

Employment and Support Allowance

What is Employment and Support Allowance (ESA)

Employment and Support Allowance (ESA) is a benefit paid to people who are too sick or disabled to work and who meet certain conditions. It's paid by the Department for Work and Pensions (DWP). For most new claims, it replaces Incapacity Benefit and Income Support paid to people who aren't well enough to work. If you're already getting Incapacity Benefit or Income Support, you can carry on getting it but your claim will be converted into ESA at some point.

There are two types of ESA. You may be able to get either or both, depending on your circumstances. The two types of ESA are:

- contributory ESA, which you can get if you have paid enough national insurance contributions. In some circumstances, payments of contributory ESA will stop after one year
- income-related ESA, which is paid if your income and capital are low enough.

Who can get ESA

You can get ESA if:

- you're 16 or over and under state pension age, and
- you can't work because of sickness or disability, and
- you're not entitled to Statutory Sick Pay (SSP), and
- you have satisfied certain tests – see page 2.

You or your partner must **not** be getting Income Support, income-based Jobseeker's Allowance or Pension Credit. You must be ordinarily resident in the UK. For income-related ESA, you must not have any immigration controls on your stay here that would stop you getting the benefit.

How to apply for ESA

You can claim ESA by telephoning Jobcentre Plus. Their telephone number is: 0800 055 6688 or textphone: 0800 023 4888. There is a Welsh language line number on: 0800 012 1888. When they've spoken to you, they'll send you a statement of your situation to check but you don't need to sign or return this.

You can also claim online on the Directgov website at: www.direct.gov.uk. Or you can make a claim in writing. Ask your local Jobcentre Plus office for details of how to do this.

You will need to provide certain information when you make your claim. This includes:

- a valid medical certificate saying why you can't work
- your national insurance number
- evidence of who you are, for example, a driving licence or birth certificate
- any other information Jobcentre Plus asks you for.

What happens when you have made your claim

During the first 13 weeks

When you first make a claim for ESA, a period of time called the **13-week assessment phase** starts. During this time, healthcare professionals will usually test how your illness or disability affects your ability to work and carry out day-to-day activities. This is called a **Work Capability Assessment (WCA)**.

There are two parts to the WCA although not everyone will have to do all of them. These tests are called:

- the limited capability for work assessment
- the limited capability for work-related activity assessment

The limited capability for work assessment

Most people will have to have a medical examination to decide if they satisfy the limited capability for work assessment. There are some people who don't have to have a medical examination because they are automatically considered to have limited capability for work. You'll be told if you need a medical examination.

This test looks at your ability to carry out certain activities. It looks at both physical factors and mental health problems you may have that make you unable to work. If you don't satisfy the limited capability for work assessment, you won't qualify for ESA. You may want to consider applying for Jobseeker's Allowance instead, although you can appeal against the decision.

The limited capability for work-related activity assessment

The second test is called the limited capability for work-related activity assessment. It's usually carried out at the same time as the limited capability for work assessment but it is slightly different. After this test, some people (but not many) will be put in a group called the **support group**. If you're not put in the support group, you'll be put in a group called the **work-related activity group**.

Work-focused interviews

If you've been put into the work-related activity group, you'll usually have an initial **work-focused interview** after your Work Capability Assessment. This will take place about eight weeks after your claim. However, you won't have to have a work-focused interview if:

- you've been put in the support group following the limited capability for work-related activity assessment, or
- you are a woman who has reached state pension age
- you are a man who has reached the state pension age of a woman with the same date of birth as you.

If they decide you qualify for ESA, you may have more work-focused interviews every month.

Work-related activity

If you are in the work-related activity group, you may also have to undertake work-related activity as well as work-focused interviews. However, this does not apply if you are:

- a lone parent with a child under 5. (Lone parents with a child under 13 only have to undertake work-related activity during normal school hours)
- a carer receiving Carers Allowance or a carer premium as part of your ESA claim.

Work-related activity may be things such as voluntary work, work trials or a training programme, but you won't have to apply for jobs or undergo medical treatment.

After the first 13 weeks

After the first 13 weeks, if you're found to have limited capability for work, you'll carry on getting ESA. You'll get more money than you did during the first 13 weeks of your claim.

How much is ESA

How much ESA you get will depend on a number of factors. These are:

- whether you're getting contributory ESA or income-related ESA or both
- whether you're in the first 13 weeks of your claim
- what level of support you are considered to need after the first 13 weeks
- whether you are aged 25 or over
- whether you live with a partner. It doesn't matter whether they are of the opposite sex or the same sex.

Most people will get less money in the first 13 weeks of a claim. After 13 weeks, if you qualify for ESA, you'll get an extra amount called a **component**. If you've been put in the work-related activity group, you'll get a work-related activity component. If you've been put in the support group, you'll get a support component which is more money than the work-related activity component.

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If you get income-related ESA, you'll get more money if you live with your partner. You may also qualify for one of four premiums, depending on your circumstances. For example, you might get a severe disability premium. If you own your home, you may get help with your housing costs, for example, help with mortgage interest.

If you get contributory ESA and you are in the work-related activity group, your contributory ESA will stop after one year. You may still be able to get income-related ESA and/or national insurance credits.

You can find out the current rates of ESA from the Directgov website at: www.direct.gov.uk.

Backdating ESA

If you qualified for ESA before you made your claim, you may be able to get it for an earlier period. This is known as **backdating**. ESA can be backdated for up to three months before the date of your claim.

How is ESA paid

ESA is usually paid direct into your bank or building society account. If you can't open an account or if you have difficulties with this method of payment, you should let your Jobcentre Plus office know. They can pay you by cheque in some cases.

Working while getting ESA

You may be able to do certain types of work and still get ESA. This is known as **exempt work**. This is usually work of less than 16 hours a week where your earnings are no more than a certain amount. Check what work you can do with your local Jobcentre Plus office or Citizens Advice Bureau.

Problems with ESA

The rules about ESA are complicated. If you have difficulty with your claim, get advice from your nearest Citizens Advice Bureau.

Further help

Citizens Advice Bureau

Citizens Advice Bureaux give free, confidential, impartial and independent advice to help you solve problems. To find your nearest CAB, including those that give advice by e-mail, click on [nearest CAB](#), or look under C in your phone book.

Other information on Adviceguide which might help

- [Benefits for people who are sick and disabled](#)

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