



Department
for Work &
Pensions

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

Quarterly official statistics bulletin

22 January 2014

Executive Summary

The bulletin

This report presents information on both new claims and claims undergoing reassessment of incapacity benefits for Employment and Support Allowance (ESA) in Great Britain. It provides statistics on the outcome of completed assessments, claims still in progress and claims closed before the assessment process is complete.

The publication's focus is on claims started in January 2013 to March 2013 and appeals outcomes to September 2013. It also updates figures provided in previous releases and includes Incapacity Benefit Reassessments and appeals data which were not published in the October 2013 publication. 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 ATOS Healthcare Professional, when the Decision Maker's decision is not yet available. This provides a more complete analysis. Note that robust data is only available for claims that began at least 10 months ago due to the time required to arrange and complete assessments and record and process data. In addition, the publication has been aligned with the quarterly tribunal's statistics release by Ministry of Justice, thus only claims made before end March 2013 are included.

To view the tables associated with this bulletin please use the following link
<https://www.gov.uk/government/publications/employment-and-support-allowance-work-capability-assessment-January-2014>

Important notes

This issue of the statistical series:

Robust data is only available for claims made before end March 2013. This is due to the time required to complete assessments and record and process data. Hence, this publication can only give a provisional picture. Future releases will revise the statistics shown in this publication.

Her Majesty's Courts and Tribunal Service (HMCTS) caseload data on appeals was not included in the last publication. Data is now available for appeal outcomes to September 2013 (new claims to March 2013). The next publication in March 2014 will include appeals data up to December 2013 (new claims to June 2013) in order to align with the Ministry of Justice quarterly publication of Tribunal Statistics release schedule.

Following alignment, 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. Statistics for offset quarters may found in the supplementary tables.

Please see the notes section for more detail.

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>.

Headline figures

Figures in this issue cannot reflect the final outcomes, because they do not include claims with no outcome yet recorded.

For these reasons 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. Allowing for these factors, overall statistics show a similar picture to that given in the last issue of 22nd October – please see the results section.

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). However, by excluding the effect of appeals this is likely to underestimate the proportion of claimants who will eventually be awarded the benefit.

Outcomes of completed initial assessments for claims started from January 2013 to March 2013 show:

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

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

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

An explanation of outcomes is given at 1.2, and more details are given at 2.5.1 in this document and Table 1a of the accompanying tables.

* Totals may not sum due to rounding.

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1. Information

1.1. Benefit introduction

On 27 October 2008, pre-existing benefits paid on grounds of incapacity and disability, that is Incapacity Benefit (IB), Severe Disablement Allowance (SDA) and Income Support (IS), were replaced with Employment and Support Allowance (ESA) for all new claimants. The new benefit is more aligned with Jobseeker's Allowance (JSA):

- placing greater emphasis on assessment of an individual's functional capabilities;
- providing support and encouragement to move claimants with health conditions towards employment; and
- paying at a pre-assessment rate equal to JSA.

Starting from October 2010 most claimants who receive IB, SDA and IS paid on the grounds of illness or disability will be assessed to see if they qualify for ESA.

The reassessment commenced with a trial in the Aberdeen and Burnley areas in October 2010. These trials provided an indication of claimant and staff reactions to the reassessment process and have been used to inform the national roll-out.¹ This started with a limited introductory phase at the end of February 2011 and reached full scale in April 2011.

This reassessment will not affect claimants if:

- they are entitled to ESA already; or
- they are due to reach State Pension age before 6 April 2014.²

1.2. Functional assessment

Whether as part of a new claim or the reassessment of incapacity benefit, a key part of the Employment and Support Allowance regime is the Work Capability Assessment process, which is used to assess capability for work and eligibility for benefit – please see 4.3 and 4.4. Within this the service contractor, Atos Healthcare, carries out any face to face assessment. They then make a recommendation for each claimant to the DWP's decision maker who in turn makes the final decision. A claimant can have three possible outcomes:

Individuals can be found fit for work –

in this case their claim closes and the claimant can move to JSA or the claim remains open pending recourse against the decision, via reconsideration from DWP or appeal to Her Majesty's Courts and Tribunal Service (HMCTS). If redress is sought, the pre-assessment rates remain until closure;

Individuals can be found to have limited capability for work –

in this instance they are allowed the benefit and placed in the Work Related Activity Group. Those in this group are not expected to work, but are provided with help and support to prepare for work where possible – please see 4.7. They receive a higher payment than those on JSA; and

Individuals can be found to have limited capability for work and in addition, limited capability for work related activity –

in this situation they are allowed the benefit and placed in the Support Group. Those in this group have the most severe functional impairments and so are provided with unconditional support and receive a higher premium than those in the Work Related Activity Group.

¹ See Adams, L. et al. (2011), 'Trial incapacity benefits reassessment: customer and staff views and experiences'. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/214515/rrep741.pdf

² The State Pension age for women will be between 61 years and 11 months and 62 years. For men it is 65 years.

Both Work Related Activity Group and Support Group claims run until the initial or latest ‘**prognosis period**’ ends, which is usually but not always a standard length of time such as 3, 6, 12, 18 or 24 months based on the individual claimant’s health and then have a repeat assessment.

1.3. Claimant journey

Figure A below depicts the process for new claims of Employment and Support Allowance – starting with the original claim, taking in the functional assessment, and ending with an initial decision, a decision after reconsideration or appeal, or a repeat decision after a prognosis period. These points form the basis for the analysis of this bulletin and its tables.

Figure A: Employment and Support Allowance new claims customer journey

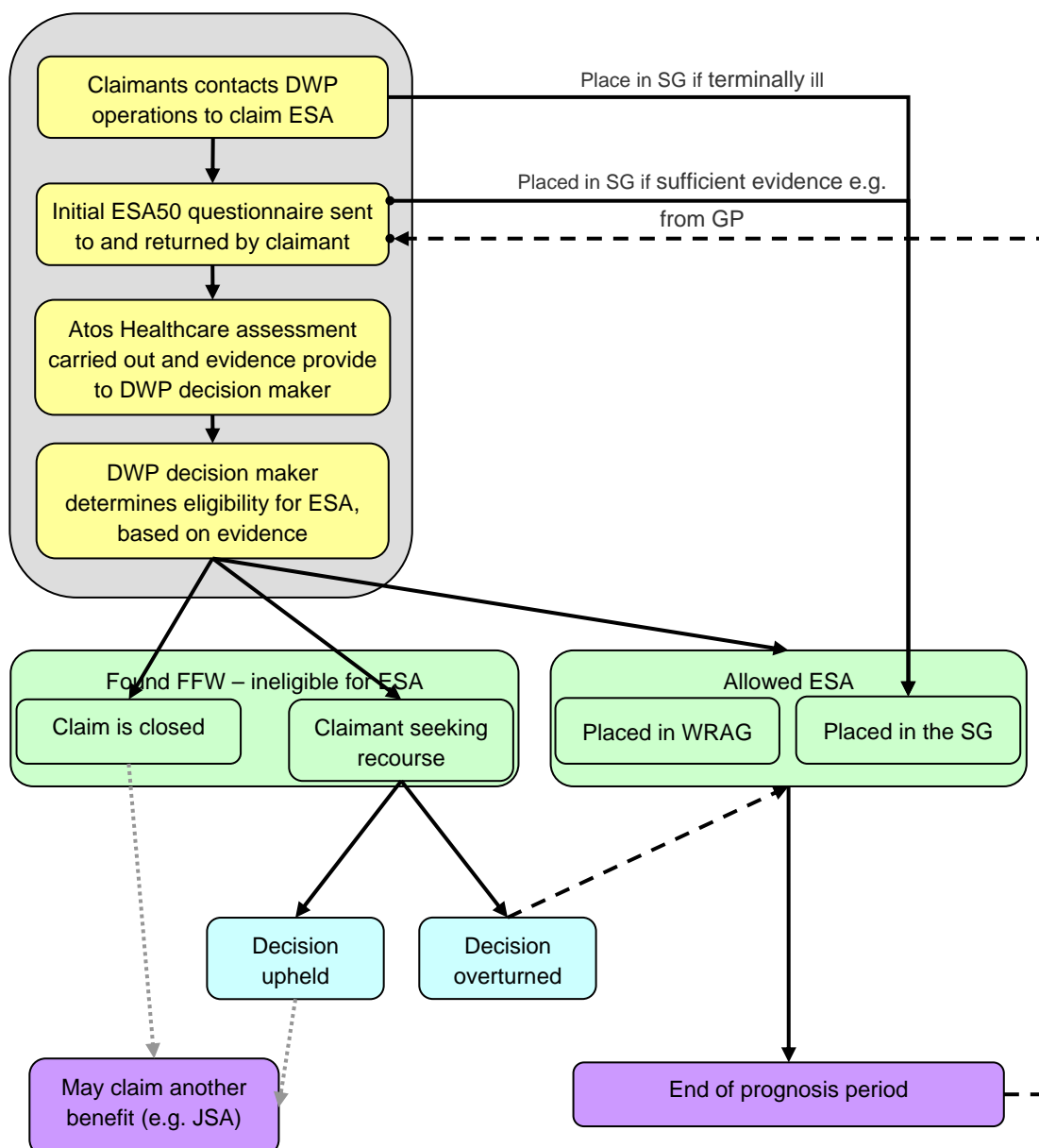
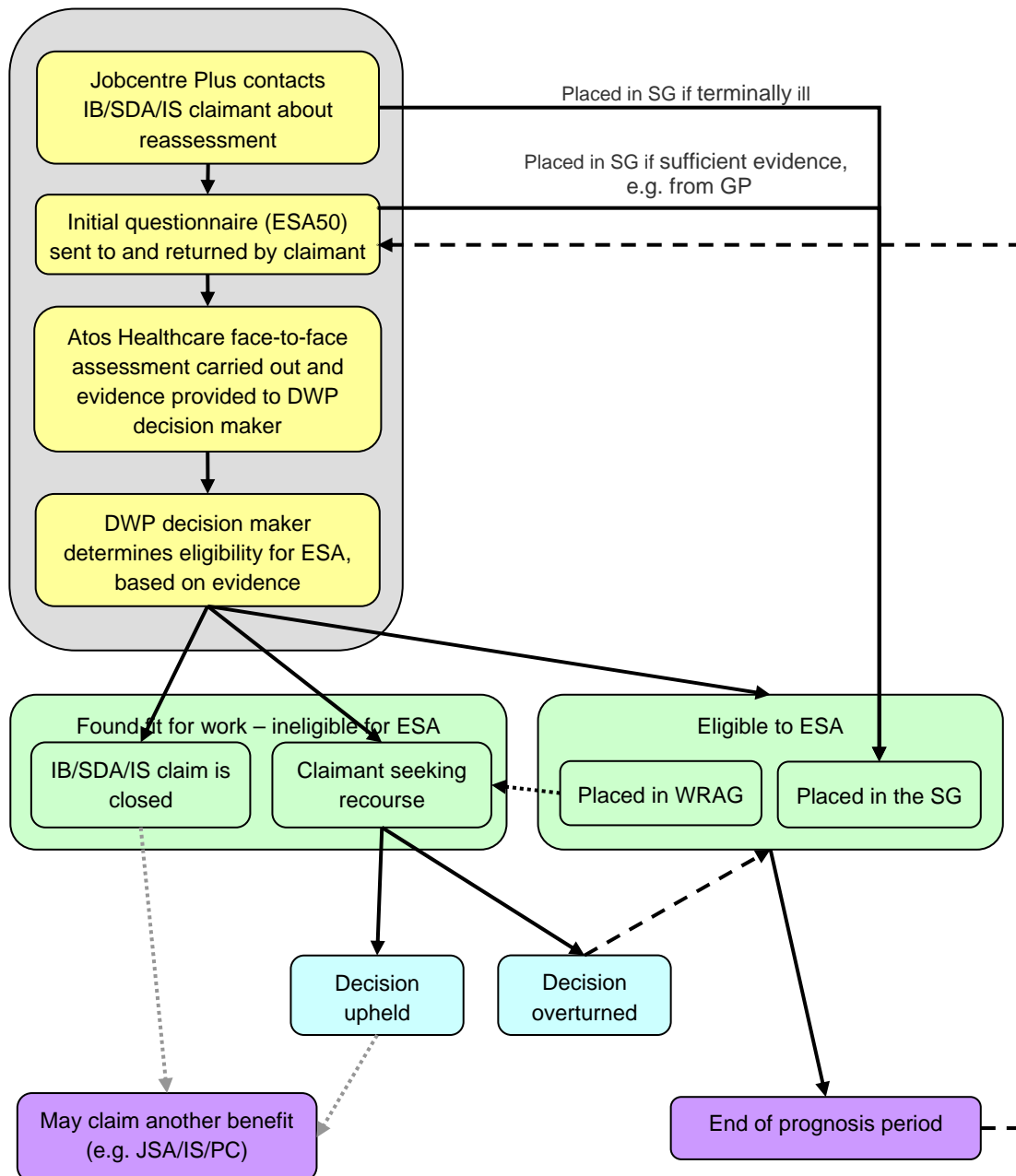


