

# Lobbying House of Lords to Stop Time-Limited ESA

January 2012

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As you will be aware, Report stage of the Welfare Reform Bill resumes today. Amendments have been tabled by Lord Patel and Lord McKenzie to Clause 51 to mitigate the harm caused by ending time-limited contributory Employment Support Allowance as follows: Page 36, line 34, leave out "365 days" and insert "a prescribed number of days which must be at least 730"

I am writing to ask you to join with Labour on this issue and vote to support the amendment to Clause 51. The Briefing from the Disability Benefits Consortium has the following to say:

"DBC opposes the time-limiting of ESA in principle. However, we recognise the importance to find a compromise that will allow the Government to make savings while protecting the most vulnerable by giving sick and disabled people a more realistic amount of time to make the journey back to employment. 12 months is simply not long enough. We therefore encourage peers to support the amendment, which would allow a time-limit, of not less than two years, to be brought in through regulations. Discretion would be allowed to grant a longer period according to someone's ability to return to work."

As you will be aware, Liberal Democrats members voted to oppose an arbitrary time limit on ESA at their Annual Conference last Autumn.

If this clause becomes law, claimants in the Work-Related Activity Group will lose entitlement to contributory ESA after a year and claimants who have already been receiving the benefit for more than a year will have it stopped immediately. Instead, claimants will only be entitled to means-tested benefits which are based on joint household income and are not available to claimants living with partners earning over £7,500 a year.

The stated justification for the policy is "to ensure that ESA is paid for a temporary period thereby creating a culture that does not allow people to stay permanently in the WRAG, that they are expected to move towards work or into the Support Group if there is deterioration in their functional impairment."

Disabled people will be told that they can make a claim for Jobseeker's Allowance, but claimants are unlikely to be able to fulfil the requirements of the JSA regime, which will result in benefit being withdrawn for non-compliance. Moreover, JobCentres are not able to offer the necessary support to jobseekers with serious physical and mental health conditions so the move to JSA will have the opposite effect to that which is intended.

The Government's Impact Assessment shows that 700,000 people with serious illnesses and impairments will be affected by this policy. Claimants in the Work Related Activity Group include people with multiple sclerosis, cancer, Parkinsons, kidney failure, heart disease, lung disease and serious mental illnesses such as schizophrenia.

## References

Disability Alliance Briefing on ESA for House of Lords December 2011 (4 pages) <http://www.disabilityalliance.org/dbccclause51.pdf>

3rd Marshalled List of Amendments published Jan 10th

<http://www.publications.parliament.uk/pa/bills/lbill/2010-2012/0114/amend/ml114-iii.htm>

DWP Impact Assessment on ESA Time Limit

<http://www.dwp.gov.uk/docs/esa-time-limit-wr2011-ia-revised-apr2011.pdf>

Rhydian Fon James 1 page written submission to Work and Pensions Select Committee Enquiry

<http://www.publications.parliament.uk/pa/cm201012/cmselect/cmworpen/1015/1015vw44.htm>

Yours sincerely

Name and snail mail address