

Factsheet 80 • April 2012

Employment and Support Allowance

About this factsheet

This factsheet is about Employment and Support Allowance (ESA), a benefit for people of working age who are currently unable to work because of sickness or disability. There are two types of ESA:

- contributory ESA is paid if you have enough National Insurance contributions
- income-related ESA is a means-tested benefit to cover basic living expenses which can be paid on its own or on top of contributory ESA or other income.

This factsheet is a general guide to ESA including the medical tests. See Age UK's Factsheet 81, *Calculating income-related Employment and Support Allowance*, for details of how income-related ESA is calculated.

The information in this factsheet is correct for the period April 2012 – March 2013. Most benefit rates and other figures are expected to increase in April 2013 but rules and figures sometimes change during the year.

The information in this factsheet applies in England and Wales. Different rules may apply in Northern Ireland and Scotland. Readers in these nations should contact their respective national offices for information specific to where they live – see section 15 for details.

Section 15 also has details of how to order other Age UK factsheets and information materials and the telephone number for Age UK Advice.

If you need more detailed advice or representation, it is often best to find a local service. Sometimes this is suggested in the text. Age UK Advice can give you contact details for a local Age UK, or you could contact one of the independent organisations listed in section 14.

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1 Recent developments

- Employment and Support Allowance (ESA) is the main benefit for people of working age who are unable to work due to sickness or disability. Some people continued to receive Incapacity Benefit, Severe Disablement Allowance and Income Support (on grounds of incapacity) after the introduction of ESA in October 2008 but a process of migration is underway to assess these claimants for ESA and this process is due to complete by April 2014. See section 12 for more detail.
- After 30 April 2012 the time that you can claim contributory ESA is limited to one year if you are in the work-related activity group. The one-year limit includes the 13-week assessment phase. The one-year limit does not apply if you are in the support group.
- The special provisions that allowed some young people to qualify for contributory ESA without meeting the National Insurance (NI) contribution conditions (ESA in youth) are abolished after 30 April 2012.

2 Future changes

- The descriptors and criteria applied to determine capability for work and for work-related activity (the Work Capability Assessment) are under constant review and the activities, descriptors and points may be adjusted.
- As a result of the Welfare Reform Act 2012, income-related ESA, along with some other existing benefits for people of working age, will be abolished and replaced with one benefit called Universal Credit from October 2013. The details of the changes will be set out in regulations that have not yet been published. The government proposes to move existing income-related ESA claimants on to Universal Credit some time between October 2013 and 2017. No-one whose circumstances remain the same should lose out financially when they move to Universal Credit.
- In the lead up to Universal Credit the government intends to introduce a claimant commitment for ESA which will be a record of the claimant's responsibilities, including the need to attend work-focused interviews and take part in work-related activity.

3 What is Employment and Support Allowance?

ESA is a benefit for people who have 'limited capability for work' (are unable to work due to sickness or disability) and who are not entitled to Statutory Sick Pay.

There are two types of ESA:

- contributory ESA: This is paid if you have enough NI contributions. It is not means-tested but may be paid at a reduced rate if you have an occupational or personal pension (see section 6.1). Contributory ESA can be paid indefinitely if you are placed in the support group, but is paid for a maximum of one year if you are in the work-related activity group.
- income-related ESA: This is a means-tested benefit to cover basic living expenses that can be paid on its own or on top of contributory ESA or other income. Income-related ESA tops your income up to a level set by the government and can be paid indefinitely.

4 Who can you claim for?

You claim contributory ESA on an individual basis and your relationship status is not relevant. If you have a partner, their circumstances do not affect your entitlement to contributory ESA and your contributory ESA will be the same amount as if you were single.

You claim income-related ESA for yourself and for your partner if you have one. Their circumstances, including their income and savings, are relevant to the claim and are taken into account. Your income-related ESA may include extra money for your partner, but not for any children. Income-related ESA can also include help with mortgage interest payments and some other housing costs if you own your home.

If you are in a couple and you are both not working, you may have to choose which benefit to claim and who should be the claimant. It may help to get independent advice in this situation. See section 15 for details for Age UK Advice who can give you contact details for a local Age UK or contact one of the independent organisations listed in section 14.

See Age UK's Factsheet 81, *Calculating income-related Employment and Support Allowance*, for details of how income-related ESA is calculated.

5 How do you qualify for ESA?

To qualify for either type of ESA you must meet all the following conditions:

- have a limited capability for work and not be in work (although in certain circumstances it is possible to do some 'permitted work' on ESA)
- be aged 16 or over and under State Pension age
- not be entitled in your own right to Income Support, Jobseeker's Allowance (JSA) or Statutory Sick Pay
- not be in a couple entitled to 'joint-claim' JSA
- be in Great Britain.

