

Factsheet B10: Employment and Support Allowance (ESA) and the Work Related Activity Group (WRAG)

Anyone who successfully claims Employment and Support Allowance will get a decision letter, saying whether they have been placed in the Work Related Activity Group or the Support Group.

There is an outline of how the Work Related Activity Group is assessed if you look at pages 17-24 of this document:

<https://www.gov.uk/government/publications/esa214-a-guide-to-employment-and-support-allowance-the-work-capability-assessment>

If your letter says you are in the **Work Related Activity Group**, usually you will be told that you need to attend a Work Focussed Interview at your local Jobcentre Plus. This letter will include details of the appointment, although you can also be notified by telephone.

Going to your appointment is very important, although if you have a child under 1 you should be excused. People who have other caring responsibilities may also be excused and asked to attend at a later date. The Interview can take place at your home if travelling elsewhere would cause serious inconvenience or endanger your health.

The Work Focussed Interview is supposed to look at what steps can be taken to help you eventually get back to work. It can include looking at anything you need to do to make getting a job more likely in the future, such as short training courses, or looking at self-employment possibilities.



You may need to tell them about your qualifications, your work history, your child-caring responsibilities, and be willing to talk about what work you hope to do in the future. They need to know about any paid or unpaid work that you are already doing.

The Jobcentre will expect you to be willing to take steps that will improve your future chances of getting back to work. This may include attending further appointments until you have completed an Action Plan. If you don't agree with anything on your Action Plan, you can always ask the Department of Work and Pensions to reconsider it, but you have no right to appeal their decision once they have done this.

You can expect that they will listen to your opinions about how your physical or mental condition will affect your ability to obtain work, and that they will provide the reasonable support you need to overcome any barriers where they exist.

If attending an Interview seems impossible for you at the present time due to health or other problems, you need to have a discussion with the Jobcentre to see if they will delay or defer it. They can delay this requirement, but not for more than 90 days.

If you cannot attend an Interview for any reason, it is vital that you contact the Jobcentre and explain why. Otherwise someone from the Department of Work and Pensions called a 'decision-maker' may reduce your benefit (by 50% of your personal allowance for the first 4 weeks, and 100% after that). Reducing your benefit in this way is referred to as a 'sanction'. You will not get a sanction if it is agreed you have a good reason for not attending. Guidance



for decision-makers suggests they should look at whether any reasonable person would act in the way that you have.

You need to show you have a good reason (or 'good cause') within 5 working days of the date of your appointment. If you have health-related reasons, you would need to provide medical evidence. If you say that you have not received notification, you would need to show that there was an interruption to your postal delivery or some other good reason for this, as it is assumed that post that has been sent has definitely been delivered.

The Work and Health Programme

Shaw Trust runs something called the Work and Health Programme in Norfolk on behalf of the Department of Work and Pensions. It is designed to support people who may need some additional help, and for most people it is voluntary. Shaw Trust are based at Scandic House in Norwich, although they do use offices around the county as well. See here for more information about the Work and Health Programme: <https://www.gov.uk/work-health-programme>.

After attending a Work Focussed Interview, you may be asked to go to an appointment with Shaw Trust who will support you to participate in Work Related Activity, unless you have child-caring responsibilities for a child under 5 or caring responsibilities. If you have problems attending any of these appointments, the same rules about good cause for failure to attend will apply.

These are examples of what might be accepted as good cause:

- Problems with physical or mental health



- Unforeseen circumstances such as an important appointment that could not be rearranged, or a funeral of a relative, or difficulties with caring responsibilities
- Misunderstandings due to language, literacy or learning difficulties

Work Related Activity is supposed to follow the steps suggested on your Action Plan as agreed with the Jobcentre or with Shaw Trust.

Everything you are asked to do in the way of Work Related Activity should be agreed and help you make progress with your Action Plan. You should never be asked to do anything that would be detrimental to your physical or mental health. Everything should be tailored to you as an individual.

The requirement to do any Work-Related Activity must be reasonable, taking into account your circumstances. If you participate in this, you cannot be asked to apply for any jobs or do any work, or undergo any medical treatment. If you have child-caring responsibilities for a child under 13, you cannot be asked to do any Work-Related Activity outside of normal school hours.

If, after reading this Factsheet, it is clear to you that you cannot do what will be expected of you in the Work Related Activity Group, you should see whether you could be placed into the **Support Group** instead. You should ask for a reconsideration of the decision. You will need to write to the office that made your decision (it will be on the decision letter) within a month, and provide them with further evidence so that they can see you are in the wrong group. If they still won't change their mind, you need to appeal the decision. See the Factsheet that describes the Support Group rules.



If you get moved into the Support Group at any stage, you do not have to do any more Work Related Activity. If you appeal a decision, you should not be asked to do any Work Related Activity until the outcome of your appeal is known, although you can continue to participate in activities on a voluntary basis if you want to.

If you require further information or would like this factsheet in an alternative format you can contact us by calling: 01508 491210, by emailing: info@equallives.org.uk, or by writing to: Equal Lives, 15 Manor Farm Barns, Fox Road, Framingham Pigot, Norfolk, NR14 7PZ.

