

## **EMPLOYMENT AND SUPPORT ALLOWANCE INFORMATION SHEET**

### **Overview**

You can apply for Employment and Support Allowance (ESA) if you have a disability or health condition that affects how much you work.

You may also be able to receive ESA if you cannot work while you are self-isolating or 'shielding' because of coronavirus (COVID-19).

ESA gives you:

- Money to help with living costs if you are unable to work
- Support to get back into work if you are able to

You can apply for ESA if you are employed, self-employed or unemployed.

### **Eligibility**

You can apply for 'new style' ESA if you are under State Pension Age and you have a disability or health condition that affects how much you can work.

You also need to have both:

- Worked as an employee or have been self-employed
- Paid enough National Insurance contributions, usually in the last 2 or 3 years (National Insurance credits also count)

You can check your National Insurance record for contribution gaps by visiting <https://www.gov.uk/check-national-insurance-record>. If you do not have sufficient National Insurance Contributions to qualify for 'new style' ESA but you satisfy the other conditions for it, you are able to make a National Insurance credit only claim by contacting your local Jobcentre Plus to claim Class 1 National Insurance credits. Making this claim may make you eligible in future years.

You could get Universal Credit at the same time or instead of 'new style' ESA. Universal Credit can help with, for example, your housing and childcare costs.

You cannot get 'new style' ESA if you:

- Claim Jobseeker's Allowance
- Claim Statutory Sick Pay

### **If your Statutory Sick Pay (SSP) is due to end**

You can apply for 'new style' ESA up to 3 months before your SSP ends. You will start getting 'new style' ESA as soon as your SSP ends.

### **If you are working**

You can apply whether you are in work or out of work. If you are in work there are conditions, which are detailed below.

### **If you have been affected by coronavirus (COVID-19)**

You can apply for 'new style' ESA if you are unable to claim Statutory Sick Pay and one of the following applies:

- You or your child might have coronavirus or you are recovering from it
- You or your child are self-isolating because you came into contact with someone who might have coronavirus
- You have been advised by a doctor or healthcare professional to self-isolate before going into hospital for surgery
- You have been advised to 'shield' because you are clinically extremely vulnerable to coronavirus

If you are claiming ESA because of coronavirus, you will need to provide evidence to support your claim.

### **Proof if you are self-isolating because of coronavirus**

If you or your child are self-isolating and you cannot work because of coronavirus, you can get an 'isolation note' online from NHS 111 (<https://111.nhs.uk/isolation-note/>) if you have been off work for 7 or more days. You do not have to go to your doctor or a hospital.

If you have been notified by the NHS or public health authorities that you have come into contact with someone with coronavirus, your notification is your proof.

If you have been advised by your doctor or healthcare professional to self-isolate before going into hospital for surgery, your letter confirming the date of your procedure is proof.

### **Proof if you are shielding because of coronavirus**

Your doctor or health authority should send you a letter if you or your child need to 'shield' because you are clinically extremely vulnerable to coronavirus.

Contact your doctor if you do not have a letter but think you should have one.

The letter will include the period you or your child should shield for. It is proof of your eligibility for ESA for days away from work in that period.

You may get more than one letter covering more than one shielding period.

### **What you will get?**

How much you get will depend on what stage your application is at, as well as things like your age and whether you are able to get back to work.

If you get 'new style' ESA you will earn Class 1 National Insurance credits, which can help towards your State Pension and some benefits in the future.

### **What might affect how much you get paid?**

Neither your or your partner's savings or income will affect how much 'new style' ESA you are paid. However, a private pension worth more than £85 per week may affect how much you get.

If you get income-related ESA, your household income and savings worth £6,000 or more may affect how much you can get.

### **Payments whilst you claim is being assessed**

You will normally get the 'assessment rate' for 13 weeks whilst your claim is being assessed. This will be:

- Up to £59.20 a week if you are aged under 25
- Up to £74.70 a week if you are aged 25 or over

If it takes longer than 13 weeks to assess your claim, you will continue getting the 'assessment rate' until you get a decision or until your ESA is due to end. Your ESA will be backdated if you are owed any money after 13 weeks.

### **After you are assessed**

You will be placed into one of two groups if you are entitled to ESA. If you are able to get back to work in the future, you will be put into the work-related activity group. Otherwise, you will be put into the support group.

You will get:

- Up to £74.70 a week if you are in the work-related activity group (WAG)
- Up to £114.10 a week if you are in the support group

The assessment may also find that you are fit for work and no longer qualify for ESA, in which case your payments will stop. You do have the right to appeal this decision.

### **If you are in the support group**

If you are in the support group and on income-related ESA, you are also entitled to the enhanced disability premium.

You may also qualify for the severe disability premium.

### **How are you paid?**

You will get paid ESA every 2 weeks.

All benefits are paid into your account, for example, a bank account.

### **Other benefits you can claim**

Universal Credit can help with, for example, your housing and childcare costs. You could get Universal Credit at the same time or instead of 'new style' ESA.

You can use a benefits calculator to find out what other benefits you could get, for example Personal Independence Payment (PIP) if you have a long term health condition or disability.

The benefit cap may affect the total amount of benefit you can get. The cap will not affect you if you are in the support group.

### **If you are moving to Universal Credit from income-related ESA**

If your income-related ESA claim is ending because you are making a new claim for Universal Credit, you will automatically continue to get the amount of ESA you currently receive, as long as you are still eligible. You will normally get this for two weeks, starting from the date of your new claim.

