory. If you fail to either attend or participate in a work-focused interview, your ESA may be paid at a reduced rate or 'sanctioned'. Sanctions can only be applied to the additional payments of ESA, not the basic allowance. Hence sanctions can only be applied when the assessment phase of the benefit is over.

For the first 4 weeks the sanction will consist of a 50% reduction to the additional payment within your ESA. Thereafter the additional payment will be removed completely. The sanction will last for as long as you do not comply with the requirements that are demanded of you. For instance, if you refuse to attend a work-focused interview, the sanction will apply until you do attend one.

11. Students

11a. Full time students

If you are a student you can claim contributory ESA if you have paid enough national insurance (NI) contributions, or satisfy the rules for claimants under 20 (see 5). You will still have to satisfy the limited capability for work test.

You can only get ESA on grounds low income (income-related ESA) if you are getting disability living allowance (DLA). If you are on DLA you are also treated as having limited capability for work for the purposes of income-related ESA.

Whether or not you automatically satisfy the limited capability for work test you will still be assessed under the limited capability for work-related activity test, which decides whether you are in the support group or the work-related activity group.

If you are in the work-related activity group you will also have to attend a work-focused health-related assessment as well as work-focused interviews.

11b. Part-time students

If you are a part-time student you can claim contributory ESA if you have paid enough national insurance (NI) contributions, or satisfy the rules for claimants under 20 (see 5). You can also claim income-related ESA if you are on a low income. You do not have to be receiving DLA.



12. What about those who are already getting IB or IS?

If you are already receiving incapacity benefit (IB) or income support (IS) paid on the grounds of incapacity when ESA is introduced you will continue to receive those benefits, rather than ESA, for the time being.

For the moment, if you are claiming incapacity benefit (IB) or income support (IS) on grounds of disability, you still have to satisfy the old personal capability assessment test rather than the new ESA test. The Government has announced its intention to transfer those on IB/IS to ESA and to apply the ESA test at a future date.

The Government Green Paper, "[No one written off: reforming welfare to reward responsibility](#)", suggested that this process might start in April 2009, but the likelihood is that this will occur at a later date.

The green paper and Government White Paper "[Raising expectations and increasing support: reforming welfare for the future](#)" also propose the alignment of incapacity benefit and employment and support allowance rates over time. This will start in April 2009.

Both papers also state that income support will be abolished, replacing IS with either ESA or JSA.

13. How to Claim

Telephone the ESA Claim Line on 0800 055 66 88

14. Where can I get more help and information?

DIAL Great Yarmouth

12a George Street

Great Yarmouth

Norfolk

NR30 1HR

Telephone 01493 856900

Monday to Friday 10am to 4pm

You can view a summary of the new welfare reform green paper (and download the paper itself) at www.disabilityalliance.org/welfare3.htm.

For information about ESA as a passport to free prescriptions see Factsheet - [prescription charges/health benefits](#).