5.1 Extra qualifying conditions for contributory ESA

You usually need a certain number of NI contributions in recent years to get contributory ESA. Sometimes you can rely on contributions paid in earlier years, for example if you have recently been a low-paid disabled worker or a carer.

Up to 30 April 2012, you may be able to get contributory ESA ('ESA in youth') without meeting the NI contributions conditions if your limited capability for work started when you were young. This provision is abolished from 1 May 2012, but a claim after that date may be possible if your claim can be backdated to 30 April or before, or linked to a previous claim. Seek independent advice if this may affect you.

5.2 Extra qualifying conditions for income-related ESA

You must meet all the following extra conditions to get income-related ESA:

- your income must be less than your applicable amount – which is determined by your personal circumstances – see Age UK's Factsheet 81, *Calculating income-related Employment and Support Allowance*
- your capital must be no more than £16,000
- you must not be entitled to Pension Credit

- you must not be in full-time education (but there are some exceptions for disabled students)
- your partner must not be working for 24 hours or more a week
- your partner must not be receiving income-related ESA, income-based JSA, Income Support or Pension Credit in his/her own right
- you must be 'habitually resident', have the 'right to reside' in the UK and not be subject to immigration control.

6 How much is ESA?

It is possible to receive:

- contributory ESA only
- income-related ESA only or
- contributory ESA topped up with income-related ESA.

You also receive NI credits while you are on ESA. In some circumstances you may only receive NI credits – for example if you cannot get contributory ESA (because you do not have enough NI contributions to qualify or you are in the work-related activity group and you have already received it for the maximum one year), and your income (or your partner's income) is high enough to disqualify you from income-related ESA.

6.1 Contributory ESA

The full weekly rate of contributory ESA in the 'assessment phase' (which is usually the first 13 weeks of your claim) is:

- £56.25 if you are under 25
- £71.00 if you are 25 or over.

In the 'main phase', which follows the assessment phase, the basic weekly rate of contributory ESA is £71.00 regardless of your age. An additional component of £28.15 or £34.05 a week depending on the outcome of your Work Capability Assessment (WCA) is also paid. This means that main phase ESA is:

- £99.15 if you are in the work-related activity group
- £105.05 if you are in the support group.

Your contributory ESA may be reduced if you have gross income from an occupational or personal pension of more than £85 a week. For every £1 of pension over £85, you lose 50 pence of benefit. If you are a local councillor and your net allowances exceed £97.50 a week, this may also affect your contributory ESA. Other types of income and savings do not affect contributory ESA.

You may get a transitional addition to your contributory ESA if you have been transferred to ESA from another sickness benefit (see section 12).

Contributory ESA is taxable.

From 30 April 2012, the Welfare Reform Act 2012 limits the time that you can claim contributory ESA to 365 days, unless you are in the support group. Time spent in the assessment phase counts towards the 365 days. If you are not in the support group and you have already received contributory ESA for 365 days or more when the change comes into effect on 30 April, your contributory ESA will stop. After 30 April, your contributory ESA will stop on the anniversary of your claim unless you are in the support group. If you are affected by this change you may wish to seek independent advice about your options which may include: asking to be considered for the support group, applying for income-related ESA, or applying for contributory ESA again at a later date if your medical condition continues and you can meet the qualifying criteria again.

6.2 Income-related ESA

Income-related ESA is means-tested and the amount you receive is calculated by comparing your income with your applicable amount. Your applicable amount may be made up of a personal allowance, premiums, a component (in the main phase) and, if you are a home owner, housing costs (usually after a waiting period), and sometimes a transitional addition (see section 12). Your income (including any contributory ESA) is added up and if it is less than your applicable amount, your income-related ESA is equal to the difference.

Age UK's Factsheet 81 covers the calculation of income-related ESA, including how your income and capital are assessed, and how your applicable amount is made up.

7 The ESA assessment process

The first 13 weeks of your ESA claim is known as the assessment phase. During this phase you are paid a basic rate of ESA and you undergo an assessment process known as the Work Capability Assessment.

After 13 weeks, and depending on the outcome of the WCA, you move into the main phase of ESA. You are put into the support group or work-related activity group. You will be paid a higher rate of benefit and you may have to carry out work-related activity.

Some people, including those with a terminal illness, do not have to go through the assessment phase; they go straight to the main phase.

Sometimes the assessment process takes more than 13 weeks, in which case any increase in benefit after the assessment is completed should be backdated to the start of the 14th week.

