



EMPLOYMENT AND SUPPORT ALLOWANCE **(E S A)**

- A brief outline of a recent benefit change -

WHAT IS IT?

It is a new benefit, designed to replace all the benefits that were previously available where a claimant is unfit for work.

As such it replaces:

- Incapacity Benefit (IB);
- Severe Disablement Allowance (SDA);
- Income Support (IS) (where the only reason for not being required to sign on for work is due to your incapacity for work).

It was introduced for new claimants on 27 October 2008. Like Jobseekers Allowance, it has both a contributory version - ESA(C) - and an income related-version - ESA(IR).

WHAT DOES IT LOOK LIKE?

There are two distinct categories of ESA claimant: a Work-Related Activity Group and a Support Group. The amount of benefit you get depends in which group you are placed.

Unless you are placed in the Support Group, you will have to show that you are carrying out work-related activities. The general thrust of this new benefit is as a stepping stone back into work

HOW MUCH?

There is an initial assessment phase of three months, where the benefit payment level is set at the JSA level, with a lower amount paid to claimants aged under 25. A work-focused interview will usually be attended during this.

After that point one of two additional payments can be added to the basic amount, depending on eligibility for either the Work-Related Group or the Support Group.

If you are claiming ESA(ir), extra elements can be paid on top, equivalent to Income Support's 'enhanced disability' and 'severe disability' and 'carer' and 'pensioner' premiums. Apart from the 'pensioner premium', these rely on entitlement to certain levels of DLA Care Component.

WHAT IS THE TEST OF 'INCAPACITY FOR WORK'?

The claimant has to show that s/he has a **limited** capacity for work via a new Limited Capability for Work Assessment – commonly known as the Work Capability Assessment (WCA). This replaces the Personal Capability Assessment which applies to IB/SDA/IS.

There is a restructured Mental Health Test, covering a wider range of mental and intellectual capacity, with a new scoring system that more closely mirrors that of the Physical Health Test.

There are also changes to the Physical Health part of the test, including the removal of some of the lower scoring descriptors.

THE SUPPORT GROUP

This group is not required to show an ability to progress towards employment - unlike the Work-Related Activity Group.

To be placed in this group, the claimant has to pass an additional test – the 'limited capability for work-related activity assessment' - to demonstrate a severe functional limitation, which takes the form of meeting at least one in a list of fundamental physical or mental health descriptors.

THE WORK-RELATED ACTIVITY GROUP

Anyone not 'exempted' into the Support Group has to take part in 'work-related' activity as a condition of entitlement.

There will be a series of work-focused interviews, with an action plan concentrating the steps to be taken to move towards employment. Failure to attend the interviews, or undertake the agreed activities will lead to sanctions, i.e. reduction in benefit.

WHAT IF I AM ON BENEFIT ALREADY?

There will be initial protection for existing claimants of 'incapacity for work' benefits – claimants will not be transferred over to the new system straightaway. However, the Government intend that all claimants will be claiming under the new rules eventually.

The information in this factsheet is correct as of October 2008

**NB: This item may not be reproduced without prior agreement
or acknowledgement**

**Produced by: Warwickshire Welfare Rights Advice Service
Funded by: Warwickshire County Council
Charity Registration No. 1113524
Company No. 5730678**

