Department for Work & Pensions

Employment and Support Allowance: outcomes of Work Capability Assessments, Great Britain

Quarterly official statistics bulletin

10 March 2016

Executive Summary

This publication's focus is on claims started in April 2015 to June 2015 and appeals outcomes to December 2015. Figures in this issue cannot reflect the final outcomes, because they include cases still undergoing assessment, that don't yet have a final outcome recorded.

For this reason it is likely that the statistics underestimate the proportion of claimants who will ultimately be awarded the benefit by greater amounts for more recent periods.

Headline figures - New Claims to ESA (i.e. not re-assessment of incapacity benefits):

The following numbers give the most consistent measure of the outcomes of completed assessments, by excluding outcomes after appeals for new claims for Employment and Support Allowance (ESA).

Outcomes of completed initial assessments for claims started from April to June 2015 show:

- **48** per cent of claimants have an outcome i.e. decisions have been made on their claims;
- **38** per cent of claimants had their claim closed before having a face to face assessment; and
- **14** per cent of claimants were still undergoing assessment.

Claimants with an outcome for their claim can be broken down as follows*:

- **70** per cent of claimants were entitled to the benefit.
- **30** per cent of claimants were assessed as Fit for Work (FFW) and are no longer eligible for Employment and Support Allowance

Important notes

The data is not available until at least 9 months in arrears because of time needed to:

- enable processing of data sourced from inside the department and outside it from Her Majesty's Courts and Tribunal Service (HMCTS) and Maximus Healthcare; and
- allow time for all decisions to be made and recorded – the assessment phase is usually 13 weeks, but in some cases it will take longer for a decision to be reached.
- align with the publication of Quarterly Tribunals Statistics published by the Ministry of Justice.

Thus only claims made before end June 2015 are included. Data is available for appeal outcomes to December 2015.

Since January 2014 and following alignment with the Ministry of Justice tribunals publication, this publication has changed from reporting statistics on the latest 'offset quarter' to reporting statistics for the latest 'quarter' as this is the most recent data available.

If you have any comments or requests regarding this publication, please contact DWP via stats-consultation@dwp.gsi.gov.uk*, or join the "Welfare and Benefit Statistics" community at* http://www.statsusernet.org.uk*.*

* Totals may not sum due to rounding.

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* Totals may not sum due to rounding.

Results

1 Please note that in interpreting the figures the following could be a contribution to the statistics and allowance must be made for this:-

- changes in regulations since the introduction of this new benefit;
- a combination of changes to the Work Capability Assessment, including implementation of the Department-led review and others following implementation of the recommendations from independent reviews of the Work Capability Assessment;
- not all claimants in more recent periods have had their appeals heard;
- trends in decisions before appeals have an impact on the appeals process;
- data for the most recent periods within this report may not be directly comparable with earlier periods and reports as more cases are still in progress. Of claims started in the latest period from April 2015 to June 2015, 14 per cent of the total caseload are still in progress. In the previous publication for December 2015[1], 24 per cent of the caseload had claims still in progress for the period from January 2015 to March 2015, slightly lower than the September 2015[2] release with 29 per cent of claims still in progress (claims started from October 2014 to December 2014); It is expected that additional cases from any original caseload would be cleared in subsequent periods.
- cases where decisions are made earlier tend to be more likely to be entitled to ESA than not;
- since October 2013, claimants who wish to dispute a decision – including a decision which is based on the outcome of a Work Capability Assessment – are required to ask DWP to reconsider and revise the decision. This is called a 'mandatory reconsideration'. An appeal cannot be lodged with HMCTS until the mandatory reconsideration process has been undertaken and completed;
- there may also be other undetected factors at work.

[1] Published at: https://www.gov.uk/government/statistics/esa-outcomes-of-work-capability-assessments-claims-made-to-Mar-2015-and-appeals-to-sept-2015
[2] Published at: https://www.gov.uk/government/statistics/esa-outcomes-of-work-capability-assessments-claims-made-to-dec-2014-and-appeals-to-jun-2015

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1.1 New Claims for Employment and Support Allowance

The narrative in this section, like the supporting tables, largely follows the chronological order of a claim: completed initial assessments.

1.1.1 Initial outcomes – Table 1a

The initial assessment outcomes relate to the claimant's first assessment before appeal and may include cases that will have been revised following reconsideration. These results are only for cases where the assessment process has been completed, and therefore exclude claims closed before assessment or those still in progress. The following results are for cohorts based on the date claims were started.

Table 1a in the supplementary tables on outcomes of completed initial assessments of claims started in the period from April 2015 to June 2015 shows:

- 70 per cent of claimants were entitled to Employment and Support Allowance. Within this –
  - 10 per cent of claimants were placed in the Work Related Activity Group, and
  - 61 per cent of claimants were placed in the Support Group;
- 30 per cent of claimants were assessed as Fit for Work.

The proportion entitled to Employment and Support Allowance has risen by 1 percentage point from 69 to 70 since the last quarter. The proportion assigned to the Work Related Activity Group has remained constant at 10 percentage points and the proportion assigned to the Support Group has risen by 2 percentage points from 59 to 61. However, this comparison should be treated with caution as the exclusion of in progress cases would be expected to have more impact on recent months.

Figure 1 below shows the time series of Table 1a where:

There has been an apparent downward trend in claimants assessed as Fit for Work and an upward trend in eligibility for Employment and Support Allowance. Most recently, in the quarter April 2015 to June 2015, the proportion assessed as Fit for Work has fallen again. However, please see note at paragraph [1] above for explanation of potential causes. In particular, of claims started in the latest period from April 2015 to June 2015, 14 per cent of the total caseload were still in progress and cases where decisions are made earlier tend to be more likely to be entitled to ESA.

Since October 2013, claimants who wish to dispute a decision – including a decision which is based on the outcome of a Work Capability Assessment – are required to ask DWP to reconsider and revise the decision, prior to appeal. This is called a 'mandatory reconsideration'.

