



## **Incapacity benefit - the personal capability assessment test**

If you are getting incapacity benefit, severe disablement allowance or income support because you are incapable of work there are two incapacity tests which you may have to pass.

These tests are:

- the own work (occupation) test
- the personal capability assessment

You do not have to pass these tests if you are treated as incapable of work.

### **Replacement of the personal capability assessment**

From October 27 2008, if you are sick or disabled and unable to work you will no longer be able to claim IB. You will instead have to claim the new employment and support allowance (ESA), has new medical tests.

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.

### **What is treated as incapable of work?**

You are treated as incapable of work if you:

- are in hospital
- you have been given notice under specific legislation to refrain from work because you are a carrier of or have been in contact with an infectious disease
- receive certain regular weekly medical treatments. These include peritoneal or haemodialysis, parenteral nutrition, parenteral chemotherapy or radiotherapy
- are pregnant and are unable to work because it is dangerous to you or your baby's health
- are pregnant and cannot get maternity allowance or statutory maternity pay. If this applies you are considered incapable of work from 6 weeks before your baby is born to 2 weeks after the baby's birth.



## **Own Work (Occupation) Test**

If you have been working full time (16 or more hours per week) for more than 8 weeks in the 21 weeks before you claim incapacity benefit, this test applies for the first 28 weeks of your claim. You normally pass this test by getting a medical certificate from your doctor. This certificate proves that you are incapable of doing your previous work because you are sick or disabled.

If you have not worked 8 weeks in the last 21 weeks or if you have previously been on statutory sick pay you will have to pass the personal capability assessment instead.

Even if you do satisfy the own work test rules you will have to pass the personal capability assessment test after 28 weeks of your claim unless you are exempt from the test.

## **How do I know if I am exempt from the personal capability assessment test?**

You are exempt from the personal capability assessment test if you:

- are in receipt of the highest rate care component of Disability Living Allowance
- are assessed as 80% disabled - for war pension, industrial injury or severe disablement allowance purposes
- are terminally ill and your death can reasonably be expected within 6 months
- are tetraplegic
- are paraplegic or have virtual paraplegia due to uncontrollable involuntary movements or ataxia
- are in a persistent vegetative state
- are suffering from dementia
- are registered blind
- have severe learning disability - defined as a condition which results from the arrested or incomplete physical development of the brain, or severe damage to the brain, and which involves severe impairment of intelligence and social functioning
- have severe and progressive neurological or muscle wasting disease
- have progressive impairment of cardio-respiratory function which severely and persistently limits effort tolerance



- have dense paralysis of upper limb, trunk, and lower limb on one side of the body
- have multiple effects of impairment of the function of the brain or nervous system causing severe and irreversible motor, sensory and intellectual deficits
- have severe mental illness - defined as involving the presence of mental disease which severely and adversely affects a person's mood or behaviour, and which severely restricts their social functioning, or the awareness of their immediate environment
- have manifestations of severe and progressive immune deficiency states characterised by the occurrence of severe constitutional illness or opportunistic infections or tumour formation
- have active and progressive polyarthritis

### **The Personal Capability Assessment**

The assessment is divided into two parts:

- the incapacity test/report
- the capability report (only used as part of "pathways to work" work-focused interviews)

To pass the incapacity test you have to be incapable of doing any work. The test looks at your ability to carry out a range of physical activities or mental health activities as appropriate. Points are scored according to your ability to carry out these activities. You must score:

- 15 if you have a physical disability
- 10 if you have a mental disability
- 15 if you have both a physical and mental disability - Note that if you score 6 points for your mental disability assessment this will be rounded up to 9 points when considering joint physical and mental disability

Unless you are exempt from the test you will be sent a form IB50 to complete and return. You may also be asked to get a Med 4 certificate from your doctor. The information contained on these forms may be enough for the decision maker to decide whether you pass the test but you may also be asked to attend a medical.

In some medical examinations the Examining Medical Officer may use a computerised form known as the electronic 85.



## **Physical Descriptors and scores**

### **Walking**

Describe your ability to walk on level ground with a walking stick or other aid (if normally used), and the distances which you can walk without stopping or feeling severe discomfort

- Cannot walk at all - score 15
- Cannot walk more than a few steps without stopping or severe discomfort - score 15
- Cannot walk more than 50 metres without stopping or severe discomfort - score 15
- Cannot walk more than 200 metres without stopping or severe discomfort - score 7
- Cannot walk more than 400 metres without stopping or severe discomfort - score 3

Note: You will only get the score from the higher of either walking or walking up and down stairs - not both.

### **Walking up and down stairs**

Describe your ability getting up and down stairs, how do you get up and down, whether you need to hold the banister, rest, or use another method.

