

A Guide to Form Filling: PIP2 and ESA50/UC50

Information Guide 11: For Residents and Advisers

2nd June 2023

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1. Introduction

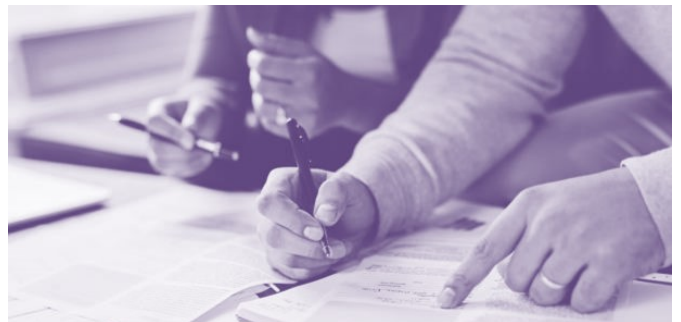
This Information Guide is intended to provide information to those who are faced with having to complete one of the following benefit forms as part of the process of claiming Personal Independence Payment (PIP), Employment and Support Allowance (ESA) or Universal Credit. The guide should prove equally helpful to those who complete these forms on behalf of another person, be it in a voluntary or professional capacity.

- **PIP2 How your disability affects you** - as part of the process for claiming Personal Independence Payment
- **ESA50 Capability for Work Questionnaire** - as part of the Work Capability Assessment under Employment and Support Allowance
- **UC50 Capability for Work Questionnaire** - as part of the Work Capability Assessment under Universal Credit

The guide sets out to explain the role these forms play in the assessment of benefit entitlements and the importance of the forms, whilst providing some tips on how best to get the job done.

This is not a guide about PIP, ESA or Universal Credit entitlement. If you want more information on the qualifying rules for these benefits, then please refer to our Information Guides on these benefits. See 10. Information Guides/Fact Sheets below.

Whilst this is a guide on completing the PIP2 form / ESA50 Questionnaire / UC50 Questionnaire, most of the principles outlined apply equally to the forms for applying for Attendance Allowance and Disability Living Allowance.



It's not just about what you can't do, it's also about how you manage to do the things you can do. It's not just about the help that you get, it's about the help that you reasonably require.

2. Why These Forms are Important...

Entitlement to PIP, ESA and Universal Credit (on the basis that you have health problems which may affect your ability to work) is dependent on your physical and mental health and how it impacts on you. These forms are designed to enable you to provide details to the Department for Work and Pensions (DWP) about what conditions you suffer from, the treatment you receive (if any) and how this all affects you day-to-day.

Once you have completed and returned your form it will go to a Healthcare Professional who will examine you in a face-to-face assessment. The Healthcare Professional will then compile their own report known as a PA4, ESA85 or UC85 which will then go to a DWP Decision Maker (together with your completed PIP2 form / ESA50 Questionnaire / UC50 Questionnaire and any other medical evidence collected) for them to make a decision on your entitlement.



Therefore, completion of the PIP2 form, ESA50 Questionnaire or UC50 Questionnaire is most important. The forms give insight to both the Healthcare Professional and the DWP Decision Maker of your condition and difficulties. It is your opportunity to tell your side of things / your story.

3. Electronic Forms...

For the purposes of the Work Capability Assessment the DWP will send people a paper copy of the ESA50 (for Employment and Support Allowance) and UC50 for Universal Credit. However, these forms are available online in electronic format.

See LINKS: [ESA50 Questionnaire](#) / [UC50 Questionnaire](#) pdf electronic forms.

This means that you can go to these links, download the form you want, complete it, print it, sign it and return it to the DWP. If you have someone helping you then they can download the form and complete it with you with you face-to-face or over the phone. This could prove very beneficial during the pandemic.

In the case of PIP there is no pdf electronic form only a '[specimen](#)' form. However, the DWP are presently offering some people the opportunity to trial a new Digital PIP2 service. This involves the DWP emailing a link to an online form that people can complete. It is understood that up to 500 customers per day were being offered this new service. However, it is understood that from **6th December 2021** the Digital PIP2 service will be offered to approximately 1,000 customers per day.



4. What if I do not Fill-in and Return the Form?

The relevant regulations provide that the DWP may ask people who claim PIP, ESA or Universal Credit (on the basis that they have health problems which may affect their ability to work) to provide 'information or evidence' in order that their entitlement can be assessed.

This normally involves the DWP asking people to complete a PIP2 form / ESA50 Questionnaire / UC50 Questionnaire.

A **one-month** time limit is normally given to complete and return these forms. If you fail to do this then in the case of PIP your claim will be ended/stopped. In the case of ESA and Universal Credit if you fail to complete and return the questionnaire then you will be treated as though you do not have 'limited capability for work' / 'limited capability for work-related activity'.

