

# Can you sign this form Doc? A brief guide to the Benefit system and the GP's role within it.

The logo for Citizens Advice, featuring the words "citizens advice" in white lowercase letters inside a blue speech bubble shape.

**citizens  
advice**

**Pennine West Citizens Advice (Oldham, Rochdale & Trafford) are registered charities**

Charity reg no: 519868 ; Charity reg no: 701212

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# Overview & Objectives

- Brief overview of the main Benefits available for patients with ill health
- Look at some of the DWP forms that GPs are asked to complete
- Patients and Advisers requests for info – why the GP can make all the difference.



# What Benefits are available to patients with ill health?

For those of Working age (16-64):

- Statutory Sick Pay (SSP)
- Employment and Support Allowance (ESA)
- Universal Credit
- Personal Independence Payment (PIP)



# Statutory Sick Pay

- Paid by employers to employees for first 28 weeks of sickness
- Must normally earn more than £116 per week
- £92.05 per week
- Contractual sick pay may be payable in addition
- Fit note required after first 7 days sickness.



# Fit Note – MED3

**Statement of Fitness for Work  
For social security or Statutory Sick Pay**

1 Patient's name

2 I assessed your case on:

and, because of the following condition(s):

3 I advise you that:  you are not fit for work.  
 you may be fit for work taking account of the following advice:

4 If available, and with your employer's agreement, you may benefit from:  
 a phased return to work  amended duties  
 altered hours  workplace adaptations

Comments, including functional effects of your condition(s):

5 This will be the case for

or from  to

6 I will/will not need to assess your fitness for work again at the end of this period.  
(Please delete as applicable)

7 Doctor's signature

8 Date of statement

Doctor's address

Unique ID: Med 3 04/10-

**For the patient – what to do now**  
Please read the notes below then fill in your details and, if you are claiming social security benefits, sign and date the declaration. If you cannot fill in your details yourself, ask someone else to do it for you.

**What your doctor's advice means**  
**Not fit for work:** Your doctor will advise this when they believe that your health condition means you should refrain from work for the stated period of time.  
**May be fit for work taking account of the following advice:** Your doctor will recommend this when they believe that you may be able to return to work with some support from your employer. Sometimes it may not be possible for your employer to act on the doctor's advice and you will not be able to return to work until you have further recovered. You do not need to get a further statement from your doctor to confirm this.  
**If you are employed** if you are not fit for work, or your employer cannot support your return to work, your employer should consider paying Statutory Sick Pay (SSP) based on the information provided. If SSP cannot be paid, or your SSP is ending, your employer will give you form SSP1 to claim social security benefits. If you are self-employed, you may be able to claim social security benefits because of your health condition.  
**Social security benefit claimants** if you are claiming social security benefits because of your health condition, send this form to your Jobcentre Plus office. If you are claiming social security benefits for any other reason, you should contact a Personal Adviser to discuss the advice on the form. If you do any work you must inform Jobcentre Plus of your change of circumstances.  
**If you want to make a new claim to social security benefits you can:**  

- download a claim form at [www.direct.gov.uk/benefits](http://www.direct.gov.uk/benefits), or
- phone 0800 055 6688 (8am to 6pm Monday to Friday). Textphone users call 0800 023 4888.

**Your details – Please use BLOCK CAPITALS**

Surname

Other names

Address

Postcode

Date of birth

National Insurance (NI) number

**Declaration – for social security benefit claimants only**  
I agree that my doctor may give the Department for Work and Pensions or a healthcare professional acting on its behalf information which is needed to process my claim for benefit and any request for it to be looked at again.

Signature

Date

If you have signed this form for someone else, please tick here:



# Employment and Support Allowance (ESA)

- Replaces SSP after it runs out...or from start of sickness period if no SSP entitlement.
- Paid by DWP
- Two main forms of ESA – Contribution Based and Income related.
- Fit note required during first 13 weeks of claim only
- Work Capability Assessment (WCA) determines entitlement after that.



# ESA Standard Rates

- First 13 weeks (assessment rate) £73.10 pw if over 25, £57.90 pw if under 25.
- After 13 weeks following the Work Capability Assessment (WCA), assessment rate continues if:
  - Work related activity Group £73.10 (for those in receipt prior to April 2017 £102.15 pw)
  - Support Group £109.30 pw



# ESA – The work Capability Assessment (WCA)

- Determines if patient remains on ESA and what responsibilities they have to do so.
- Patient usually required to complete an ESA50 form and attend assessment (but exceptions).
- Points based assessment, carried out by trained assessor (but commonly a nurse or physio)
- Decision made by DWP.





# ESA (UC) 113

**Your reply**

Please complete both sides of this form, then send it back to us in the envelope we have sent you. Make sure the address below shows in the window of the envelope.

Office contact name and address:

Client's name:

Client's N number:

Client's date of birth:

Please answer the following questions from the information which is currently available to you. If you need more space for any of your answers, please continue at Part 7.