The assessment phase can be shorter than 13 weeks if your ESA claim is linked to another recent ESA claim.

7.1 Work Capability Assessment criteria

The WCA currently has two parts as follows.

- A 'limited capability for work assessment' determines whether you will be entitled to ESA. It assesses your ability to carry out specific everyday activities, based on a points system. You have to score at least 15 points to be assessed as having a limited capacity for work and an entitlement to ESA.
- A 'limited capability for work-related activity assessment' determines whether you go into the work-related activity group or support group.

The WCA should take place in the first 13 weeks of your claim. Once you are receiving ESA, further WCAs may be carried out at intervals to decide whether you are still entitled to ESA, and which group you should be in. The DWP decides when you have to undergo further WCAs and you do not have any right of appeal about how often you are retested.

Limited capability for work assessment

The limited capability for work assessment is based on your ability to perform 10 physical functions and 7 mental, cognitive and intellectual functions.

The physical functions include things like moving around, reaching and handling things, communicating, bladder and bowel control and remaining conscious.

The mental, cognitive and intellectual functions include learning, awareness of hazards, initiating and completing personal action, coping with change, getting about, coping with social engagement and behaving appropriately with other people.

Each function is broken down into related tasks of varying degrees of difficulty, called descriptors, each worth a number of points from 0 to 15. For example, the 'reaching' physical function has four descriptors:

- A: Cannot raise either arm as if to put something in the top pocket of a coat or jacket (15 points)
- B: Cannot raise either arm to top of head as if to put on a hat (9 points)
- C: Cannot raise either arm above head height as if to reach for something (6 points)
- D: None of the above apply (0 points).

You can only score against one descriptor in each function and if more than one applies to you the one with the highest score counts. For example, if both B and C apply to you for 'reaching', then B counts and you score 9 points.

Your highest scores for each of the 17 functions are added together and if your total is 15 or more, you will be assessed as having limited capability for work and a continuing entitlement to ESA. If your total score is less than 15 points you will be declared fit for work and you will not receive ESA.

See section 13.1 for a full list of activities and descriptors and points assigned to each function.

There are some circumstances when you should be treated as having a limited capability for work, without having to score 15 points. If, for example:

- you are terminally ill
- you are receiving, are due to receive, or have recently received and are recovering from particular forms of chemotherapy treatment
- you cannot work because you are a carrier of, or have been in contact with, an infectious disease
- you have severe problems eating and drinking
- you are receiving specified medical treatments including haemodialysis, plasmapheresis, radiotherapy and parenteral nutrition
- you are in hospital, or recovering from hospital treatment
- you are pregnant or have recently given birth and you meet specific criteria
- you have an uncontrolled or uncontrollable life-threatening disease
- because of your illness, there would be a substantial risk to the mental or physical health of any person were you to be found fit to work
- you are attending a residential programme of rehabilitation for the treatment of drug or alcohol abuse.

Limited capability for work-related activity assessment

Your capability for work-related activity is assessed to decide which group and which component should apply to you in the main phase of ESA.

This assessment is also based on a range of activities with different descriptors. If a descriptor applies to you for the majority of the time, it counts. You are assessed wearing any prosthesis or using any aids and appliances that you normally use.

You will be assessed as having limited capability for work-related activity, awarded the support component and put in the support group if any one of the descriptors applies to you. In the support group you do not have to take part in work-focused interviews or associated activity.

If none of the descriptors applies, you will be awarded the work-related activity component and put in the work-related activity group. In this group you have to attend work-focused interviews and may have to do some work-related activity, otherwise your work-related activity component could be reduced or removed completely. If you are a lone parent with a child under the age of five or you are receiving Carer's Allowance or a carer's premium you do not have to do work-related activity but you do have to attend work-focused interviews.

You do not have to be assessed and automatically count as having limited capability for work-related activity if:

- you are terminally ill
- you are receiving, recovering from, or are due to have intravenous, intraperitoneal or intrathecal chemotherapy treatment
- there would be a substantial risk to your or someone else's mental or physical health if you were not counted as having limited capability for work-related activity
- you are pregnant and you need to refrain from work-related activity for the sake of your health or that of your baby.

See section 13.2 for a full list of activities and descriptors and points assigned to each function.

7.2 How the WCA is carried out

A decision maker at the Department for Work and Pensions (DWP) will decide whether you have limited capability for work and work-related activity. When you make your initial claim, the decision maker should check to see whether it contains sufficient evidence to make the decisions. If not, they will send you an ESA50 form to complete and return within four weeks. A DWP-approved healthcare professional will then look at the completed ESA50 form and all the other evidence and if there is still insufficient evidence they may ask your GP or other professional involved in your treatment for further evidence or they may ask you to attend a face-to-face assessment. The results of these further enquiries go back to a decision maker for a decision on whether you should receive ESA, whether you should be allocated to the work-related activity group or the support group and when you should have a further WCA.

