

EMPLOYMENT AND SUPPORT ALLOWANCE FACTSHEET

Introduction

The information in this factsheet is intended to be a guide to the rules for Employment and Support Allowance and does not cover every circumstance. It is possible that some of the information is over simplified or may become inaccurate over time, for example because of changes to the law. Any rates shown are applicable from April 2021 to March 2022. Blesma has made every effort to ensure that the information is correct at the time of publication.

1) What is Employment and Support Allowance?

Employment and Support Allowance is a benefit for people of working age whose ability to work is limited by ill health or disability. For benefit purposes this is known as 'limited capability for work'

2) Who can claim?

You can claim Employment and Support Allowance if:

- you are aged 16 or over and under state pension age **and**
- you are not entitled to Statutory Sick Pay **and**
- you are present in the UK (some temporary absences are ignored) **and**
- you have limited capability for work

You cannot get Employment and Support Allowance if you claim Unemployability Supplement with a War Pension.

3) How is the benefit structured?

There are two different types of Employment and Support Allowance:

- Contributory Employment and Support Allowance
- Income related Employment and Support Allowance (no longer available for new claimants)

You can receive either one or both together. There are further rules for each type of Employment and Support Allowance.

Contributory Employment and Support Allowance / 'new style Employment and Support Allowance

- For new claims, contributory Employment and Support Allowance is known as 'new style Employment and Support Allowance

- You can qualify if you have paid sufficient national insurance contributions. You will need a recent work record as the rules only take into consideration the last two complete tax years before the benefit year in which you are claiming
- Most awards are limited to payment for twelve months (unless you are in the Support Group)
- Contributory and 'new style' Employment and Support Allowance are taxable
- Not affected by savings and most other income, except for occupational or personal pensions (including some permanent health insurance payments, Pension Protection Fund periodical payments and Financial Assistance Scheme payments)

Income related Employment and Support Allowance

- This is the means tested element of Employment and Support Allowance. You must satisfy a low income test, set by the government, and must not have savings or capital above £16,000. If you have a partner, their work status and income and capital will be included as part of the low income test
- If you are a member of a couple, your partner must not be claiming Universal Credit, income related Employment and Support Allowance, income based Jobseeker's Allowance, Income Support or Pension Credit
- If you are a full time student you must also be receiving Personal Independence Payment, Disability Living Allowance or Armed Forces Independence Payment
- You must be habitually resident and not subject to immigration control
- Income related Employment and Support Allowance is not taxable

Income related Employment and Support Allowance has been replaced by Universal Credit.

If you are already receiving income related Employment and Support Allowance and you have a change of circumstances, your entitlement may stop. You may be entitled to Universal Credit and will need to make a claim.

At some stage, even if your circumstances have not changed you will be asked by the Department for Work and Pensions to transfer to Universal Credit.

Please see Blesma's Universal Credit factsheet for more information.

4) The Assessment Phase and The Main Phase

There are two phases to Employment and Support Allowance, the assessment phase, and the main phase.

Assessment Phase

For new claims, the assessment phase usually applies, which lasts for 13 weeks. You have to evidence that you have 'limited capability for work' by sending in medical certificates to the Department for Work and Pensions. Payment of benefit during this phase is paid at a lower rate than the main phase.

Main Phase

The main phase follows the assessment phase, and you will need to undergo a 'Work Capability Assessment' and evidence you have 'limited capability for work' in order to qualify for the main phase. If you qualify for the main phase you can be entitled to a higher rate of benefit and will be placed in one of two groups:

- The Work Related Activity Group
 - For people who are assessed as potentially able to work in the future
 - If your claim started before 03 April 2017 you may be entitled to an additional component worth £29.55. There is no additional amount for those claiming after this date.

- The Support Group
 - For people who are assessed as being too disabled or unwell to be expected to work
 - You may be entitled to an additional component worth £39.20. It does not matter when your claim started

For more information on the Work Capability Assessment, please see section 9.

5) What is a national insurance credits claim?

