

Derbyshire Welfare Rights Service

Universal Credit – what if I am ill or disabled?

Universal Credit is a means-tested benefit which will eventually replace Income Support, Income-Based Jobseeker's Allowance, Income-Related Employment and Support Allowance, Working Tax Credit, Child Tax Credit and Housing Benefit - DWP refers to these as 'legacy benefits'.

The UC 'full service' (see below) has now been introduced throughout Derbyshire. The full service of UC affects new means-tested benefit claims for people of working age and will apply to all sorts of claimants, even those who are working. Where the full service is in place, it is not usually possible to make a new claim for any of the benefits that UC replaces.

Existing benefit claims may not change until between **November 2020 and September 2024**, but your claim could change to UC if you have a change of circumstances which means that you need to make a new claim for means-tested benefit.

Some severely disabled people may still make new 'legacy benefit' claims however, and will be able to claim them even if they have a change of circumstances – see below.

For full details, please see our website or our leaflet 'Universal Credit – what is happening now and in the future in Derbyshire'.

Call our Helpline for further advice.

Disabled people who cannot claim UC and can still claim legacy benefits – the 'severe disability premium'

You can't claim Universal Credit after 16/1/19 if you receive a 'severe disability premium' (SDP) as part of a claim for:

- Income Support
- Income-Based Jobseeker's Allowance
- Income-Related Employment and Support Allowance
- Housing Benefit

This also applies if you were entitled to benefit with an SDP up to one month before you make a new claim and your old benefit award has stopped but you still satisfy the SDP rules.

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What is the severe disability premium?

The SDP is not a benefit in itself, but an additional amount paid in some “legacy” benefits. Income Support, Income-Based JSA, Income-Based ESA and Housing Benefit are worked out by calculating what the law says you need to live on and then comparing this to your existing income – you receive benefit if your income is too low. What the law says you need to live on can be increased where you face costs related to disability. This is the reason for the SDP.

Qualifying for the SDP

If you are single, you qualify for the SDP where:

- you receive a ‘qualifying’ (disability) benefit such as:
 - Attendance Allowance
 - Disability Living Allowance (at the middle or higher rate for personal care)
 - Personal Independence Payment (at the ‘standard’ or ‘enhanced’ rate for daily living)
 - Armed Forces Independence Payment
 - Constant Attendance Allowance (part of the Industrial Injuries benefits scheme)
 - Exceptionally Severe Disablement Allowance (part of the industrial injuries scheme) - or the equivalent war pension
- **and** you don’t have a ‘non-dependant’ (a grown-up member of your family) living with you – but that person won’t affect your claim if they too are disabled and on a qualifying benefit, or if they are separately liable to pay for the accommodation (they are joint tenants with you, for instance)
- **and** nobody is paid a Carer’s Allowance or the ‘carer element’ of Universal Credit for looking after you

If you are a member of a couple, SDP is payable where all of these conditions are met:

- You both receive a qualifying benefit
- **and** you don’t have a ‘non-dependant’ (a grown-up member of your family) living with you – but that person won’t affect your claim if they too are disabled and on a qualifying benefit, or if they are separately liable to pay for the accommodation (they are joint tenants with you, for instance)
- **and** nobody is paid a Carer’s Allowance or the ‘carer element’ of Universal Credit for looking after either of you

or one of you gets a qualifying benefit and the other is certified – or treated as certified – as severely sight-impaired or blind

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or someone is paid a Carer's Allowance or the 'carer element' of Universal Credit for looking after only one of you

How can I tell if I get an SDP in my benefit?

Any letters from the DWP which show how your benefit is made up will include a sum of £66.95 a week (one SDP) or £133.90 a week (two SDPs) as part of your benefit assessment. Next to the figures it will usually say 'because you/your partner are severely disabled'. Seek advice if you are not sure.

If you are affected by this rule it also means that you may claim legacy benefits even if you have a change in your circumstances. Seek advice.