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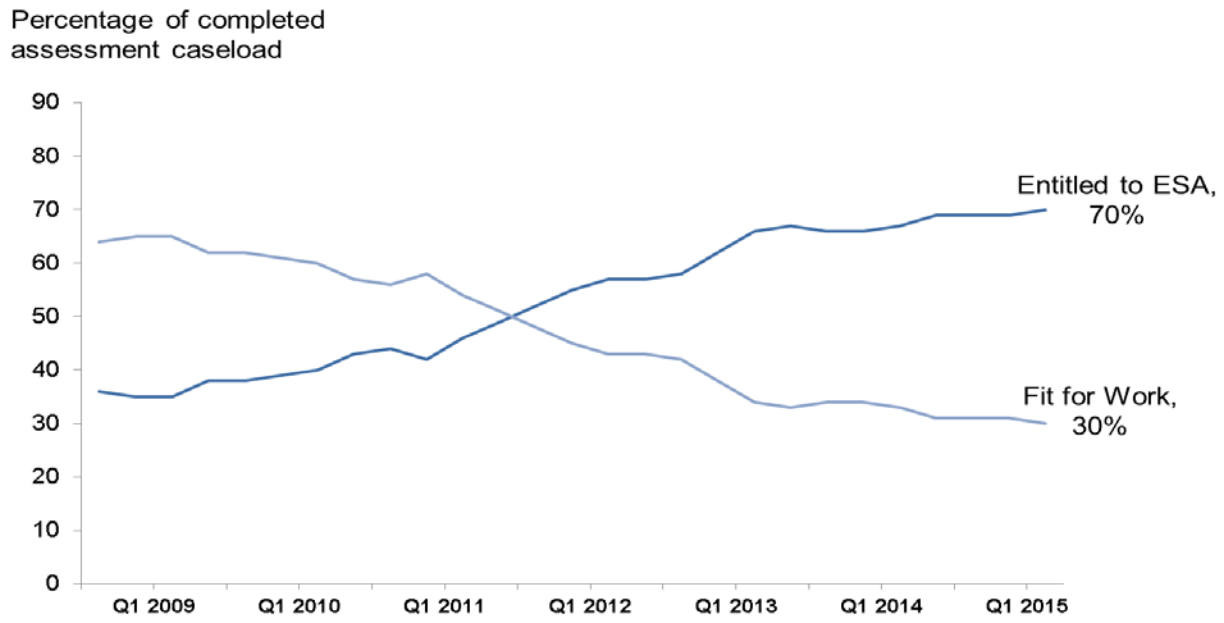
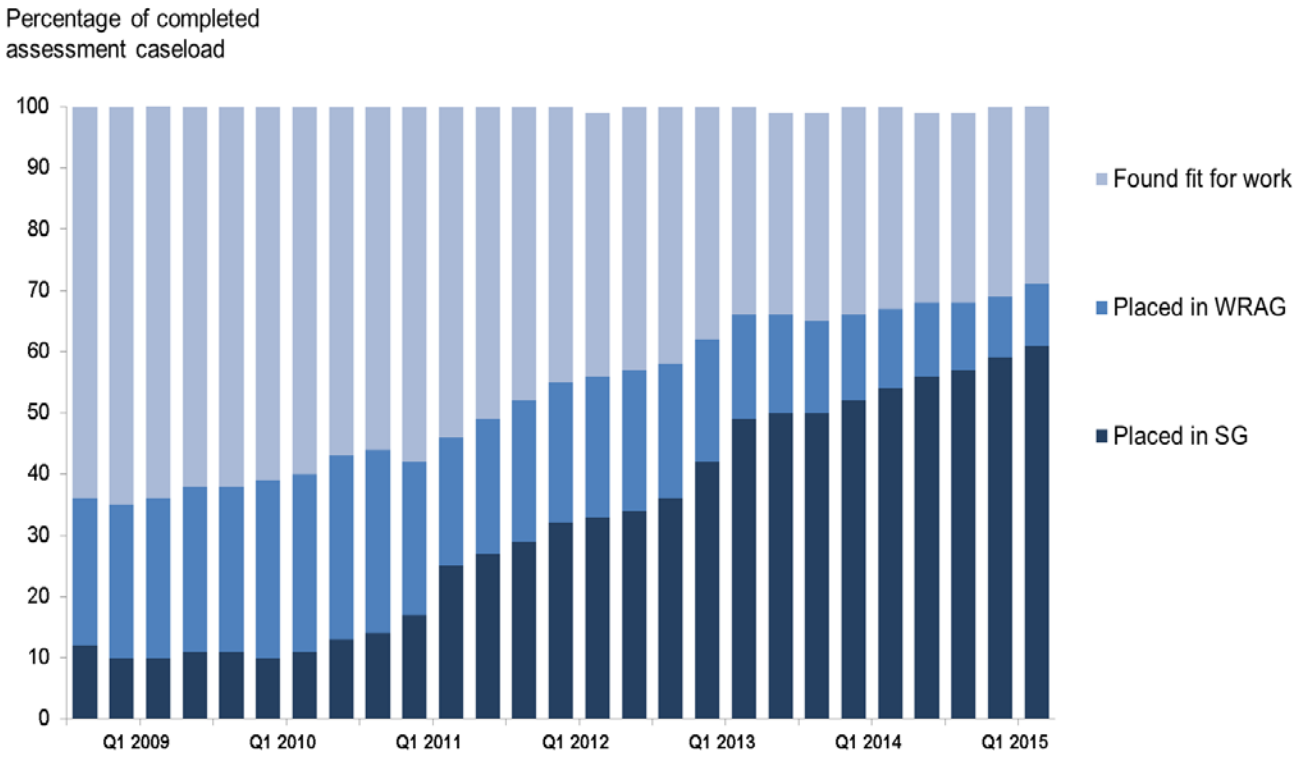
Figure 1: Outcome of initial functional assessment by date of claim start, Great Britain



See note at paragraph [1] above for explanation of potential causes for most recent periods.

Figure 1a: Outcome of initial functional assessment by date of claim start, Great Britain



See note at paragraph [1] above for explanation of potential causes for most recent periods.

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1.1.2 Status of claims closed before assessment and those still in progress – Table 1a

Overall 52 per cent of total claims in the latest quarter (between April 2015 and June 2015) have either not reached or completed the Work Capability Assessment process, within this 38 per cent were closed before a decision was made and 14 per cent were still in progress. This compares to 63 per cent of total claims in the last publication, having either not reached or completed the process between January 2015 and March 2015 (December 2015 publication). It is difficult for anything conclusive to be said about the destinations of such cases.

1.1.3 Initial outcomes by assessment date – Table 2a

The following results are for cohorts based on the date assessments were completed rather than when claims were started. This removes one inconsistency in the time series of data, as no period has outstanding assessments.

Table 2a in the associated tables on outcomes of completed initial assessments of claims assessed in the period from July 2015 to September 2015 shows:

- 63 per cent of claimants were entitled to Employment and Support Allowance. Within this –
  - 10 per cent of claimants were placed in the Work Related Activity Group, and
  - 53 per cent of claimants were placed in the Support Group; and
- 37 per cent of claimants were assessed as Fit for Work.

This represents a decrease of 2 percentage point from 65 to 63 in the proportion entitled to Employment and Support Allowance compared with the previous quarter; the proportion assigned to the Work Related Activity Group has decreased by 3 percentage point from 13 to 10 whilst the proportion assigned to the Support Group has increased by 1 percentage point from 52 to 53. There is an increase of 2 percentage points from 35 to 37 in the proportion of cases found Fit for Work compared with the last quarter. Please see note at paragraph [1] above for explanation of potential causes for changes in the most recent periods.

Figure 2 below shows the time series of Table 2a where:

From April 2009 to October 2011 there was a downward trend in claimants assessed as Fit for Work and an upward trend in eligibility for Employment and Support Allowance. In the quarter to January 2012 to March 2012 there was an increase in claimants assessed as Fit for Work and a decrease in eligibility for Employment and Support Allowance. This was then followed by a further decline in the proportion assessed as Fit for Work and upward trend in eligibility for Employment and Support Allowance. This emerging change will continue to be monitored in subsequent quarters. However please see note at paragraph [1] above for explanation of potential causes for changes in recent periods.