Figure B below depicts the process of incapacity benefits reassessments – starting with claimants being informed about the reassessment process, taking in the functional assessment, and ending with an initial decision, a decision after reconsideration or appeal, or a repeat decision after a prognosis period.

Figure B: High level reassessment journey



1.4. Decision-making basis

The decision on longer-term Employment and Support Allowance entitlement (after assessment) is based on functional impairment.

1.4.1. Reasons for Work Related Activity Group assignment

The possible recorded reasons for a claimant placement in the Work Related Activity Group are:

scored 15 points or more at the face to face assessment (due to physical functions or mental, cognitive and intellectual functions or a combination of both); or

medically diagnosed with non-functional descriptors or limited capability for work or a combination of both before or at the assessment.

Please see 4.5.2.

1.4.2. Reasons for Support Group assignment

The possible recorded reasons for a claimant placement in the Support Group are:

undergoing chemotherapy;

deemed to be mental or physical health risk;

having a pregnancy risk;

having a severe functional disability; and

being terminally ill, with a life expectancy of 6 months or less.

1.4.3. Non-specified reasons for allocation to either the Work Related Activity Group or Support Group

Some claims are clerically processed, where only a record of initial decision, and decision after reconsiderations or successful appeal, is available. For these cases there is no information on functional impairment – please see 4.5.2 and 4.5.3.

1.5. International comparability

This report breaks down the Employment and Support Allowance claims into the World Health Organisation's (WHO's) International Classification of Diseases, 2010 (ICD10).³ This enables some comparisons between countries – 4.6.2.

Northern Ireland has its own benefit system. However statistics for Northern Ireland WCA are not yet available due to issues with their ATOS data and are unlikely to be produce in the near future.

1.6. Closed and live claims

A sizeable percentage of **Employment and Support Allowance new claims** were closed before a face to face assessment took place and a small proportion were still in progress at the time the data were 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 would be the outcome of assessment. However, the DWP has published research⁴ that investigated why some cases closed before assessment. It found that: an important reason why ESA claims in the sample were withdrawn or closed before they were fully assessed was due to individuals recovering and either returning to work, or claiming a benefit more appropriate to their situation.

³ World Health Organisation (2011), 'International Classification of Diseases' <<http://www.who.int/classifications/icd/en/>>

⁴ Barnes, H. et al (2011), 'Unsuccessful Employment and Support Allowance claims – qualitative research' https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/214543/rrep762.pdf

2. Results

2.1. The bulletin

This bulletin and its tables present information on new claims for Employment and Support Allowance (ESA) 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 associated with this bulletin please use the following link

<https://www.gov.uk/government/publications/employment-and-support-allowance-work-capability-assessment-January-2014>

2.2. Lead statistic

The publication's focus is on claims started in January 2013 to March 2013 and appeals outcomes to September 2013.

The data is not available until at least 10 months in arrears because of time needed to:

enable processing of data sourced from inside the department and outside it from HMCTS and Atos 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 March 2013 are included.

2.3. Important notes

This issue of the statistical series:

Robust data is only available for claims made before end March 2013 and actions on them to September 2013. This is due to the time required to complete assessments, record and process data and align with the Quarterly Tribunals Statistics published by the Ministry of Justice. Hence, this publication can only give only a provisional picture. Future releases will revise the statistics shown in this publication.

Her Majesty's Courts and Tribunal Service (HMCTS) caseload data on appeals was not included in the last publication. Data is now available for appeal outcomes to September 2013 (new claims to March 2013). The next publication in March 2014 will include appeals data up to December 2013 (new claims to June 2013) in order to align with the Ministry of Justice quarterly publication of Tribunal Statistics release schedule.

2.4. Supplementary tables

To view the tables associated with this bulletin please use the following link

<https://www.gov.uk/government/publications/employment-and-support-allowance-work-capability-assessment-january-2014>

2.5. 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 – please see 1.3, for new claims for Employment and Support Allowance (ESA).

2.5.1. Initial outcomes – Table 1a

The initial assessment outcomes relate to the claimant's first assessment before any reconsiderations or appeals. 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 January to March 2013 shows:

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

The proportion entitled to Employment and Support Allowance has risen by 4 percentage points since the last quarter. The proportion assigned to the Work Related Activity Group has fallen by 2 percentage points and the proportion assigned to the Support Group has risen by 6 percentage points. 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:

