

Employment and Support Allowance: Work Capability Assessments, Mandatory Reconsiderations and Appeals





Quarterly

ESA-WCA outcomes to June 2019 (MRs to October 2019)

Published: 13 December 2019

Great Britain

National Statistics

Employment and Support Allowance (ESA) replaced incapacity benefits in October 2008 and offers support for ill or disabled people. Claimants must participate in a Work Capability Assessment (WCA) to check eligibility. Those found eligible for ESA are either placed in the Work Related Activity Group (WRAG), which offers support in preparing for work, or the Support Group (SG) if unable to work or complete work-related activity. Those not eligible are found Fit for Work (FFW). Since October 2013, if claimants disagree with assessment outcomes they can request a Mandatory Reconsideration (MR). If they disagree with the MR outcome they can appeal to Her Majesty's Courts & Tribunal Service (HMCTS). Universal Credit was rolled out to every jobcentre across Great Britain by December 2018 and has now replaced income-related ESA for most new claimants. This will change the volume and composition of claims to ESA.

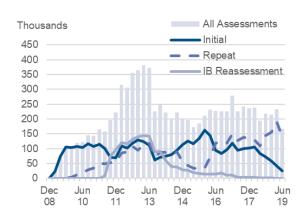
Main stories

- In the quarter to June 2019, the number of completed initial and repeat assessments decreased by 39% and 26% when compared to the previous quarter.
- Outcomes for initial claims completed in the quarter to June 2019 were 58% SG, 17% WRAG and 26% FFW.
- ESA-WCA MRs registered in October 2019 decreased to 3,500 from 4,800 in July 2019, after peaking at 22,000 in March 2017. 58% of MRs completed were not revised in October 2019. MR median clearance times have been relatively stable since August 2019 at 6 days, falling from 16 days in September 2018.
- For initial WCAs completed, the median end-to-end clearance time decreased from 20 weeks in March 2019 to 19 weeks in June 2019.

Work Capability Assessment

Completed initial volumes have continued to decrease.

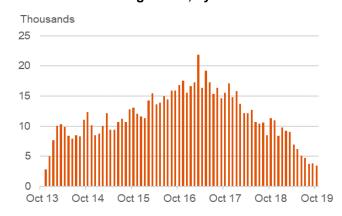
All Completed Assessments, by quarter



Mandatory Reconsiderations

MR registrations generally followed a downward trend since peaking in March 2017.

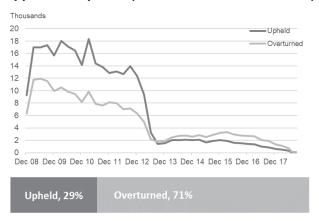
MRs registered, by month



Appeals

Appeals completed on initial FFW outcomes have decreased.

Appeals completed (for initial FFW assessments)



At a glance

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What you need to know

These statistics are released quarterly and cover information on ESA-WCA outcomes, MRs, appeals and clearance times for initial claims sourced from:

- DWP's benefit administration datasets including MR data
- Healthcare provider assessment data
- HMCTS appeals data for completed appeals

Additional experimental ESA-WCA cohort statistics are available which allow us to view claimants through the stages of their ESA-WCA journey – see page 3.

What time periods are covered in this release?

Robust data for both the regular and experimental cohort information is available for claims that began at least 6 months following assessment date or, for initial assessments, nine months following the date of claim. This is due to time required to complete and process assessments. Hence, only claims made before the end of March 2019, assessments completed up to end of June 2019, including clearance times and completed appeal outcomes for initial FFW decisions for claims started up to September 2018. Throughout the release, figures are presented by assessment date, unless otherwise stated.

ESA Work Capability Assessment, Mandatory Reconsiderations and Appeals process

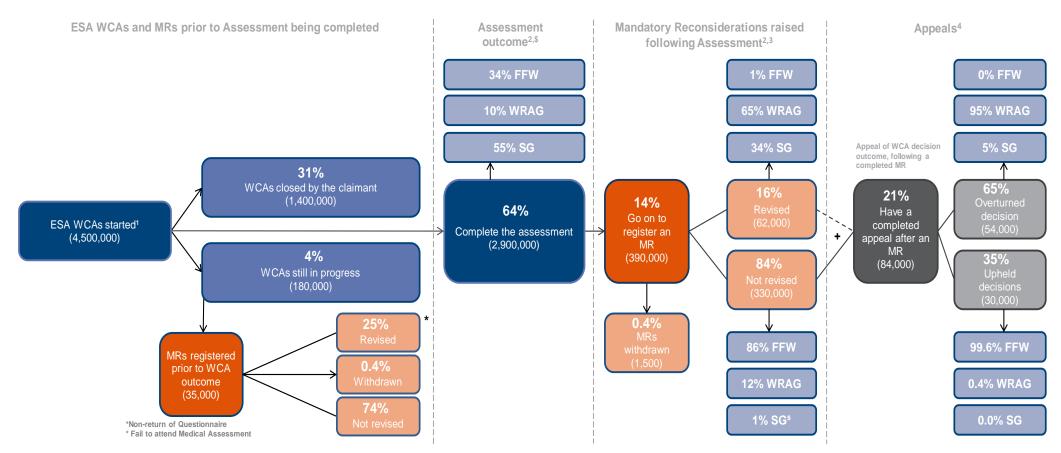
The following flow chart, containing experimental data, shows the claim process to assess ESA entitlement. If claimants disagree with their assessment outcome they can ask DWP to review it by registering an MR. Following the MR outcome if the claimant still disagrees with the decision, they can appeal to HMCTS.