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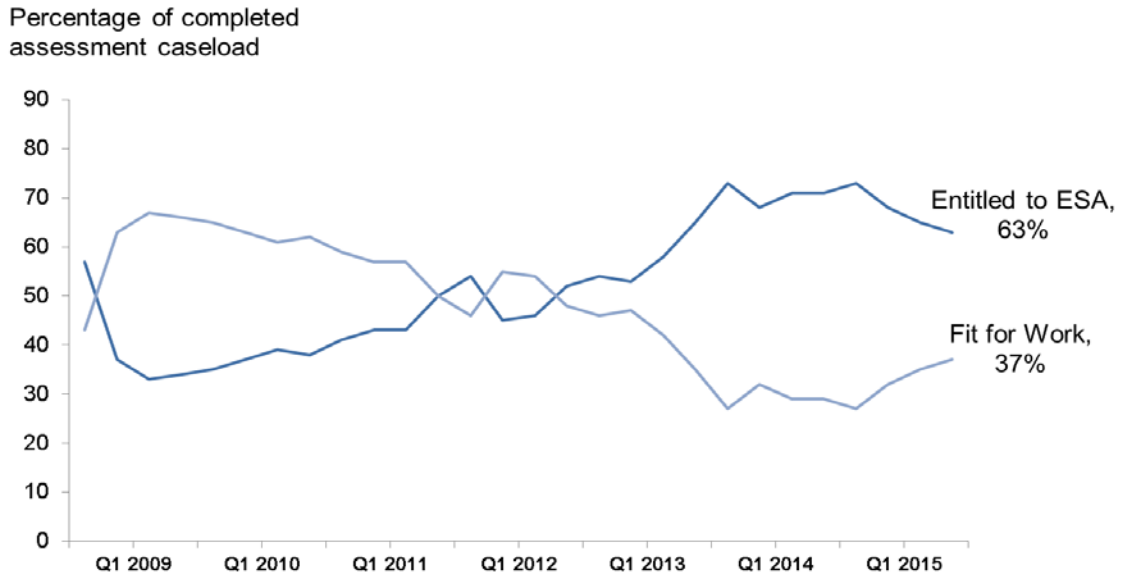
Figure 2: Outcome of initial functional assessment by date of assessment, Great Britain



1.1.4 Initial outcomes adjusted following appeal – Tables 3 and 4

The statistics on initial outcomes can be adjusted to reflect the results of appeals. To date, 36 cent of all Fit for Work decisions have been appealed against. These results are only for cases where the assessments process has been completed, and therefore exclude all claims closed before assessment and those still in progress. The following results are for cohorts based on the date claims were started.

Table 3 in the accompanying tables on appeal rulings relating to claims starting from October 2014 to December 2014 shows:

- 48 per cent of initial Fit for Work decisions appealed against were upheld after challenge; and
- 52 per cent of initial Fit for Work decisions appealed against were overturned after challenge.

These percentages represent an increase of 2 per cent for decisions upheld and a decrease of 2% for decisions overturned when compared to the previous quarter. However, this comparison should be treated with caution as, although statistical outputs are presented to December 2014, figures for more recent dates are likely to change as more appeal cases are heard by the Tribunal Service. Note that the above statistics are for 2,000 (7 per cent) Fit for Work decisions with a completed appeal in this period. This number has increased in comparison to the previous release which showed 1,700 (6 per cent) Fit for Work decisions with a completed appeal between July 2014 and September 2014 (December 2015 release).

Figure 3 below shows the time series of Table 3 showing the outcome of appeals heard on Fit for Work decisions.

The chart shows a steady decline in the trend for the proportion of initial Fit for Work decisions that are reversed in each successive period by HMCTS until early 2013 when there was a significant increase. The most recent quarter (October 2014 to December 2014) shows a slight decrease on the previous quarterly figure. The number of appeals has been decreasing and the percentages for the quarter October 2014 to December 2014 are for 2,000 Fit for Work decisions with a completed appeal. This compares to 2,800 fit for work decisions a year earlier in the quarter October 2013 to December 2013. In addition, the proportions for more recent months are likely to change when the

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outcomes of appeals still to be heard are included. Because of this and the reduced number of appeals, caution should be applied before drawing conclusions from the more recent periods.

Since October 2013, claimants who wish to dispute a decision – including a decision which is based on the outcome of a Work Capability Assessment – are required to ask DWP to reconsider and revise the decision. This is called a 'mandatory reconsideration'. An appeal cannot be lodged with HMCTS until the mandatory reconsideration process has been undertaken and completed.

Figure 3: Outcome of appeals heard on Fit for Work decisions in initial functional assessment by date of claim start, Great Britain

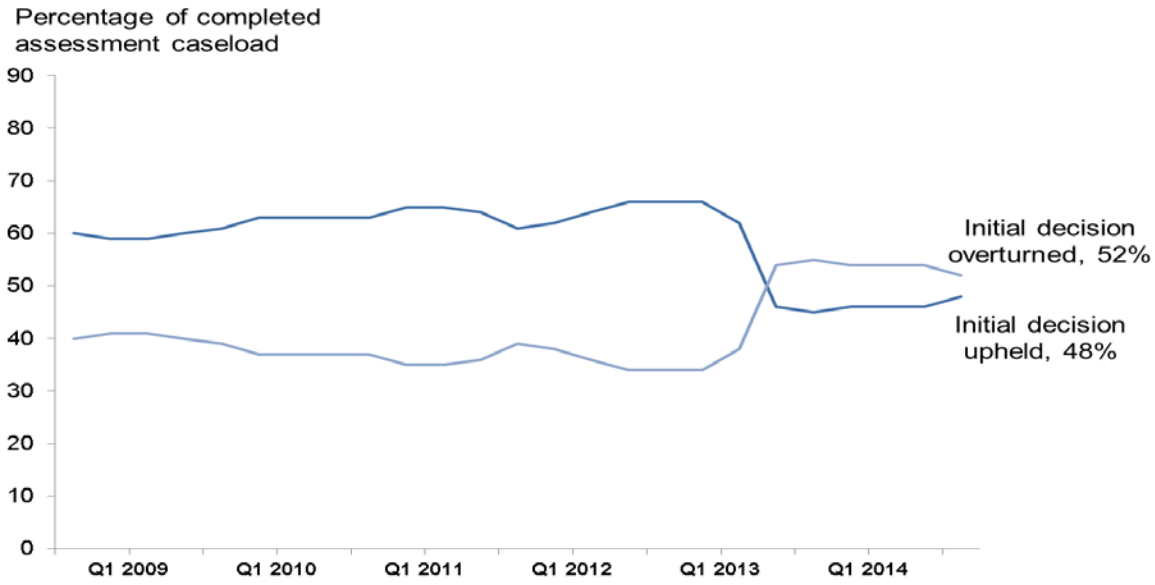

Table 4 on outcomes of completed initial assessments adjusted to account for outcomes after appeals relating to claims started in the period from April 2015 to June 2015 shows:

- 71 per cent of claimants were entitled to Employment and Support Allowance. Within this –
  - 10 per cent of claimants were placed in the Work Related Activity Group, and
  - 61 per cent of claimants were placed in the Support Group; and
- 29 per cent of claimants were assessed as Fit for Work.