However, the important thing to remember is:

1. The DWP should not end / stop your claim until after they have sent you a reminder and given you a further 14 days to complete and return the form in question.
2. If you have a 'good reason' for not having been able to return your form in time, then the DWP can extend the time limit. You may have a good reason if you were simply too ill to complete and return the form on time or some domestic emergency prevented you from doing so.
3. If you need more time to get the job done then simply contact the DWP, who can extend the time limit giving you more time to complete and return the form.



Moreover, be aware that the requirement to complete a PIP2 form is a discretionary one. In the case of Personal Independence Payment, the rules state that the DWP may (not shall) require a person to complete a PIP2 form. In the case of Employment and Support Allowance and Universal Credit the rules provide that the DWP need not require a person to complete an ESA50 Questionnaire or UC50 Questionnaire if it already has sufficient information (this could be by way of medical evidence already obtained / provided) to make a decision on 'limited capability for work' and/or 'limited capability for work-related activity'.

It is, therefore, permissible for the DWP to, in effect, waive the requirement for a person to complete these forms as part of the decision-making process. In the case of PIP this might be, for example, in circumstances whereby it would be an unreasonable expectation to expect a person to complete the PIP2 form.

It could also be in circumstances in which a person cannot complete the form (e.g. because their first language is not English) and they cannot get anyone to help them to complete the form (e.g. due to the pandemic).

In the case of ESA or Universal Credit it could be that the need to complete the ESA50 Questionnaire or UC50 Questionnaire should be dispensed with because sufficient information / evidence has been provided.

[Regulation 8 of the Social Security \(Personal Independence Payment\) Regulations 2013 - Statutory Instrument 2013 No. 377](#)

[Regulation 21 / Regulation 36 of the Employment and Support Allowance Regulations 2008 - Statutory Instrument 2008 No. 794](#)

[Regulation 13 / Regulation 31 of the Employment and Support Allowance Regulations 2013 - Statutory Instrument 2008 No. 379](#)

[Regulation 43 of the Universal Credit Regulations 2013 - Statutory Instrument 2013 No. 376](#)

Indeed, in the case of PIP, ESA and Universal Credit, if the DWP is aware/has been made aware that you suffer with a mental health condition, behavioural condition, learning disability, development disorder or memory problems then it can relax the requirement for you to return the form. It can simply proceed to the 'face-to-face assessment' stage.



In the case of **Personal Independence Payment**, if you are **terminally ill** and a **DS1500** has been obtained perhaps from a person who is treating you then there should be no need for you to complete a PIP2 or to attend a 'face-to-face assessment'. The DWP should award you the 'daily living component' at the 'enhanced rate' and assess your entitlement to the 'mobility component' based on the information available.

5. The PIP2 Form...

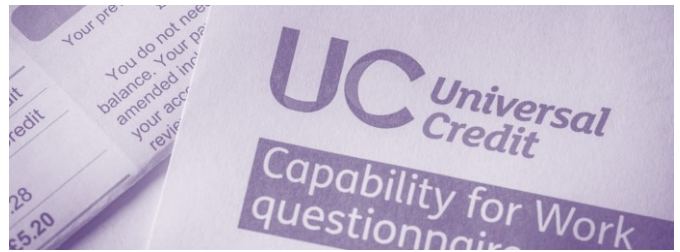
The PIP2 form is 30+ pages long. The front page of the form asks for your name and National Insurance number. The remain pages are broken down into four separate sections:

- Section 1: Asks for information about professionals who are best placed to advise the DWP about your health condition and how it impacts on you. Such a person could be someone who is treating you or someone who is working with you like a Social Worker or Support Worker. If you are going to provide details here of someone then do ask their permission first or at least let them know that you have provided their details.
- Section 2: Asks for details of your health condition / disability and when it onset. It also asks you for details of any treatment you are undergoing (e.g. physiotherapy / chemotherapy) and medication.
- Section 3: Asks you about how your physical / mental and or cognitive impairments impacts on you day-to-day. Each question focuses on the difficulties you may experience and the help you might need in relation to the various activity areas covered by Personal Independence Payment both for the 'daily living' component and the 'mobility' component.

Please see 10. PIP Amounts and Rules for more information on the 'daily living' and 'mobility' areas looked at.

- Section 4: Asks about your ability to attend / the support you might need to attend a face-to-face assessment with a Healthcare Professional.

Please see 7. Top Tips for tips and points to bear in mind before you complete your PIP2 form.



6. The ESA50 / UC50 Questionnaires...

The ESA50 Questionnaire and UC50 Questionnaire are 25+ pages long. The Questionnaires are more or less identical in both layout and the information requested. This is because the rules surrounding 'limited capability for work' and 'limited capability for work-related activity' are the same under Employment and Support Allowance and Universal Credit.

