

Employment and Support Allowance (ESA)

Employment and Support Allowance (ESA) is a benefit for people who are too unwell to work. This factsheet explains who can get ESA, how to claim, how you will be assessed and how to challenge a decision you do not agree with.



KEY POINTS

- ESA is paid to people who are unable to work because of an illness or disability.
- To start a claim for ESA you need a fit note from your GP that says you are not able to work.
- The Department for Work and Pensions (DWP) use a 'Work Capability Assessment' to decide if you are able to work or not.
- If you get ESA you will be put in either the 'Work Related Activity Group' or the 'Support Group'.
- If you are in the Work Related Activity Group (WRAG) you have to go to meetings which try to improve your chances of working.
- If you are in the Support Group you don't have to go to as many meetings and you will be paid more ESA than if you in the WRAG.
- If the DWP decide that you can't get ESA then you may have to claim Jobseekers Allowance (JSA).
- If you disagree with a decision, you can ask the DWP to look at the claim again. You can then appeal if you still do not agree with the decision.

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1. What is Employment & Support Allowance (ESA)?

ESA is a welfare benefit that is paid to people who are not well enough to work. It was introduced in October 2008 and began to replace older sickness benefits in 2010. The benefits that have been replaced are:

- Income Support (IS) on the grounds of disability
- Incapacity Benefit (IB)
- Severe Disablement Allowance (SDA)

Contribution based or income related?

There are two different types of ESA – contribution based, and income related.

- You get **contribution based ESA** (CB-ESA) if you have paid enough National Insurance contributions while working. It is not means tested so the amount you get is not affected by your savings or income of anyone you live with.
- **Income-related ESA** (IR-ESA) is paid if you have not paid enough National Insurance contributions, or you are no longer entitled to CB-ESA. It is means tested so the amount you are paid can be affected by your savings and the income of people that live with you.

From April 2015, ESA is paid at a basic weekly rate of:

- £73.10 for single people
- £114.85 for couples

After the first 13 weeks of your claim you will get an extra amount. This amount is based on which of the two ESA groups you are placed in. These extra weekly amounts are:

- £29.05 if you are in the Work Related Activity Group
- £36.20 if you are in the Support Group

You can find more information about the work related activity and support groups in section 4 [‘What is the Work Related Activity and Support Group?’](#)

If you get income-related ESA you can get extra money added to your benefit. These extra amounts are called premiums.

Enhanced disability premium

You will get the enhanced disability premium which is an extra £15.75 per week if you are put in the Support Group or you or your partner get one of the following benefits:

- Disability Living Allowance (high rate care component).

- Personal Independence Payment (enhanced daily living component).
- Armed forces independence payment

Severe disability premium

You will get the severe disability premium which is an extra £61.85 per week if you are in the support group, no-one gets carers allowance for looking after you and you get one of the following benefits:

- Disability Living Allowance (middle or high rate care component).
- Personal Independence Payment (standard or enhanced daily living component).

Your ESA will be paid into your bank, building society or post office account every two weeks.

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2. How can I claim ESA?

You can telephone the Jobcentre Plus contact centre to begin a claim for ESA. An adviser can complete the first application form over the telephone. This form is called the ESA1. It asks for information about you and your partner including:

- Name, address and date of birth
- National insurance numbers
- Brief explanation of your illness or disability
- Name and address of your GP
- Details of other benefits
- Details of previous work

You can ask for the application form to be sent to you if you would prefer or you get a copy online and take it to your nearest Jobcentre Plus office. You can download the form here:

www.gov.uk/government/publications/employment-and-support-allowance-claim-form

If you need help, a carer, friend or relative could make the telephone call or fill in the form for you. You will need to be with them when they make any calls so you can give them permission to speak for you.

Jobcentre Plus contact centre

Telephone: 0800 055 66 88 (8am-6pm Monday to Friday).
Text phone service: 0800 023 4888.

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3. What is the Work Capability Assessment?

The DWP uses a test called the 'Work Capability Assessment' to decide if you can get ESA. The DWP will need you to:

- Complete a form called the ESA50.
- Provide supporting medical evidence from a health care professional. This is not essential but can help the DWP make a correct decision sooner.
- Attend a face to face assessment.

The assessment takes a minimum of 13 weeks. Throughout the assessment phase, you will have to provide medical notes from your GP saying that you are not well enough to work. If your medical note runs out before the DWP make a decision about your claim, you will have to get a new one. If your medical note runs out and you do not get a new one, your benefit will stop.