If you are entitled to a payment of Employment and Support Allowance you will receive national insurance credits which will go towards your State Pension entitlement.

If you are not entitled to a payment of Employment and Support Allowance because you have not met the national insurance contribution rules, or means tested conditions, you may still be entitled to national insurance credits (which can support your entitlement to other benefits, such as State Pension), as long as you continue to meet all the other criteria for the benefit, including having limited capability for work.

6) What is the claim process for Employment and Support Allowance?

The claim process is different depending on which part of the UK you live in.

To start your claim, contact the relevant Department for Work and Pensions centre. Your initial claim form will be completed over the phone.

The number you call depends on which type of Employment and Support Allowance you are claiming.

If you live in England, Scotland, or Wales

- To claim 'new style' Employment and Support Allowance you can either:
 - Download and print the NSESAF1 claim form
<https://www.gov.uk/government/publications/new-style-employment-and-support-allowance-esa-claim-form>
 - You will also need to call the helpline to arrange an appointment at your local Jobcentre

- Call the Universal Credit helpline (choose option 2)
 - Telephone: 0800 328 5644

If you live in Northern Ireland

- To claim either 'new style' Employment and Support Allowance you can either:
 - Call the Employment and Support Allowance Centre. An adviser can talk through the application with you and fill in the form on your behalf
 - Telephone: 0800 085 6318
 - Download and print the ESA1 claim form
<https://www.gov.uk/government/publications/employment-and-support-allowance-claim-form>
 - You can return this by email or post

7) What happens next?

There are two phases to Employment and Support Allowance, the assessment phase and the main phase:

The Assessment Phase

Once your claim has been registered, whether by phone or sending in a claim form, you will enter the assessment phase, which lasts 13 weeks. You will be sent a 'limited capability for work' questionnaire called an ESA 50 that you will need to complete and return within four weeks.

The Main Phase

In order to qualify for the main phase, you will need to undertake a Work Capability Assessment to evidence that you have limited capability for work. If you qualify you are placed into one of two groups: either the Work Related Activity Group or the Support Group.

If you do not qualify as having limited capability for work, you are judged to be capable for work. You can challenge this decision, see section 12.

8) Terminal illness

If you have a terminal illness, you will automatically qualify for the main phase and Support Group. You will need to send in a form called a DS1500 completed by a medical practitioner that states you are not expected to live beyond twelve months. You will automatically be considered as having limited capability for work related activity without having have a Work Capability Assessment.

9) What is the Work Capability Assessment?

The purpose of the Work Capability Assessment is to identify how your health condition or disability affects your ability to work. It plays an important role in determining ongoing entitlement to the benefit.

There are 3 possible outcomes from a Work Capability Assessment. You will be assessed as one of the following:

- Fit for work
 - This means you will no longer be entitled to Employment and Support Allowance
- Have limited capability for work
 - This means that although you may not be able to work now, you can prepare for work with the aim of working sometime in the future
- Have limited capability for work and work related activity
 - This means you will not be asked to look for work, or to prepare for work

Decisions are made by Department for Work and Pensions decision makers. However, the Work Capability Assessment is carried out by a contracted external company, Maximus.

Once your completed 'limited capability for work questionnaire' form has been received by the Department for Work and Pensions, together with any supporting evidence you have sent in, it is passed over to Maximus. They will seek further evidence from the named professionals you have given on the form if they feel it is necessary. They will then consider whether there is enough information to make a decision using just this information. In the majority of cases, further information is required, and claimants are asked to take part in an assessment, where you will be assessed by a health professional. The assessment will either be by telephone, video or at an assessment centre.

If you are asked to attend an assessment centre this could be up to a 90 minute journey away. Some people may be visited in their own homes for the assessment. You can request a visit at home if one has not been offered, but you may have to provide evidence that you cannot travel. This may need to be supported by your doctor or specialist.

The Work Capability Assessment comprises of the following two tests:

Limited Capability for Work

This is an assessment to determine your ongoing benefit entitlement and to identify whether you can be placed in the Work Related Activity Group based on the extent to which your health condition or disability affects your capability for work.