The Questionnaires ask for:

- Personal information e.g. your name, address, date of birth and National Insurance Number.
- You to explain why the Questionnaire is being returned late, if it is indeed being returned late.
- Details of your General Practitioner - your doctors name, address and phone number
- Details of anyone else who knows about your health condition and how it impacts on you. This could be a health professional or a carer or friend. If you are going to provide details here of someone then do ask their permission first or at least let them know that you have provided their details.
- Information about how your physical / mental and/or cognitive impairments impact on you and the aids (e.g. wheelchair / hearing aid) you may use. Each question focuses on the difficulties you may experience and the help you might need in relation to the various activity areas covered by the Work Capability Assessment.

Please see 11. WCA: ESA and Universal Credit for more information on the activity area looked at.

- Your permission for the DWP to contact your doctor (or any other health professionals) for more information about your health condition and how it impacts on you.
- Information about your ability to attend / the support you might need to attend a face-to-face assessment with a Healthcare Professional.

The Questionnaire has an 'Other Information' section in which you can provide more information about any of the questions asked in the Questionnaire. Anyone who knows of your health condition and how it impacts on you can use this part of the form to provide a supporting statement about your difficulties / how they help and support you.



If you have cancer, then the Questionnaires also ask for information about any cancer treatments (e.g. chemotherapy or radiotherapy) you are undergoing and there is a part which is for a health professional who is involved in your treatment (e.g. your doctor or clinical nurse) to complete on your behalf.

See 7. Top Tips for tips before you complete your Questionnaire.

7. Top Tips...

The following are some general tips to bear in mind when completing the form.

1. Remember that neither the Healthcare Professional nor the DWP Decision Maker will know anything about you. Whilst the Healthcare Professional will eventually get to meet you and chat to you about your health problems and how they impact on you, up to that point their only real knowledge of you will be that provided on the PIP2 form / ESA50 Questionnaire / UC50 Questionnaire.

Further, whilst in PIP cases the DWP Decision Maker may phone you to discuss your circumstances, it is most rare that this happens in ESA/Universal Credit cases.

2. The key messages to get across in your PIP2 form / ESA50 Questionnaire / UC50 Questionnaire are:
 - What health problems you suffer
 - What medication and treatments you have been prescribed
 - How your health problems impact on your functional abilities (both physical and mental) and day-to-day living.
3. The PIP2 form / ESA50 Questionnaire / UC50 Questionnaire are long and ask for lots of different information. It is probably best not to attempt to complete the form in one sitting. Take your time - complete the form in stages if it helps. In any event, allow plenty of time. It can take between 1 and 3 hours (and sometimes even longer) to do a good job of completing a PIP2 form / ESA50 Questionnaire / UC50 Questionnaire.
4. If you have family or friends who know you well, let them see the form before you return it. Get their views on whether they think you have fully covered your difficulties or whether you have left out some important details.



5. Remember that lots of people find it difficult sharing information about themselves particularly if it is personal information. Unfortunately, if you miss out information then this will affect the DWP's ability to assess your claim properly. This may lead to you not getting an award of benefit to which you are entitled or getting an award which is less than what it should have been.

6. It is most important not to exaggerate your difficulties. If it is seen that you have overstated your difficulties, then this will affect the credibility of your evidence and could serve to undermine your overall claim.

7. It is most important not to simply complete the form / questionnaire based upon how you are at your worst or solely based upon your worst day. If your condition is variable / fluctuates, perhaps you have good and not so good days (or good times of the day and not so good times of the day), simply state this. In this situation try your best to give a picture of how things are. Explain what you can manage when at your best (on a 'good day') and when you are unwell (on a 'bad day') and how things are when you are having an average day.

Be aware that for PIP the help you need does not need to be throughout the whole of the day/night or on each and every day of the week. What matters is that at least at some point during the day / night you would need such help / be unable to undertake a particular activity and that it be on the majority of days. You could have periods when for weeks you do not need any help with a particular activity but then have periods when you do need help for weeks at a time. Similar principles apply in relation to the Work Capability Assessment.

8. If you do have 'good days' and 'bad days' when explaining this look at the language you use. The following are some words that can be used to emphasise how things are.

- sometimes
- often
- seldom
- always
- some days
- occasionally
- frequently
- never
- every day
- most days

9. If you do have days when things are very painful then try to avoid using words like 'agony' unless this is an accurate description of how you feel.