The proportion entitled to Employment and Support Allowance has increased by 1 percentage point from 70 to 71 compared with the previous quarter; the percentage assigned to the Work Related Activity Group fell 1 percentage point from 11 to 10 and the proportion assigned to the Support Group rose by 2 percentage points from 59 to 61. The proportion of cases found fit for work compared with the last quarter has fallen by 1 percentage point from 30 to 29. However, this comparison should be treated with caution as the effect of claims closed before a decision was reached or in progress and the effect of appeals not yet heard would be expected to have more impact on recent months.

Figure 4 shows the time series of Table 4 where:

From October 2008 until March 2011 there is a broadly flat trend in Fit for Work and eligibility for Employment and Support Allowance. From April 2011, there has been a downward trend in Fit for

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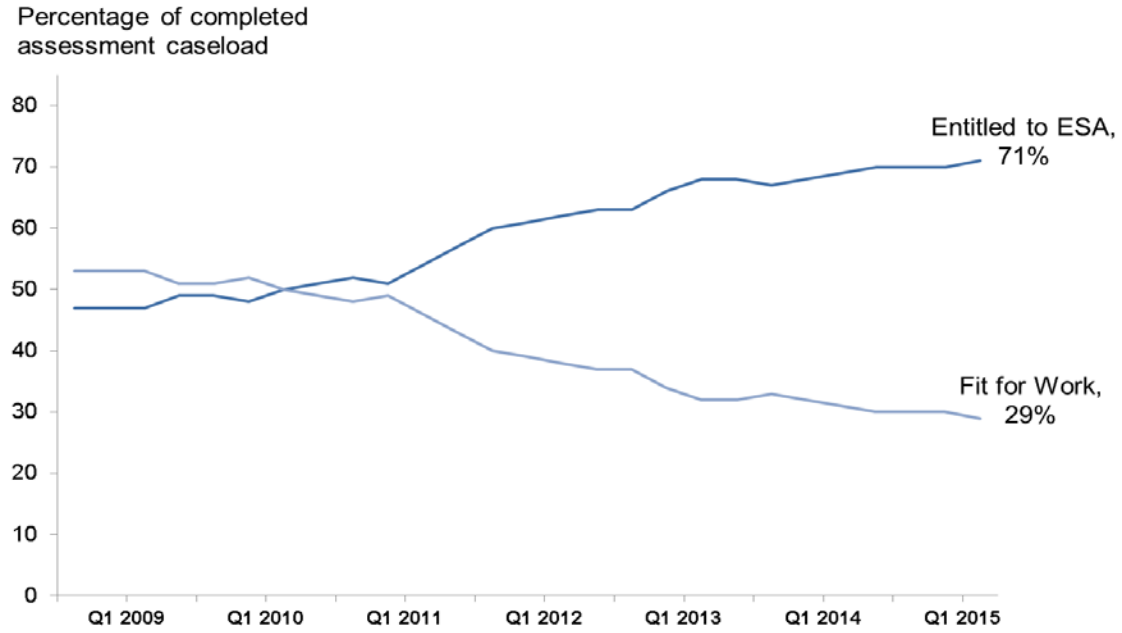
Work and an upward trend in eligibility for Employment and Support Allowance. See note at paragraph [1] above for explanation of potential causes for changes in recent periods.

Figure 4: Outcome of initial functional assessment adjusted to account for the outcome of appeal by date of claim start, Great Britain



1.1.5 Repeat outcomes by assessment date – Table 2b

Repeat outcomes are those for the claimant's subsequent assessments after a re-referral period. By definition, these results can only be for cases where the first and/or subsequent functional assessments have been completed, and therefore exclude all claims closed before assessments and those still in progress. Around 33 per cent of repeat assessments cases originally migrated from incapacity benefits. The following results are for cohorts based on the date assessments were completed, and show outcomes before appeals.

Table 2b in the accompanying tables on outcomes of completed initial assessments of claims assessed in the period from July 2015 to September 2015 shows:

- 81 per cent of claimants were entitled to Employment and Support Allowance. Within this –
    - 10 per cent of claimants were placed in the Work Related Activity Group, and
    - 70 per cent of claimants were placed in the Support Group; and
- 19 per cent of claimants were assessed as Fit for Work.

Figure 5 below shows the time series of Table 2b where:

From the quarter October 2009 to December 2009 until the quarter July 2011 to September 2011 there is a broadly flat trend in entitlement. This is followed by an increase in entitlement until October 2013 to December 2013 quarter when it peaked at 90 percent. Since then the proportion has been gradually falling and has remained constant at 81 per cent in the last three quarters to September 2015. This trend will continue to be monitored in subsequent periods.

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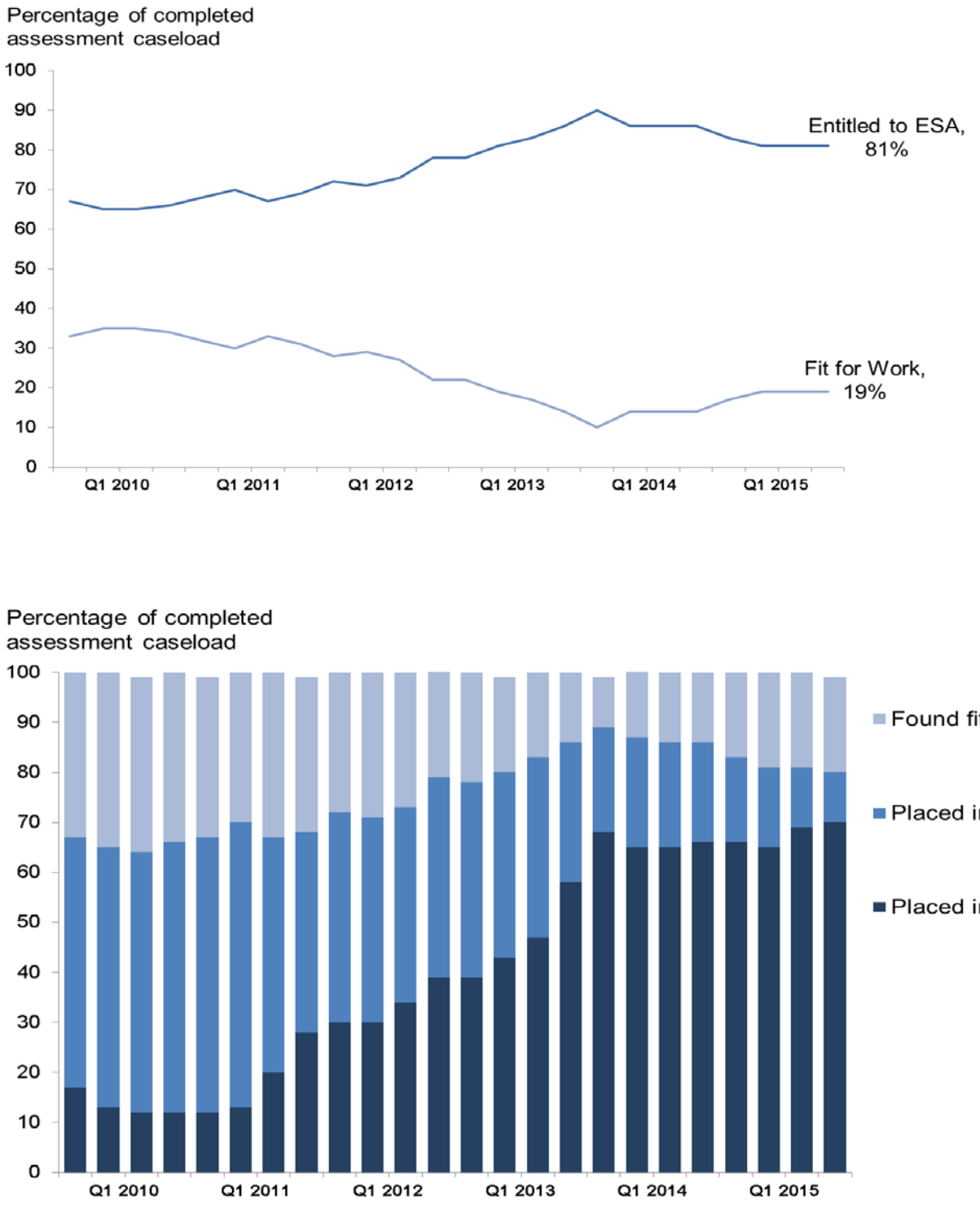
In addition, there is more of a pattern in placement into groups after the bedding down of the benefit, with distinct growth in the Support Group and decline in the Work Related Activity Group from April 2011. This is likely to be due to an increasing proportion of longer-term claims (e.g. claimed re-assessed from Incapacity Benefit) reaching repeat assessment. See note at paragraph [1] above for explanation of potential causes for changes in recent periods.

