

Letter re compensation following transfer from incapacity benefit to ESA

Your name
Address
NINO
Date

Dear Sir/Ms,

I was paid arrears of income-based ESA because, due to DWP maladministration, I was only awarded contribution-based ESA when I was transferred from incapacity benefit.

However, I was not informed at the time that I might also be entitled to compensation.

I now understand that in a letter dated 11 April 2022 to the Parliamentary and Health Service Ombudsman, Peter Schofield, Permanent Secretary to the DWP, stated: *"should a claimant feel that they should receive compensation due to their individual circumstances, they can contact the Department and set out their reasons. All requests received will be considered on a case by case basis."*

The letter relates to the case of Ms U. Further details can be found on the PHSO website:

<https://www.ombudsman.org.uk/publications/investigation-dwps-handling-migration-employment-and-support-allowance>

Like Ms U, I believe that I am entitled to compensation and I wish to make a claim under the following heads:

[include all those that apply to you and add anything else you consider relevant]

Interest on the award of back-dated ESA that was paid to me;
Payment for the hardship I suffered as a result of being paid less than the law stated I needed to live on at the time *[if possible, give brief details of any physical or mental hardship you experienced as a result of living on such a low income]*
Compensation for not being passported to other benefits, such as:

free prescriptions
free eye tests
free dental care
warm home discount payments

This may not be a complete list of the issues I wish to claim for, as I have only just become aware of this matter and I have not had the opportunity to seek advice.

Please reply to this letter within 28 days.

If I do not receive a satisfactory response within that time I will raise a formal complaint with the DWP and copy my MP into this and all further correspondence.

Yours sincerely,