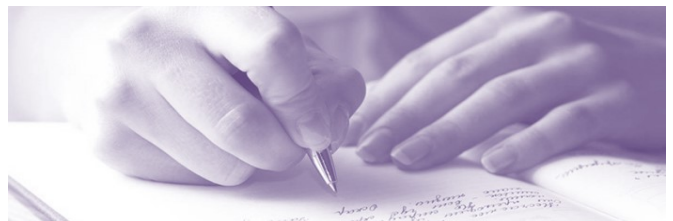
When seeking to describe how much pain / discomfort you are in look at using phrases such as:

- mild pain
- moderate pain
- severe pain
- significant pain
- mild discomfort
- moderate discomfort
- severe discomfort
- significant discomfort

Do your best to describe where the pain / discomfort is located. For example, you might suffer pain / discomfort at the base of your spine, or in your neck just above your shoulder blades or in your right knee or left shoulder. Try also to explain whether you believe the pain is, for example, muscular in type or a joint pain. If your pain / discomfort onsets or becomes more acute upon certain movements then highlight this.

When describing the pain you experience you could use the scale 0 - 10, at one end meaning no pain / mild pain and at the other meaning extreme pain / agony. If you do this make sure to explain on the form / questionnaire that this is what you are doing.

If you are taking pain relief medication then make sure you mention this and how it helps, if indeed it does. If it has little impact, then state this on the form / questionnaire.



If your condition fluctuates (or you have problems remembering events) then you may like to keep a diary to record what help you need and when you need it.

10. When it comes to completing the form / questionnaire, think about the way you want to do this, particularly if you are filing in the form / questionnaire on behalf of another person.

Make sure to (✓) **TICK** what you consider to be the relevant boxes / answers. Then when providing further details, be clear to the person in which you want to do this. For example, you may say:

- “I have difficulties...” / “This causes me...” - which would create the impression that the form / questionnaire has been completed by you.
- “He is unable to...” / “She suffers with... which means” - which would indicate that the form / questionnaire has been completed by another person.
- “Have difficulties with...” / “Suffers with... which means” - which is a neutral language and could mean that you or another person has completed the form / questionnaire.

It probably does not matter which person you use but try and pick one and stick with it. At least be mindful of the different styles.



11. When capturing information, you can use sentences / paragraphs, bullet points or a series of short statements. It depends on your writing ability and what works for you. For example, in the case of PIP and help you may need with preparing or cooking a simple meal you could say:

Example 1: “Due to the level of my depression I am (most of the time) not sufficiently motivated to either prepare food or cook.”

Whilst my wife prepares all my meals, if I were to be expected to prepare and cook food I would not. I would need someone to prompt and encourage me to do it. Just recently when my wife was away visiting her family for a few days, I did not prepare / cook any food. I lived off crisps and snacks from the cupboard.”

Example 2: “Do not prepare food / cook. Lack motivation. Wife cooks all meals. Would need lots of support to motivate me / make sure I did prepare food / cook.”



12. When answering questions, it is better to say ‘Don’t know’ than to simply guess. This is because the answers provided could be treated as a factually correct account of your abilities. It could be perceived from the answers that your abilities are far greater than they actually are. It is a well-known fact that people are poor when judging matters of time (How long?) and distance (How far?). If you are unsure, then state - “Not certain”, “Not sure” or “Do not really know”.

13. Sometimes people think that the more that they write, the better chance they have of getting PIP or meeting the conditions of the Work Capability Assessment. This is not necessarily the case. What is important is to provide relevant information, not lots of information.

14. Remember that the main disability-related qualifying conditions for PIP and the Work Capability Assessment are based upon a point scoring system. The score you achieve will determine how much PIP (if any) you will get and whether you may be assessed as having ‘limited capability for work’ (with or without an assessment of ‘limited capability for work-related activity’).

The scoring under the 'Work Capability Assessment' for ESA and Universal Credit may well establish whether you qualify for ESA or are allowed to claim Universal Credit based upon the premise that you have incapacity to work. Therefore, be as clear as you can with information. A single extra point score or two could make all the difference.

15. You can obtain copies of our Information Guide 9: Personal Independence Payment Toolkit and Information Guide 7 Universal Credit and the Work capability assessment Toolkit. Both these provide insight to the actual regulatory tests for PIP (including the point scoring system) and under the Work capability Assessment (including the point scoring system). All you need do is email us wrs.training@wolverhampton.gov.uk and we will send you a copy. This will ensure that you are completing the form / questionnaire knowing beforehand how your disability / functional limitations should score under the system.

16. In any event if you have copy of the actual rules try and refrain from using statutory language. So, in the case of PIP and the cooking test do not state that you are unable to prepare and cook a 'simple meal' (this is the legal test). Instead substitute 'simple meal' for perhaps a 'basic meal' and then give some examples of the types of meals you mean not forgetting to explain why you cannot. Similarly, if you need someone to help you to do something or to watch out for your (or another person's) safety whilst doing something then state this. Do not simply put that you need 'assistance' or 'supervision' to do something. Let the decision makers (and if need be the First-tier Tribunal) decide whether the help you need amounts to 'assistance' or 'supervision'.