The application form

Shortly after your claim begins, you will get an ESA50 form in the post. This is a questionnaire which asks how your illness or disability makes it harder for you to work. There will be a letter with the application form which tells you when you have to return the form to the DWP. If you cannot get the form completed by the date on the letter, contact the DWP and explain that you need more time.

A benefits adviser could help with your application. You will find more information in section 9 ['Do I need to speak to a benefits adviser?'](#).

Supporting evidence

When the DWP are deciding about your claim, they must take into account any medical evidence you give them. Your GP, Community Psychiatric Nurse, psychiatrist, social worker or care worker can all provide useful information.

The medical evidence should explain how your condition makes it harder for you to work, or what could happen to your health if you had to start looking for work. A letter that only confirms your diagnosis isn't as helpful.

You should make copies of your evidence and keep the originals somewhere safe. You can attach the evidence to the ESA50 or send it separately if you need to. Remember to write your name, address, National Insurance number and claim number on any paperwork that you send.

Medical assessment

Most people will be asked to go to a face to face medical assessment. A healthcare professional (usually a doctor or nurse) will do the

assessment. They will ask you some questions about a normal day and will write a report based on the information you give them.

You can take someone with you to the assessment. This could be a friend or relative, carer, support worker or anyone that knows you well. You could take someone with you for support and reassurance or to make notes about what was said. They may also be able to give the healthcare professional useful information about your condition.

Once the DWP have all the information they need, they will decide whether you can get ESA.

You can find more information on the questionnaire, supporting medical evidence and what to expect at the medical in our '**Work Capability Assessment**' factsheet, which you can download for free from www.rethink.org/factsheets or call 0121 522 7007 and ask for a copy to be sent to you.

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4. What is the Work Related Activity Group and the Support Group?

There are three decisions the DWP can make about your claim:

- You could get ESA and be put into the **Work Related Activity group (WRAG)**.
- You could get ESA and be put into the **Support Group**.
- You could be told you are fit for work. If this happens you will not get ESA and will either have to challenge the decision or claim Jobseekers Allowance.

Work Related Activity Group (WRAG)

- If you are in the WRAG you will have to go to at least six work focussed Interviews.
- You may have to take part in the work programme. See section 5 '[What is the work programme?](#)' for more information about this.
- If you are in the WRAG you will get less money than if you were in the support group.
- You can only get contribution-based ESA for one year if you are in the WRAG.

Support Group

- If you are in the support group you do not have to take part in work related activities such as the work programme.
- If you are in the support group you will get more money.
- If you get contribution based ESA and are in the support group the one year time limit does not apply.

If the DWP takes longer than 13 weeks to decide which group you are in, you will get your additional amounts backdated to week 14 of your claim.

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5. What is the work programme?

The work programme is a scheme that aims to help people into work. If you are on ESA and are in the WRAG you may have to take part in the work programme to get your full ESA payment.

If you are in the Support Group of ESA you do not have to take part in the Work Programme. However, you can choose to at any point if you think it will be helpful.

A number of different organisations run the Work Programme. These organisations are called providers. If you have to attend the work programme, you will have regular meetings with the provider. You will discuss what will help you get into work.

You could ask for support with:

- Finding information about different jobs and industries.
- Application writing & interview skills.
- Managing a mental illness in the workplace.

The provider should think about your individual needs and have a good knowledge of the work and training opportunities in your area.

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6. What will happen if I don't attend an interview or assessment?

Your ESA may be reduced if you don't go to your medical assessment, a work-focused interview, the work programme or any other meeting that the DWP asks you to.

You may have a good reason for not being able to go to a meeting, for example you may have been unwell. It is best to tell the DWP as soon as you know you will not be able to attend a meeting. If you do not contact the DWP about a missed appointment, they will contact you. You have five days after missing an appointment to tell the DWP why you could not attend before they consider reducing your ESA.

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7. Can I appeal if I think a decision is wrong?

Yes. If you disagree with any decision the DWP have made about your ESA claim you can ask them to look at the claim again. This is called a reconsideration. You generally have one month from the date of the

decision to ask for reconsideration and you have to go through this process before you can appeal.

Any appeal goes to an independent tribunal to look again at the decision. You can find more information in our **'Mandatory Reconsideration and Appeals'** factsheet, which you can download for free from www.rethink.org/factsheets or call 0300 5000 927 and ask for a copy to be sent to you.