- Cannot walk up and down one step - score 15
- Cannot walk up and down a flight of 12 stairs - score 15
- Cannot walk up and down a flight of 12 stairs without holding on and taking a rest - score 7
- Cannot walk up and down a flight of 12 stairs without holding on - score 3
- Can only walk up and down a flight of 12 stairs if you go sideways or one step at a time - score 3

Note: You will only get the score from the higher of either walking or walking up and down stairs - not both.

### **Sitting**

Describe your ability to sit in a chair that does not have supporting arms and without the help of another person. Say if you have difficulty maintaining a sitting posture



sitting comfortably; and the duration of comfortable sitting before having to move from the chair

- Cannot sit comfortably - score 15
- Cannot sit comfortably for more than 10 minutes without having to move from the chair because the degree of discomfort makes it impossible to continue sitting - score 15
- Cannot sit comfortably for more than 30 minutes without having to move from the chair because the degree of discomfort makes it impossible to continue sitting - score 7
- Cannot sit comfortably for more than one hour without having to move from the chair because the degree of discomfort makes it impossible to continue sitting - score 3

Note: This descriptor has been changed twice as a result of two commissioner's decisions.

### **Standing**

Can you stand without support from another person or from something more than a single walking stick, and continue to stand for a period, and what happens at the end of that period?

- Cannot stand unassisted - score 15
- Cannot stand for more than a minute before needing to sit down - score 15
- Cannot stand for more than 10 minutes before needing to sit down - score 15
- Cannot stand for more than 30 minutes before needing to sit down - score 7
- Cannot stand for more than 10 minutes before needing to move around - score 7
- Cannot stand for more than 30 minutes before needing to move around - score 3

### **Rising from Sitting**

Can you rise from sitting without help from someone else but possibly with help from equipment or leverage from chair arms and if this can be done, the frequency and reliability with which it can be done.

- Cannot rise from sitting to standing - score 15
- Cannot rise from sitting to standing without holding on to something - score 7



- Sometimes cannot rise from sitting to standing without holding on to something - score 3

### **Bending and Kneeling**

- Cannot bend to touch knees and straighten up again - score 15
- Cannot bend or kneel, or bend and kneel, as if to pick up a piece of paper from the floor and straighten up again - score 15
- Sometimes cannot bend or kneel, or bend and kneel, as if to pick up a piece of paper from the floor and straighten up again - score 3

### **Manual Dexterity**

- Cannot turn the pages of a book with either hand - score 15
- Cannot turn a sink tap or control knobs on a cooker with either hand - score 15
- Cannot pick up a small object, like a 2 pence, coin with either hand - score 15
- Cannot use a pen or pencil - score 15
- Cannot tie a bow in laces or string - score 10
- Cannot turn a sink tap or control knobs on a cooker with one hand, but can with the other - score 6
- Cannot pick up a small object like a two pence coin with one hand, but can with the other - score 6

### **Lifting and Carrying by use of the upper body and arms**

Describe your ability to lift and hold a weight for a sufficient period of time to be able to carry it for a short distance (e.g. from fridge to table)

- Cannot pick up a paper back book with either hand - score 15
- Cannot pick up and carry a 0.5 litre carton of milk with either hand - score 15
- Cannot pick up and pour from a full saucepan or kettle of 1.7 litre capacity with either hand - score 15
- Cannot pick up and carry a 2.5 kilo bag of potatoes with either hand - score 8
- Cannot pick up and carry a 0.5 litre carton of milk with one hand, but can with the other - score 6



## **Reaching**

Describe your ability to raise your arms given a range of tasks and your ability to carry them out with either arm.

- Cannot raise either arm as if to put something in the top pocket of a jacket - score 15
- Cannot raise either arm to head as if to put on a hat - score 15
- Cannot put either arm behind back as if to put on a coat or jacket - score 15
- Cannot raise either arm above head as if to reach for something - score 15
- Cannot raise one arm to head as if to put on a hat, but can with the other - score 6

## **Speech**

- Cannot speak - score 15
- Speech cannot be understood by family or friends - score 15
- Speech cannot be understood by strangers - score 15
- Strangers have great difficulty understanding speech - score 10
- Strangers have some difficulty understanding speech - score 8

## **Hearing (with a hearing aid if normally worn)**

The descriptors cover a number of gradations of the ability to hear which are chosen to relate to everyday life.

- Cannot hear sounds at all - score 15
- Cannot hear well enough to follow a television programme with the sound turned up - score 15
- Cannot hear well enough to understand someone talking in a loud voice in a quiet room - score 15
- Cannot hear well enough to understand someone talking in a normal voice in a quiet room - score 10
- Cannot hear well enough to understand someone talking in a normal voice on a busy street - score 8



### **Vision (in daylight or bright electric light, with glasses if normally worn)**

The descriptors relate purely to your vision and not to comprehension or the ability to read and write.