1 When did your patient last see a GP?

2 Current conditions affecting ability to work  
Please give us details of those conditions which may have a significant effect on the person's capacity to work.  
Please include:

- Relevant symptoms and signs, including side effects of medication, with dates. For mental health conditions, please provide brief mental state examination findings, if available.
- Past, present and planned investigations and management, including medication, where relevant. If you are sending a computerised printout of current medication you do not need to list this here.

Condition and date of diagnosis	Symptoms and signs	Investigations and management, including medication

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**Your reply** continued

3 Current conditions not affecting ability to work  
Please list any other relevant conditions that do not affect the ability to work.

4 If known from your knowledge of the patient, please tick the boxes that apply and provide a brief explanation if your patient has difficulties with any of the following activities:

Walking or moving	<input type="checkbox"/>	
Transferring between seats	<input type="checkbox"/>	
Reaching	<input type="checkbox"/>	
Picking up objects	<input type="checkbox"/>	
Manual dexterity	<input type="checkbox"/>	
Communicating with others	<input type="checkbox"/>	
Continence	<input type="checkbox"/>	
Learning simple tasks	<input type="checkbox"/>	
Awareness of hazards	<input type="checkbox"/>	
Initiating and completing personal actions	<input type="checkbox"/>	
Coping with changes or social engagement	<input type="checkbox"/>	
Appropriateness of behaviour	<input type="checkbox"/>	
Eating or drinking	<input type="checkbox"/>	

5 Does the patient have a history of threatening or violent behaviour?  
No   
Yes  Tell us about their behaviour within the last 5 years, and whether they have been identified by the Zero Tolerance (Violent Behaviour) Initiative. Use the space below at Part 7.

6 Could your patient travel to an examination centre by public transport or taxi?  
No  Please tell us why at Part 7.  
Yes

7 Additional information  
Please continue on a separate sheet if necessary.

The information you have given us may be copied to the patient, their legal representative or the Tribunal's Service.

Your signature:  Practice stamp:

Name in CAPITALS: Dr

Date:  /  /



## ESA – WCA outcomes

- **Work Related Activity Group (WRAG)** - Score 15 points and stay on ESA, engage in Work related activity. Extra benefit of £29.05 pw only payable for claims made before April 2017)
- **Support Group** – for those classed as most severely disabled – extra £36.20 pw
- Fail WCA – **ESA stops.....** Fit for work....claimant can accept decision or challenge (appeal).



# What can patient do if found fit for work ?

- Accept decision
- Challenge decision by “mandatory reconsideration” followed by appeal.
- Reclaim ESA...but only if, since decision was made, patient has developed a **new condition** or there has been a “**significant worsening**” of an existing condition.



# Universal Credit

- Single integrated means tested benefit for working age claimants replacing 6 existing means tested benefits including income related ESA.
- Roll out of UC varies from area to area.
- Rules governing fitness for work, standard payment rates, forms, appeal rights etc mirror ESA.



## Free Prescriptions and UC

- Patients on most of the legacy means tested benefits are entitled to free prescriptions. Claims made by ticking box and signing declaration on prescription.
- Claimants on UC, earning less than £435 per month are also entitled but there is no box on back of form to tick.
- NHS England officially advise to tick box that they're in receipt of income based JSA





# Personal Independence Payment (PIP)

- Replacing DLA for people aged 16-64
- Helps with extra costs arising from a long term condition or disability.
- Two components, Mobility and Daily Living. Each component has 2 rates, standard and enhanced.
- Assessed on how condition affects their ability to carry out a series of everyday activities.
- Non taxable, not means tested, not dependent on National Insurance contributions
- Factual report may be requested



# Appealing DWP decisions

- Most DWP decisions can be appealed to an independent tribunal
- 58% of people who appealed against loss of ESA had decision reversed by appeal tribunal (DWP figures)
- Most significant reason for an ESA or PIP decision to be overturned by an appeal tribunal is the provision of fresh medical evidence.
- No requirement on GPs to provide medical reports for appellants – and can charge if they do.





## Disability Benefits for over 65's

- PIP – But only if they claimed prior to their 65<sup>th</sup> birthday. If so, can be paid for the rest of their life. Or....
- Attendance Allowance – to help with care or supervision needs (no help with mobility).
- Both PIP and AA are non taxable and can be paid on top of other benefits. Can lead to extra benefits eg Carers Allowance.



# Disability Benefits for Children

- Disability Living Allowance (DLA).
- Help with Care and Mobility.
- Payable from 3 months (Care) and 3 years (mobility) upto age 16 for long term conditions and disabilities,
- Non taxable and non means tested.
- Factual report may be requested from GP.



# Two things to remember from this presentation

- Living on Benefits is, for most people with ill-health or a long term disability, very hard and has become significantly harder over the last few years.
- Don't underestimate your importance to the process of patients receiving the benefits they might receive as a result of disability or ill health





# The Citizens Advice Service

## Telephone Advice 03444 111 444

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