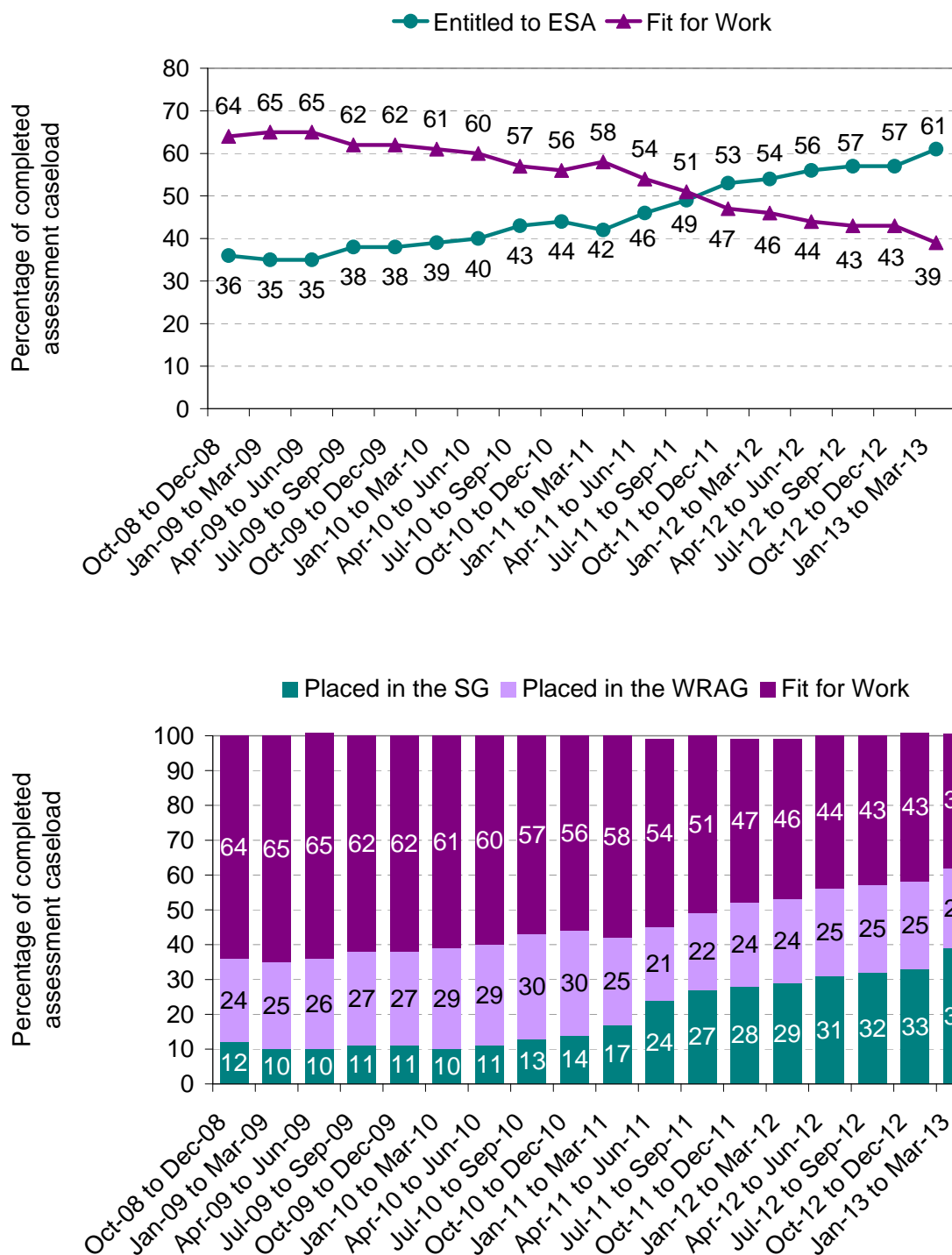
From the January 2009 to March 2009 quarter until the October 2010 to December 2010 there was a downward trend in claimants assessed as Fit for Work and an upward trend in eligibility for Employment and Support Allowance. In the quarter to January 2011 to March 2011 there an increase in claimants assessed as Fit for Work, followed by further decline in the proportion from April 2011 until September 2012. Most recently, in the quarter January 2013 to March 2013, the proportion assessed as Fit for Work has fallen again and is now at its lowest. The patterns could be attributed to;

changes in decision-making since the introduction of this new benefit. This would be consistent with other findings – please see 2.5.3 and 2.5.4;

a combination of changes to the Work Capability Assessment, including implementation of the Department-led review and others following implementation of the first Work Capability Assessment independent review's recommendations;

there may also be other undetected factors at work.

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



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

Overall 62 per cent of total claims in the latest quarter (between January 2013 to March 2013) have either not reached or completed the Work Capability Assessment process, within this 35 per cent were closed before a decision was made and 27 per cent were still in progress. It is difficult for anything conclusive to be said about the destinations of such cases. However, DWP commissioned research that found that an important reason why claimants moved off the benefit before they were fully assessed was that their health improved – please see 1.6.

2.5.3. 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 April 2013 to June 2013 shows:

- 59 per cent of claimants were entitled to Employment and Support Allowance. Within this –
 - 25 per cent of claimants were placed in the Work Related Activity Group, and
 - 35 per cent of claimants were placed in the Support Group; and
- 41 per cent of claimants were assessed as Fit For Work.

This represents an increase of 5 percentage points in the proportion entitled to Employment and Support Allowance compared with the previous quarter; the proportion assigned to the Work Related Activity Group risen by one percentage point whilst the proportion assigned to the Support Group saw an increase of 5 percentage points. There is a corresponding decrease of 5 percentage points in the proportion of cases found fit for work compared with the last quarter.

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

From April 2009 to September 2011 there was a steady decline in the trend of those being assessed as Fit for Work and a corresponding increase in those assessed as being entitled to Employment and Support Allowance, this could be due to

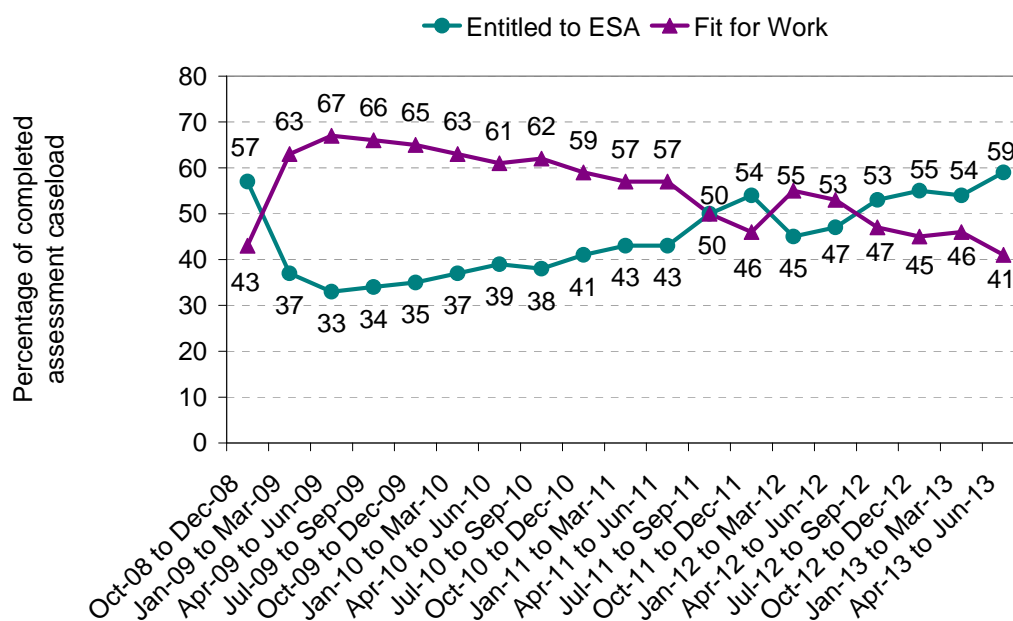
a combination of changes to the Work Capability Assessment, including implementation of the Department-led review and others following implementation of the first Work Capability Assessment independent review's recommendations.

Recent months have seen some fluctuations in the trends which could be due to;

the higher number of assessments still in progress in the previous period. Shorter processing times for Support Group cases meaning those decisions may have been completed earlier than those resulting in Fit for Work or Work Related Activity Group outcomes;

These statements should not be interpreted to mean that the above is the only explanation – there may be other unknown causes at work as well.

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



2.5.4. Initial outcomes adjusted following appeal – Tables 3 and 4

The statistics on initial outcome can be adjusted to reflect the results of appeals. To date, 37 per 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 July 2012 to September 2012 shows:

- 77 per cent of initial Fit For Work decisions appealed against were upheld after challenge; and
- 23 per cent of initial Fit For Work decisions appealed against were overturned after challenge.

This represents a 5 percentage point increase in the proportion of appeals on Fit For Work decisions upheld and a corresponding 5 percentage point decrease in the proportion overturned compared to the previous quarter. However this comparison should be treated with caution as, although statistical outputs are presented to September 2012, 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 the 9 per cent of Fit for Work decisions with a completed appeal in this period.

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. However, the proportions for more recent months are likely to change when the outcomes of appeals still to be heard are included. Hence, caution should be applied before drawing conclusions from the more recent periods.

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

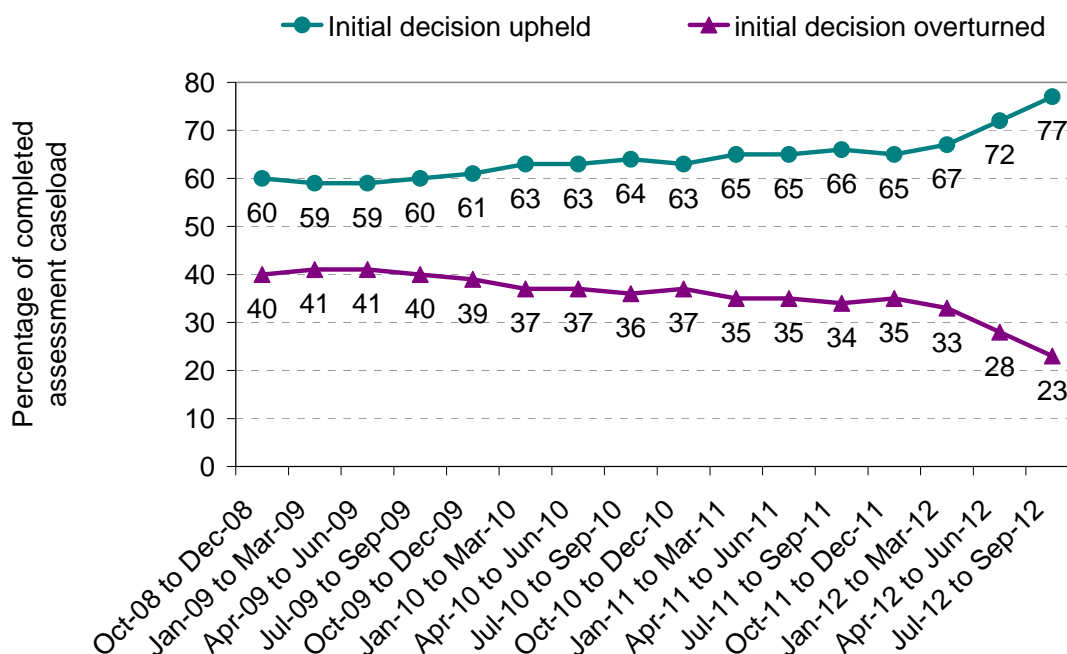


Table 4 on outcomes of completed initial assessments adjusted to account for outcomes after appeals relating to claims started in the period from January 2013 to March 2013 shows:

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

The proportion entitled to Employment and Support Allowance has risen by 4 percentage points compared with the previous quarter; there is a fall of 2 percentage point in the proportion assigned to the Work Related Activity Group and the proportion assigned to the Support Group has risen by 6 percentage points. The proportion of cases found fit for work compared with the last quarter has fallen by 4 percentage points. 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.