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8. What if I have a relative who refuses to claim benefits?

Some people with mental health problems can't or don't want to claim benefits even though they could get them. It's possible for a relative or carer to become an 'appointee' and claim on behalf of a person whose mental illness.

You should speak to your local Jobcentre Plus. Don't be put off if the Jobcentre Plus officer doesn't seem to know much about appointeeship and get advice if they are unhelpful. You can find more information in our **'Options for Dealing with Someone Else's Financial Affairs'** factsheet, which you can download for free from www.rethink.org/factsheets or call 0121 522 7007 and ask for a copy to be sent to you.

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9. Do I need to speak to a benefit adviser?

The welfare benefits system is complicated. You should speak to a benefit adviser if you don't know which benefits you could get. You may be able to get help with difficult situations such as claims or appeals.

The help you will get from a benefit adviser will depend on the organisation you speak to. Some just offer advice and information, while others can help you fill in forms or go with you to meeting or appeals.

It can be difficult to find benefits advice, and harder still to find more hands on help. There have been some changes to the legal aid system meaning far fewer people can get help from a legal adviser.

Some solicitors or legal advisers will give benefits advice but will normally charge a fee. Legal aid can pay for benefits advice for some people. However you can only get legal aid if you are appealing a tribunal decision.

The most common place to find a benefits adviser is a Citizens Advice Bureau (CAB). You will find the contact details of CAB and other organisations that might help in the 'useful contacts' section.

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Rethink Mental Illness Factsheets:

[Welfare benefits and mental illness](#)

[Welfare benefits – mandatory reconsiderations and appeals](#)

[Work capability assessment](#)

All of our factsheets are free and can be downloaded from www.rethink.org/factsheets or you can call us on 0121 522 7007 and we will post you a copy.

You can find the ESA regulations by visiting the government website at www.legislation.gov.uk/uksi/2008/794/contents/made

You can also get more information on ESA on the Gov.uk website - www.gov.uk/employment-support-allowance



Jobcentre Plus - ESA new claim line

Telephone: 0800 055 6688

Monday to Friday 8am to 6pm

Citizens Advice

A Citizens Advice Bureau (CAB) offers free, confidential, impartial and independent advice. They can advise on debts, benefits, housing and other issues. You can get face-to-face or telephone advice. Find your local bureau to see the full range of services it provides.

Find your local bureau's contact details on the CAB website:

www.citizensadvice.org.uk

Citizens Advice also has a national phone service. It is now fully operational in Wales. In England the service is being rolled out area by area.

- for Wales call **03444 77 20 20**
- for England call **03444 111 444**

Turn2us

A charitable service which helps people access money that is available to them – through welfare benefits, grants and other help.

Telephone: 0808 802 2000 9am to 8pm Monday to Friday

Website: www.turn2us.org.uk/

Some solicitors or legal advisers will give benefits advice but will normally charge you. You can only get legal aid for benefit matters if it is to appeal a tribunal decision.

You can find legal advisers on the Ministry of Justice website:

<http://find-legal-advice.justice.gov.uk/>

Many local authorities have benefits advisers. You can find contact details for your local authority on GovUK.

www.gov.uk/find-your-local-council

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Rethink Mental Illness

Phone 0300 5000 927

Monday to Friday, 10am to 2pm

Email advice@rethink.org

Did this help?

We'd love to know if this information helped you.

Drop us a line at: feedback@rethink.org

or write to us at Rethink Mental Illness:

Feedback
PO Box 68795
London SE1 4PN

or call us on 0300 5000 927.

We're open 9am to 5.30pm, Monday to Friday.



Leading the way to a better quality of life for everyone affected by severe mental illness.

For further information on Rethink Mental Illness
Phone 0300 5000 927
Email info@rethink.org

www.rethink.org

Need more help?

Go to www.rethink.org for information on symptoms, treatments, money and benefits and your rights. Or talk to others about your problem at www.rethink.org/talk.

Don't have access to the web?

Call us on 0300 5000 927. We are open 9am to 5.30pm, Monday to Friday and we will send you the information you need in the post.

Need to talk to an adviser?

If you need practical advice, call us between 10am and 2pm, Monday to Friday. Our specialist advisers can help you with queries like how to apply for benefits, get access to care or make a complaint.

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