



Department  
for Work &  
Pensions

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

Merthyr Tydfil  
Merthyr Tydfil Benefit  
Centre  
Post Handling Site B  
Wolverhampton  
WV99 1AZ

[www.gov.uk](http://www.gov.uk)

Telephone: 0800 169 0310  
Textphone: 0800 169 0314

Your reference:  
Insert NINO here

## Your Employment and Support Allowance (ESA) Work Capability Assessment decision

Your ESA payments will stop

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Dear

We are writing to you because we have looked at your claim and decided we cannot pay you Employment and Support Allowance (ESA).

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.

**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

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 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, 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](http://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, Jobseeker's Allowance (JSA) or New Style Jobseeker's Allowance (NSJSA). Work coaches help you identify work you can do with the disability, illness or health condition you may have.

You can apply for Universal Credit unless you had the Severe Disability Premium, as part of your ESA, within the last calendar month. You may have got this if you also get Disability Living Allowance or Personal Independence Payment.

## **What is Universal Credit**

Universal Credit 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](http://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.

## **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.

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## If you cannot get Universal credit

You may be able to get:

- New Style Jobseekers Allowance or contribution-based Jobseeker's Allowance and/or income-based Jobseeker's Allowance
- Income Support, or
- New Style ESA or contributory ESA and/or income-related ESA again, if your health condition has significantly worsened, or you have a new health condition.

To check if you can apply for other benefits, or if you need help with housing costs, visit [www.gov.uk/browse/benefits](http://www.gov.uk/browse/benefits).

## If you disagree with this decision

If you disagree with this decision you can appeal to the Social Security and Child Support 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](http://www.gov.uk/national-insurance-credits)

The quickest way to send us your fit notes is by using [www.gov.uk/send-fit-note](http://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 and/or income-related ESA and you apply for and get contribution-based or income-based Jobseeker's Allowance (JSA):
  - we will close your JSA claim if you ask us to, and re-open your ESA claim so that we can pay you ESA at the assessment rate while you appeal
  - if our decision not to pay you contributory and/or income-related ESA changes following an appeal, you will be paid ESA again
- If you were getting contributory ESA or New Style ESA and you apply for and get New Style Jobseeker's Allowance (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

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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	You can move more than 200 metres on flat ground (Moving could include walking, using crutches or using a wheelchair).	0
Standing and sitting	You can usually stay in one place (either standing or sitting) for more than an hour without having to move away.	0
Reaching	You can raise at least one of your arms above head height.	0
Picking things up and moving them	You can pick up and move objects such as an empty cardboard box or a carton of liquid.	0
Using your hands	You can use a computer keyboard or mouse and a pen or a pencil with at least one hand.	0
Speaking, writing and typing	You can convey a simple message to strangers.	0
Hearing, or understanding messages	You can understand simple messages from a stranger.	0
Getting around safely	Your vision doesn't prevent you from finding your way around familiar and unfamiliar places.	0
Control of your bladder, bowels stoma	You do not need to change your clothes because of difficulty controlling your bladder or bowels or using a stoma.	0
Staying conscious when awake	Any fits, blackouts or loss of consciousness happen less than once a month.	0
Total points for physical capability		<b>0</b>