The ESA50 form

It is important to complete the ESA50 form fully as the information on it will be used to decide whether you will get any ESA. The ESA50 form would also play an important role in any appeal about your ESA entitlement.

As well as basic personal details, the ESA50 form asks for information about:

- whether you would be able to attend a face-to-face assessment
- your illness or disability, and any medication or treatment you are having
- details of your GP and any other health/care professionals you see

and includes a tick-box assessment based on the descriptors and activities described in sections 7.1 and 13.

The assessment of physical functions asks if you can perform an activity and usually gives you three options for reply: yes, no and it varies. Read the information on the form carefully and think about whether performing the activity would present any risk or cause you pain, dizziness, breathlessness or tiredness. Also consider whether you could perform it regularly or occasionally. If a task causes you too much pain or discomfort, or if you cannot repeat a task with reasonable regularity you should be treated as if you cannot do it. Use the space for extra information to describe any difficulties you would have doing the activity, or repeating it.

The assessment of mental, cognitive and intellectual functions is similar, asking broad questions about how your illness or disability affects your day-to-day life. Again you are given a number of tick-box options for reply and space to give extra information about your own particular circumstances.

It is a good idea to make a copy of your completed ESA50 form before you send it back.

The face-to-face assessment

You should be given at least seven days notice of any face-to-face medical assessment which will be carried out by a healthcare professional working on behalf of the DWP.

The healthcare professional will ask you questions designed to find out whether you have any difficulties with the physical and mental, cognitive and intellectual functions described above. They will base their assessment on their observation of you during the assessment and they may carry out a physical examination as well.

Make sure that you answer all the questions fully and do not assume that the person carrying out the assessment has any understanding of how your illness or disability might affect your ability to perform the functions. You may wish to take a friend, relative or carer with you to the assessment.

8 How do you claim ESA?

You can claim ESA in England, Scotland and Wales by phoning the Jobcentre Plus contact centre 0800 055 6688 (free call). Use textphone 0800 023 4888 (free call) if you find it hard to speak or hear clearly.

You can also claim by completing a claim form (ESA1) and sending it to your local Jobcentre Plus office. You can get the form from your local Jobcentre Plus office, the telephone contact centre, or by downloading it from the Directgov website (see section 14 'Useful organisations').

If you are unable to act for yourself, an appointee can make the claim (and receive payment) on your behalf.

You must provide any information or evidence required which may include your National Insurance number, proof of identity, medical certificates from your doctor, proof that your Statutory Sick Pay has ended (if you are employed) and proof of your housing costs (for income-related ESA only).

Unless you are recognised as exempt from the WCA straight away, shortly after you claim you will be sent an ESA50 form that you must complete and return within four weeks. The ESA50 form is used to determine the number of points you will score (see section 7) and so it is important to complete it fully. You will normally have to attend a face-to-face medical assessment as well.

If you are not put in the support group, you will also have to attend work-focused interviews and you may have to do work-related activity.

Your ESA claim can be backdated for up to three months and you should request any backdating on the claim form. In most cases, you can also claim up to three months in advance.

9 Decisions and payment

If you disagree with a decision on your ESA claim, you have the right to ask for a revision of the decision and/or to appeal against it. This applies to most decisions including your capability to work, the amount of ESA you are awarded, and whether you should be in the support group. If you appeal about one part of a decision, you enable the decision maker or appeal tribunal to look at any part of the decision. If you are appealing a decision that you are fit for work, you can be paid some ESA until your appeal is heard. If your appeal eventually fails, you do not have to repay any ESA paid whilst waiting for the appeal to be heard. See Age UK's Factsheet 74, *Challenging welfare benefit decisions*, for information about the appeals process.

You do not normally get paid for the first three days of your claim. ESA is usually paid fortnightly in arrears, direct into your bank account. If you are unable to open or manage an account, payment can be made by cheque, cashable at a post office. The government intends to phase cheques out in 2012 and introduce a new system called 'simple payments' which will be collectable from Paypoint outlets.

If your income-related ESA includes any housing costs in respect of a mortgage or home loan, payment of this part is usually made direct to the lender.

Contributory ESA is taxable; income-related ESA is not taxable.

There are some situations in which you can be disqualified from ESA for a period, or paid a reduced rate of ESA. This might happen if, for example, you refuse medical treatment that could help you recover. Seek independent advice if this happens to you.