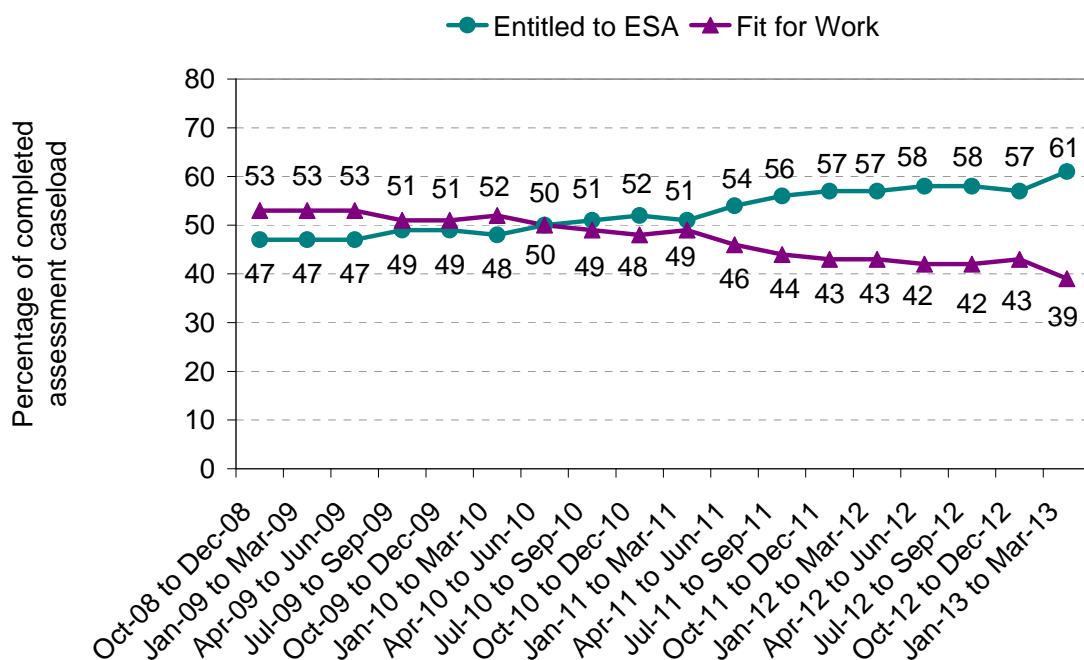
Figure 4 below shows the time series of Table 4 where:

There are broadly flat trends in the fitness for work and eligibility for Employment and Support Allowance. In recent quarters, the proportion assessed as being Fit for Work and the proportion assessed as eligible to claim Employment and Support Allowance have remained relatively stable. In the most recent quarter the proportion assessed as Fit for Work has decreased. It is important to note that however, the proportions for more recent months are likely to change when the outcomes of appeals still to be heard are included;

Changes in trend could also be affected by a combination of changes to the Work Capability Assessment, including implementation of the Department-led review and others following implementation of the first Work Capability Assessment independent review's recommendations;

there may also be other unknown causes at work.

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



Comparisons before and after appeals show:

there are differences between trends in Figures 1 and 2, outcomes before appeals, and Figure 4, outcomes after appeals. It is hard to conclusively attribute this to particular causes but it –

might be the fact that not all claimants in more recent periods have had their appeals heard. It could be as more appeals are completed for more recent periods that trends in Figure 4 will change;

trends in decisions before appeals – as described in figure 1 and 2 – might have an impact on the appeals process and trends observed in figure 4;

there may also be other undetected factors at work.

2.5.5. Repeat outcomes by assessment date – Table 2b

Repeat outcomes are those for the claimant's subsequent assessments after a prognosis 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 22% 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 April 2013 to June 2013 shows:

- 84 per cent of claimants were entitled to Employment and Support Allowance. Within this –
 - 37 per cent of claimants were placed in the Work Related Activity Group, and
 - 47 per cent of claimants were placed in the Support Group; and
- 16 per cent of claimants were assessed as Fit For Work.

Figure 3 below shows the time series of Table 2b where:

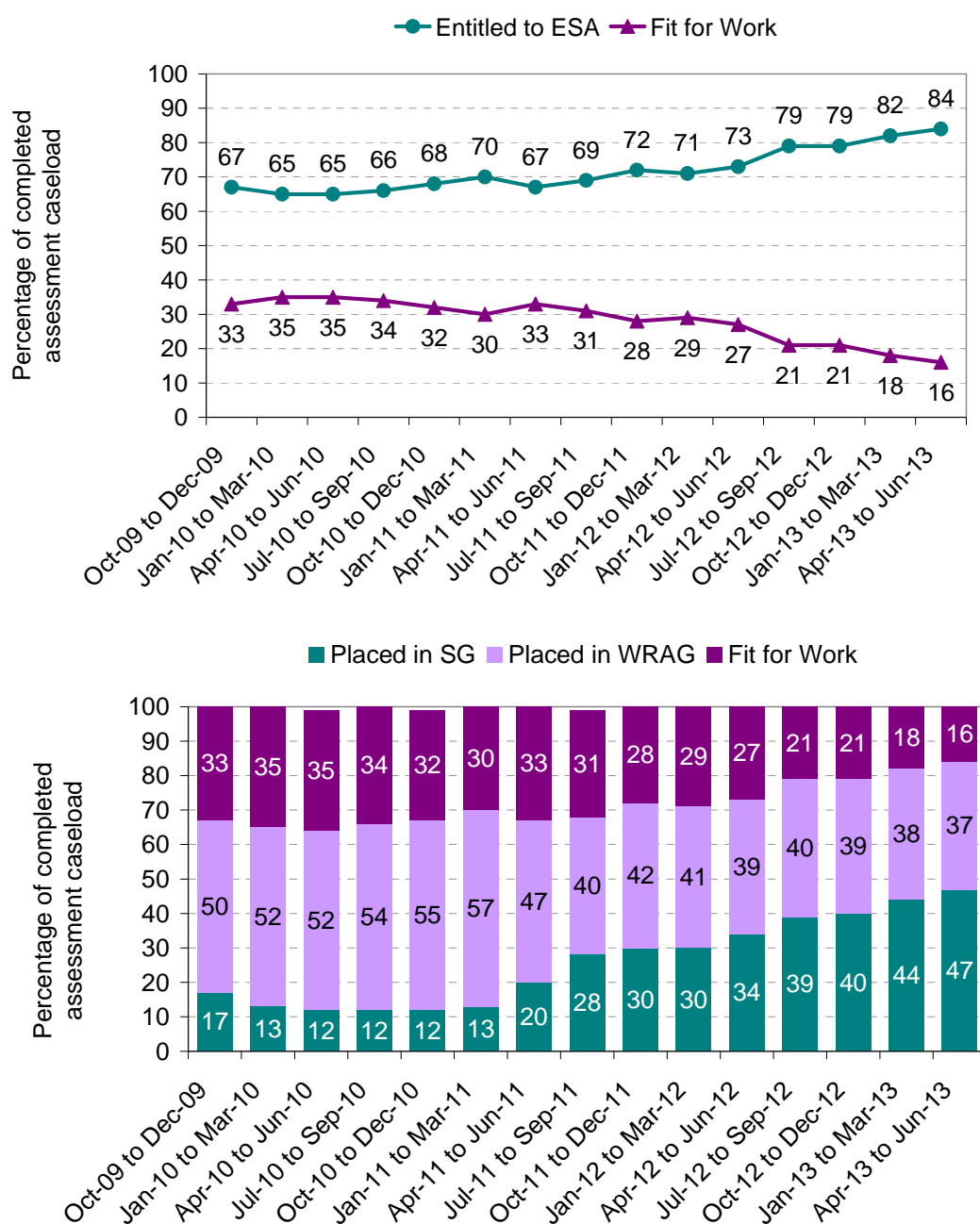
there is no clear trend in entitlement for the majority of the series, however recent quarters show an increase in those entitled to Employment and Support Allowance and corresponding decrease in those found fit to work. There is more of a pattern in placement into groups after the bedding down of the benefit, with distinct growth in the Support Group and decline in the Work Related Activity Group from April 2011, and this –

might be again due to changes made to the WCA based on reviews outlined above;

is likely to be due to an increasing proportion of longer-term claims (e.g. claimed re-assessed from Incapacity Benefit) reaching repeat assessment.

These statements should not be interpreted to mean that the above are more than likely factors on the series – there may be others at work as well.

Figure 3: Outcome of repeat functional assessment by date of assessment, Great Britain



2.5.6. 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 22% of repeat assessments cases originally migrated from incapacity benefits.

Table 1b on outcomes of completed repeat assessments of claims started in the period from January to March 2013 shows:

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

- 10 per cent of claimants were assessed Fit For Work.

Note that:

outcome of repeat assessments are more often entitlement to ESA, 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; and

as this table shows outcomes of repeat functional assessments by the calendar month that the ESA entitlement began. The numbers for the most recent months show statistics for people who have had a repeat assessment soon after their initial claim.

2.6. 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.

This allows the readers to understand the Employment and Support Allowance eligibility and allocation – please see 3.4.

2.6.1. 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.

