



Department
for Work &
Pensions

Title, Initial, Surname
Address Line 1
Address line 2
Address line 3
Address line 4
Postcode

Building or Office location
Office type
Street
Town
Postcode

www.gov.uk

Telephone: 0800 169 0310
Textphone: 0800 169 0314

Your reference:

Your Employment and Support Allowance About your Work Capability Assessment

Dear

We have looked at your claim and decided we cannot pay you Employment and Support Allowance (ESA) or award you National Insurance credits.

This is because your Work Capability Assessment shows that although you may have a disability, illness or health condition, you are now capable of doing some work. We realise this may not be the same type of work you have done before. But, we can help you identify types of work you can do, taking into consideration any disability, illness or health condition you may have.

Why we do a Work Capability Assessment

We know that most people are better off in work. The Work Capability Assessment helps us to identify whether people are capable of doing some type of work. This could include types of work they have not considered before.

The assessment looks at how a person's disability, illness or health condition affects their ability to carry out a number of day-to-day activities that might affect their capability for work. Everyone is assessed in the same way and people are given points if they have limits on how and when they can do things. You can find more details about the points system on Page 2.

When the assessment shows that people can work, we can help them to identify the types of work they might be able to do with

We have made a decision about your ESA claim, please read this letter in full.

We have many different ways we can communicate with you.

If you would like Braille, British Sign Language, a hearing loop, translations, large print, audio or something else please tell us using the phone number at the top of this letter.

Please turn over

their disability, illness or health condition. We can also then discuss any adjustments they may need to their working environment or duties.

How this decision affects your ESA payments or National Insurance Credits

How we made this decision

A DWP decision maker assessed your capability to do some type of work using:

Confirm all dropdown options

We use a points system and any other information to assess whether you have limited capability for work or are capable of doing some type of work. The law sets out the points system we use for each part of the assessment. If you get less than 15 points, and do not have any other qualifying condition, this shows you are capable of doing some type of work. Your total points are 0.

Detailed information is included in the section of this letter called: *Our assessment of your capability to work.*

What happens next

You do not need to contact us unless you want to talk to us about anything in this letter. If you do need to talk to us, please call Jobcentre Plus on **0800 169 0310**.

If you are employed

If you have a job you should talk to your employer about returning to work. You may also need to talk to them about changes or adjustments you need to your working environment or hours. You can find information about employer's responsibilities to make adjustments for workers with a disability, illness or health condition by visiting www.gov.uk/reasonable-adjustments-for-disabled-workers.

If you are not employed

You should start looking for a job straightaway. If you need help with this you can speak to a work coach at your local Jobcentre, after you have applied for Universal Credit or New Style Jobseeker's Allowance (JSA). Work coaches help you identify work you can do with the disability, illness or health condition you may have.

What is Universal Credit

Universal Credit makes the current benefit system simple by replacing 6 benefits, such as income related ESA, income based JSA and tax credits, with a single monthly payment.

It is for people of working age when they are out of work or have a low income. It makes sure you are better off working, than on benefits, but still supports you when you cannot work. It also gives support to people who have a disability, illness or health condition.

You can find out more by going online at **www.gov.uk/universal-credit**.

If there is a gap between the end of your ESA claim and the date you apply for Universal Credit, you may be able to backdate your claim so there is no gap. Please speak to a work coach about this once you have made your application.

What is New Style Jobseeker's Allowance

If you are unemployed or work less than 16 hours a week you may be able to get New Style JSA. New Style JSA is a fortnightly payment that can be claimed on its own or at the same time as Universal Credit.

New Style JSA is a contribution based benefit. Normally, this means you may be able to get it if you have paid and/or been credited with enough National Insurance contributions in the 2 full tax years before the year you are claiming in. If you qualify, you can get New Style JSA for up to 182 days. After this your work coach will talk to you about your options.

If you qualify for both New Style JSA and Universal Credit, any New Style JSA you receive will be taken into account as income for Universal Credit.

You can find out more by going online at **www.gov.uk/guidance/new-style-jobseekers-allowance**

Do I have to apply online?

The aim of Universal Credit is to encourage people to use online services. So, wherever possible, you should apply online. The online application form is straightforward, so if you have used the internet before you should be able to apply online.

What if I do not have access to the internet

You could ask your family, or someone you know, if you can use their internet access. You can also get access to the internet in your local jobcentre. If you need more information on what benefits you might be able to apply for, local welfare advice services, such as Citizens Advice, may be able to help you.

If you cannot use online services at all, because of a disability or your circumstances call the:

- Universal Credit helpline on **0800 328 5644** text phone **0800 328 1344** or the
- New Style JSA claim line on **0800 556 6688** or text phone **0800 023 488**

If you disagree with this decision

If you disagree with this decision you can appeal to the First Tier Tribunal. You do not need to request a Mandatory Reconsideration of this decision first. There is more information about how to appeal later in this letter.

If you do appeal this decision, we may be able to pay you ESA at the assessment rate if you send us fit notes from your doctor. Once we receive notification from the tribunal that you have submitted an appeal, we will pay you from the date of your fit note. This will be paid until either your appeal is decided or your eligibility for ESA at the assessment rate stops, whichever is the earliest.

