



HOUSE OF COMMONS

LONDON SW1A 0AA

May 2019

Dear Constituent,

Thank you for contacting me about fit notes for Employment and Support Allowance (ESA).

I understand your concerns regarding changes to the wording of the Department for Work and Pensions' (DWP) ESA65B letters, sent to ESA claimants' GPs. I am committed to ensuring all of the DWP's communications are clear, accurate and understandable.

These letters are not to dissuade GPs from issuing fit notes for ESA appeal purposes. To claim otherwise is inaccurate. That said, the DWP has recognised that GPs have not found the letter clear on this point. The DWP are updating it with input from medical organisations and intend to clarify this with GPs in the meantime. I have been informed that the revised version is expected to be delivered by the summer.

To clarify, claimants can be paid Employment and Support Allowance (ESA) whilst appealing a decision, the rate of which is equivalent to that of Jobseeker's Allowance. In order for someone to be paid ESA pending an appeal they need to provide the DWP with fit notes in order to be treated as having Limited Capability for Work until the appeal is determined. This does not apply when the claimant fails a second Work Capability Assessment or if the claimant's GP does not provide them with a fit note during the appeal period. In which case, the claimant would need to claim new style Jobseeker's Allowance or Universal Credit.

I hope this helps to reassure you of the DWP's ongoing work to ensure the welfare system is both efficient and compassionate and I will continue to support improvements when necessary.

Thank you again for taking the time to contact me.

Yours faithfully,

A handwritten signature in blue ink that reads 'Chris'.

**CHRIS HEATON-HARRIS MP
MEMBER OF PARLIAMENT FOR DAVENTRY**