- You will need to score 15 points or more when tested against a number of activities. Each activity has a range of descriptors. If you meet more than one descriptor in an activity you will be awarded the highest value
- Passing the test on its own will place you in the Work Related Activity Group and you will have extra conditions attached to your claim in order to retain entitlement, known as work related activity (see section 11)
- In certain circumstances you may be exempt for the test and can automatically be considered as having Limited Capability for Work e.g. if you are a hospital in-patient

Limited Capability for Work Related Activity

This is the assessment to determine whether you can be placed in the Support Group because the effect of your health condition or disability is so severe that it would be unreasonable to expect you to engage in work related activity.

- As well as passing the limited capability for work test, you will need to meet one of the descriptors in this test. If you do so, you will then be placed in the Support Group.

You would then not need to take part in any work related activity in order to retain entitlement to benefit. However, you can volunteer to take part if you choose.

- In certain circumstances you may be exempt for the test and can automatically be treated as having Limited Capability for Work Related Activity e.g. if you have a terminal illness

See appendix A for the full list of activities, descriptors and points awarded for the Limited Capability for Work Test and Limited Capability for Work Related Activity Test.

You must be given at least seven days' notice of the assessment unless you agree to accept a shorter notice period. If you fail to attend, you will lose entitlement to Employment and Support Allowance unless you can show good cause for not attending.

The Maximus healthcare professional will complete a medical report following your assessment. The decision whether to award you Employment and Support Allowance is made by a Department for Work and Pensions decision maker based on this report and any other evidence available e.g. a GP's report.

The healthcare professional's task of considering the effect of a condition or disability is different to that of a GP needing to make a diagnosis and plan treatment. To be entitled to Employment and Support Allowance, you will have to evidence that your disability or condition restricts your ability to work when assessed using the Work Capability Assessment.

If you are a person affected by limb loss you will be assessed wearing any prosthesis you have, or any aid or appliance that you normally use or can be reasonably expected to use. As an example, if you can only walk with difficulty with your prosthesis, but could self-propel yourself in a wheelchair with no difficulty, and you can get up or down two steps without the aid of another person, you may not score any points for the mobilising activity.

In order to complete the medical report, the healthcare professional will ask about your condition or disability and will assess whether, in their opinion you have limited capability for work. They should consider all the information and reach a judgement based on:

- Your answers to the questions on the limited capability questionnaire
- What you tell them at the medical assessment
- The results of the examination and any tests they carry out
- Your appearance and behaviour during the assessment. This does not just mean during the examination itself. For example, when the healthcare professional greets you in the waiting area, they may monitor your ability to rise from a chair and walk, and whether you have been able to get to the assessment centre on your own

The healthcare professional will ask about your typical day, so it is important to get across in as much detail as possible how your condition or disability affects you. They should assess your capability as it is 'most of the time'. If you cannot repeat an activity within a reasonable degree of regularity, you should be considered as unable to perform it.

10) The decision

The healthcare professional will send their report, called an ESA 85, to the Department for Work and Pensions decision maker. The decision maker can disagree with the report, although in reality, this is unusual.

If you have been assessed as having limited capability for work, the report will include a suggested date when the Work Capability Assessment should be applied to you again.

If the decision maker considers that you do not have limited capability for work, your claim is refused, and you are no longer entitled to Employment and Support Allowance. In effect, you are being assessed as fit for work. You can challenge this decision (see section 13).

11) What are the extra conditions attached to my claim?

If you are considered to have limited capability for work, your benefit may be subject to further conditions, known as compliance conditions, depending on which of the two groups you are placed in.

The Work Related Activity Group

If you are placed in this group, you will be required to attend 'work focussed interviews'. The first interview can take place around the eighth week of your claim. You will then be asked to attend further work focussed interviews usually around monthly intervals, but the timings may vary.