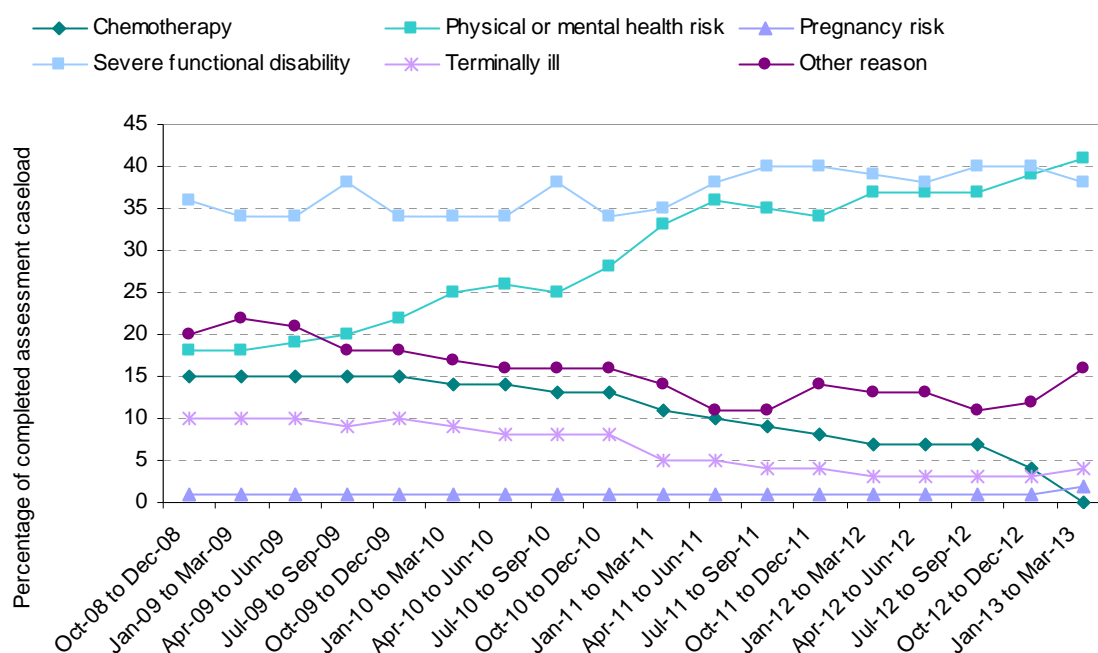
Figure 4 below shows the breakdown of Table 5 where:

There has been an increase in the proportion of cases being assigned to the Support Group due to there being a physical or mental health risk, terminally ill, pregnancy risk and in the 'other' category. There has been a decrease in the proportion of cases being assigned to the Support Group due to severe functional disability and chemotherapy. This –

might be due to a change in the way the results are classified.

might be that this is at least partly due to a combination of changes to the Work Capability Assessment, including implementation of the Department-led review and others following implementation of the first Work Capability Assessment independent review's recommendations.

Figure 4: Support Group at functional assessment initially or after appeal split into reasons for assignment from October 2008 to March 2013, Great Britain



2.6.2. 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 any reconsiderations or appeals) 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. To note, the numbers in this table will not sum to 100 per cent horizontally because some claimants will have more than one impairment.

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

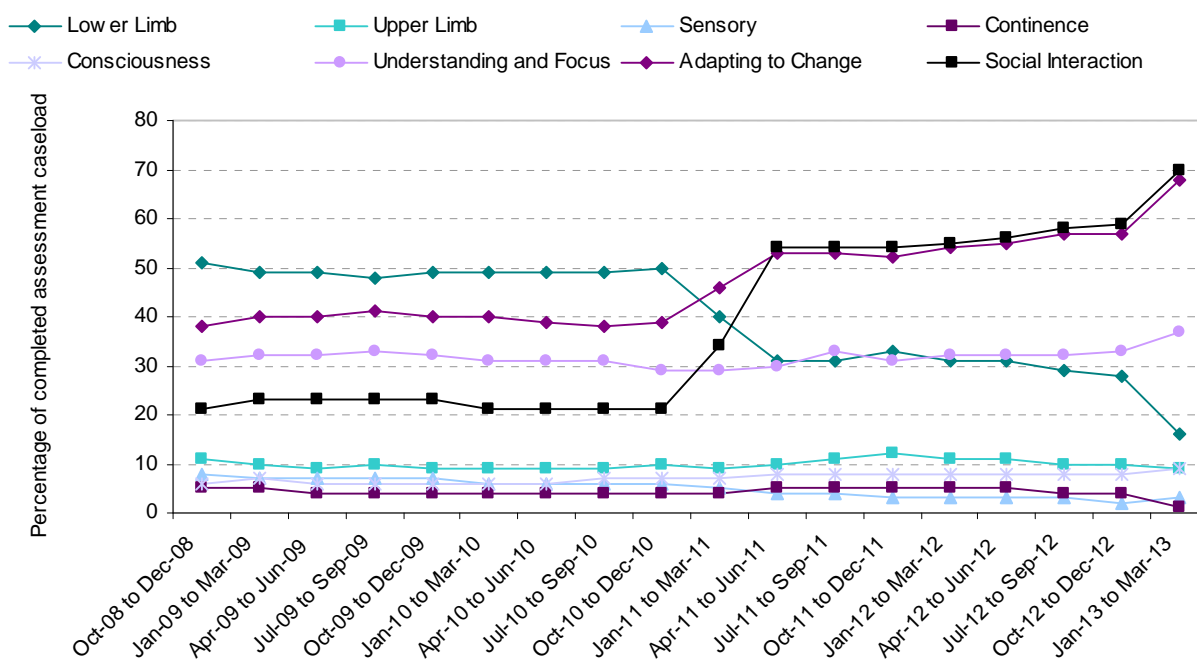
Table 8 in the supplementary tables is for claimants placed into the Work Related Activity Group after the initial assessment. It divides all Work Related Activity Group assessments between October 2008 and March 2013 for claimants scoring 15 points or more by functional impairments. These results are only for cases where the assessment process has been completed, and therefore exclude all claims closed before assessment and those still in progress.

Figure 5 below shows the breakdown of Table 8, (to note, these figures will not sum to 100 per cent because some claimants will have multiple impairments) where:

There has been an increase in the proportion of cases being assigned to the Work Related Activity Group due to Social Interaction reasons, Adapting to Change, Understanding and Focus, Consciousness and Sensory issues. There has also been a decrease in the proportion of cases which have been assigned due to Continence and Upper and Lower Limb issues. This –

is likely to be the result of the implementation of the Department-led review. See section 3.3.1.

Figure 5: Work Related Activity Group (15 points or more) at initial functional assessment split into functional impairments by date of claim start from October 2008 to March 2013, Great Britain



2.6.4. 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. To note, the figures in this table will not sum to 100 per cent horizontally because some claimants will have more than one impairment.

3.1 Reassessment of incapacity benefit

146,100 incapacity benefits claimants have been referred for reassessment in the period from January 2013 to March 2013. Since the start of the reassessment process up to March 2013 a total of 1,078,200 incapacity benefits claimants had been referred for reassessment.

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

In the period from January 2013 to March 2013, 12 per cent of incapacity benefits claims that were referred for reassessment had not completed the WCA process by September 2013; of these 3 per cent were closed before a decision was made and 9 per cent were still in progress.

3.1.2 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 ESA claims can be explained by different claimant journeys covered in the statistical releases. For reassessed claims the total process is shorter, as the statistics only show reassessed claims once they have been referred to Atos Healthcare. For new ESA claims the statistics also include the period covering the initial contact of a claimant to set up an ESA claim. For reassessed claimants this part of the claimant journey does not apply as they already have established benefit claims for IB, SDA or IS. 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.

3.1.3 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 January 2013 to March 2013 shows:

- 84 per cent of claimants were entitled to ESA. Within this –
 - 34 per cent of claimants were placed in the WRAG, and
 - 51 per cent of claimants were placed in the SG; and
- 16 per cent of claimants were assessed as FFW.

3.1.4 Comparison with the initial outcomes of new ESA claims

These figures show a higher proportion of claims entitled to ESA than for new ESA claims.

It is *likely* that IB, SDA and IS claimants being reassessed for ESA differ from new ESA 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.

3.1.5 Comparison with previous figures

The above figures represent an increase of 3 percentage points in the proportion entitled to ESA compared with the previous quarter. The proportion of those assigned to the WRAG declined by 4 percentage points, whereas the proportion assigned to the SG increased by 8 percentage points.

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.

3.1.6 Outcomes of reassessments by region and local authority – Table 11

Table 11 shows a breakdown by government office region and local authority for all incapacity benefits claimants that were referred for reassessment before the end of March 2013. Decisions

made on these claims up until September 2013 are included in these statistics.

Notes

4.1 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 given below:

DWP policy statements

Detailed policy and methodology relating to this Bulletin will be available via

<https://www.gov.uk/government/publications/employment-and-support-allowance-work-capability-assessment-january-2014>

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>

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

The Dissemination Team
Information, Governance and Security Directorate
Department for Work and Pensions
Room BP5201
Benton Park Road
Longbenton
NEWCASTLE UPON TYNE
NE98 1YX

Users can also join the “Welfare and Benefit Statistics” community at: <http://www.statsusernet.org.uk>.

4.2 Benefit eligibility

Employment and Support Allowance (ESA) 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>

On 27 October 2008, pre-existing benefits paid on grounds of incapacity and disability, that is Incapacity Benefit (IB), Severe Disablement Allowance (SDA) and Income Support (IS), were replaced with ESA for all new claimants. Claimants already in receipt of these benefits at the said date could remain on those benefits (if they continued to satisfy the rules of entitlement) until their

claims are reassessed to see if they qualify for ESA.

IB and IS

IB is a contributory benefit payable if the claimant had paid sufficient National Insurance (NI) contributions. People without sufficient NI contributions could claim IS on grounds of incapacity instead. IS could be paid on its own or it could top up IB.

