

**Department for Work and Pensions (DWP)**  
**Central Freedom of Information Team**

freedom-of-information-request@dwp.gsi.gov.uk

**Our reference:** Fol 3335

**Date:** 5 September 2017

Dear Anita Bellows

Thank you for your Freedom of Information request received on 9 August 2017. You asked:

Regarding the ESA1 (UC) form

[https://www.rightsnet.org.uk/?ACT=39&fid=30&aid=1353\\_Fd6UfArEDKWUTB\\_LFqrJo&board\\_id=1](https://www.rightsnet.org.uk/?ACT=39&fid=30&aid=1353_Fd6UfArEDKWUTB_LFqrJo&board_id=1)

- 1) What are the special rules and where are they published?
- 2) How are claimants supposed to find out about the special rules, i.e. are they sign-posted to them by the DWP?
- 3) Does the DWP have a duty to sign-post the rules to claimants and explain what they mean?
- 4) Finally could you confirm that people claiming contribution based ESA (i.e NS ESA) will be asked to complete the same form?

**DWP Response:**

In order to make it easier to respond I have numbered your questions and corresponding answers.

- 1) Special Rules are defined as: "Claimants claiming under special rules are terminally ill as diagnosed by a GP or other HCP."

This information is available online and can be found here:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/614002/dmgch42.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/614002/dmgch42.pdf)

- 2) This information is explained at the time of the claim both during the new claim phone call and displayed on the ESA1 claim form.
- 3) Following a search of our paper and electronic records, I have established that the information you requested is not held by this Department

- 4) I can confirm that the ESA1 (UC) form will be used for claiming ESA(C).

If you have any queries about this letter please contact me quoting the reference number above.

Yours sincerely,

DWP Central Fol Team

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**Your right to complain under the Freedom of Information Act**

If you are not happy with this response you may request an internal review by e-mailing [freedom-of-information-request@dpw.gsi.gov.uk](mailto:freedom-of-information-request@dpw.gsi.gov.uk) or by writing to: DWP, Central Fol Team, Caxton House, Tothill Street, SW1H 9NA. Any review request should be submitted within two months of the date of this letter.

If you are not content with the outcome of the internal review you may apply directly to the Information Commissioner's Office for a decision. Generally the Commissioner cannot make a decision unless you have exhausted our own complaints procedure. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow Cheshire SK9 5AF  
[www.ico.org.uk/Global/contact\\_us](http://www.ico.org.uk/Global/contact_us) or telephone 0303 123 1113 or 01625 545745