If you get ESA at the assessment rate, you will also get Class 1 National Insurance credits. For more information about National Insurance Credits go to **www.gov.uk/national-insurance-credits**

The quickest way to send us your fit notes is by using **www.gov.uk/send-fit-note** or you can post it to us at FREEPOST DWP ESA 26.

If you apply for another benefit before or after you appeal

If you apply for and get another benefit, we may not be able to pay you ESA at the assessment rate while you appeal. Please read the following information carefully:

- If you were getting income-related ESA only and you apply for and get Universal Credit:

- you will not get ESA at the assessment rate while you appeal
- you will stay on Universal Credit and not be able to get ESA again even if your appeal is successful, as Universal Credit will replace your income-related ESA payments. Please also note you will get Class 3 National Insurance credits, rather than the Class 1 credits you would get with ESA at the assessment rate. This might affect your entitlement to contributory benefits in the future
- If our decision not to pay you income-related ESA changes following an appeal, you will be paid any income-related ESA due to you up to the day before you applied for Universal Credit. Your Universal Credit payment will be looked at again to make sure you get any extra payments related to your disability, illness or health condition
- If you were getting contributory ESA or New Style ESA and you apply for and get New Style JSA:
 - we will transfer you from New Style JSA to New Style ESA, if you ask us to, so that we can pay you at the ESA assessment rate while you appeal
 - if our decision not to pay you contributory ESA changes following an appeal, you will stay on New Style ESA
- If you were getting New Style ESA and you apply for Universal Credit:
 - you can apply for Universal Credit at the same time as getting ESA at the assessment rate. If you get both, your Universal Credit award will be adjusted to take account of your ESA payments. If you are getting both ESA at the assessment rate and Universal Credit you will still get Class 1 National Insurance credits, rather than the Class 3 credits you would receive if you only get Universal Credit. This will help your entitlement to contributory benefits in the future.
 - If our decision not to pay you New Style ESA changes following an appeal, and you are getting Universal Credit, you will be paid any New Style ESA due to you. This will depend on the amount of Universal Credit you have been paid. The amount of Universal Credit you get may change depending on your circumstances.

Further help and advice

If you need more information on what this might mean for you, local welfare advice services such as Citizens Advice may be able to help you.

Our assessment of your capability for work

How we assessed your capability for work and points we've given you for *physical* capability


	Our assessment	Points
Moving around		
Standing and sitting		
Reaching		
Picking things up and moving them		
Using your hands		
Speaking, writing and typing		
Hearing, or understanding messages		
Getting around safely		
Control of your bladder, bowels stoma		
Staying conscious when awake		
	Total points for physical capability	0

How we assessed your capability for work and the points we've given you for mental, cognitive and intellectual capability. By *cognitive* we mean how you can think, remember, learn and understand things.

	Our assessment	Points
Learning how to do tasks		
Being aware of danger		
Starting a task and finishing it to the end		
Coping with change		
Coping with getting about on your own		
Dealing with other people		
Behaviour with other people		
Total points for mental, cognitive and intellectual capability		0
Total points for physical capability		0
Total points for mental, cognitive and intellectual Capability		0
Overall total points		0

This is not a copy of the healthcare professional's report of your assessment. If you want a copy of that report, please telephone or write to us for this. Our address and telephone number are at the start of this letter.

Below are the decision maker's reasons for the decision on your claim



Yours sincerely,

Office manager

If you disagree with a decision

Important note

You do not need to ask us to reconsider our decision before you appeal and you do not need to send a copy of a mandatory reconsideration notice with your appeal. You can submit your appeal straight away.

You can also ask us to look again at our decision, you do not need to wait for a reply before making your appeal.

You can appeal a decision

You can appeal to the First Tier Tribunal.

The Tribunal is independent from the Department for Work and Pensions. It will make an impartial decision on your entitlement to benefit. You need to appeal within one month of the date of this letter.

How to appeal

Go to **www.gov.uk/appeal-benefit-decision**.

This website explains how to appeal, and if you can appeal online. If you need to appeal by post, you will also be able to download an appeal form. If you appeal by post, send a copy of this letter with your appeal. The address to post it to will be on the appeal form.

If you need help to appeal

If you cannot go online, or need other help and support, you can call the following telephone numbers depending on where you live.

England and Wales

Telephone: **0300 123 1142**

Monday to Friday, 8:30am to 5pm

Scotland

Telephone: **0300 790 6234**

Monday to Friday, 8:30am to 5pm

You can also ask us to look again at our decision

You, or someone who has the authority to act for you, can phone or write to us within one month of the date on this letter to ask us to look again at our decision and explain it in writing. You do not need to wait for a reply before making an appeal.

If you think there is some important information we have not already considered about the effects of your disability, illness or health condition please send it to us. We mean things like letters or other information from anyone providing you with care, support or treatment.

We do not need you to get any specially prepared information and we will not refund any costs involved if you do get this.

Equality and Diversity

We treat people fairly, regardless of their disability, ethnicity, gender, sexual orientation, transgender status, marital or civil partnership status, age, religion or beliefs.

Call charges

Calls to 0800 numbers are free from personal mobiles and landlines.

Why DWP needs personal information and how we treat it

We treat personal information carefully. We may use it for any of our purposes. To learn more about information rights and how we use information, please see our DWP Personal Information Charter at www.gov.uk/dwp/personal-information-charter