At each interview you will meet a personal adviser who should help you explore barriers and identify support that can assist you to move forward to work. At the first work focussed interview the adviser will be an officer from the Department for Work and Pensions. At follow up interviews, the personal adviser may be from a private or voluntary sector organisation contracted by the Department for Work and Pensions to carry out the task.

The work focussed interview has the following functions:

- To assess your prospects and assist or encourage you to remain in or obtain work
- To identify activities, training, education, or rehabilitation you could undertake to improve your job prospects
- To identify current or future work opportunities that are relevant to your needs and abilities

If you do not take part in a work focussed interview or any of the identified activities, your benefit could be sanctioned. This would result in Employment and Support Allowance payment being reduced.

If your income related Employment and Support Allowance is reduced following a failure to meet a compliance condition, you may be entitled to a reduced rate hardship payment. A hardship payment is not automatic; you must show that you and your family, if you have one, will suffer hardship unless a payment is made. Ask your Jobcentre if you feel this applies to you. Hardship payments are not guaranteed.

The Support Group

There are no extra conditions attached to your claim. Although you can opt in to the work related activity if you wish.

12) Challenging the decision

You will receive a notification letter will tell you of the decision either to award or disallow your claim. The notification letter will tell you which descriptors they think apply to you and their reasons for choosing them.

If your application is refused or you are awarded the Work Related Activity Group when you feel you should be entitled to the Support Group, you can challenge the decision. It is important to note there is a risk in doing so. If you have been placed in the Work Related Activity Group and challenge the decision, you may end up losing your award completely.

You can have three attempts to challenge a decision, but there is a strict process to follow. There is a one month time limit for you to register each stage of the process and you will need to follow each stage in order.

You should be notified in writing of any decisions made on your claim. The decision notice should set out your rights to challenge the decision. You can ask for written reasons for the decision if none were given in the decision notice.

Late challenges can be requested in certain circumstances. You will need to show it was not practical for you to apply in time and you should provide a clear and reasoned explanation for the delay. There is no guarantee that a late appeal will be accepted.

Mandatory Reconsideration

This is the first stage of challenging the decision. Within one month of the date on the notification letter you will need to register the mandatory reconsideration. If you wish you can send in some supporting evidence such as a letter from yourself why you disagree with the decision or evidence from a medical professional. A mandatory reconsideration will result in the Department for Work and Pensions reviewing your award 'in house'. For Northern Ireland, they are considered by the relevant Social Security Agency.

You cannot be paid Employment and Support Allowance while waiting for the result of a mandatory reconsideration. You may be entitled to Universal Credit or Jobseeker's Allowance. You will need to be available for and actively seeking work in order to claim one of these benefits. If you are in this position it is important that you speak to your Blesma Support Officer before making a claim <https://blesma.org/blesma-bsos/>

Some Employment and Support Allowance claimants are not required to use the mandatory reconsideration process and can go straight to appealing their decision.

This applies if all the following apply:

- You are getting income related Employment and Support Allowance
- You are appealing a decision that says you are fit for work
- The decision that you are fit for work is not based on you having failed to return your ESA50 questionnaire or having failed to attend an assessment
- It is either:
 - The first time you have been found fit for work at an assessment or
 - You have been found fit for work at a previous assessment but since then had an assessment where you were found to have limited capacity for work

Appeal to First Tier Tribunal

If your mandatory reconsideration is unsuccessful (or if you are not required to use the mandatory reconsideration process) then you can appeal the decision. This must be registered within one month of the date on the mandatory reconsideration revision letter. Her Majesty's Court and Tribunal Service is responsible for appeals in England, Scotland, and Wales. In Northern Ireland it is the responsibility of The Appeals Service. Both are independent from either the Department for Work and Pensions or the Social Security Agency. You have the opportunity to have your case heard on paper or in person. There is a

higher success rate if you attend in person. Appeals can take several months. However, if you are successful, the award is backdated to the date of your claim.

Once you have registered your appeal you can be paid Employment and Support Allowance until the outcome is known. You will need to send in medical certificates until the outcome of your appeal. However, if you have made a claim for Universal Credit you will have to remain on this benefit.

