

# Trial incapacity benefits reassessment: customer and staff views and experiences

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## About this research

This report presents findings from qualitative research to explore customer and staff experiences of the trial process for reassessing customers in receipt of Incapacity Benefit (IB), Income Support (IS) paid on the grounds of disability and Severe Disablement Allowance, for the Employment and Support Allowance (ESA). This process was trialled in two areas (Aberdeen and Burnley) from October 2010 in advance of national reassessment in 2011.

ESA was introduced in October 2008 to replace the three older incapacity benefits mentioned above. It provides financial support and personalised help for people who are unable to work, because of a health condition or disability.

Reassessment for ESA has three possible outcomes; those judged to be fit for work and not eligible for ESA are usually referred to claim Jobseeker's Allowance (JSA). Others are allowed ESA and placed in the Work Related Activity Group (WRAG), where they receive support and are expected to prepare for a future return to work. Finally, customers with conditions which mean they cannot prepare for a return to work are placed in the ESA Support Group, where they are not obliged to undertake any work-related activity.

Qualitative research was conducted in three phases over the reassessment period, as customers progressed from early notification of reassessment through to final notification, and transition to other benefits. A total of 90 interviews were conducted with customers, alongside interviews with Jobcentre Plus staff working in Contact Centres and Benefit Delivery Centres, and interviews with Healthcare Professionals (HCPs) delivering face-to-face assessments.

## Initial notification of reassessment for ESA

Customers were initially notified that reassessment was taking place through a letter. Jobcentre Plus staff then attempted to follow this with a phone call, around a week later. This process worked well for customers who received both a letter and a phone call. The letter was generally read immediately, and customers thought it communicated the immediate next steps of the reassessment process well. The phone call from Jobcentre Plus was also generally well-received and described as a welcome 'human element' to the process, with staff generally viewed as friendly and helpful. Some customers commented that the phone call was heavily 'scripted' and did not add much to the content of the letter. Staff views also echoed this.

The fact that customers knew to expect an outbound call seemed to limit the volume of inbound enquiry calls received by Jobcentre Plus staff. Very few inbound calls were reported by staff, and far fewer than they initially envisaged.

## The ESA50 form and Work Capability Assessment

As part of trial the reassessment, customers were asked to complete a questionnaire asking how their illness or disability affects their ability to complete everyday tasks. This is known as an ESA50 form. Most customers were also invited to a face-to-face Work Capability Assessment (WCA) with an HCP.

For most customers, the initial letter and phonecall effectively conveyed the importance of completing the ESA50 form and customers were keen to fill it in as quickly as possible. The letter and call together

appeared to establish a level of momentum that encouraged early completion of the form. Customers did not find completion of the questionnaire easy, but they were mostly able to cope with the process. In part, this reflected a degree of familiarity with this type of procedure as a result of a history of claiming incapacity benefits.

Some customers commented the ESA50 was relatively straightforward to complete, and an improvement on previous forms they had completed in the past. The most common criticism made by customers of the ESA50 form was that it seemed repetitive, and asked the same questions more than once. It seems likely that in some cases this view was a function of a tendency (reported by staff as common) for customers to complete both the physical and mental health sections of the questionnaire in cases where their impairment was only physical.

Customers found the practical arrangements for attending a face-to-face WCA, such as finding and travelling to the venue, went smoothly, although their views of the assessment itself were mixed. Generally, the assessment was seen as less in-depth than previous assessments for incapacity benefits claims. Customers expected the WCA to be longer, and the questioning to be more detailed. Customers with variable conditions felt that the assessment overestimated their capabilities. Although some customers commented positively on the empathy and professionalism of the HCP conducting their assessment, negative reports of the tone, manner or approach of HCPs were reasonably common.

The HCPs interviewed reported that WCAs for reassessment customers tended to take considerably longer than assessments for new ESA claims. This was felt to be a consequence primarily of customers having multiple, and/or complex, health conditions, but also because of a need to answer questions about the reassessment process and/or encourage customers to co-operate. In addition to longer appointments, HCPs reported a much lower rate of missed appointments than expected.

## Decision making

Decisions on ESA entitlement were made by Jobcentre Plus Decision Makers, taking into account the customer's ESA50 form and report of their WCA, as well as any other evidence available such as information from the customer's GP.

The two Benefit Delivery Centres responsible for decision-making on reassessment cases appeared to take different approaches to the process. At one site, Decision Makers appeared to view their role as focusing on ensuring a full audit trail for each case. This often meant sending cases back to Atos for review. At the other site, Decision Makers were much more likely to take a decision to override the recommendation in the WCA report, where they felt other evidence contradicted this.