Figure 5: Outcome of repeat functional assessment by date of assessment, Great Britain



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1.1.6 Repeat outcomes by claim start date – Table 1b

Repeat outcomes are as above, but the following results are for cohorts based on when the Employment and Support Allowance claim was originally started, rather than the date assessments were completed. Around 33 per cent of repeat assessments cases originally migrated from incapacity benefits.

Table 1b on outcomes of completed repeat assessments of claims started in the period from April 2015 to June 2015 shows:

- 82 per cent of claimants were entitled to Employment and Support Allowance. Within this –
  - 10 per cent of claimants were placed in the Work Related Activity Group, and
  - 71 per cent of claimants were placed in the Support Group; and
- 18 per cent of claimants were assessed Fit for Work.

The 82 per cent of claims entitled to Employment and Support Allowance represents 600 claims. This compares with 500 claims entitled to Employment and Support Allowance seen in the previous quarter, between January 2015 and March 2015 (December 2015 release) and also 500 claims in the period before that, between October 2014 and December 2014 (September 2015 release).The overall proportion entitled to the ESA benefit has remained stable.

Note that:

Outcome of repeat assessments are more often entitled to Employment and Support Allowance, both in terms of the Work Related Activity Group and Support Group, than in the initial assessments. This is because existing claimants frequently have a longer-term health condition.

1.2 New claims context statistics

The narrative here looks at the supplementary tables for:

- reason for placement into the Support Group and Work Related Activity Group after initial assessments adjusted by appeals; and
- ICD10 code groups and/or functional impairments for Support Group and Work Related Activity Group after initial assessment.

To note, the figures in the following tables will not sum to 100 per cent horizontally because claimants can have more than one impairment.

1.2.1 Reasons for being in the Support Group – Table 5

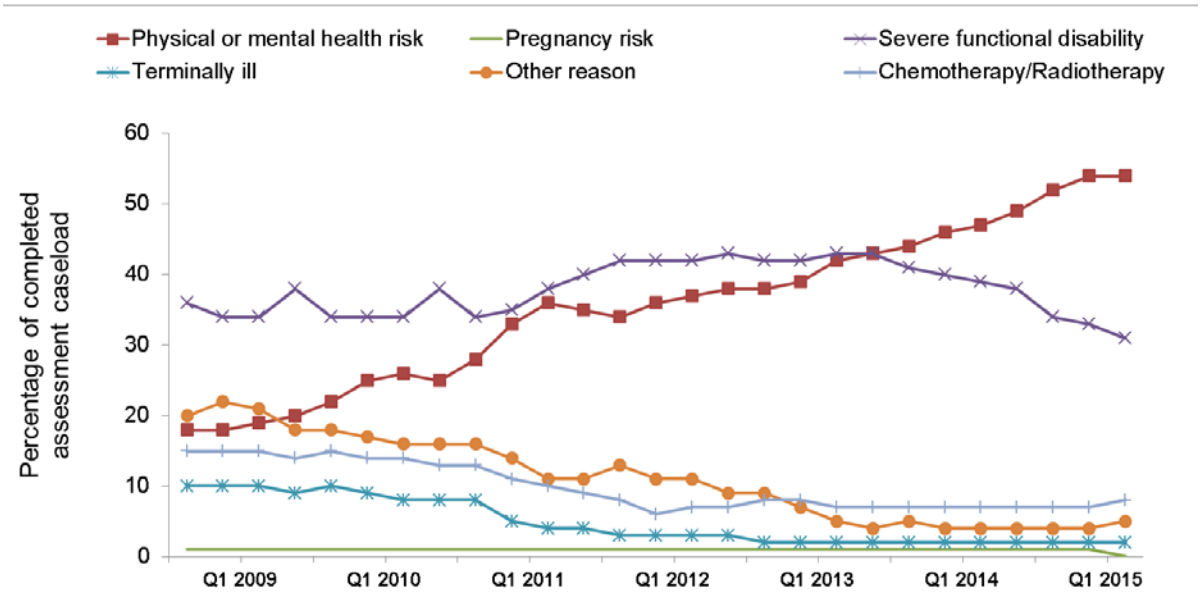
The statistics in table 5 look at the possible reasons for the claimants' placement into the Support Group. These results are only for cases where the assessment process has been completed, and therefore exclude all claims closed before assessment and those still in progress.

Figure 6 below shows the breakdown of Table 5 where:

Between April 2015 and June 2015 the proportion of cases being assigned to the Support Group due to a physical or mental health risk remains the same as the previous quarter. The proportion assigned to the severe functional disability group has been decreasing since September 2013. Chemotherapy/Radiotherapy proportions have remained fairly stable since September 2012, with increases or decreases of up to 2 percentage points and the percentage has increased by one percentage point since the last quarter. Pregnancy risk has remained as a broadly flat trend and

terminally ill after falling steadily to December 12 and has remained a broadly flat trend to June 2015.

Figure 6: Support Group at functional assessment initially or after appeal split into reasons for assignment, Great Britain



1.2.2 Work Related Activity Group at functional assessment initially or after appeal – Table 6

The statistics in Table 6 look at the possible reason for claimants' placement in the Work Related Activity Group. These results are only for cases where the assessment process has been completed, and therefore exclude all claims closed before assessment and those still in progress.

