

DWP Central Freedom of Information Team

e-mail: freedom-of-information-request@dwp.gsi.gov.uk

Our Ref: VTR IR 199

DATE 13 March 2013

Dear Sarah Conner,

I am writing in response to your review request received on 26 February. An internal review has been carried out by someone of a senior grade to the person who dealt with your original request. I am now in a position to respond to you. In your review request you said:

Please clarify that if the person is claimed to not be fit enough for even reduced work i.e. 25 hours then they would get Income Support if told by the Jobcentre Plus they are not eligible for JSA. IMO maybe just does not answer the question as there should be a benefit for those who are turned down for both ESA on the grounds that they are not ill/disabled enough or in the case of JSA not fit enough.

Having concluded my review, I am satisfied that we responded correctly to your original requests. In response to your request for further clarification, entitlement to Income Support is limited to people who meet specified conditions, for example, they have substantial caring responsibilities or they are lone parents of a child under 5. A person would therefore not normally be entitled to Income Support in the circumstances you describe.

There is no benefit for people who fall between ESA and JSA conditions. If a person is found not to have limited capability for work for ESA purposes, they will qualify for JSA unless they put restrictions on their availability for work which are unreasonable in the light of their physical or mental condition.

More information about benefits can be found at: <https://www.gov.uk/browse/benefits>

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

Yours sincerely,

DWP Central FoI Team

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@dwpgsi.gov.uk or by writing to DWP, Central FoI 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