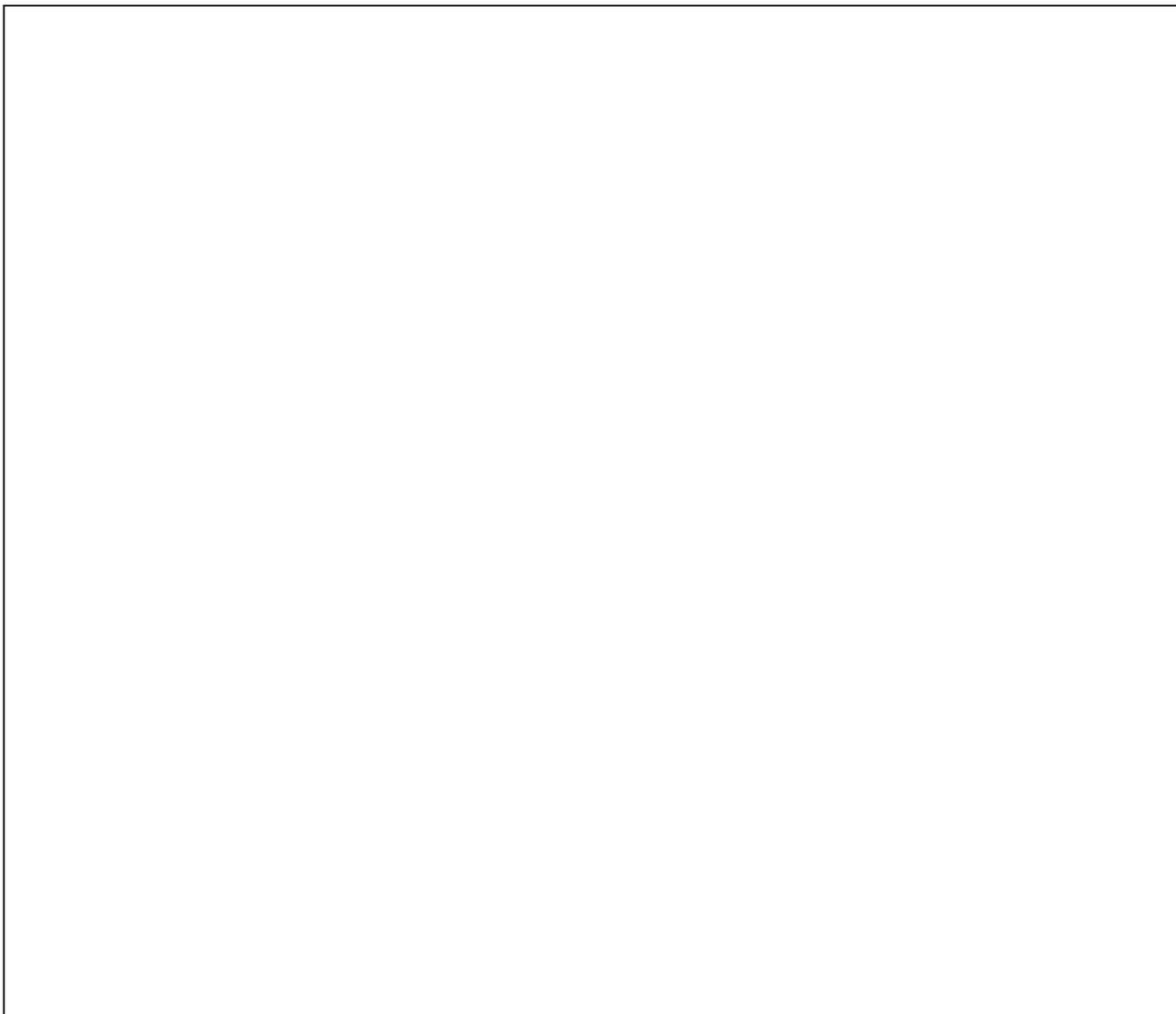
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How we assessed your capability for work and the points we've given you for mental, cognitive and intellectual capability. By *cognitive* we mean how you can think, remember, learn and understand things.

	Our assessment	Points
Learning how to do tasks	You can learn how to do new tasks.	0
Being aware of danger	You are aware of everyday dangers and can keep yourself safe.	0
Starting a task and finishing it to the end	You can usually manage to begin and finish daily tasks	0
Coping with change	You can cope with small unexpected changes to your daily routine.	0
Coping with getting about on your own	You can get to somewhere that you don't know without someone going with you.	0
Dealing with other people	You can deal with people you don't know.	0
Behaviour with other people	You behave in a way that would be acceptable at work.	0
Total points for mental, cognitive and intellectual capability		<b>0</b>
Total points for physical capability		<b>0</b>
Total points for mental, cognitive and intellectual Capability		<b>0</b>
Overall total points		<b>0</b>

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 is shown at the start of this letter and our telephone number is **0800 169 0310**.

**Below are the Decision Maker's reasons for the decision on your claim**



Yours sincerely,

Office manager

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## **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 Social Security and Child Support 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](http://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.

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## **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.

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## **Call charges**

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

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## **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](http://www.gov.uk/dwp/personal-information-charter)