10 Changes of circumstances

You must report changes in your circumstances that may affect your benefit. You can do this by writing or by telephone to the Jobcentre Plus office dealing with your claim – their address and phone number will be on letters they have sent you.

Examples of the types of changes you should report include:

- if you do any work, including voluntary work
- if you change your address
- if you have been in hospital for 52 weeks and part of your benefit is paid for someone else
- if you go abroad
- if your medical condition changes to the extent that you might need to move from the work-related activity group to the support group.

11 Other benefits for people receiving ESA

If you receive income-related ESA you will be automatically entitled ('passport') to other benefits including maximum Housing Benefit and Council Tax Benefit, help from the Social Fund, help with health costs and free school meals. You may also qualify for other benefits.

If you receive contributory ESA, you will not get any other benefits automatically but you may wish to check out your entitlements.

Action: To check your benefits entitlement use Age UK's online benefits calculator at www.ageuk.org.uk/benefitscheck. Or ask a local Age UK or independent advice agency for a benefits check.

12 Migration from other benefits to ESA

Incapacity Benefit (IB), Severe Disablement Allowance (SDA) and Income Support (IS) on grounds of incapacity are being phased out. If you are currently receiving one of these benefits you will be reassessed for ESA before April 2014. Anyone who is due to reach State Pension age before 6 April 2014 will not have to be reassessed for ESA but will remain on their existing benefit. If you are over State Pension age and still receiving SDA, you will not be reassessed.

You will usually have to complete an ESA50 form and attend a face-to-face medical assessment as part of the reassessment process. Following the reassessment, you will be migrated on to ESA if you are found to have limited capacity for work. If you are found fit for work after the reassessment, your existing benefit will stop and you will not be entitled to ESA. Seek independent advice about your appeal rights or entitlement to other benefits in this situation.

If you are migrated from IB, SDA or IS (incapacity) to ESA:

- you are subject to all the usual ESA rules and conditions
- you do not have to meet the NI requirements to receive contributory ESA
- you are entitled to a top-up payment (a 'transitional addition') if your ESA would be less than your IB/SDA/IS (incapacity)
- you are treated as having satisfied the assessment phase and the support component or work-related activity component is included immediately
- any pension you have that was ignored before transfer will continue to be ignored in your ESA (this applies if you are migrated from IB only)
- if you are migrated from Incapacity Benefit to contributory ESA, and you are in the work-related activity group, your contributory ESA will stop on 30 April 2012 or 12 months after the date of migration, whichever is later, whether you are migrated before or after April 2012
- if you are migrated from Incapacity Benefit to contributory ESA, and you are in the support group, your contributory ESA will not be time-limited.

13 Extracts from the ESA regulations (2008)

13.1 Schedule 2: Limited capability for work assessment

(1) Activity	(2) Descriptors	(3) Points
Part 1: Physical disabilities		
1. Mobilising unaided by another person with or without a walking stick, manual wheelchair or other aid or if such aid can reasonably be used.	(a) Cannot either (i) mobilise more than 50 metres on level ground without stopping in order to avoid significant discomfort or exhaustion; or (ii) repeatedly mobilise 50 metres within a reasonable timescale because of significant discomfort or exhaustion.	15
	(b) Cannot mount or descend two steps unaided by another person even with the support of a handrail.	9
	(c) Cannot either (i) mobilise more than 100 metres on level ground without stopping in order to avoid significant discomfort or exhaustion; or (ii) repeatedly mobilise 100 metres within a reasonable timescale because of significant discomfort or exhaustion.	9
	(d) Cannot either (i) mobilise more than 200 metres on level ground without	6

stopping in order to avoid significant discomfort or exhaustion;

or

(ii) repeatedly mobilise 200 metres within a reasonable timescale because of significant discomfort or exhaustion.

(e) None of the above apply. 0

2. Standing and sitting.

(a) Cannot move between one seated position and another seated position located next to one another without receiving physical assistance from another person. 15

(b) Cannot, for the majority of the time, remain at a work station, either:

(i) standing unassisted by another person (even if free to move around); or
(ii) sitting (even in an adjustable chair) 9

for more than 30 minutes, before needing to move away in order to avoid significant discomfort or exhaustion.

(c) Cannot, for the majority of the time, remain at a work station, either:

(i) standing unassisted by another person (even if free to move around); or
(ii) sitting (even in an adjustable chair) 6

chair)
for more than an hour before
needing to move away in order
to avoid significant discomfort or
exhaustion.

(d) None of the above apply 0

3. Reaching.

(a) Cannot raise either arm as if 15
to put something in the top
pocket of a coat or jacket.