- Cannot tell light from dark - score 15
- Cannot see the shape of furniture in the room - score 15
- Cannot see well enough to read 16 point print more than 20 centimetres away - score 15
- Cannot see well enough to recognise a friend across the room, at least 5 metres away - score 12
- Cannot see well enough to recognise a friend across the road, at least 15 metres away - score 8

### **Continence - Other Than Bedwetting**

- No voluntary control over bowels - score 15
- No voluntary control over bladder - score 15
- Loses control of bowels at least once a week - score 15
- Loses control of bowels at least once a month - score 15
- Loses control of bowels occasionally - score 9
- Loses control of bladder at least once a month - score 3

### **Remaining conscious**

Remaining conscious without having epileptic or similar seizures during waking moments

- Has an involuntary episode of lost or altered consciousness at least once a day - score 15
- Has an involuntary episode of lost or altered consciousness at least once a week - score 15
- Has an involuntary episode of lost or altered consciousness at least once a month - score 15
- Has had an involuntary episode of lost or altered consciousness at least twice in the last 6 months - score 12
- Has had an involuntary episode of lost or altered consciousness once in the last 6 months - score 8



Note: Following CSIB/803/2005 and CSIB/8188/2005, a decision made by a tribunal of commissioners, the wording of Activity 14 is that as amended on 6th January 1997 (see SI 1996/3207). This replaces the old wording - Remaining conscious other than for normal periods of sleep.

### **Mental health descriptors and scores**

The mental health test is divided into four areas of activity, each with its own set of descriptors.

To pass this test you have to get 10 points. This is not an easier test than for the physical one, it just has a different scoring system.

If you have both physical and mental health problems and do not score 10 for your mental health problems you may still be able to pass the personal capability assessment. If you score between 6 and 9 points on the mental health test a score of 9 is added to your physical score. If both sets of points add up to 15 you will pass the test.

### **Completion of Tasks**

- You cannot answer the phone and reliably take a message - score 2
- You often sit for hours doing nothing - score 2
- You cannot concentrate to read a magazine article or follow a radio or television programme - score 1\*
- You cannot use a phone book or directory to find a telephone number - score 1
- Your mental condition prevents you from doing leisure activities you enjoyed before - score 1
- You overlook or forget the risks of appliances or hazards due to poor concentration - score 1
- Your agitation, confusion or forgetfulness has resulted in potentially dangerous accidents in the past three months - score 1
- Your concentration can only be sustained if you are prompted - score 1

\*Note: Commissioner's decision, [CIB/2821/2004](#) changed the wording "cannot concentrate to read a magazine article or follow a radio or television programme" to "cannot concentrate to read a magazine article or follow a radio programme". [CSIB/279/2005](#) changed it back again.



## **Daily Living**

- You need encouragement to get up and dress - score 2
- You need alcohol before mid-day - score 2
- You are frequently distressed at some time of the day due to fluctuation of mood - score 1
- You do not care about your appearance and living conditions - score 1
- Sleep problems interfere with your daytime activities - score 1

## **Coping with Pressure**

- Mental stress was a factor in making you give up work - score 2
- You frequently feel scared or panicky for no obvious reason - score 2
- You avoid doing routine activities because you are convinced they will prove too tiring or stressful - score 1
- You are unable to cope with changes in daily routine - score 1
- You frequently find there are so many things to do that you give up because of fatigue, apathy or disinterest - score 1
- You are scared or anxious that work would bring back or worsen your illness - score 1

## **Interaction with Others**

- You cannot look after yourself without help from others - score 2
- You get upset by ordinary events and it results in disruptive behavioural problems - score 2
- Mental health problems impair your ability to communicate with others - score 2
- You get irritated by things that would not have bothered you before you were ill - score 1
- You prefer to be left alone for 6 hours or more each day - score 1
- You are too frightened to go out alone - score 1



## **Exceptional Circumstances**

Even if you do not have enough points to pass the test you may still be considered incapable of work if one of the following exceptional circumstances categories applies to you.

If you do not score enough points to satisfy the personal capability assessment you can still be treated as sick and unable to work if one of the following applies:

- you are suffering from a severe life-threatening disease which is uncontrollable, or uncontrolled, by recognised therapeutic procedure and if uncontrolled there is a reasonable cause for this
- you suffer from a previously undiagnosed potentially life-threatening condition which has been discovered during the course of your personal capability assessment medical
- you suffer from some specific disease or bodily or mental disablement and, by reasons of such disease or disablement, there would be a substantial risk to the mental or physical health of anyone if you were found capable of work
- you will, within three months of the date on which an approved doctor examines you, have a major surgical operation or other major therapeutic procedure.
- there is medical evidence that you need a major surgical operation or other major therapeutic procedure and it is likely that that operation or procedure will be carried out within three months of your personal capability assessment medical

## **Where can I get more advice and information?**

You can find out more about the employment and support allowance medical test in our Factsheet - Employment and support allowance medical.

DIAL Great Yarmouth

12a George Street

Great Yarmouth

Norfolk

NR30 1HR

01493 856900

Monday to Friday 10am to 4pm