

## Fact sheet

# Migration from Incapacity Benefit to Employment and Support Allowance

## Information for current Incapacity Benefits Claimants

### What is the migration?

'Migration' is the term used by the Department for Work and Pensions to describe moving current Incapacity Benefit claimants to the new benefit, Employment and Support Allowance.

This will involve a reassessment of your claim, to find if you are eligible for Employment and Support Allowance.

### What is Employment and Support Allowance?

Employment and Support Allowance, or ESA, is the new benefit for anyone who cannot work due to disability or illness.

ESA is paid at one of two rates: the Support Group (£96.85) is for those who cannot work due to their health; and the Work-Related Activity Group (£91.40) is for those who would be expected to be able to move into work in future, with the right support.

ESA has been around since October 2008 for new claimants, but now existing Incapacity Benefit claimants will also be assessed for ESA.

### When will the migration happen?

The migration has already happened for small groups of claimants in a couple of places.

The full migration begins in spring 2011, and should be happening at around 11,000 cases per week by May. It will run until 2014.

The date of your reassessment for ESA will be based on when you would be due for a review of your Incapacity Benefit claim.

You will be notified by the Department for Work and Pensions that you will be reassessed. You don't need to approach the Department yourself.

**NAT**  
New City Cloisters, 196 Old Street  
London EC1V 9FR

T : +44 (0)20 7814 6767  
F : +44 (0)20 7216 0111  
E : [policyandcampaigns@nat.org.uk](mailto:policyandcampaigns@nat.org.uk)

[www.nat.org.uk](http://www.nat.org.uk)

## Fact sheet

### What does the reassessment for ESA involve?

The reassessment uses the same eligibility criteria as is used for new claimants – the Work Capability Assessment, or WCA. During the assessment process you receive the 'assessment phase rate' which is equivalent to Jobseekers Allowance (£65.85).

In the normal assessment process, you will:

1. Receive a questionnaire, a form called the ESA50, asking about how your health limits your ability to work. The form will also ask for contact details of your doctor.
2. Get a phone call to arrange a face-to-face meeting with a healthcare professional (doctor or nurse) contracted by DWP.
3. Attend your assessment interview, where you will be asked a range of questions about your physical and mental health.
4. Receive notification of the decision on your claim. If you are found eligible for ESA, the next steps will be explained, including the need to attend a work-focused health-related assessment if you are in the Work-Related Activity Group. If you are not found eligible for ESA, you will be advised on claiming JSA. You may wish to appeal your decision.

### How can I prepare for the migration?

Approach your local HIV organisation for support or call THT Direct (0845 1221 200).

You can also approach Citizens Advice Bureaux or other welfare rights advice centres for reliable information and advice.

Whether or not you access support, keep these pieces of advice in mind:

1. Find out the experience of other people living with HIV, particularly with assessments and about how to answer questions appropriately
2. Keep copies of all correspondence with the Department for Work & Pensions. If you must do something over the phone rather than in writing, make notes of the call and the date.
3. Open and answer all letters from the DWP/JobCentre immediately, or as soon as possible.
4. Always appeal if a decision is unfair or based on wrong information.
5. Keep your doctor in the loop, as they are likely to be asked to contribute a report on your health.
6. Keep a diary of how your health impacts on your daily life, especially if you find the impact of HIV changes from day to day or week to week. This will help you respond to the questions asked in the WCA.
7. Always check that any information you are using is up to date as benefits are changing fast.