Appeal to the Upper Tribunal

If your appeal to the first tier tribunal is unsuccessful you have another opportunity to challenge the decision through Her Majesty's Court and Tribunal Service, within one month of the first tier tribunal notification of the decision. This appeal needs to be based on a point of law. As a result, these appeals can be complex, and it would be advisable to seek specialist advice.

Appendix

Limited capability for work

The following is the list of Employment and Support Allowance limited capability for work related activities and descriptors. If you score more than once in an activity you will receive the higher value score. You then add up all the scores and if your total is 15 points or more you will be deemed as having limited capability for work.

| Physical functions | | |
|---|--|--------------|
| Activity 1: Mobilising unaided by another person with or without a walking stick, manual wheelchair or other aid if such aid is normally, or could reasonably be, worn or used | | |
| Descriptor | | Score |
| a | Cannot unaided by another person 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 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. | 6 |
| e | None of the above apply | 0 |
| Activity 2: Standing and sitting | | |
| Descriptor | | Score |
| 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) or (iii) a combination of (i) and (ii). | 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) or (iii) a combination of (i) and (ii); for more than an hour, before needing to move away in order to avoid significant discomfort or exhaustion. | 6 |
| d | None of the above apply | 0 |

Activity 3: Reaching

| Descriptor | Score | |
|------------|---|----|
| a | Cannot raise either arm as if to put something in the top pocket of a coat or jacket. | 15 |
| b | Cannot raise either arm to top of head as if to put on a hat. | 9 |
| c | Cannot raise either arm above head height as if to reach for something. | 6 |
| d | None of the above apply. | 0 |

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

| Descriptor | Score | |
|------------|--|----|
| a | Cannot pick up and move a 0.5 litre carton full of liquid. | 15 |
| b | Cannot pick up and move a one litre carton full of liquid. | 9 |
| c | Cannot transfer a light but bulky object such as an empty cardboard box. | 6 |
| d | None of the above apply. | 0 |

Activity 5: Manual dexterity

| Descriptor | Score | |
|------------|---|----|
| a | Cannot either: (i) press a button, such as a telephone keypad; or (ii) turn the pages of a book with either hand. | 15 |
| 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 single-handedly use a suitable keyboard or mouse. | 9 |
| e | None of the above apply. | 0 |

Activity 6: Making self understood through speaking, writing, typing, or other means which are normally, or could reasonably be, used, unaided by another person

| Descriptor | Score | |
|------------|---|----|
| 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 |
| Activity 7: Understanding communication by (i) verbal means (such as hearing or lip reading) alone (ii) non-verbal means (such as reading 16-point print or Braille) alone, or (iii) a combination of (i) and (ii) using any aid that is normally, or could reasonably be, used, unaided by another person | | |
| Descriptor | | Score |
| 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 |
| Activity 8: Navigating and maintaining safety, using a guide dog or other aid if either or both are normally, or could reasonably be, used | | |
| Descriptor | | Score |
| 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 |
| Activity 9: Absence or loss of control whilst conscious leading to extensive evacuation of the bowel and / or bladder, other than enuresis (bed-wetting) despite the wearing or use of any aids or adaptations which are normally, or could reasonably be, worn or used | | |
| Descriptor | | Score |
| 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 a change in clothing. | 15 |
| b | The majority of the time is 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 |

| Activity 10: Consciousness during waking moments | | |
|--|---|--------------|
| Descriptor | | Score |
| 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 |
| Mental, cognitive and intellectual functions | | |
| Activity 11: Learning tasks | | |
| Descriptor | | Score |
| 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 moderately complex task, such as the steps involved in operating a washing machine to clean clothes. | 6 |
| d | None of the above apply. | 0 |
| Activity 12: Awareness of everyday hazards (such as boiling water or sharp objects) | | |
| Descriptor | | Score |
| 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 |
| Activity 13: Initiating and completing personal action (which means planning, organisation, problem solving, prioritising or switching tasks) | | |
| Descriptor | | Score |
| 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 of the time. | 9 |
| 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 |
| Activity 14: Coping with change | | |
| Descriptor | | Score |
| 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 |
| Activity 15: Getting about | | |
| Descriptor | | Score |
| a | Cannot get to any place outside the claimant's home 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 person. | 6 |
| d | None of the above apply. | 0 |
| Activity 16: Coping with social engagement due to cognitive impairment or mental disorder | | |
| Descriptor | | Score |
| 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 |