(b) Cannot raise either arm to top 9
of head as if to put on a hat.

(c) Cannot raise either arm
above head height as if to reach 6
for something.

(d) None of the above apply. 0

4. Picking up and moving or
transferring by the use of the upper
body and arms.

(a) Cannot pick up and move a 15
0.5 litre carton full of liquid.

(b) Cannot pick up and move a 9
one litre carton full of liquid.

(c) Cannot transfer a light but 6
bulky object such as an empty
cardboard box.

(d) None of the above apply. 0

5. Manual dexterity.

(a) Cannot either: 15
(i) press a button, such as a
telephone keypad; or
(ii) turn the pages of a book

with either hand.

(b) Cannot pick up a £1 coin or equivalent with either hand. 15

(c) Cannot use a pen or pencil to make a meaningful mark. 9

(d) Cannot use a suitable keyboard or mouse. 9

(e) None of the above apply. 0

6. Making self understood through speaking, writing, typing, or other means normally used, unaided by another person.

(a) Cannot convey a simple message, such as the presence of a hazard. 15

(b) Has significant difficulty conveying a simple message to strangers. 15

(c) Has some difficulty conveying a simple message to strangers. 6

(d) None of the above apply. 0

7. Understanding communication by both verbal means (such as hearing or lip reading) and non-verbal means (such as reading 16 point print) using any aid it is reasonable to expect them to use, unaided by another person.

(a) Cannot understand a simple message due to sensory impairment, such as the location of a fire escape. 15

(b) Has significant difficulty understanding a simple message from a stranger due to sensory impairment. 15

	(c) Has some difficulty understanding a simple message from a stranger due to sensory impairment.	6
	(d) None of the above apply.	0
8. Navigation and maintaining safety, using a guide dog or other aid if normally used.	(a) Unable to navigate around familiar surroundings, without being accompanied by another person, due to sensory impairment.	15
	(b) Cannot safely complete a potentially hazardous task such as crossing the road, without being accompanied by another person, due to sensory impairment.	15
	(c) Unable to navigate around unfamiliar surroundings, without being accompanied by another person, due to sensory impairment.	9
	(d) None of the above apply.	0
9. Absence or loss of control leading to extensive evacuation of the bowel and/or bladder, other than enuresis (bed-wetting) despite the presence of any aids or adaptations normally used.	(a) At least once a month experiences: (i) loss of control leading to extensive evacuation of the bowel and/or voiding of the bladder; or (ii) substantial leakage of the contents of a collecting device sufficient to require cleaning and	15

a change in clothing.

(b) At risk of loss of control leading to extensive evacuation of the bowel and/or voiding of the bladder, sufficient to require cleaning and a change in clothing, if not able to reach a toilet quickly. 6

(c) None of the above apply. 0

10. Consciousness during waking moments.

(a) At least once a week, has an involuntary episode of lost or altered consciousness resulting in significantly disrupted awareness or concentration. 15

(b) At least once a month, has an involuntary episode of lost or altered consciousness resulting in significantly disrupted awareness or concentration. 6

(c) None of the above apply. 0

Part 2: Mental, cognitive and intellectual function assessment

11. Learning tasks.

(a) Cannot learn how to complete a simple task, such as setting an alarm clock. 15

(b) Cannot learn anything beyond a simple task, such as setting an alarm clock. 9

(c) Cannot learn anything beyond a 6

moderately complex task, such as the steps involved in operating a washing machine to clean clothes.

(d) None of the above apply. 0

12. Awareness of everyday hazards (such as boiling water or sharp objects).

(a) Reduced awareness of everyday hazards leads to a significant risk of:
(i) injury to self or others; or
(ii) damage to property or possessions such that they require supervision for the majority of the time to maintain safety. 15

(b) Reduced awareness of everyday hazards leads to a significant risk of
(i) injury to self or others; or
(ii) damage to property or possessions such that they frequently require supervision to maintain safety. 9

(c) Reduced awareness of everyday hazards leads to a significant risk of:
(i) injury to self or others; or
(ii) damage to property or possessions such that they occasionally require supervision to maintain safety. 6

(d) None of the above apply. 0

13. Initiating and completing personal action (which means planning, organisation, problem solving, prioritising or switching tasks).

(a) Cannot, due to impaired mental function, reliably initiate or complete at least 2 sequential personal actions. 15

(b) Cannot, due to impaired mental function, reliably initiate or complete at least 2 personal actions for the majority 9

of the time.