What if I have moved to UC from Income-Related Employment and Support Allowance but I am still not fit for work?

If you have claimed UC because you were found fit for work after a 'work capability assessment' and your ESA has stopped but you dispute the decision, seek advice – you can challenge the ESA decision but you will remain on UC.

A successful challenge to the ESA decision may help your UC claim - you may receive a higher rate of benefit or be allowed to keep more of your earnings before they affect your benefit, if you are working.

Otherwise, with the exception of some severely disabled people (see above), you can only be moved to UC from ESA if you have a change of circumstances which means that you have to make a claim for a new 'means-tested' benefit: for instance if you move house to a new local Authority area and you need to claim help with your rent costs. In this situation, you will not be able to get Housing Benefit, you will have to claim UC, and any other 'legacy benefits' you receive will also be replaced by UC.

You can read more about what situations do and do not require a UC claim in our leaflet 'UC – what is happening now and in the future'.

If you transfer to UC in this way and you were in the ESA 'Work-Related Activities Group' or the 'Support Group', and you have not been found fit for work, you should not be asked to start handing in doctor's notes and you should not be asked to go through a new 'work capability assessment'. Seek advice if you are told to hand in sick notes/go through a new WCA.

You should be paid an additional amount of UC to reflect the fact that you have moved from ESA and you have 'limited capability for work' (the Work-Related Activity Group of ESA) or 'limited capability for work-related activity' (the Support Group of ESA) - you can only qualify for an

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additional 'work-related'/limited capability payment if you claimed before April 2017 (see below). If you were on ESA and waiting for a work capability assessment when your claim moved to UC, you will still need to have the WCA, but the time you have already spent waiting for a WCA should be taken in to account by UC.

What if I become ill or disabled when I first claim or whilst already on UC?

If you are ill when you claim UC and you have not been transferred from an ESA claim or you fall ill when on already UC, it is important to make sure that your UC Claimant Commitment is changed in order to reflect your situation.

The Claimant Commitment is a key feature of UC – most claimants will be required to do something either to look for work or prepare for work. If you are unemployed and fit for work you will usually be expected to meet the full conditions set by UC for seeking work.

If you do not meet the requirements of your Claimant Commitment, your UC claim can be sanctioned.

For more information about the UC Claimant Commitment and sanctions, see our information leaflets.

If your ability to meet your UC Claimant Commitment is affected by illness or disability, you should tell the Jobcentre of this change in your situation and request that your Claimant Commitment be changed to take this in to account.

Seek advice if you are in any doubt.

Providing proof that you are ill or disabled

You should also provide doctor's notes to the Jobcentre and ask for a 'work capability assessment' (WCA) because your ability to seek work is affected by illness or disability. WCA will normally start 28 days after you start to hand in doctor's notes (fit notes). Make sure these notes are kept up to date and there are no gaps, otherwise your entitlements will be affected - you should only stop sending in fit notes when the WCA is completed and you are advised to do so. More details about the WCA below.

If you are terminally ill

If you are terminally ill (your death from illness may reasonably be expected within the next six months) there are simpler rules for claiming further help with UC and ESA and you can make a claim for Personal Independence Payment (PIP) under special rules. Call our Helpline for advice and support.

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Contribution-Based Employment and Support Allowance ('new-style' ESA)

Universal Credit replaces means-tested benefits, so you cannot usually claim Income-Related Employment and Support Allowance - but it is still possible to claim Contribution-Based ESA (known as 'new-style' ESA) if you have paid sufficient National Insurance contributions.

Some severely disabled people (see above) cannot claim Universal Credit and so cannot claim 'new-style' ESA either – Seek advice, you may be able to claim 'old style' Contribution-Based ESA and Income-Related ESA.

You may have paid NI as an employee, or if you were self-employed, or both. You may also have been credited with contributions at some times.

If you are an employee and you get Statutory Sick Pay, you can only claim new-style ESA when your SSP has run out. If you are self-employed you can claim right away: claims for new-style ESA may be subject to a seven-day 'waiting period'.