Avoid contradiction. You cannot say you have difficulties walking but then explain how you run marathons in your spare time...

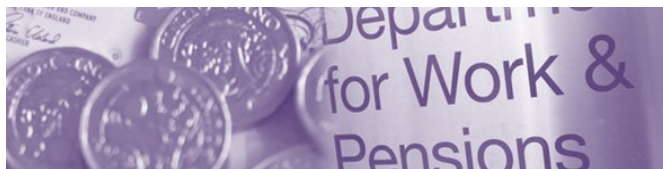


17. Once you have completed the form / questionnaire, read it back. Make sure you are happy with it, that you have not left out some important information.

18. If you have any supporting information about your condition, medication and treatment and how it impacts on you (e.g. perhaps from your GP, hospital consultant, physiotherapist, CPN and/or Social Worker) then send this when returning your form / questionnaire.

19. If you can then take a photocopy of the form / questionnaire before sending it off, it can be useful for future reference. You can read the form / questionnaire again before you attend your 'face-to-face assessment'. That way you can remind yourself of the details already provided.

20. If something important should happen after the PIP2 form / ESA50 Questionnaire / UC50 Questionnaire is returned (e.g. your health deteriorates), then you can always write to the DWP or the organisation undertaking the 'face-to-face assessment' to advise them of this.



If your claim is refused, then you can ask for a 'mandatory reconsideration'. This would involve the DWP reviewing its decision. If you are not happy with the outcome, then you can take your case to appeal.

If you do this then a copy of your completed PIP2 form / ESA50 Questionnaire / UC50 Questionnaire will be given to the First-tier Tribunal the body charged with deciding any appeal. It will form part of the evidence upon which the tribunal members will decide your case. Therefore, looking ahead, it is important that you do as good a job as possible in completing your form and try to get across the difficulties your ill-health / disability presents.

8. Additional Information

The PIP2 form / EA50 Questionnaire / UC50 Questionnaire has a section to enable you to provide additional information. If, when completing the form, you run out of space on a particular page then use this part of the form to add in the extra information. When doing so, let the reader of the form / questionnaire know that is what you are doing by stating “See 1. Other Information for more details” or “See 2. Other Information for more details”, etc. Further, use this part of the form / questionnaire to tell the Healthcare Professional / Decision Maker (or First-tier Tribunal) more about yourself. It can help. For example, you could say:

Example 1: “I live with my wife and two young children. My wife is my primary carer. Before the onset of my ill-health, I used to take my children swimming and go to the park with them to play football. I am no longer able to do this. I used to walk my dog. I cannot do this anymore.”

Example 2: “Before my injury I was a quite outgoing person. I enjoyed travelling and meeting new people. I used to drive and have my own car. Now I rarely leave my home. I am no longer physically able to drive. I am unable to navigate a steering wheel because of my lack of grip and manual dexterity.”

Example 3: “Since leaving school I always worked. Most recently I worked for a local engineering company as a cleaner. The job was not well paid, but I liked it. I was made redundant from this job in 2018. At first, I found it difficult to find a job. Then when my health took a downturn it became clear that I would probably never be able to work again. My hobby used to be fishing. I can no longer do this due to my current ill-health. I am unable to sit for long periods due to my back pain or real in the line due to the arthritis in my hand.”



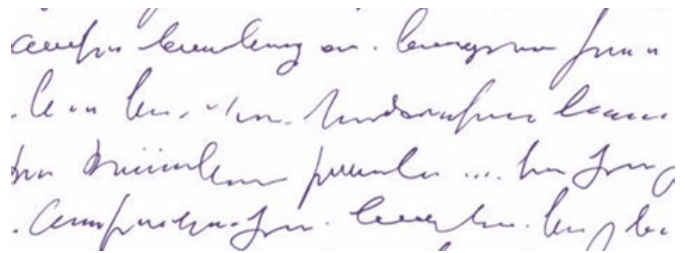
You can use the form / questionnaire to tell the DWP and Healthcare Professional that you would need an interpreter present at any face-to-face assessment.

Additional Information: If you would be unable to travel / or be unable to travel using public transport to a ‘face-to-face assessment’ you can also use this part of the form / questionnaire to state this.

9. What if I am a Poor Writer? Getting Some Help...

Not everyone can write, let alone write well. It may have been many years since you left school and had to write a great deal.