Table 6 shows that in the period from April 2015 to June 2015:

- 64 per cent of claimants were assigned to the Work Related Activity Group as a result of initial assessment. Within this –
  - 32 per cent of claimants had 15 or more points at assessment,
  - 31 per cent of claimants were assigned due to medical reasons
- 37 per cent of claimants were assigned to the Work Related Activity Group related to recourse. Within this –
  - 2 percentage of claimants were assigned after appeal;
  - 35 per cent of claimants were revised following reconsideration where the DWP decision differs from the Maximus recommendation; and
  - The comparison for the latest quarter should be treated with caution as the effect of appeals not yet heard would be expected to have more impact on recent months.

In comparison, Table 6 shows that **to date**:

- 60 per cent of claimants were assigned to the Work Related Activity Group as a result of initial assessment. Within this –
  - 48 per cent of claimants had 15 or more points at assessment;
  - 10 per cent of claimants were assigned due to medical reasons; and
  - 2 per cent as a result of clerical assessment.

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- 40 per cent of claimants were assigned to the Work Related Activity Group related to recourse. Within this –
  - 21 per cent of claimants were assigned after appeal; and
  - 19 per cent of claimants were revised following reconsideration and where the DWP decision differs from the Maximus recommendation.

1.2.3 Employment and Support Allowance allocation by ICD10 – Table 7

Table 7 in the associated tables breaks down all Employment and Support Allowance initial assessments outcomes and statuses (before appeal) by the internationally recognised ICD10 health condition groups. These results are only for cases where the assessment process has been completed, and therefore exclude all claims closed before assessment and those still in progress.

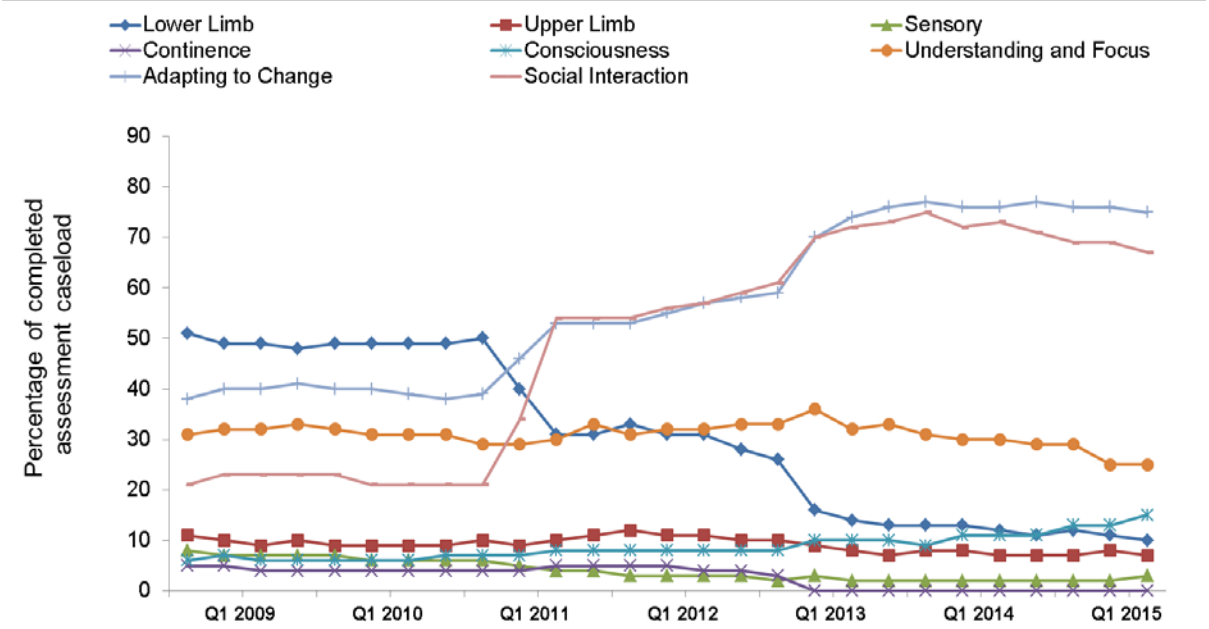
1.2.4 Work Related Activity Group – 15 points or more by functional impairment – Table 8

Table 8 in the supplementary tables is for claimants placed into the Work Related Activity Group after the initial assessment. It divides all Work Related Activity Group assessments between October 2008 and June 2015 for claimants scoring 15 points or more by functional impairments. These results are only for cases where the assessment process has been completed, and therefore exclude all claims closed before assessment and those still in progress.

Figure 7 below shows the breakdown of Table 8 (note, these figures will not sum to 100 per cent because some claimants will have multiple impairments):

The proportion of cases assigned to the Work Related Activity Group due to Understanding and Focus has remained constant this quarter at 25 per cent. Following a steady rise in the proportion of cases assigned due to Social Interaction up to December 2013, it has since fluctuated very slightly from quarter to quarter; this quarter has seen a fall of 2 per cent. The remaining conditions remain very stable this quarter and have shown little fluctuation over the last year.

Figure 7: Work Related Activity Group (15 points or more) at initial functional assessment split into functional impairments by date of claim start, Great Britain



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1.2.5 Work Related Activity Group – 15 points or more by functional impairment and ICD10 – Table 9

Table 9 in the accompanying tables breaks down claimants placed into the Work Related Activity Group after the initial assessment. It divides by claimants' functional impairment descriptors for scoring 15 points or more and by their ICD10 condition. It counts people with multiple impairments more than once. These results are only for cases where the assessment process has been completed, and therefore exclude all claims closed before assessment and those still in progress.

2.1 Reassessment of incapacity benefit

16,900 incapacity benefits claimants have been referred for reassessment in the period from April 2015 to June 2015. Since the start of the reassessment process up to June 2015 a total of 1,472,000 Incapacity Benefits claimants had been referred for reassessment.

2.1.1 Status of claims closed before assessment and those still in progress – Table 10

In the period from April 2015 to June 2015, 14 per cent of incapacity benefits claims that were referred for reassessment had not completed the WCA process by December 2015; of these 2 per cent were closed before a decision was made and 12 per cent were still in progress.

2.1.2 Comparison with claims closed before assessment and those still in progress of new ESA claims

Comparing uncompleted assessment processes for reassessment referrals and new claims shows that:

- a small proportion of reassessed claims were still in progress at the time the data were extracted, which is lower than for new ESA claims; and
- a much lower proportion of reassessed claims were closed before the process was complete than for new ESA claims.

The lower proportion of work in progress for reassessed claims in comparison to new Employment and Support Allowance claims can be explained by different claimant journeys. For reassessed claims the total process is shorter, as the statistics only show reassessed claims once they have been referred to the Centre for Health and Disability Assessments. For new Employment and Support Allowance claims the statistics also include the period covering the initial contact of a claimant to set up an Employment and Support Allowance claim. For reassessed claimants this part of the claimant journey does not apply as they already have established benefit claims for Incapacity Benefit, Severe Disablement Allowance or Income Support. Due to this shorter claimant journey one would expect fewer claims still in progress at the time the data was extracted.

Current data does not allow anything conclusive to be said about the destinations of closed and in progress cases, nor to infer what would have been or will be the outcome of assessment.

