

Health conditions and disabilities – day 1 to day 29: Guidance

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First 14 days and two periods in a rolling 12 months

A claimant can self-certify if they are unfit for work for up to 7 days by reporting a health condition or disability. If the claimant is under 18, see Eligibility conditions for young people.

A claimant is not required to provide a fit note if their health condition ends within 7 days, but they must tell us if this is the case. If the health condition lasts less than 7 days, the claimant restarts work-related requirements when the condition ends.

From day 8 the claimant is required to submit medical evidence - if they have not already done so. This will most commonly be a fit note, which should be returned to the claimant if practical. For further information, see Medical evidence including fit notes.

A claimant must be referred to the Health Assessment Advisory Service (HAAS) for a Work Capability Assessment (WCA) from day 1 of the health condition if they:

- have a Benefits Assessment for Special Rules in Scotland (BASRiS) form, or
- their medical evidence indicates the treatment or condition is one that can be treated as having Limited Capability for Work and Work-related Activity (LCWRA) or Limited Capability for Work (LCW)
- have a fit note with 29 days or more remaining before it expires

Any hard copy of the BASRiS form is sent to HAAS with the referral.

Receipt of a correctly completed DS1500 can be accepted as evidence of having a terminal illness. There is no need to refer to HAAS for a WCA unless there is good reason to doubt the information provided on the DS1500. See Terminal illness to determine if this applies to the claimant.

Pending the WCA outcome, claimants who can be treated as having:

- LCWRA - must not be required to undertake work-related activity

- LCW - can undertake work preparation activity but must not be required to undertake work search activity pending the WCA outcome

Work availability requirements are switched-off for up to 14 days or for the duration of the medical evidence, whichever is shorter.

Any mandatory work search requirements are removed from the Claimant Commitment. During this time, most claimants will be able to continue to undertake Work Focused Interviews, work preparation requirements and voluntary activities which are deemed reasonable following a one-to-one conversation.

This is the case for the first 2 periods that the claimant reports they are unfit for work in a rolling 12-month period of being in receipt of Universal Credit. For this reason, it is important to check if the claimant has been unfit for work before.

If a claimant has 3 or more periods where they are unfit for work in a rolling 12-month period, they can be set work search requirements from day 1.

Any requirements must be reasonable and tailored to reflect the claimant's health condition and other capabilities. The Claimant Commitment must be reviewed and amended accordingly.

For further information, see Switching-off work availability and work-related requirements under the heading 'Conditionality and work-related requirements for claimants with a health condition or disability'.

Work preparation and Work Focused Interview requirements can be set from the first day that the claimant declared their disability or health condition if it is reasonable for that claimant in their particular circumstances.

More than 14 days or a third period in 12 months

Ongoing health conditions, where the claimant is unable to work, must be supported by medical evidence until the determination following the WCA.

When a claimant reports a health condition for more than 14 days or for a third time in a rolling 12-month period of being in receipt of Universal Credit, they can be required to undertake

- Work Focused Interviews
- work preparation, and
- work search requirements

None of these requirements are automatically switched-off. See Switching-off work availability and work-related requirements for information on when not to apply work search and work availability requirements.

Any work search requirements must take into account the health condition or disability in deciding the number of expected hours and the type and location of work the claimant is expected to search for. Further information can be found in the Claimant Commitment Hub.

If a claimant stops sending medical evidence or it expires, they will leave the health journey.

A claimant who leaves the health journey will start work-related requirements from the day after the medical evidence expires. This may include work availability, work search and work preparation requirements.

Day 29

At day 29, claimants with current medical evidence will be referred for a Work Capability Assessment if they have not already been referred. See Work Capability Assessments for claimants in employment for information about employed claimants.

After the Work Capability Assessment

After a claimant has been found fit for work following a WCA, consider if either of the following apply:

- there is a risk to self or others
- the claimant has a life threatening disease

If none of these apply, work search and availability requirements are applied including looking for work and being available for work. See the Suicide and self-harm guidance where appropriate.

This applies even if a claimant continues to submit medical evidence for a condition which is the same (or substantially the same) as the condition on which the WCA decision was made.

However, work-related requirements must be reasonable and tailored to reflect any restrictions including hours and the type and location of work which are appropriate to the claimant's condition. The fit note may help tailoring requirements.

If a claimant provides new medical evidence which supports either of the following:

- a condition that is different from the one on which the WCA decision was made
- a deterioration in the existing condition

The claimant re-joins the health journey and Day 1 conditionality applies. Refer to Work Capability Assessment outcomes.