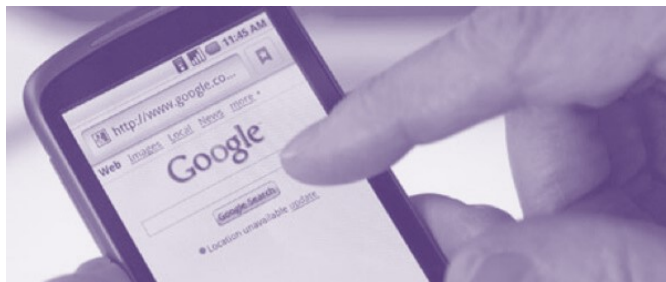
Indeed, English may not be your first language, therefore your reading of the English word and the fact that your ability to write in English may be poor could prevent you from being able to complete the form / questionnaire. If your normal style of handwriting is difficult to read then change it, using capital letters throughout if necessary.



Do not worry about poor spelling or grammar. Just write words down as you think they are spelt. Further, do not worry about putting things down as you would say them. If your writing ability is not good and this has prevented you from being able to fully answer the questions / provide all of the information you would have liked, then state this on the form. Explain at the end of the form / questionnaire (in ‘Other Information’) that due to your poor writing skills you have been unable to fully convey your difficulties but that you hope to be able to do this at your ‘face-to-face assessment’.

If it is the case that you simply cannot face having to put things down on paper about your poor health try ask a family member or friend, someone you can trust, to help you.

If you have a smart phone, then use the internet to look up how words are correctly spelt and the meaning of words. Indeed, use it to look up your medication and explain what pills you are prescribed and what for if you do not already know.



You could state that you would be happy for the person at the DWP who is making the decision on your claim to ring you so that you can explain and discuss the difficulties you have.

If someone has completed the PIP2 form / ESA50 Questionnaire / UC50 Questionnaire on your behalf, then make sure they made this clear on the form / questionnaire.



10. PIP Amounts + Rules...

You may be awarded Personal Independence Payment if you need help with your 'daily living' and/or you have difficulties with your mobility. The amounts that can be paid are:

Daily Living Component:

£101.75 per week - enhanced rate

£68.10 per week - standard rate

Mobility Component:

£71.00 per week - enhanced rate

£26.90 per week - standard rate

What amount is actually awarded will depend on the point score you achieve. You need to score at least 8 points to get the 'standard rate' and at least 12 points to get the 'enhanced rate' of the 'daily living component' or 'mobility component'.



As already stated, if you are '**terminally ill**' (you have been given a DS1500 by your GP or another health professional) then you should automatically get the 'daily living component' at the 'enhanced rate'.

Daily Living Component:

The 'daily living component' assesses the help (meaning: see below) you need with:

1. preparing and cooking food - do you need help to prepare or cook a simple meal?
2. eating and taking nutrition - do you need help at mealtimes with eating or drinking?
3. managing medication, therapy or monitoring of a health condition - do you need help to take your medication or with things like taking oxygen or home dialysis or an exercise routine designed to prevent your condition getting worse or with monitoring to ensure your health does not deteriorate?
4. washing and bathing - do you need help with washing or bathing?
5. managing toilet needs or incontinence - do you need help with toileting or getting on or off an un-adapted toilet or cleaning yourself afterwards?

6. dressing and undressing - do you need help with dressing and undressing including selecting clothing, putting on socks and shoes?
7. communicating verbally - do you need to use an aid or appliance to be able to speak or hear or need communication support or an interpreter to help you to communicate?
8. reading and understanding signs, symbols and words - do you need help to understand written or printed information?
9. engaging with other people face to face - do you need help to engage socially and establish relationships?
10. making budgeting decisions - do you need help to spend and manage your money?



Mobility Component:

The 'mobility component' assesses the help (meaning: see below) you need with:

1. planning and following journeys - do you need help to plan a journey and/or help to get from A to B?
2. moving around - do you need help to stand, or when standing, would be unable to walk very far or walk very far without pain, discomfort or fatigue?

Meaning: By 'help' we mean that, depending on the task, you need:

- **assistance** - someone to be present to physically help you with the task in question or some parts of the task in question.

- **prompting** - someone needs to remind or encourage you to undertake or complete a particular task, the 'prompting' could be in given to you in your presence or over the phone.
- **supervision** - someone to be with you to ensure that when you are undertaking the particular task you do so safely.

Use of Aids: In some situations, whether or not you need to use an 'aid' in order to undertake or complete a task will be relevant. Therefore, if you use an aid when e.g. cooking / washing then mention this. Mention what aids it is that you use (e.g. grab rail / shower seat) and how they help you (e.g. "It helps me to steady myself when getting into the shower" and "It means that I can sit when I am taking a shower thereby limiting the risk of my slipping or falling").

Help That You Need: It does not matter that you do not actually get any help. All that matters is that in order to undertake the task you 'reasonably require' the help in question.

