

Part 1– Decision for Employment & Support Allowance

Type

- ☐ Claim
- ☒ Decision dated 12/12/18 ☐ revised ☒ revision refused ☐ superseded ☐ not superseded
- ☐ Other, for example, overpayment, determination of a question of fact.

☒ Effect on benefit

- ☐ Awarded ☐ Increased ☐ Disallowed
- ☐ Disqualified ☐ Decreased ☒ No Change
- ☐ Sanctioned

☐ Effect on overpayment recoverability

- ☐ All Change ☐ Part Change
- ☐ No Change ☐ Void

Mandatory Reconsideration: Limited Capability for Work Related Activity Group (Not Revised to Support Group) Employment and Support Allowance

I am unable to revise the decision of 12/12/18 placing you in the Work Related Activity Group. This is because you do not meet any of the criteria for the Support Group (Employment and Support Allowance regulation - Schedule 3)

You have requested a Mandatory Reconsideration of the decision

To qualify for the Support Group, you have to satisfy one of the activities in Schedule 3 of the Employment and Support Allowance Regulations.

SUPPORT GROUP CRITERIA:

There is no Schedule 3 criteria for the following activities:

Going up and down steps,
Getting around safely (vision),
Consciousness
Coping with getting about on your own (mental health)

Therefore these cannot be considered.

It is accepted that you are not fit for work at present

The issue is whether you can do work related activity

The purpose of work related activity is to address an identified barrier to becoming work ready that is considered a pre-requisite to a person moving towards or finding work, if or when they become capable. Work related activity must also be reasonable, having regard for your circumstances, in particular your health or medical condition. **Work related activity does not require you to seek, apply for or undertake work**

Although you have stated in your request for a reconsideration that you feel you should have been placed in the support group, you have not identified any areas of the decision that you feel you meet the support group in. Therefore, I will address the following descriptors with regards to the support group criteria that relate to your health conditions