

ESA 12 month limit

From 30 April 2012, some people who have been on Employment and Support Allowance (ESA) for at least 12 months will lose their benefit. This affects people in the Work Related Activity Group (WRAG) only. The Department for Work and Pensions (DWP) will contact you directly if this affects you.

Under the Welfare Reform Act 2012 some claimants of ESA will only be able to claim the benefit for 12 months.

The 12 month limit only applies to people who are:

1. Claiming contributory ESA

Contributory benefit entitlement is based on the national insurance contributions you have paid while in work. People on contributory ESA may now only claim it for up to 12 months, whether or not they have found a job in this time.

The time limit will not affect people receiving income-based ESA. If you have already claimed contributory-based ESA for 12 months, you can apply for income-based ESA if you have savings of less than £16,000 and, if you have a partner or civil partner, they work for less than 24 hours a week on average.

AND

2. In the work-related activity group (WRAG)

ESA recipients are placed in one of two groups - the work related activity group (WRAG) or the support group. WRAG is for claimants who are considered well enough to engage in work-related activity, such as job search support and skills training, and may be able to move into work in future. **Claimants in this group who are on contributory ESA will now face a 12 month limit to this benefit.** (It may be possible to access income-based benefits after this point – see above).

The support group is for claimants who are not able to engage in work-related activity, and are not expected to move towards work. **There are also no limits to how long you can claim contributory ESA if you are in the support group.**

Where to go for help and advice

THT Direct (free call 0808 802 1221) can give first line advice on benefits and for in-depth support they will refer you to a local agency or Citizens Advice Bureau

Your **local HIV organisation** - <http://www.lifewithhiv.org.uk/organisations>

<http://www.lifewithhiv.org.uk> has details of the latest developments in benefits as they relate to people with HIV

www.directgov.uk is the Government site which explains benefits and entitlement.

<http://benefits.tcell.org.uk> is a website run by and for people with HIV, with a lot of benefits-related information and tips and interactive forums.

www.adviceguide.org.uk is the national website for Citizens Advice Bureaux, who can provide free, independent, confidential advice