2.1.3 Outcomes of reassessments – Table 10

These results exclude claims closed before assessment or those still in progress. They are adjusted to account for outcomes after appeals where an appeal has been heard.

Table 10 on outcomes of completed reassessments which were referred in the period from April 2015 to June 2015 shows:

- 96 per cent of claimants were entitled to Employment and Support Allowance. Within this –
  - 4 per cent of claimants were placed in the Work Related Activity Group, and
  - 92 per cent of claimants were placed in the Support Group; and

- 4 per cent of claimants were assessed as Fit for Work.

See note at paragraph [1] above for explanation of potential causes for changes in recent periods.

2.1.4 Comparison with the initial outcomes of new Employment and Support Allowance claims

These figures show a higher proportion of claims entitled to Employment and Support Allowance than for new Employment and Support Allowance claims.

It is *likely* that Incapacity Benefit, Severe Disablement Allowance and Income Support claimants being reassessed for Employment and Support Allowance differ from new Employment and Support Allowance claims, with a greater proportion having long standing and multiple health conditions resulting in a limited capability for work decision at the time the reassessment is completed.

2.1.5 Comparison with previous figures

The figures in Table 10 show the proportion entitled to Employment and Support Allowance has remained steady at the previous quarterly level of 96 per cent. The proportion of those assigned to the Work Related Activity Group fell by 1 percentage point, whereas the proportion assigned to the Support Group increased by 1 percentage point.

However, this comparison should be treated with caution, both because the exclusion of in progress cases would be expected to have more impact on recent months and because the characteristics of those reassessed at the beginning of the process may be different from those reassessed later on. Further the period cohorts for the latest months worth of data adjust the least for the situation after appeal, as many appeal processes are still ongoing. Therefore these statistics are likely to alter in successive statistical reports.

Table 11 shows a breakdown by region and local authority for all incapacity benefits claimants that were referred for reassessment before the end of June 2015. Decisions made on these claims up until December 2015 are included in these statistics.

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Notes

1. The Quarterly Official Statistical Bulletin

This bulletin and supporting tables present information on claims started between April and June 2015 and appeals outcomes to December 2015 for Employment and Support Allowance in Great Britain via statistics on:

- volumes for outcomes of completed assessments and for status of claims still in progress and claims closed before the assessment process is complete; and

- percentages for outcomes of the completed assessments.

To view the tables and background information associated with this bulletin please use the following link: https://www.gov.uk/government/collections/employment-and-support-allowance-outcomes-of-work-capability-assessment

This publication also updates figures provided in previous releases.

These updates reflect additions to and revisions of the source data. The publication uses the final DWP Decision Maker's decision, or the recommendation made by the Healthcare Professional from the Centre for Health and Disability Assessment, when the Decision Maker's decision is not yet available providing a more complete analysis.

Note that robust data is only available for claims that began at least 9 months ago due to the time required to arrange and complete assessments and record and process data.

2. National Statistics Code of Practice

DWP complies with the Code of Practice for Official Statistics and supporting Principles. Detailed policy statements and statement of compliance with the pre-release access to official statistics order 2008 are available at: DWP policy statements

Detailed policy and methodology relating to this Bulletin are available via:
https://www.gov.uk/government/publications/esa-outcomes-of-work-capability-assessment-policies-and-statements

- Quality
- Methodology
- Uses and Users

The UK Statistics Authority report on the compliance with the Code of Practice for Official Statistics for the Statistical Summary is report number 242 at:
http://www.statisticsauthority.gov.uk/assessment/assessment/assessment-reports/index.html

DWP would like to hear your views on our statistical publications. If you use any of our statistics publications, we would be interested in hearing what you use them for and how well they meet your requirements. Please email DWP at stats-consultation@dwp.gsi.gov.uk .

An ongoing questionnaire, enabling DWP to target future consultations at interested users; shaping the future direction of statistics development to address user needs; and helping ensure value for money, whilst giving users a structured way of expressing their views is available at:
https://www.gov.uk/government/publications/questionnaire-on-esa-outcomes-of-work-capability-assessments-statistics

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Completed questionnaires can be returned by e-mail to stats-consultation@dwp.gsi.gov.uk or by post to the following address:

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Users are also invited to join the "Welfare and Benefit Statistics" community at: http://www.statsusernet.org.uk.

3. Work Capability Assessment development / reviews

The Work Capability Assessment was developed by medical and technical experts alongside disability organisations. It is subject to continuous review.

Independent Review

In February 2013 the Secretary of State for Work and Pensions appointed Dr Paul Litchfield to undertake the fourth independent review of the Work Capability Assessment. In March 2014 the Government published a response to Dr Litchfield's recommendations:

https://www.gov.uk/government/publications/government-response-to-the-work-capability-assessment-independent-review-year-4

In March 2014 Dr Paul Litchfield was re-appointed to carry out the fifth and final independent review of the Work Capability Assessment. The review was published in November 2014:

https://www.gov.uk/government/publications/work-capability-assessment-independent-review-year-5

In February 2015 the Government's response to Dr Litchfield's review was published:

Background and full text of reports are on Gov.uk at the following link:
https://www.gov.uk/government/policies/simplifying-the-welfare-system-and-making-sure-work-pays/supporting-pages/improving-the-work-capability-assessment

Work and Pensions Select Committee (WPSC) report on Employment and Support Allowance and Work Capability Assessment

The WPSC presented a report on ESA and Work Capability Assessment in July 2014.

The Government's response to the WPSC report was also published on 27 November 2014. The response covers each of the recommendations in the WPSC report and announces a package of measures to increase health and employment support for ESA claimants. The response is published on GOV.UK.at:

https://www.gov.uk/government/publications/employment-and-support-allowance-and-work-capability-assessments-response-to-the-work-and-pensions-committee

4. Benefit Eligibility

After the assessment, support is offered to help individuals back into work, irrespective of whether the claimants were placed in the Work Related Activity Group, moved to Jobseekers Allowance, or placed in the Support Group.

ISBN: 978-1-78425-710-1

Employment and Support Allowance provides financial help to people of working age who are unable to work because of illness or disability. Eligibility to the assessment phase of the benefit is dependent on personal circumstances. The most current information on eligibility is available on the GOV.UK website.

The GOV.UK website provides a complete explanation of eligibility at the following links:
https://www.gov.uk/employment-support-allowance#overview
https://www.gov.uk/employment-support-allowance/eligibility

In recognition of the additional support needed, those whose fitness for work is established at the face to face assessment and go on to claim Jobseeker's Allowance facing substantive disadvantage may be referred to the provision 3 months into their new claim.