Eligibility for IB and IS was assessed under the Personal Capability Assessment (PCA). The PCA was a points-related assessment of the extent to which a claimant's condition affected their ability to perform a range of activities. It consisted of two parts: a physical/sensory assessment and a mental health assessment. The WCA was a logical development of the PCA.

SDA

Some claimants still get SDA due to being severely disabled and incapable of work before April 2001.

4.2.1 Claimant conditions

Employment and Support Allowance can be awarded on the basis of low income or National Insurance (NI) contributions:

Income-related Employment and Support Allowance (ESA-IR) – in this instance a claimant may be entitled to claim the benefit (regardless of how much they have paid by way of NI contributions), if they satisfy the conditions relating to financial position. This means they must have savings of less than £16,000, and if they have a partner or civil partner, this person must work for less than 24 hours per week on average; and

Contributory Employment and Support Allowance (ESA-C) – in this case a claimant may be entitled to claim contributory Employment and Support Allowance if they have paid enough NI contributions. From May 2012, the Welfare Reform Act 2012, introduced a time limit to ESA-C to 12 months for those in the Work Related Activity Group; however those exhausting ESA-C may still be eligible for ESA-IR if they meet the conditions.

Note that those entitled to ESA-C in the Support Group and ESA-IR: Work Related Activity Group and Support Group claimants are not subject to this time limit.

Starting in October 2010, most claimants who receive IB, SDA and IS paid on the grounds of illness or disability will be assessed to see if they qualify for ESA. If they qualify for ESA their IB, SDA or IS claim is converted into an ESA claim. For claimants who were previously in receipt of IB or SDA, their benefit will be converted to contributory ESA; if they were previously in receipt of IS their benefit will be converted to income-related ESA. In the same way as with IB, contributory ESA can be paid with an income-related top up and a transitional addition if appropriate.

4.2.2 Youth provision

Prior to May 2012, special ESA-C provisions applied for certain young people. To get this, a claimant needed to be aged between 16 and 20 (or under 25, if in education or training at least 3 months immediately before turning 20). Entitlement was based on inability to work because of health for at least 28-weeks, and having been resident and present in Great Britain for 26-out-of-52-weeks prior to the claim. From May 2012, the Welfare Reform Act 2012 abolished this provision and all new claims of this kind are now subject to the same ESA-C conditions.

4.2.3 Overseas claimants

A person living or working abroad may be entitled to claim Employment and Support Allowance. To do this a claimant might have paid enough UK NI Contributions in the past or the equivalent in certain other countries – either a country within the European Economic Area or one that has a reciprocal

social security agreement with the UK; or else they might have worked abroad for an employer based in the UK and paid NI contributions for the first 52 weeks of that employment.

IB and SDA claimants living overseas will have their claims reassessed following broadly the same process as that for UK residents. However, there are some differences both in the process and in the options available to overseas customers after a decision has been made.

4.3 Benefit structure – ESA new claims

Time on Employment and Support Allowance is divided into two phases by the process of assessing work capability.

4.3.1 Assessment phase (this lasts 13 weeks)

When a claimant first applies for the benefit, they are put into the assessment phase. During this time, they are assessed through the Work Capability Assessment process. Individual claimants do not have to engage in work-related activity. They receive benefit paid at the assessment phase rate (equivalent to JSA personal allowances).

While in the assessment phase, the claimant has to provide up-to-date medical certification of their disability or illness, and is assessed against the criteria set out in legislation. Most of them are sent a limited capability for work questionnaire (also known as the ESA50) and following completion are invited to a face to face assessment carried out by a trained healthcare professional (HCP) working for Atos Healthcare. However, depending on the severity of an individual's condition some claimant journeys will differ; for example those who are terminally ill or otherwise have sufficient medical evidence are fast-tracked into the Support Group on the basis of paper evidence rather than having an assessment.

Information gathered through the questionnaire and the face to face assessment, together with any other evidence provided by the claimant, is used by the DWP's decision maker to determine their eligibility for Employment and Support Allowance main phase.

4.3.2 Main phase (outcomes of the Work Capability Assessment process)

After the face to face assessment, a claimant can have three possible outcomes:

Individuals can be found fit for work –

in this case their claim closes and the claimant can move to JSA or it remains open pending recourse against the decision, via reconsideration from DWP or appeal to HMCTS. If redress is sought, the pre-assessment rates remain until closure;

Individuals can be found to have limited capability for work –

in this instance they are allowed the benefit and placed in the Work Related Activity Group. Those in this group are not expected to work, but are provided with help and support to prepare for work where possible. They receive a higher rate of payment than those on JSA; and

Individuals can be found to have limited capability for work and in addition, limited capability for work related activity –

in this situation they are allowed the benefit and placed in the Support Group. Those in this group have the most severe functional impairments, and so are provided with unconditional support and receive a higher premium than those in the Work Related Activity Group.

4.3.3 Repeat assessments

All claimants in the Work Related Activity Group and Support Group are given a prognosis of when

they may be fit for work. Individuals are then reassessed through repeat assessments after the initial or last prognosis period expires.

The interval between assessments is usually but not always a standard length of time such as 3, 6, 12, 18 or 24 months based on the claimant's health. This is to ensure that they are still eligible for Employment and Support Allowance and are allocated to the correct group. Around 15% of repeat assessments cases originally migrated from incapacity benefits.

4.4 Benefit structure – reassessment of incapacity benefits

IB, SDA and IS claimants are assessed through the WCA process to determine their capability for work and eligibility for ESA whilst still on their current benefit. Customers who qualify for conversion to ESA will move directly into the 'main phase' of ESA – please see 4.3.2

They will immediately be placed in either the WRAG or SG, receiving the relevant personal allowance and component and transitional addition if appropriate.

4.3.1 Reassessment of IB, SDA and IS claims

IB, SDA or IS claimants are informed by Jobcentre Plus when their benefit becomes due for reassessment. The date of a claimant's assessment will be based on the review date of their PCA – please see 4.2. Claimants exempt from undertaking a PCA will have a review date set by Jobcentre Plus.

Claimants will then be assessed through the WCA process. As part of the WCA process claimants are sent a limited capability for work questionnaire (ESA50) and following completion may be invited to a face to face assessment carried out by a trained healthcare professional working for Atos Healthcare. However, depending on the severity of an individual's condition some claimant journeys will differ; for example those who are terminally ill or otherwise have sufficient medical evidence are fast-tracked into the SG on the basis of paper evidence rather than having a face-to-face assessment.

The WCA was developed by medical and technical experts alongside disability organisations. It is subject to continuous review, and has already been reviewed. This assessment process identifies a variety of different reasons for the placement of claimants in the WRAG and SG.

Information gathered through the questionnaire and any face to face assessment, together with any other evidence provided by the claimant, is used by the DWP's decision maker to determine whether their IB, SDA or IS claim is converted into an ESA claim.

4.3.2 Outcomes of the WCA process – Main phase

The WCA process can have three possible outcomes for an IB, SDA or IS claimant:

Individuals can be found fit for work –

in this case their IB, SDA and/or IS claim closes. The claimant may be entitled to JSA, IS on grounds other than incapacity for work, or PC. If the claimant disagrees with the decision they can ask the DWP decision maker to reconsider the decision or appeal to HMCTS. ESA can be paid at the assessment phase rate pending the outcome of the appeal;

Individuals can be found to have limited capability for work –

in this instance their IB, SDA or IS claim is converted into an ESA claim and they are placed in the WRAG. Claimants in the group are expected to take part in WFIs with their personal adviser. They are not expected to work, but are provided with help and support to prepare for work and eventually move into work where possible. Claimants can ask for the placement into the WRAG to be reconsidered, or appealed; and

Individuals can be found to have limited capability for work and in addition, limited capability for work related activity –

in this situation their IB, SDA or IS claim is converted into an ESA claim and they are placed in the SG. Those in this group have the most severe functional impairments and so are provided with unconditional support and receive a higher rate of benefit than people in the WRAG.

4.3.3 Repeat assessments

All claimants in the WRAG and SG are given a prognosis of when they may be fit for work. Individuals are then again assessed through repeat assessments after the prognosis period expires. Similar reconsideration and appeal arrangements apply where claimants disagree with the decision to that described in the previous paragraph.

The interval between assessments is usually but not always a standard length of time such as 3, 6, 12, 18 or 24 months based on the claimant's health. This is to ensure that they are still eligible to ESA and are allocated to the correct group.

4.5 Work Capability Assessment development

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

4.4.1 Department-led review

A Department-led review of the Work Capability Assessment began in March 2009 and engaged with medical and other experts and disability representative groups. It was published on 29 March 2010 and made some recommendations for how the Work Capability Assessment could be developed. The review's recommendations included:

- making greater provision for individuals awaiting or between courses of chemotherapy;
- making greater provision for individuals receiving residential treatment for drug or alcohol misuse;
- expanding the Support Group to cover more people with certain communication problems and severe disability due to mental health conditions;
- taking greater account of how an individual has adapted to a condition or disability; and
- simplifying the language of the descriptors to ensure fair, consistent and transparent application.

These changes were implemented on 28 March 2011.

4.4.2 Revision of the functional assessment

Following the department-led review of the Work Capability Assessment, revised criteria were introduced on 28 March 2011. Claimants who received the limited capability for work questionnaire at or after 14 March 2011 were assessed under the new criteria. What this means is that between March and June 2011 the majority were assessed under the revised criteria.

4.4.3 Independent reviews of the Work Capability Assessment

The Government has a statutory commitment to independently review the Work Capability Assessment annually for the first five years of its operation. The first four reviews have been undertaken and published.

