

Treated as having Limited Capability for Work and Work Related Activity

A claimant must be treated as having Limited Capability for Work and Work Related Activity (LCWRA) if they provide sufficient medical evidence of having one of the conditions or are receiving one of the treatments listed below:

- terminally ill
- pregnant and there is a serious risk of damage to her health or to the health of her unborn child if she does not refrain from work and work-related activity
- awaiting, receiving or recovering from treatment for cancer by way of radiotherapy, chemotherapy or immunotherapy, including biological therapies or hormonal therapies
- likely to receive cancer treatment within 6 months of the date of the determination of capability for work and work-related activity
- have reached the qualifying age for State Pension Credit and are entitled to:
 - Attendance Allowance
 - the Care Component of Disability Living Allowance at the highest rate
 - the Daily Living Component of the Personal Independence Payment at the enhanced rate
 - Armed Forces Independence Payment

Except for terminally ill claimants with a DS1500, all claimants having one of the conditions or treatments listed above will be referred for a Work Capability Assessment from day 1 - the day they tell us about the health condition.

Terminally ill claimants with a DS1500 will be treated as having LCWRA without being referred for a WCA. Claimants without a DS1500 are referred to a day 1 WCA.

Those claimants treated as having LCWRA and referred for a WCA remain in the Intensive Work Search regime until a decision is made based on the outcome of their WCA. All work-related requirements for these claimants must be switched-off.

Refer to Switching-off work availability and work related activities for more detailed guidance.

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