What should also be assessed is your ability to undertake or complete a task:

- **safely** - in a manner unlikely to cause harm or danger; and
- **to an acceptable standard** - a standard that is good enough - a standard that most people would expect to achieve; and
- **repeatedly** - meaning as often as might be reasonably required; and
- **within a reasonable time period** - the time it takes to undertake the task is not twice as long as it might take a person in good health without a disability.

Pain and Discomfort: If you can only undertake a particular task whilst in a degree of pain, discomfort or fatigue then you should be treated as though you are unable to undertake that particular task.

11. WCA: ESA and Universal Credit...

The Work Capability Assessment (WCA) is the tool used to determine whether a person may be treated as though they are too sick to work (i.e. whether they may be considered to have 'limited capability for work' with or without an assessment of 'limited capability for work-related activity') and so be eligible to apply for Employment and Support Allowance and/or Universal Credit without being expected to look for work or apply for jobs, etc.

Having an assessment of limited capability for work (with or without an assessment of limited capability for work-related activity) can have its financial rewards. For entitlement to New Style ESA (beyond the initial 13 weeks of claim - the so called 'assessment period') and ongoing entitlement to Income-based ESA a person must be assessed as having limited capability for work. Under the Universal Credit system those with an assessment of limited capability for work dating back before 3.4.2017 can get the 'limited capability for work element' worth up to an extra £128.89 per month. Moreover, those who have been or are now assessed as having both limited capability for work and limited capability for work-related activity can get the 'limited capability for work-related activity element' worth up to an extra £390.06 per month.

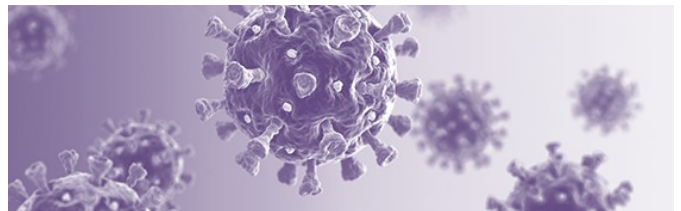


The WCA involves assessing your physical, cognitive and mental abilities.

Physical Activity Areas:

1. mobilising - your ability to walk or mobilise using a wheelchair

2. standing and sitting - your ability to stand and sit
3. reaching - your ability to reach and raise your arms
4. picking-up and moving objects - your ability to pick up and transfer things
5. manual dexterity - your ability to do things like press buttons on a telephone keypad, pick up coins, use a pen / pencil and use a computer keyboard / mouse
6. making self understood - your ability to speak, write and type
7. understanding communication - your ability to communicate by way of the spoken word and written word
8. navigating and maintaining safety - your ability to travel around familiar and unfamiliar surroundings / cross the road safely
9. loss of control of bowel / bladder - your ability to control your bowel and bladder
10. consciousness - whether you have any episodes of lost or altered consciousness.



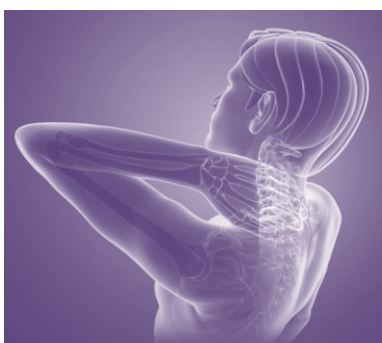
Mental / Cognitive Activity Areas:

11. learning tasks - your ability to complete simple / moderately complex tasks and learn (and remember) simple / moderately complex tasks
12. awareness of everyday hazards - your awareness of everyday hazards
13. initiating and completing personal actions - your ability to initiate and complete personal actions
14. coping with change - your ability to cope with planned and unplanned change
15. getting about - your ability to get out and about due to disorientation or agoraphobia

16. coping with social engagement - examines problems you may have with meeting people

17. appropriateness of behaviour - assesses the way you might behave socially in the workplace.

Pain/Discomfort: If completing a task causes you to feel pain/discomfort or increases the level of the pain/discomfort you normally experience, then you should state this. If undertaking a task causes you pain or discomfort (or increases the level of pain/discomfort you suffer), then you should be treated as though you cannot do it.



Aids/Prosthesis: Your ability to undertake a particular task will be assessed as if you were using/wearing any aids or prosthesis that you normally use/wear or what you could reasonably be expected to use/wear. Subject to the nature and level of impairment, different point scores (ranging from 6 points, 9 points and 15 points) may be awarded. If you achieve a point score equal to (or greater than) the required 15-point threshold, then you will be treated as being too sick to work (i.e. as having 'limited capability for work').

If you fail to get at least 15 points, you will be considered to be fit for work / fit to undertake some work.

In this situation, the DWP must then go on to consider whether the implications of such a decision would pose a '**substantial risk**' to your physical or mental health (or the physical or mental health of another person) - a risk to health from the rigours of working or being expected to look for work.