In the first review, published in November 2010, Professor Harrington made a series of practical recommendations for improving the Work Capability Assessment, all of which the Government has accepted and now implemented. These include:

- improving the way Jobcentre Plus communicates with claimants;
- introducing mental, cognitive and intellectual 'champions' into assessment centres to improve the assessment of these functions;
- empowering and improving training for decision makers; and
- improving the transparency of the process.

In the second review, published in November 2011, Professor Harrington (while satisfied that the department has taken the advice in his first review) made further recommendations to improve the WCA's fairness and effectiveness. The Government has endorsed Professor Harrington's second review; and accepted the majority of its recommendations. For the remainder they conducted work to assess the feasibility and implications of the remaining recommendations and have now accepted these.

In the third review, Professor Harrington set out a series of recommendations to the Government which complement the recommendations from his first and second reviews. The Government welcomed Professor Harrington's findings and recommendations and has responded with how it will work towards achieving all of Professor Harrington's recommendations.

On 26 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. Dr Litchfield replaces Professor Malcolm Harrington, who carried out the first 3 independent reviews of the Work Capability Assessment.

In the fourth independent review, published in December 2013, Dr Litchfield has made 32 recommendations to the Department to improve the WCA and 5 further recommendations to the Department for Social Development in Northern Ireland. The key findings and recommendations from his report are around simplifying the WCA process, improving the way people going through an assessment feel they are treated, improving decision making and improving knowledge of mental health for Decision Makers and Healthcare Professionals.

The Government has welcomed Dr Litchfield's recommendations and is currently carefully considering them before publishing a response in the first quarter of 2014.

Background and full text of reports are on the departmental website at the following links:

<https://www.gov.uk/government/policies/simplifying-the-welfare-system-and-making-sure-work-pays/supporting-pages/improving-the-work-capability-assessment>

4.5 Assignment information

4.5.1 Reason for group placement

The tables below detail some of the reasons for placement into the Work Related Activity Group or Support Group. The reasons offered below are merely inferences based on the claimant's medical condition and their assessment decision. This is because Employment and Support Allowance entitlement and allocation is not based on the condition of the claimant but instead is based on the effect that this has on their ability to work. For example an individual will not qualify simply because they have arthritis, but could qualify if their condition means they have severe difficulty holding a pen.

4.5.2 Reasons for assignment to the Work Related Activity Group

Figure L below provides potential reasons for placement in the Work Related Activity Group with descriptions.

Figure L: Reason for placement in the Work Related Activity Group

Reason	Explanation
15 points or more	<p>This is where claimants score 15 points or more against the functional descriptors laid down in legislation. This award is based on the following functional impairment descriptors:</p> <p><u>Physical functions</u></p> <p>Lower limb – inability to mobilise, stand, sit;</p> <p>Upper Limb – inability to reach, pick up and/or lack of other manual dexterity;</p> <p>Sensory – inability to make self understood, understand communication or navigate safely</p> <p>Continence – limitation of control over the bladder and bowel;</p> <p>Consciousness – involuntary loss of consciousness;</p> <p><u>Mental, cognitive and intellectual functions</u></p> <p>Understanding and focus – this relates to inability to learn tasks, to be aware of hazards, inability to initiate and complete tasks;</p> <p>Adapting to change – this is to do with inability to cope with changes to routine, to get about; and</p> <p>Social Interaction – this relates to inability to deal with other people.</p> <p>Note that scoring 15 points or more is the most prevalent reason for being in the WRAG.</p>
Medical reasons	<p>This combines claimants with non-functional descriptors or those treated as limited capability to work at assessment. This award can be based on the following non-functional impairments:</p> <p>suffering from a life-threatening disease – this is where there is medical evidence that the disease is uncontrollable or uncontrolled by a recognised therapeutic procedure, and in the case of a disease that is uncontrolled there is a reasonable cause for it not to be controlled by a recognised therapeutic procedure; and</p> <p>suffering from some specific disease or bodily or mental disablement – this is whereby reasons of such disease or disablement, there would be a substantial risk to the mental or physical health of any person if they were found not to have limited capability for work.</p> <p>It can also be based on the following limited capability to work:</p> <p>undergoing regular treatment - this means receiving regular weekly treatment, such as by way of haemodialysis for chronic renal failure, treatment by way of plasmapheresis or by way of radiotherapy, or by way of total parenteral nutrition for gross impairment of enteric function;</p> <p>undergoing medical or other treatment as an in-patient to a hospital or similar institution;</p> <p>recovering from treatment as an in-patient to a hospital or similar institution;</p> <p>undergoing pregnancy and in receipt of Maternity Allowance with an ESA top-up;</p> <p>during a period of confinement for pregnancy; and</p> <p>pregnant where there is a risk of harm to the mother and/or child.</p>
Clerical assessment	<p>This is where the Atos Healthcare recommendations are recorded clerically. In such cases, WRAG assignment is determined from the DWP decision maker information only, and so no more detail about the nature of the health situation is recorded on the database.</p>
At reconsideration	<p>There are some cases because they come after DWP reconsiderations that are recorded clerically. Once again in such cases, WRAG assignment is determined from the DWP decision maker information only, and so no more detail about the nature of the health situation is recorded on the database.</p> <p>Here the Atos Healthcare recommendations may differ from the DWP decision, or else recommendation might have changed but the revision is not on the system.</p>
After appeal	<p>This is where a small number of cases because they come after appeals to HMCTS in favour of the claimant are recorded clerically. Once more in such cases, WRAG assignment is determined from the DWP decision maker information only, and so no more detail about the nature of the health situation is recorded on the database.</p> <p>Here the Atos Healthcare recommendations may differ from the DWP decision (after appeal process). Note that claimants initially found FFW in the process of appealing remain in this category for the purpose of statistical outputs until their cases are heard.</p>

The GOV.UK website provides a broad explanation at the following link, including a document explaining the functional impairments in further detail:

<https://www.gov.uk/employment-support-allowance/overview>

http://www.direct.gov.uk/prod_consum_dg/groups/dg_digitalassets/@dg/@en/@disabled/documents/digitalasset/dg_177366.pdf

4.5.3 Reasons for assignment to the Support Group

Figure M below provides potential reasons for placement in the Support Group with descriptions.

Figure M: Reason for placement in the Support Group

Reason	Explanation
Chemotherapy	This is where claimants are receiving certain types of chemotherapy, which qualifies them for the SG. This award is based on the following limited capability to work at assessment: receiving treatment by way of intravenous, intraperitoneal or intrathecal chemotherapy or is likely to receive such treatment within the next 6 months; or recovering from intravenous, intraperitoneal or intrathecal chemotherapy treatment.
Physical or Mental Health Risk	This is where regulations allow that in 'exceptional circumstances' claimants be put into the (WRAG or) SG, if there would be serious risk to the mental or physical health of any person were they found FFW (and they do not meet the usual criteria for WRAG or SG).
Pregnancy Risk	This is where pregnant claimants are put in the SG, if there is a serious risk to her own health or that of the unborn child were they found FFW.
Severe disability	This is where claimants meet the functional criteria for the SG, covering physical and mental capacity
Terminally ill	This is where claimants are diagnosed as terminally ill with a prognosis of 6 months or less.

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/ukxi/2008/794/contents/made?view=plain>

4.6 Health conditions

4.6.1 Medical information

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 (GP'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.

4.6.2 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/>

4.7 Employment support

After the assessment, support is offered to help individual's back into work, irrespective of whether the claimants were placed in the Work Related Activity Group, moved to JSA, or placed in the Support Group.

4.7.1 The Work Programme (WP)

The mainstream provision that claimants can access is the Work Programme. This is a personally tailored and fully contracted-out employment programme delivered through a mixture of private and voluntary (third) sector organisations. Providers are free to design support based on individual and local need and will be paid primarily for supporting claimants into employment and helping them stay employed, with higher payments for supporting the hardest to help.

The shape of the intervention:

Work Programme providers are required to provide a summary in their tender of the minimum service offer for groups, and their bids were partly assessed on the strength of them. These service levels are made public and subject to scrutiny so that anyone can judge delivery against them, and the department also hold providers to their minimum offers. This may mean that support provided will vary from provider to provider and from claimant to claimant dependent on need; and

all claimants will be attached to the Work Programme for 2 years or until the provider has received all the payments for keeping them off benefit and in sustainable employment. This is to incentivise helping the benefit recipient stay in employment rather than just find it initially.

Entry points into the initiative:

The Work Programme recognises that claimants with disabilities and illnesses, even if assessed as capable of work, may need support to move into or towards work. Those in the Work Related Activity Group are mandated to this provision if they have a work capability assessment prognosis of 12 months or less, and those in the Support Group are able to volunteer to access it any time after this assessment; and

generally speaking, Work Programme is available to those entitled to JSA between 9 to 12 months. However, 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 JSA 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>

4.7.2 Specialist support

Specialist employment programmes sit outside the mainstream provision offered by DWP's frontline. Work Choice (WC) is for those for whom mainstream provision is not suitable and helps those with more severe disabilities or complex needs. In particular, it helps them participate in supported employment with the aim of progressing into unsupported work, if and where possible, or else prepares them for employment directly.

4.7.3 In-house support

There will still be a 'Jobcentre Plus Offer' but local managers and advisers have more flexibility to decide what will help individual claimants. In particular, they will be able to refer to a menu of

activities for additional support, to complement that given in one-to-one sessions.

4.8 Benefit rates

Employment and Support Allowance is paid at different rates depending on claimant's situation and stage in claim process:

4.8.1 Assessment Phase

The assessment phase rate, or basic rate, is normally paid for the first 13 weeks of the claim while a decision is made on the claimant's limited capability for work through the Work Capability Assessment process. The assessment phase rates are aligned to those for JSA.