New-style ESA can be claimed on its own or with UC as a top-up benefit. It counts as income for UC, but claiming new-style ESA will make sure that you have made a formal request for your illness/disability to be taken into account and for an assessment to be made of 'limited capability for work'. New-style ESA has its own Work Capability Assessment but if you claim NSESA and UC together you should only go through one WCA.

Claim online - <https://www.apply-new-style-employment-support-allowance.dwp.gov.uk/eligibility-start>

You can also claim by phone - 0800 328 5644 (follow Option 2 and Option 6 if you wish to claim new-style ESA only and not UC)

Contact the Helpline for further advice on new-style ESA.

Health and Work Conversation – at the start of your claim

If you are making a new claim you may be asked to attend a mandatory appointment called a 'health and work conversation' at the beginning of your new-style ESA/Universal Credit claim. If you do not attend the meeting or do not participate in it, your benefit can be sanctioned.

Although being in the Limited Capability for Work-Related Activity/Support Group exempts you from work-related activity and Work-Focused Interviews (see below) it does not exempt you from the Health and Work Conversation as this takes place around the fourth week of the claim, before the Work Capability Assessment.

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The appointment is a discussion with a Work Coach about what can be done to help you build up confidence and motivation for returning to work. Attending the meeting is compulsory but any actions you agree to are not compulsory and you can't be sanctioned for not carrying them out.

You should be exempt from the appointment if you are treated as having 'limited capability for work' because:

- you are terminally ill
- you are receiving chemotherapy or radiotherapy for cancer, or you are likely to receive it within six months or you are recovering from treatment
- you have been given official notice not to work as you have been in contact with an infectious disease or contamination
- you are pregnant and there would be serious risk to your health or your child's if you do not refrain from work
- you are pregnant or have recently given birth, you qualify for Maternity Allowance (MA) and you are within the MA payment period
- you are pregnant or have recently given birth but you are not entitled to MA or Statutory Maternity Pay (from six weeks before the birth, to two weeks after)
- you are a hospital inpatient
- you have regular treatment such as weekly haemodialysis for chronic renal failure/plasmapheresis/regular weekly total parenteral nutrition for gross impairment of enteric function
- you provide care of at least 35 hours a week to a severely disabled person who receives benefits such as Attendance Allowance, Disability Allowance and personal Independence Payment or has made a claim and is awaiting the outcome – for more information see our leaflet 'Benefits for Carers'
- you are a disabled student in full time education (seek advice)
- you are a young person in full-time non-advanced education and you are without parental support (seek advice)
- you are a lone parent caring for a child aged under 1 year
- you are the main carer for a child you adopted within the last year
- you only receive National Insurance credits for ESA through limited capability for work
- for UC – there would be a substantial risk to any person's physical or mental health if you were not treated as having limited capability for work, and there are no reasonable adjustments that can be made to 'significantly reduce' this
- for UC – you are suffering from a life-threatening disease which cannot be controlled
- for UC – you have reached pension age and you are entitled to Disability Living Allowance or Personal Independence Payment.

Unless you are exempt, you will also have to attend other regular 'Work Focused Interviews'.

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Work-Focused Interviews (WFI)

Once the Work Capability Assessment (see below) is complete, you may be required to attend WFI as a condition of receiving UC, new-style ESA, or both.

If you are placed in the Work-Related Activity Group for ESA (Limited Capability for Work for UC), you will usually be asked to attend a series of Work Focused Interviews with a Work Coach from Jobcentre Plus or an organisation working with them: you will not be expected to apply for jobs, but the interview will cover possible ways to get back to work, including education, training and rehabilitation.

WFI should assess your prospects for work and assist and encourage you to think about how to obtain work and to identify future work opportunities or possible self-employment that would be relevant to your needs and abilities.