If such a risk exists, then you will be held to be too sick to work (i.e. you will be treated as though you have 'limited capability for work').



Limited Capability for Work-related Activity (LCWRA): The assessment for 'limited capability for work-related activity' (putting people into the, so called, 'Support Group' for ESA or the 'No Work-related Activity Group' for Universal Credit purposes) only follows if a person has been held to have 'limited capability for work'.

The assessment operates on similar lines to the 'limited capability for work' assessment only there is no point score requirement. All that matters is whether you are able to undertake the relevant physical or mental tasks involved.

Even at this stage, if you are held as not having 'limited capability for work-related activity' then the DWP is obliged to consider whether such an outcome would pose a 'substantial risk' to your physical or mental health (or the physical or mental health of another person) - a risk to health arising from the requirement to take part in Work-focused Interviews and work-related activity. If such a risk exists, then you should be treated as though you have 'limited capability for work-related activity'.

Treated as Having LCW and LCWRA: Aside from above provisions, there are some other situations in which you may be treated as having 'limited capability for work' and 'limited capability for work-related activity'.



The circumstances in which you can be treated as though you have 'limited capability for work' includes:

- where you are in hospital and receiving medical treatment
- where you are actually recovering from hospital treatment (as opposed to being in hospital).

Similarly, if you are about to undergo (or are undergoing or recovering from) treatment for cancer then you may also be treated as though you have 'limited capability for work' and 'limited capability for work-related activity' if it is reasonable to do so in the circumstances because it would be unreasonable to expect you to work, look for work, attend 'work-focused interviews' or undertake work-related activity.

Further, if you are 'terminally ill' (i.e. your life expectancy is likely to be less than 12 months (formerly 6 months) due a progressive disease) then you may be treated as though you have 'limited capability for work' and 'limited capability for work-related activity'.

12. Your Condition and Medication...

The PIP2 form, ESA50 Questionnaire and UC50 Questionnaire will ask you for details of your health and medication. Make sure that you list what ill-health / disability (physical and mental) you suffer from and the medication and treatments that have been prescribed to treat them. For example:

Ill-health/Disability:

- anxiety/depression
- high blood pressure/hypertension
- painful arthritis most joints

Medication/Treatments:

- venlafaxine - for my anxiety and depression
- ramipril - high blood pressure/hypertension
- tramadol 50mg - taken twice daily for pain relief

If you have a rare condition, when listing it on the form explain what it is and how it affects you. If there are side effects from the medication you take then state this e.g. diarrhoea, dizziness, drowsiness, headache.



13. Information Guides and Fact Sheets

The Welfare Rights Service produces the following Information Guides and Fact Sheets on Social Security benefits and welfare reform.

Benefits Information Guides:

1. Universal Credit
2. Universal Credit - Claims and Payments
3. Universal Credit - The Claimant Commitment
4. Universal Credit - Sanctions and Hardship Payments
5. Universal Credit and Vulnerable People - Claims and Payments
6. Universal Credit - Unable to Work Due to Ill-health or Disability
7. Universal Credit and The Work Capability Assessment - Toolkit
8. Personal Independence Payment
9. Personal Independence Payment - Toolkit
10. Form Filling: PIP2
11. Form Filling: ESA50 / UC50
12. DWP Social Fund

13. The Spare Room Subsidy
14. The Benefit Cap
15. Disputes and Appeals
16. Going to Appeal: First-tier Tribunals

Benefits Fact Sheets:

1. Benefits and Work
2. Benefits and Disabled Children
3. Benefits and Young People
4. Benefits and Older People
5. Benefits and People from Abroad
6. Private Tenants and Universal Credit
7. Volunteering and Benefits

The information provided is designed to provide details of the different benefits that may be available to people in a variety of different situations including when they are in work, unable to work due to ill-health, unemployed or retired. It also seeks to inform people of the steps that may be taken should they wish to dispute a decision made surrounding their benefit entitlement.



A copy of the Information Guides and Fact Sheets may, together with other topical benefit information, be obtained from our [Social Security Benefits](#) page on the City of Wolverhampton Council website.

Please also watch out for our periodical **Benefits Bulletins** which provide news on the latest developments surrounding benefits and welfare reform. These are also available on the website.

☎ Telephone: (01902) 555351

✉ Email: WRS@wolverhampton.gov.uk

Note: The details provided in this and our other Information Guides and Fact Sheets is meant to provide an overview on important and topical issues relating to Social Security benefits and welfare reform. The details should not be treated as an authoritative statement of the law. The details may be subject to change by new regulation and/or case law. Do seek further information and advice as necessary.

Welfare Rights Service
Specialist Support Team
City of Wolverhampton Council