The Department of Work and Pensions (DWP) will write to you telling you how this works.

### **Budgeting Loan**

You can apply for a Budgeting Loan if you have been on income-related ESA for at least 6 months.

## **Working while you claim**

Usually, you can work up to 16 hours a week and earn up to £143 a week while you claim ESA.

You need to tell Jobcentre Plus about your work when you make a claim.

If you are already claiming ESA and you want to start work, you need to contact Jobcentre Plus using a form, which is available at

<https://www.gov.uk/government/publications/employment-and-support-allowance-permitted-work-form>

## **When you can work more than 16 hours a week**

You can work more than 16 hours a week if the work is either voluntary or 'supported permitted work'.

Supported permitted work, is work that must be either:

- Supervised by someone from a local council or a voluntary organisation who arranges work for disabled people
- Part of a treatment programme under medical supervision

You can still earn no more than £143 a week.

## **How to Claim**

To start a claim for ESA go to <https://www.apply-new-style-employment-support-allowance.dwp.gov.uk/eligibility-start>

You will need the following for your application:

- Your National Insurance number
- Your bank or building society account number and sort code (you can use a friends or family member's account if you do not have one)
- Your doctor's name, address and telephone number
- Details of your income if you are working
- The date your Statutory Sick Pay (SSP) ends if you are claiming it

If you're applying because of coronavirus, you will also need:

- An 'isolation' note if you are unable to work because of coronavirus
- Your notification from the NHS or public health authorities if you have been told to self-isolate because you have come into contact with someone with coronavirus

- A letter confirming the date of your procedure if you have been advised to self-isolate before going into hospital for surgery
- A letter from your doctor or a health authority advising you or your child to shield (take extra precautions to reduce contact with others) because you are at very high risk of severe illness from coronavirus

Once you have applied, you will be contacted by phone and told when to give the evidence and where to send it.

### **Your ESA Claim**

After you have made your claim, you will be told if you need to have a ‘Work Capability Assessment’ and which group you will be put in.

### **Work Capability Assessment**

A ‘Work Capability Assessment’ is used to find out if your illness or disability affects how much you can work.

You might not need an assessment, for example, if you are in hospital or you have a terminal illness.

If you need a Work Capability Assessment you will get a letter telling you what to do.

You must fill in the ‘Capability for work questionnaire’ and send it to the Health Assessment Advisory Service. The address is on the form.

You will be told what happens next, for example, if you need an appointment to understand your health condition better.

If you are claiming both Universal Credit and ‘new style’ ESA, you will only have one Work Capability Assessment.

You can ask for your assessment to be recorded. Tell DWP when you are arranging your assessment.

### **How the assessment happens**

Assessments are currently taking place over the telephone because of coronavirus (COVID-19).

If you cannot use the telephone, you will stay on the ‘assessment rate’ until you can be assessed face-to-face or until your ‘new style’ ESA ends.

You can have someone else on the call with you, for example, a friend or support worker. Ask the assessor to call them if they are not with you when the assessment starts.

### **After your claim is assessed**

If you are entitled to ESA you will be placed into one of two groups:

- A work-related activity group (you cannot work now, but can prepare to work in the future, for example by writing a CV)
- A support group (you cannot work now and you are not expected to prepare for work in the future)

DWP will contact you to let you know what happens next.

### **How long you will get ESA for**

'New style' and contribution-based ESA last for 365 days if you are in the work-related activity group.

There is no time limit if you are in the support group, or if you are getting income related ESA.

To keep getting ESA you must report any changes in your circumstances. You may also need to send fit notes regularly.

### **If you have a sanction**

If your ESA has been reduced because you did not go to interviews or do work-related activity as agreed with your work coach, you can call your work coach and discuss how to end the sanction.

### **Hardship payments**

If you get income-related ESA, you may be able to get a hardship payment if your benefit has been reduced because of a sanction or penalty.

A hardship payment is a reduced amount of your ESA. You do not have to pay it back.

You can get a hardship payment if you cannot pay for rent, heating, food or other basic needs for you or your family. You must be 18 or over.

Speak to your Jobcentre Plus advisor or work coach to find out how to claim a hardship payment.

## **Reporting a change of circumstances**

You need to report changes to your circumstances so you keep getting the right amount of ESA.

Your claim might be stopped or reduced if you do not report a change straight away.

A change of circumstances can include:

- Starting or stopping work, education, training or an apprenticeship
- Moving house
- Changing your name
- People moving into or out of the place you live (for example your partner or a child)
- Changes to the benefits you or anyone else in your house gets
- Changes to your pension, savings, investments or property
- Changes to other money you get (for example student loans or grants, sick pay or money you get from a charity)
- Changing your doctor
- Any changes to your medical condition or disability
- Going into hospital or a care home or sheltered accommodation
- Going abroad for any length of time

Call Jobcentre Plus if you are not sure whether you need to report a change.

## **If you have been paid too much**

If you give wrong or incomplete information or do not report a change straight away, you might be paid too much. If you are, you might have to pay some of the money back.

## **How to report a change**

You can report a change of circumstances by:

- Calling Jobcentre Plus (0800 169 0310)
- Writing to the Jobcentre Plus office that pays your ESA – the address is on the letters you get about your ESA

If you get Universal Credit at the same time as 'New Style' ESA, you must also report the changes of circumstances in your Universal Credit account.