- You should be told that you are required to attend WFI, and the date, time and venue should be arranged with you
- WFI can be carried out at your home or over the phone if it would be difficult for you or harmful to your health to go to the Jobcentre.
- You may be asked what activities you would be willing to undertake to improve your chances of going back to work, anything you have done previously and any progress you think you have made
- You may be asked about your skills, qualifications and training, work history, and paid or unpaid work you are doing, what you aim to do in the future.
- You may be asked if you have any caring responsibilities, or how your condition affects your ability to seek work or remain in work.

It is essential that you attend these interviews and participate in them – if you do not, and you have no good reason for doing so, your benefit may be sanctioned. If you have good cause for not attending, challenge any sanction decisions and seek advice and support.

Who doesn't have to take part in WFI?

You don't have to take part in WFI if:

- You are old enough to qualify for Pension Credit (seek advice on this – owing to pension-age reforms the age at which you may claim PC is changing)
- If you are a lone parent with a child under the age of one year
- You are only getting National Insurance Credits for ESA through limited capability for work

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Can my interview be put back or cancelled?

This can only be done with the agreement of your Work Coach. A WFI can be 'waived' (so it doesn't go ahead) if your Work Coach thinks it would not be of help to you because you are going back to work or likely to start work soon.

WFI can be deferred (put back) if the Work Coach thinks it would be more helpful and appropriate to hold it at a later date.

After the WFI – work preparation requirement if you have 'limited capability for work'

For information about 'work-related activity in ESA, see our leaflet Work-Related Activity' and Benefits Sanctions for ESA Claimants'.

Under Universal Credit, you may be required to undertake work preparation as well as attending a WFI. This should not include looking for work.

The Jobcentre specifies what 'work preparation' should be in your case, and how long you should spend doing it, but it should be 'particular action' which makes it more likely that you will obtain paid work (or more/better work). It could include attending a skills assessment, improving your personal presentation, undertaking work experience or a work placement or developing a business plan.

If you have a disability you can request 'specialist employability support' (intensive training and support) for up to 12 months. You can request an assessment via the Jobcentre.

If you consider that you are being asked to undertake tasks that are unreasonable or beyond your ability owing to your health condition, seek advice.

The 'Work Capability Assessment'

For at least 13 weeks (the ESA/UC 'assessment phase') your entitlement will remain unchanged but you must continue to provide medical certificates to show that you are unwell.

You should also ask your Work Coach to reduce the requirements in your Claimant Commitment if you can no longer meet them owing to illness. If you are still being asked to do tasks that you cannot manage, seek advice.

You also need to ask your work coach to confirm that the Jobcentre has started the process of referring you for a 'Work Capability Assessment'. This should normally be done from day 29 of your claim.

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If you have claimed new-style ESA, during the assessment phase you will get £58.90 weekly if you are under 25 or £74.35 weekly if you are 25 or over. Remember that this counts as income for Universal Credit – make sure that UC know what income you are receiving.

At some point after 13 weeks you will receive a 'limited capability for work questionnaire' and you will usually be required to attend a meeting with a health care professional. This process is called the Work Capability Assessment.

It is important to fill this questionnaire in detail (don't just tick boxes) and show how your illness or disability affects your daily life. See our leaflet 'ESA and UC - Completing The Form'.

It is also very important to send in any supporting medical evidence that you may have from any health professional(s) who are helping you.

If there is sufficient evidence in the form and any supporting letters, the DWP may be able to make a decision without needing to ask you to attend a medical examination (see below)

Medical examination

You may be asked to attend a medical examination by a health professional working for the DWP. This could be at an examination centre, or you may be able to request a home visit if you cannot get to a centre and you have evidence from your GP to support your request.

The health care professional should ask you relevant questions about your physical and/or mental health, and may undertake a physical examination.

You may take someone with you if you need them to help or support you.

The health professional does not make the decision on your UC/new-style ESA entitlement, but the Jobcentre may rely considerably on their report, so it is very important to explain your full situation to the health professional and to provide written evidence from your own doctors, support workers etc.