Additional premiums may be paid as part of income-related Employment and Support Allowance to provide support for specific needs for example as a result of disability, age or caring responsibilities.

4.8.2 Main Phase

The main phase starts from week 14 of the claim for individuals who are assessed as having limited capability for work. In the main phase claimants receive an additional Work Related Activity component or Support component on top of the basic rate.

In addition to the premiums payable during the assessment phase, anyone receiving income-related Employment and Support Allowance in the Support Group will automatically receive the Enhanced Disability Premium, if they have not previously qualified for it.

4.8.3 Transitional protection for IB, SDA and IS claimants

The structure of ESA and its rate of allowances vary from each of the incapacity benefits it is replacing. Existing awards of IB, SDA or IS will continue to be paid to the day before the conversion decision takes effect, whether or not those awards qualify for conversion to ESA.

IB, SDA or IS cases converted into ESA cases will immediately be placed into the WRAG or SG, receiving the relevant personal allowance and component on the day the claim is converted:

- if IB/SDA/IS claimants qualify for conversion to ESA and they receive more on existing incapacity benefits than the appropriate ESA rate, their existing rate of benefit will be protected at the point of conversion. They will be awarded additional allowances on a transitional basis (equivalent to the shortfall between the two rates) until the rate of ESA catches up; or else
- If claimants who are eligible for ESA receive less on incapacity benefits than the appropriate ESA rate, their benefit will immediately be increased to the ESA rate on conversion.

Claimants will have the right of appeal against a decision not to convert an existing award to one for ESA:

- if a claimant is appealing against a decision that their award does not qualify for conversion, ESA will be paid, pending the outcome of the appeal, at a rate equivalent to the rate that new ESA claimants receive in the 13 week assessment phase; or else
- if a claimant qualifies for conversion to ESA, but they want to appeal against being placed in the WRAG rather than the SG. Then these claimants will receive ESA inclusive of the work-related activity component (and any transitional addition) pending the outcome of the appeal.

The Gov.uk website provides the latest information on ESA, IB, SDA and IS 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>

4.8.4 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)
<http://www.legislation.gov.uk/uksi/2013/379/contents/made>

The Social Security Benefits Up-rating Order 2013
<http://www.legislation.gov.uk/uksi/2013/574/contents/made>

4.8.5 Other financial support

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 (HB), Council Tax Benefit (CTB), Child Benefit (CB), Child Tax Credit (CTC) and Disability Living Allowance (DLA).

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

4.9 Statistical information

4.9.1 Data sources

Raw data used to identify benefit claimants, Employment and Support Allowance claims, Work Capability Assessment process outcomes and statuses, and establish appeals results are:

DWP's benefit administration datasets covering new claims (starting from 27 October 2008) – this is cleaned, checked for error, by the internal data owner. This cleansing means that the base data available at any issue of the bulletin is 5 months lagged;

Atos Healthcare's face to face assessment, ESA85, data and limited capability for work questionnaire, ESA50, data – this will cover those cases where the assessment phase is completed. There is no internal checking of this data, however given the rigor of quality assurance around the assessment it is thought to be robust. This process is also 3 months delayed at the point of issue; and

HMCTS's appeals caseload data – note that this only includes information on completed appeals and not those still in progress. The data does not contain the reason why the appeal was lodged, and this has to be inferred using information on the DWP decision maker decision – usually this is an appeal on a Fit For Work decision.

4.9.2 Data production

The production cycle contains the key features below:

procedures to verify quality – this involves separate running of data and output codes to minimise scope for human error, basic comparison of base volumes with the Employment and Support Allowance caseload and that split by groups produced by another internal data owner's team, and sensitivity analysis looking at changes in outturns for periods (on previous runs of the data) to see if movement fits historic profiles;

application of a revision policy – this entails updating historic numbers with each issue 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. Exploration of this is limited by the current length of the data series, however early analysis shows that final position is not reached at 2 years. The department will consider further investigation of this when more data is available in future years; and

standardised reporting lags – this further supports statistical reliability through removal of periods where there is partial data from one or more sources. Figures released are at least 8 months in arrears because of time needed to enable source and process of data and allow claimants to complete their assessment.

4.9.3 Definitional rules

The data presented in this publication relating to ESA new claims is taken from a dataset which combines the data stated above. Under the counting rules, the units of analysis, used by the department:

- a claim is an inflow to Employment and Support Allowance that is made from 27 October 2008, and not a pre-existing IB claim;

- a claimant is anyone who has claimed the benefit as a new claim.

- an outcome is where the assessment is completed, meaning in most cases that the limited capability for work questionnaire and face to face assessment has been undertaken, and the claimant is found Fit For Work or else placed into the Work Related Activity Group or Support Group; and

- a status is where the assessment phase is not completed. The bulk of these are cases closed before assessment and the rest are those still in progress.

The data presented in this publication relating to reassessments of incapacity benefits is taken from a dataset which combines the data stated above. The following counting rules and units of analysis are used:

- a claim is a pre-existing IB, SDA or IS claim going through the reassessment process for ESA from 11 October 2010;

- a claimant is anyone who has claimed incapacity benefits;

- an outcome is where the assessment is completed, meaning in most cases that the limited capability for work questionnaire and face to face assessment has been undertaken, and the claimant is found FFW or else placed into the WRAG or SG. Outcomes are the final DWP Decision Maker's decision, or the recommendation made by the Atos Healthcare Professional, when the Decision Maker's decision is not available; and

- a status is where the reassessment process is not completed. This includes cases closed before assessment and those still in progress.

The department will consider adding to the combined dataset to enable more and better comparability in future statistical products. The addition of data based on the personal information of individual claimants as part of ongoing continuous improvement is subject to statistical resource and business burden constraints.

The publication uses the final DWP Decision Maker's decision, or the recommendation made by the Atos Healthcare Professional, when the Decision Maker's decision is not available. This provides a more complete analysis. The Decision Maker's decision may not be available for the following reasons:

For some cases the DWP decision was not yet available when the data was extracted. The Atos recommendation is classed as outcome. The Atos recommendation will be replaced by the DWP decision once the data is available.

DWP's benefit administration datasets which underlie this publication do not contain information on all FFW decisions. Information on whether a Decision Maker has found a claimant FFW is only available if the claimant appeals this decision. For claimants who have to date not appealed their fit for work decision, only information on the Atos FFW recommendation is available. This will be replaced by the Decision Maker's decision if this becomes available (for claimants appealing) or it is inferred that the Decision Maker agreed with the Atos recommendation if the claim was subsequently closed.

A claim will be identified as having started the reassessment process when it is referred to Atos Healthcare by DWP Operations. Upon receipt of the referral at Atos, the claim is recorded on the Atos MSRS dataset. This Atos data is matched with DWP administrative data to identify outcomes or statuses. Data is matched using the encrypted National Insurance number and the dates relating to the assessment and decision making process. Note that small discrepancies in dates are tolerated in the matching process, to allow for the time taken for claims to be transferred between DWP and Atos and any time taken between receipt of case data and when records are updated.

4.9.4 Calculation rules

The following accounting rules are applied to the aforementioned combined dataset of new claims in Great Britain:

volumes for outcomes of completed assessments and for status of incomplete assessments. These are counts of the outcomes and statuses for particular periods; and

percentages for outcomes of the completed assessments. These are each of the outcome counts divided by sum of all three outcomes for particular periods.

The percentages are the focus of this release. They are presented for business/financial and calendar years, traditional and offset quarters, and months. Note values are rounded; therefore addition of all volumes for outcomes and statuses may not sum to total cases, and addition of all percentages may not sum to 100 per cent.

4.9.5 Notification of changes

Known Issues, Changes and Revisions in this release

- This publication includes one month's additional data to the previous October 2013 release. This has reduced from three months to align with the Ministry of Justice quarterly publication of tribunal statistics. The March 2014 release and all subsequent releases will contain an additional three month's data.
- Following alignment, 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. Statistics for offset quarters may found in the supplementary tables.

Notification of future changes to this series

This product has recently 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, there will be amendments to notes and commentary to address the requirements outlined in the UK Statistics Authority assessment report:

- Publish a series of documents to help users understand the methodology; 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

In addition, due to the high level of user interest in this series DWP statisticians plan to carry out a full and detailed check of the whole production process of this series, to ensure consistency with other related products. We estimate that this will be completed around mid 2014.

4.9.6 Statistical series and contact

Current and previous editions of this publication are available at the following link:

<https://www.gov.uk/government/organisations/department-for-work-pensions/series/employment-and-support-allowance-outcomes-of-work-capability-assessment>

Comments on these changes and general enquiries about the statistics should be directed to:

The Dissemination Team

Information, Governance and Security
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email: Stats-consultation@dwp.gsi.gov.uk Tel: 0191 216 6263

Abbreviations

CB	Child Benefit
CTB	Council Tax Benefit
CTC	Child Tax Credit
DLA	Disability Living Allowance
DWP	Department for Work and Pension
ESA	Employment and Support Allowance
ESA-C	Employment and Support Allowance – (National Insurance) Contribution also referred to as Contributory ESA
ESA-IR	Employment and Support Allowance – Income Related also referred to as Income-related ESA
FFW	Fit For Work
GP	General Practitioner
HB	Housing Benefit
HCP	Healthcare Professional
HMCTS	Her Majesty's Courts and Tribunal Service
IB	Incapacity Benefit
ICD	International Classification of Diseases
IS	Income Support
JSA	Jobseeker's Allowance
NI	National Insurance
SDA	Severe Disablement Allowance
SG	Support Group
WC	Work Choice
WCA	Work Capability Assessment
WHO	World Health Organisation
WP	Work Programme
WRAG	Work Related Activity Group