For trial reassessment, the outcomes for some customers were decided without a face-to-face WCA, using a 'paper scrutiny' process. Generally, staff supported the concept of a paper scrutiny process for some customers, but questioned the criteria used to determine whether a case should be decided by paper scrutiny. Paper scrutiny customers allocated to the WRAG tended to be unhappy with this outcome, and believed they would have been placed in the Support Group if they had attended a face-to-face WCA.

## Outcome notification

Customers were initially informed of the outcome of their reassessment through a phone call from Jobcentre Plus. This was followed by a letter confirming the outcome. In the case of customers likely to be disallowed ESA, the phone call initially informed customers they were likely to be disallowed, but asked them if they had any additional evidence that they would like to submit. If they did not, the customer was informed they were disallowed, and customers were given the option of being transferred directly to the Jobseeker's Allowance claim line.

Generally, customers appreciated receiving their outcome notification by telephone. They felt that this was a welcome ‘human’ touch to the process. Customers allocated to the WRAG were particularly likely to find the phone call useful in clarifying that they had been **allowed** ESA, as some thought the reference to ‘work’ implied they would have to seek work immediately.

The phone call was also intended to give customers the opportunity to ask questions, and for staff to allay fears and tackle misconceptions. Generally, the potential to discuss the outcome and its implication was underutilised. Those allocated to the Support Group were generally content with their outcome and had no further questions. Customers allocated to the WRAG, or who were disallowed (and usually shocked by this), were not able to formulate further questions immediately. As a result, few disallowed customers said they accepted the offer of a transfer to the JSA claim line as part of the outcome phone call. They were also unlikely to state that they would submit additional evidence to support their ESA claim during this phone call.

Although it was always the intention to produce shorter, more personalised letters for national reassessment, the letters used to confirm outcomes for this trial were generally felt to lack both ‘warmth’ and clarity. Sometimes, important details (such as the fact that a customer had been placed in the WRAG) were contained on the second, rather than first, page. Customers who were disallowed often reacted negatively to the fact that they felt the letter did not acknowledge they had any form of impairment or health condition at all.

## Appeals

Some customers disallowed ESA were in the process of appealing at the time of the final wave of interviewing, sometimes because they felt their outcome was unfair but commonly simply because they considered it the next logical step; communication from Jobcentre Plus staff throughout the reassessment process led customers to believe

that they should appeal a disallowance decision, because they had ‘nothing to lose’. Jobcentre Plus staff, and HCPs conducting WCAs, appeared to use the message that customers could appeal as a means of deflecting or diffusing negative reactions to reassessment. However, most customers said they did not really have additional medical evidence to submit, beyond a Fit Note from their GP.

## Next steps

Customers placed in the WRAG were often unclear about the implications of this and the meaning of ‘Work Related Activity’, after being notified of the outcome of their reassessment. However, the first Work Focused Interview (WFI) with Jobcentre Plus they were required to attend played an important role in clarifying the next steps. Despite initial reservations, customers generally viewed the WFI positively, saying it was reassuring and informative, with friendly and helpful advisers. The WFI reassured customers that an immediate return to work was not necessarily envisaged.

Among disallowed customers, those who had gone on to claim JSA reported no problems with payments and had found their New Jobseeker’s Interview (an initial meeting with a personal adviser which takes place for all new JSA claims) a generally positive experience.

## Non co-operation with the reassessment process

This research included fifteen interviews with customers who seemingly did not co-operate with part of their reassessment for some reason. This group was defined as customers recorded by Jobcentre Plus as returning their ESA50 form late or not at all, or missing an appointment for a face-to-face WCA.

Findings from the research indicate that, in some cases, customers may have been incorrectly marked as falling into one of these categories. Some customers reported that Jobcentre Plus had mislaid their ESA50, that they had posted the ESA50 back, or that their face-to-face WCA had been cancelled due to the period of bad weather at the end of 2010.

Where individuals did not co-operate with reassessment, or were late in co-operating, often this was because of a need for additional help and support, rather than deliberate non-co-operation. Generally, customers seemed predisposed to comply with the reassessment process.

There were, however, some cases where the chaotic nature of individuals' lifestyles made this very difficult. Some of these individuals had mental health conditions, and sometimes this was not marked on Jobcentre Plus records.

## Recommendations

Overall, trial reassessment seemed to work well and customers were successfully guided through the different stages of the process. The suggested improvements to the reassessment process are detailed in full in Chapter 8 of the main report.

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You can download the full report free from: <http://research.dwp.gov.uk/asd/asd5/rrs-index.asp>

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