NB - If you fail to return the form or attend a medical examination without good reason, your new-style ESA claim will be stopped. You will not qualify for additional UC. If you are having problems, tell the Jobcentre as soon as possible. Seek advice if your benefit is stopped.

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The scoring system

Both the form and the medical examination are there to assess you in the light of 'work capability criteria set in law: even if your own GP says you are not fit for work, it is possible to be found fit work because the criteria are not met.

You must score 15 points in total to be found to have 'limited capability for work'. If you are found to have 'limited capability for work' you are placed in the Work-Related Activity Group for new-style ESA and you qualify for additional help under UC. See below for details.

It is also possible to be found to have 'limited capability for work' if there would be a substantial risk to your health (or to someone else) if you were found capable of work.

If you are also found to have 'limited capability for work-related activities' you are placed in the 'Support Group' for CESA - see below for details.

If you are in one of these groups, you are in the 'main phase' of ESA and your payment will increase (see below).

If you are found fit for work after the Work Capability Assessment, your UC will continue but you may have to meet full work-related requirements in your Claimant Commitment. Seek advice if you want to challenge the decision that you are fit for work

Remember to tell Universal Credit when this happens.

Limited Capability for Work (the Work-Related Activity Group)

If you score 15 points or more, you are regarded as having 'limited capability for work' – which means that it is accepted that you have an illness or disability which means that you cannot work or be expected to look for work at the moment – however, you will be expected to do some 'work-related activity', which should be agreed between you and the Jobcentre.

If you claimed CESA and/or UC before 6/4/17:

If you are in the Work-Related Activity Group your CESA will increase by £29.55 weekly. In the 'main phase' you do not get less CESA if you are under 25 and so your CESA will be £103.90

Your monthly allowance for Universal Credit will increase by £128.25 (roughly the same as the CESA increase)

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If you claimed CESA and/or UC on or after 6/4/17: you will not receive any additional payment if you are placed in the Work-Related Activity Group.

On UC, you will still qualify for a higher 'work allowance' which will mean you may keep more of what you earn if you wish to do some work

Your UC Claimant Commitment should also be altered to take your changed situation into account. Seek advice if you are not happy with the amended Claimant Commitment.

Limited Capability for Work and Limited Capability for Work-Related Activity (The Support Group)

If you have not only 'limited capability for work' but also 'limited capability for work-related activity', you should be placed in the Support Group for new-style ESA and given a higher UC allowance.

See the 'limited capability for work-related activity' test (attached) for details. Instead of scoring points, one of the 'descriptors' listed must apply to you, or you will need to show that there would be a serious risk to your mental or physical health if you were expected to undertake 'work-related activities'. New-style ESA will increase by £39.20 to £1113.55 a week.

Your monthly allowance for Universal Credit will increase by £341.92

If you are in the Support Group, you are not compelled to undertake any work-related activity. You can volunteer to do this, or you may do 'permitted work' or voluntary work (see below).

You should ask for your UC Claimant Commitment to be changed – you should not be subject to any requirements to attend 'work-focused interviews', seek work or prepare for work.

For CESA you may do 'permitted work' – see our leaflet 'Employment and Support Allowance - a brief guide'.

If you are placed in the Work-Related Activity Group and think you should be in the Support Group you can dispute this decision – seek advice.

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Can I try working when getting UC and I am ill or disabled?

Yes – and if you receive extra UC for having ‘limited capability for work’ you will have a higher ‘work allowance’ under UC (meaning you can keep more of what you earn).

But - if you earn over a set level (£604.58 a month), your UC status of having ‘limited capability for work’ (LCW) or limited capability for work-related activity will stop and you will not be entitled to new ‘Work Capability Assessment’ while you exceed the limit.

You can earn over this limit, but possibly subject to a new Work Capability Assessment, if you receive Attendance Allowance, Disability Living Allowance or Personal Independence Payment.