(c) Frequently cannot, due to impaired mental function, reliably initiate or complete at least 2 personal actions. 6

(d) None of the above apply. 0

14. Coping with change.

(a) Cannot cope with any change to the extent that day to day life cannot be managed. 15

(b) Cannot cope with minor planned change (such as a pre-arranged change to the routine time scheduled for a lunch break), to the extent that overall day to day life is made significantly more difficult. 9

(c) Cannot cope with minor unplanned change (such as the timing of an appointment on the day it is due to occur), to the extent that overall, day to day life is made significantly more difficult. 6

(d) None of the above apply. 0

15. Getting about.

(a) Cannot get to any specified place with which the claimant is familiar. 15

(b) Is unable to get to a specified place with which the claimant is familiar, without being accompanied by another person. 9

(c) Is unable to get to a specified place with which the claimant is unfamiliar without being accompanied by another 6

person.

(d) None of the above apply. 0

16. Coping with social engagement due to cognitive impairment or mental disorder.

(a) Engagement in social contact is always precluded due to difficulty relating to others or significant distress experienced by the individual. 15

(b) Engagement in social contact with someone unfamiliar to the claimant is always precluded due to difficulty relating to others or significant distress experienced by the individual. 9

(c) Engagement in social contact with someone unfamiliar to the claimant is not possible for the majority of the time due to difficulty relating to others or significant distress experienced by the individual. 6

(d) None of the above apply. 0

17. Appropriateness of behaviour with other people, due to cognitive impairment or mental disorder.

(a) Has, on a daily basis, uncontrollable episodes of aggressive or disinhibited behaviour that would be unreasonable in any workplace. 15

(b) Frequently has uncontrollable episodes of aggressive or disinhibited behaviour that would be unreasonable in any workplace. 15

(c) Occasionally has uncontrollable episodes of aggressive or disinhibited behaviour that would be unreasonable in any workplace. 9

(d) None of the above apply. 0

13.2 Schedule 3: Limited capability for work-related activity assessment

Activity	Descriptors
1. Mobilising unaided by another person with or without a walking stick, manual wheelchair or other aid if such aid can reasonably be used.	Cannot either: (a) mobilise more than 50 metres on level ground without stopping in order to avoid significant discomfort or exhaustion; or (b) repeatedly mobilise 50 metres within a reasonable timescale because of significant discomfort or exhaustion.
2. Transferring from one seated position to another.	Cannot move between one seated position and another seated position located next to one another without receiving physical assistance from another person.
3. Reaching.	Cannot raise either arm as if to put something in the top pocket of a coat or jacket.
4. Picking up and moving or transferring by the use of the upper body and arms (excluding standing, sitting, bending or kneeling and all other activities specified in this Schedule).	Cannot pick up and move a 0.5 litre carton full of liquid.
5. Manual dexterity.	Cannot either: (a) press a button, such as a telephone keypad; or

(b) turn the pages of a book with either hand.

6. Making self understood through speaking, writing, typing, or other means normally used.

Cannot convey a simple message, such as the presence of a hazard.

7. Understanding communication by hearing, lip reading, reading 16 point print or using any aid if reasonably used.

Cannot understand a simple message due to sensory impairment, such as the location of a fire escape.

8. Absence or loss of control over extensive evacuation of the bowel and/or voiding of the bladder, other than enuresis (bed-wetting), despite the presence of any aids or adaptations normally used.

At least once a week experiences (a) loss of control leading to extensive evacuation of the bowel and/or voiding of the bladder; or (b) substantial leakage of the contents of a collecting device sufficient to require the individual to clean themselves and change clothing.

9. Learning tasks.

Cannot learn how to complete a simple task, such as setting an alarm clock, due to cognitive impairment or mental disorder.

10. Awareness of hazard.

Reduced awareness of everyday hazards, due to cognitive impairment or mental disorder, leads to a significant risk of (a) injury to self or others; or

(b) damage to property or possessions such that they require supervision for the majority of the time to maintain safety.

11. Initiating and completing personal action (which means planning, organisation, problem solving, prioritising or switching tasks).

Cannot, due to impaired mental function, reliably initiate or complete at least 2 sequential personal actions.

12. Coping with change.

Cannot cope with any change, due to cognitive impairment or mental disorder, to the extent that day to day life cannot be managed.

13. Coping with social engagement, due to cognitive impairment or mental disorder.

Engagement in social contact is always precluded due to difficulty relating to others or significant distress experienced by the individual.

14. Appropriateness of behaviour with other people, due to cognitive impairment or mental disorder.

Has, on a daily basis, uncontrollable episodes of aggressive or disinhibited behaviour that would be unreasonable in any workplace.

