

d i s c u s s i o n



Submitted by
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Category

Response to
 Caffas

Public

See noticeboard 05.06.13

05.06.13

IB Reassessment, TA and ESA time limiting

We have received several guidance queries asking if a TA awarded on conversion from IB to ESA (C) remains in payment when ESA(C) terminates due to time limiting, and ESA(IR) is awarded instead. Another common question is whether ESA(IR) can be backdated to the date of conversion.

DMs are reminded that the TA is part of the award of ESA(C) ? see DMG 45690. It therefore terminates when ESA(C) terminates. It cannot be transferred to ESA(IR), because a TA is only included in a converted award of ESA(IR) where the claimant was previously entitled to IS.

DMs are also reminded that, where the claimant's existing award(s) of IB, IS or SDA qualify for conversion to ESA, the first step in calculating the amount of ESA to be awarded is to calculate how much ESA (IR as well as C) would be awarded if a claim had been made ? see DMG 45581. ~~Where~~ a claimant was previously entitled to IB, the DM should therefore consider whether they are entitled to ESA(IR) as well as (C) on conversion, ~~even if they were not entitled to IS.~~ If this is not done at conversion, and the claimant would have been entitled to ESA(IR) at that date, the conversion decision should be revised for official error.

The guidance in DMG Chapter 45 will be expanded as soon as possible to make this clearer

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[IBR, ESA C exhaustion + TA. \(Mark Thomas Hanley BC\)](#)

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