

DWP Central Freedom of Information Team

e-mail: [freedom-of-information-request@dwp.gsi.gov.uk](mailto:freedom-of-information-request@dwp.gsi.gov.uk)

Our Ref: Fol 3240

DATE: 20 September 2016

Dear Ms Farran,

Thank you for your Freedom of Information request of 5 September 2016.

The Freedom of Information Act gives you a legal right of access to any recorded information held by a public authority. We do not have to provide opinions or explanations, generate answers to questions, or create or obtain information we do not hold.

If you ask a question, rather than requesting recorded information, we will provide you with the recorded information that best answers the question. Once we have provided the recorded information, we have met our obligations under the Act; interpreting the information provided is up to you.

You asked:

*If a claimant is in the support group of ESA income related and was wanting to go on a holiday abroad for up to 5 weeks, those weeks being spread over a 9 month period, would the claimant have to make the DWP aware of this?*

*Also would this effect the claimants claim in any way??*

Claimants cannot normally claim Employment and Support Allowance (ESA) if they are not in Great Britain. However provided they meet the other conditions of entitlement, and were in receipt of ESA immediately before leaving Great Britain and are temporarily absent, they can continue to be entitled for the first four weeks if the absence is unlikely to exceed 52 weeks.

There are no limits on the number of short-term periods abroad. As long as each absence is temporary (not over 52 weeks) and, on their return, they continue to satisfy the conditions of entitlement to ESA then they remain entitled to ESA.

Claimants should inform their Benefit Centre of all absences abroad in order for a DWP Decision Maker to determine how it will effect entitlement to ESA.

More information can be found here:

<https://www.gov.uk/claim-benefits-abroad/overview>

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

Yours sincerely,

DWP Strategy 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@dwp.gsi.gov.uk](mailto:freedom-of-information-request@dwp.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.gov.uk](http://www.ico.gov.uk)