15. Conveying food or drink to the mouth.

(a) Cannot convey food or drink to the claimant's own mouth without receiving physical assistance from someone else;

(b) Cannot convey food or drink to the claimant's own mouth without repeatedly stopping, experiencing breathlessness or severe discomfort;

(c) Cannot convey food or drink to the claimant's own mouth without receiving regular prompting given by someone else in the claimant's physical presence; or

(d) Owing to a severe disorder of mood or behaviour, fails to convey food or drink to the claimant's own mouth without receiving:

(i) physical assistance from someone else; or

(ii) regular prompting given by someone else in the claimant's presence.

(a) Cannot chew or swallow food or drink;

(b) Cannot chew or swallow food or drink without repeatedly stopping, experiencing breathlessness or severe discomfort;

(c) Cannot chew or swallow food or drink without repeatedly receiving regular prompting given by someone else in the claimant's presence; or

(d) Owing to a severe disorder of mood or behaviour, fails to:

(i) chew or swallow food or drink; or

(ii) chew or swallow food or drink without regular prompting given by someone else in the claimant's presence.

16. Chewing or swallowing food or drink.

14 Useful organisations

Benefit Enquiry Line

Government-run information line about benefits for people with disabilities, carers and representatives.

Tel: 0800 88 22 00 (free call)

Textphone: 0800 24 33 55 (free call)

Website: www.direct.gov.uk/disability-money

Carers UK

National charity working on behalf of carers. Offers wide range of information on carers' rights and sources of help and contact details for local carers' support groups.

Tel: 0808 808 7777 (free call)

Website: www.carersuk.org

Citizens Advice

National network of free, independent advice centres. Depending on available resources may offer benefits check and help filling forms.

Tel: 020 7833 2181 (for details of your local Citizens Advice Bureau)

Website: www.adviceguide.org.uk

Community Legal Service

National network of Legal Services Commission funded organisations and advice providers that fund, provide and promote civil legal aid services – free, confidential and independent legal advice for residents of England and Wales.

Tel: 0845 345 4345

Directgov

The official government website for citizens with information about public services including money, tax and benefits and a specific section for the over-50s.

Website: www.direct.gov.uk

Disability Rights UK

A national charity promoting meaningful independent living for disabled people, promoting disabled people's leadership and control, breaking the link between disability and poverty, and campaigning for disability equality and human rights.

Website: www.disabilityrightsuk.org

Disability and Carers Service

Part of the DWP and responsible for administration of Carer's Allowance, Attendance Allowance and Disability Living Allowance.

Tel: 0845 7 12 34 56

The Pension Service

Part of the DWP, dealing with all aspects of State Pensions, including forecasts, how to claim your pension and Pension Credit.

Tel: 0845 60 60 265

Textphone: 0845 60 60 285

Website: www.direct.gov.uk/en/Pensionsandretirementplanning/index.htm

15 Further information from Age UK

Age UK Information Materials

Age UK publishes a large number of free Information Guides and Factsheets on a range of subjects including money and benefits, health, social care, consumer issues, end of life, legal, issues employment and equality issues.

Whether you need information for yourself, a relative or a client our information guides will help you find the answers you are looking for and useful organisations who may be able to help. You can order as many copies of guides as you need and organisations can place bulk orders.

Our factsheets provide detailed information if you are an adviser or you have a specific problem.

Age UK Advice

Visit the Age UK website, www.ageuk.org.uk, or call Age UK Advice free on 0800 169 65 65 if you would like:

- further information about our full range of information products
- to order copies of any of our information materials
- to request information in large print and audio
- expert advice if you cannot find the information you need in this factsheet
- contact details for your nearest local Age UK.

Age UK

Age UK is the new force combining Age Concern and Help the Aged. We provide advice and information for people in later life through our publications, online or by calling Age UK Advice.

Age UK Advice: 0800 169 65 65

Website: www.ageuk.org.uk

In Wales, contact:

Age Cymru: 0800 169 65 65

Website: www.agecymru.org.uk

In Scotland, contact:

Age Scotland: 0845 125 9732

Website: www.agescotland.org.uk

In Northern Ireland, contact:

Age NI: 0808 808 7575

Website: www.ageni.org.uk

Support our work

Age UK is the largest provider of services to older people in the UK after the NHS. We make a difference to the lives of thousands of older people through local resources such as our befriending schemes, day centres and lunch clubs; by distributing free information materials; and through calls to Age UK Advice on 0800 169 65 65.

If you would like to support our work by making a donation please call Supporter Services on 0800 169 80 80 (8.30am–5.30pm) or visit www.ageuk.org.uk/donate

Legal statement

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