The departmental website provides more explanation about the Work Programme at the following link:
https://www.gov.uk/government/policies/helping-people-to-find-and-stay-in-work/supporting-pages/managing-the-work-programme

For statistics relating to these new programmes see:
https://www.gov.uk/government/publications/pre-work-programme-support and
https://www.gov.uk/government/organisations/department-for-work-pensions/series/work-programme-statistics--2

Publications contain information on the take-up of the main income-related benefits in Great Britain: including Employment and Support Allowance (income related) are published via:
https://www.gov.uk/government/organisations/department-for-work-pensions/series/income-related-benefits-estimates-of-take-up--2

5. Benefit Rates

The GOV.UK website provides the latest information on Employment and Support Allowance, Incapacity Benefit, Severe Disablement Allowance and Income Support benefit rates at the following links:

https://www.gov.uk/employment-support-allowance/what-youll-get
https://www.gov.uk/severe-disablement-allowance
https://www.gov.uk/income-support/what-youll-get
https://www.gov.uk/incapacity-benefit
https://www.gov.uk/employment-support-allowance/further-information

Often the basic and component rates are just a part of the total package of support received by the claimant. Additional support may be available through Housing Benefit, Council Tax Reduction, Child Benefit, Child Tax Credit and Disability Living Allowance and Personal Independence Payments.

The GOV.UK website provides information on wider financial support at the following link:
https://www.gov.uk/browse/benefits

6. Statutory instruments

Principles on amounts payable and rules for calculation of this benefit, and current rates are outlined in legislation:

The Welfare Reform Act 2007, Sections 2 and 4
http://www.legislation.gov.uk/ukpga/2007/5/pdfs/ukpga_20070005_en.pdf

The Employment and Support Allowance Regulations 2008
http://www.legislation.gov.uk/uksi/2008/794/contents/made

The Employment and Support Allowance Regulations 2013 (Part 9)

ISBN: 978-1-78425-710-1

http://www.legislation.gov.uk/uksi/2013/379/contents/made

The Social Security Benefits Up-rating Order 2014
http://www.legislation.gov.uk/ukdsi/2014/9780111108789/contents

7. Reasons for assignment to the Work Related Activity Group

The GOV.UK website provides a broad explanation for potential reasons for placement in the Work Related Activity Group:
https://www.gov.uk/employment-support-allowance/overview

Note that the department does not always capture the reason for placement in the Support Group (as with the Work Related Activity Group). This is often due to assessments recorded clerically where the reason is not stated, such as where assignment follows an appeal or reconsideration.

The legislation, specifically Part 6, gives more detail on allocation at the following link:
http://www.legislation.gov.uk/uksi/2008/794/contents/made?view=plain

Information about the health conditions of Employment and Support Allowance claimants is recorded at the start of the claim, and is based on the primary condition as listed on General Practitioner's evidence.

In 2010, information was transferred into central databases for all claims still live in November 2009 and new claims thereafter. This was supplemented by that recorded at the face to face assessment or recorded by DWP's frontline at first contact for some claims that closed before November 2009. However, there is still some incomplete data, particularly before the stated cut-off date.

For further background information regarding Employment and Support Allowance – Work Capability Assessments see the Background Information at:
https://www.gov.uk/government/collections/employment-and-support-allowance-outcomes-of-work-capability-assessment

8. International comparisons

The World Health Organisation (WHO) produces the International Classification of Diseases, 2010 (ICD10). The ICD code was endorsed by the 43rd World Health Assembly in May 1990, and came into use in all member states from 1994.

The WHO website provides more detail on this code applied to Employment and Support Allowance cases in this statistical series at the following link:
http://www.who.int/classifications/icd/en/

9. Her Majesty's Courts and Tribunals Service

Her Majesty's Courts and Tribunals Service was created on 1 April 2011. It brings together Her Majesty's Courts Service and the Tribunals Service into one integrated agency providing support for the administration of justice in courts and tribunals.

Responsibility for publishing Tribunal statistics resides with Ministry of Justice and they publish statistical information via their website at:
https://www.gov.uk/government/organisations/ministry-of-justice/about/statistics

From January 2014, this release has been aligned with the Quarterly Tribunals statistics release. As a result the latest data from the Centre for Health and Disability Assessments and tribunals is currently 3 months lagged at publication date.

10. Freedom of Information

Users can find additional statistical analyses that have not been included in our standard publications at:

Statistical Freedom of Information
https://www.gov.uk/government/collections/dwp-statistical-foi-releases

Ad Hoc Statistical publications
https://www.gov.uk/government/collections/ad-hoc-statistical-publications-list

For example, anyone claiming Employment and Support Allowance will undergo the Work Capability Assessment. The Work Capability Assessment is based on the premise that eligibility should not be based on a person's condition, but rather on the way that condition limits their functional capability. Following the Work Capability Assessment, the Healthcare Professional provides a recommendation of the claimant's eligibility for Employment and Support Allowance. The final decision on benefit entitlement is made by a DWP Decision Maker informed by advice from the Healthcare Professional and other available evidence. Statistics are available for this information at:
https://www.gov.uk/government/publications/esa-work-capability-assessment-decisions-in-great-britain-june-2012-to-may-2013

11. Known Issues, Changes and Revisions to the Statistical Bulletin

- Application of a revision policy entails updating historic numbers with each issue of the publication to reflect change based on two factors in particular – appeals on initial decisions which can take time to come through, and decisions which are not recorded until after the 13 week assessment phase. It is therefore likely that the statistics underestimate the proportion of claimants who will ultimately be awarded the benefit, by greater amounts for more recent periods. Early analysis shows that final position is not reached at 2 years.
- This product has been assessed by the UK Statistics Authority for National Statistics status. The report has been published at: http://www.statisticsauthority.gov.uk/assessment/assessment/assessment-reports/assessment-report-242---statistics-on-outcomes-of-work-capability-assessments.pdf. Hence, amendments have been made to the notes and commentary to address the requirements outlined in the UK Statistics Authority assessment report:
    - Published a series of documents to help users understand the methodology; Quality; valid uses and users of the series.
    - Improvements to some of the notes and background in the publication.
    - Improvements to the commentary in the publication.

12. Notification of future changes to the Summary

- DWP statisticians are working to complete a full and detailed check of the whole production process of this series and produce statistics for the entire Employment and Support Allowance process, including Mandatory Reconsiderations. An ad-hoc publication on Mandatory Reconsiderations was released on 17th December 2014. The ad-hoc release focussed on ESA Mandatory Reconsiderations. The report has been published at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/387871/MR_adhoc_final.pdf

  Also as part of these checks, methodology will be reviewed for classifying and defining Maximus referrals as being 'still in progress'.

13. Other National and Official Statistics issued by the Department for Work and Pensions

Details of other National and Official Statistics produced by the Department for Work and Pensions can be found on the GOV.UK website at the following links:

- DWP statistics: https://www.gov.uk/government/organisations/department-for-work-pensions/about/statistics, for example Employment and Support Allowance caseload statistics are available via the Department's Tabulation Tool http://tabulation-tool.dwp.gov.uk/100pc/esa/tabtool_esa.html
- Benefit expenditure and caseload tables (including Employment and Support Allowance) https://www.gov.uk/government/collections/benefit-expenditure-tables
- In accordance with the Code of Practice for Official Statistics, all DWP National Statistics are also announced via the UK Statistics Authority publication hub at: http://www.statistics.gov.uk/hub/release-calendar/index.html
- In addition, users can find links to additional statistical analyses that have not been included in our standard publications at: https://www.gov.uk/government/collections/ad-hoc-statistical-publications-list

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