

Employment and Support Allowance – Treatment of claimants with the most severe and lifelong health conditions or disabilities

Reassessments are designed to ensure that claimants receive appropriate financial support, and take account of changes in how health conditions and disabilities affect people over time. For example, on average, one in five repeat Employment and Support Allowance (ESA) assessments find the claimant fit for work. We want to ensure claimants who can work are supported to do so, and reassessments are an important part of ensuring that happens.

Under the Limited Capability for Work / Limited Capability for Work-Related Activity (LCW/LCWRA) procedures, Healthcare Professionals (HCP) are required to provide advice on the re-referral period as part of a Work Capability Assessment (WCA).

From 29 September 2017, ESA claimants those claimants with LCWRA, i.e. in the Support Group and Universal Credit (UC) equivalent, with the most severe and lifelong health conditions or disabilities, who are unlikely to ever be able to move into work, will no longer be required to be routinely reassessed.

A new criteria will be considered as part of the WCA. The health questionnaire (ESA50/UC50) gives the claimant the opportunity to explain in their own words the effects of their condition, or conditions, in relation to the functional activities that make up the WCA and provide existing medical evidence about their condition and its effect on their capability for work. All available evidence will be examined and fully considered by a HCP as part of the assessment.

Reassessment periods are decided by the Department's decision makers, on the basis of a person's functional capacity. Decision makers will have advice from HCPs on the assessment of a person's disability, its effects and re-referral period.

The new criteria

Those who meet the following criteria will no longer be required to have their claim routinely reassessed.

ONE of the following Functional Support Group/LCWRA descriptors must be met:

- Mobilising 50m
- Transfer independently
- Reaching
- Picking up and/or moving
- Manual dexterity
- Making yourself understood
- Understanding communication
- Weekly incontinence
- Learning tasks
- Awareness of hazards
- Personal actions
- Coping with change
- Engaging socially
- Appropriateness of behaviour
- Unable to eat / drink / chew / swallow

If ONE of the above descriptors is met, ALL FOUR of the following criteria must also be met. That the condition:

- is lifelong
- the level of function would always meet LCWRA

- is an unambiguous condition, and
- has no realistic prospect of recover.

This change does not effect

If a claimant has LCW, i.e. they are in the Work-Related Activity Group (WRAG) or UC equivalent but not LCWRA, the process remains unchanged.

Health condition or disability deteriorated

Claimants in the WRAG and UC equivalent can request a WCA if they feel that their condition has got worse to the extent that they come within the LCWRA group.

Communications

Claimants will be told if they come within this criteria following the decision.