New-style ESA has a ‘permitted work’ rule – you can work under 16 hours a week, for under £140.00 a week. See our leaflet ‘ESA – a short guide’.

As the Universal Credit rules for people with disabilities are still quite new and untested, please seek advice before you start any work.

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Limited Capability for Work Descriptors

THIS IS FOR INFORMATION ONLY AND IS NOT A CLAIM FORM

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	Points
(a) Cannot 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
2. Standing and sitting.	
Descriptor	Points
(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) for more than 30 minutes, before needing to move away in order to avoid significant discomfort or exhaustion.	9

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(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
3 Reaching	
Descriptor	Points
(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
4. Picking up and moving or transferring by the use of the upper body and arms.	
Descriptor	Points
(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
5. Manual dexterity.	
Descriptor	Points
(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
6. Making self understood through speaking, writing, typing, or other means which are normally or could reasonably be, used, unaided by another person.	
Descriptor	Points
(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

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7. Understanding communication by:

- (i) verbal means (such as hearing or lip reading) alone,
- (ii) nonverbal 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	Points
(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

8. Navigation and maintaining safety, using a guide dog or other aid if either or both are normally, or could reasonably be used.

Descriptor	Points
(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

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	Points
(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.	
(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

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10. Consciousness during waking moments.

Descriptor	Points
(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

11. Learning tasks.

Descriptor	Points
(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

12. Awareness of everyday hazards (such as boiling water or sharp objects).

Descriptor	Points
(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

13. Initiating and completing personal action (which means planning, organisation, problem solving, prioritising or switching tasks).

Descriptor	Points
(a) Cannot, due to impaired mental function, reliably initiate or complete at least 2 sequential personal actions.	15

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(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
14. Coping with change.	
Descriptor	Points
(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.	6
15. Getting about.	
Descriptor	Points
(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
16. Coping with social engagement due to cognitive impairment or mental disorder.	
Descriptor	Points
(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

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17. Appropriateness of behaviour with other people, due to cognitive impairment or mental disorder.

Descriptor	Points
(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

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Limited Capability for Work-Related Activity Descriptors

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.

Cannot either:

- (a) Mobilise more than 50 metres on level ground without stopping in order to avoid significant discomfort or exhaustion; or
- (b) Repeatedly mobilise 50 metres within a reasonable timescale because of significant discomfort or exhaustion.

2. Transferring from one seated position to another.

Cannot move between one seated position and another seated position located next to one another without receiving physical assistance from another person.

3. Reaching.

Cannot raise either arm as if to put something in the top pocket of a coat or jacket.

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).

Cannot pick up and move a 0.5 litre carton full of liquid.

5. Manual dexterity.

Cannot either:

- (a) press a button, such as a telephone keypad; or
- (b) turn the pages of a book with either hand.

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

Cannot convey a simple message, such as the presence of a hazard.

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7. Understanding communication by hearing, lip reading, reading 16 point print or using any aid if reasonably used.

Cannot understand a simple message due to sensory impairment, such as the location of a fire escape.

8. Absence or loss of control whilst conscious leading to extensive evacuation of the bowel and/or voiding of the 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.

At least once a week 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 the individual to clean themselves and change clothing.

9. Learning tasks.

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

10. Awareness of hazard.

Reduced awareness of everyday hazards, due to cognitive impairment or mental disorder, 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.

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

Cannot, due to impaired mental function, reliably initiate or complete at least 2 sequential personal actions.

12. Coping with change.

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

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

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

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

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

15. Conveying food or drink to the mouth.

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

16. Chewing or swallowing food or drink.

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

Derbyshire Welfare Rights Service

Additional information can be found on our website, visit www.derbyshire.gov.uk/welfarebenefits

To keep up-to-date with benefit changes in Derbyshire go to
www.derbyshire.gov.uk/benefitnews

Benefits Helpline – 01629 531535 or email
welfarebenefits@derbyshire.gov.uk

Monday, Tuesday, Thursday, Friday
11.00am – 4.00pm