| Activity 17: Appropriateness of behaviour with other people, due to cognitive impairment or mental disorder | | |
|--|---|--------------|
| Descriptor | | Score |
| 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 |

Limited capability for work related activity

The following is a list of Employment and Support Allowance limited capability for work related activity. If you have passed the limited capability for work test and also meet one of these descriptors you will be placed in the Support Group.

| |
|--|
| Activity 1: Mobilising unaided by another person with or without a walking stick, manual wheelchair, or other aid if such aid is normally, or could reasonable be, worn or used |
| Descriptor |
| Cannot unaided by another person either: <ul style="list-style-type: none"> iii. Mobilise more than 50 metres on level ground without stopping in order to avoid significant discomfort or exhaustion; or iv. Repeatedly mobilise 50 metres within a reasonable timescale because of significant discomfort or exhaustion |
| Activity 2: Transferring from one seated position to another |
| Descriptor |
| Cannot move between one seated position and another seated position located next to one another without receiving physical assistance from another person. |
| Activity 3: Reaching |
| Descriptor |
| Cannot raise either arm as if to put something in the top pocket of a coat or jacket. |
| Activity 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) |
| Descriptor |
| Cannot pick up and move a 0.5 litre carton full of liquid. |
| Activity 5: Manual dexterity |
| Descriptor |
| Cannot press a button (such as a telephone keypad) with either hand or cannot turn the pages of a book with either hand. |
| Activity 6: Making self understood through speaking, writing, typing, or other means which are normally, or could reasonably be used, unaided by another person |
| Descriptor |
| Cannot convey a simple message, such as the presence of a hazard |
| Activity 7: Understanding communication by (i) verbal means (such as hearing or lip reading) alone (ii) non-verbal means (such as reading 16-point print or Braille) alone, or (iii) a combination of (i) and (ii) using any aid that is normally, or could reasonably be, used, unaided by another person |
| Descriptor |
| Cannot understand a simple message due to sensory impairment, such as the location of a fire escape. |

Activity 8: Absence or loss of control whilst conscious leading to extensive evacuation of the bowel and / or bladder, other than enuresis (bed-wetting) despite the wearing or use of any aids or adaptations which are normally, or could reasonably be, worn or used

Descriptor

At least once a month 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 cleaning and a change in clothing.

Activity 9: Learning tasks

Descriptor

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

Activity 10: Awareness of hazard

Descriptor

Reduced awareness of everyday hazards 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

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

Descriptor

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

Activity 12: Coping with change

Descriptor

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

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

Descriptor

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

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

Descriptor

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

Activity 15: Conveying food or drink to the mouth

Descriptor

- a. Cannot convey food or drink to their own mouth without receiving physical assistance from someone else;

- b. Cannot convey food or drink to their own mouth without repeatedly stopping or experiencing breathlessness or severe discomfort;
- c. Cannot convey food or drink to their mouth without receiving regular prompting given by someone else in the person's physical presence; or
- d. Owing to a severe disorder of mood or behaviour, fails to convey food or drink to their own mouth without receiving:
 - i) physical assistance from someone else; or
 - ii) regular prompting given by someone else in the claimants presence

Activity 16: Chewing or swallowing food or drink

Descriptor

- a. Cannot 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 person's presence; or
- Owing to a severe disorder of mood or behaviour, fails to:
- i) chew or swallow food or drink;
 - ii) chew or swallow food or drink without regular prompting given by someone else in the person's presence