There are 3 types of Work Capability Assessments:

- Initial assessment for new ESA claims
- Repeat assessment existing claimants must undergo regular reviews; timescales depend on medical condition
- Incapacity Benefit (IB) reassessment; all IB claimants will eventually be reassessed for ESA or Universal Credit

Overview of the Work Capability Assessment, Mandatory Reconsideration (MR) and Appeals process for initial and repeat ESA WCAs starting October 2013 – March 2019 (Experimental Official Statistics)

This data, in which MR data is matched with ESA administrative data, are labelled as experimental as there is scope to develop them further. MR data on Stat-Xplore and in tables 12 to 16 of the data tables are sourced directly from the MR dataset and are not matched with ESA administrative data and are therefore not labelled as experimental.



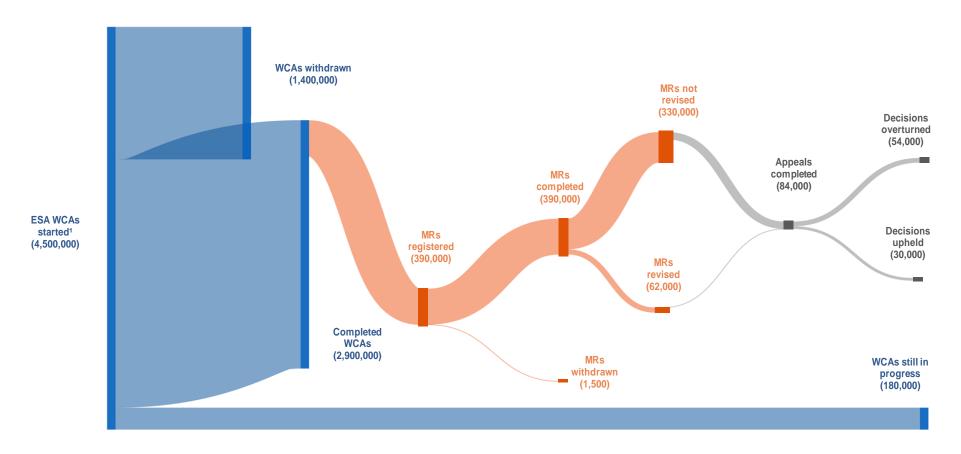
Footnotes:

- 1) All ESA initial and repeat WCAs between October 2013 and March 2019* (the latest period that allows sufficient time for final outcomes to have been recorded). FFW=Fit for Work, WRAG=Work Related Activity Group, SG=Support Group.
- 2) Statistics show the outcome based on healthcare provider recommendation in some cases this may not always be the final outcome as outcomes are sometimes changed due to reconsideration. Due to data source recording limitations, this is the best proxy available. A proxy is also used to determine a small proportion of revised MR outcome results where the final result is not captured.
- 3) A number of FFW cases have their case outcomes revised but still fall within FFW group as they still aren't awarded enough points to move to a different group.
- 4) Appeals include all ESA WCA completed appeals by the claim start date.
- 5) A small number of cases are 'Not Revised' and appear in SG. We are currently unaware of the exact reasoning for this. Therefore please treat these cases with caution.
- 6) Numbers of claimants are rounded therefore totals may not sum and percentages may not be fully representative of figures shown.
- * A small number (around 10%) of pre-assessment MR registrations may go onto appeal their MR decision. Percentages may not sum to 100% due to a small proportion of MRs still in progress.
- + Some claimants may still not agree with the group they have been placed in and go on to appeal the MR decision. Less than 1% of all post ESA WCA appeals come from the revised grouping.
- \$ Some cases may not yet have an outcome, or may have been withdrawn, cancelled, clerical cases so WCA outcome percentages are derived using those with an actual FFW, WRAG or SG outcome. We only get information for completed appeals so we don't know how many appeals are in progress.

Overview of the Work Capability Assessment, Mandatory Reconsideration (MR) and Appeals process for initial and repeat ESA WCAs starting October 2013 – March 2019 (Experimental Official Statistics)

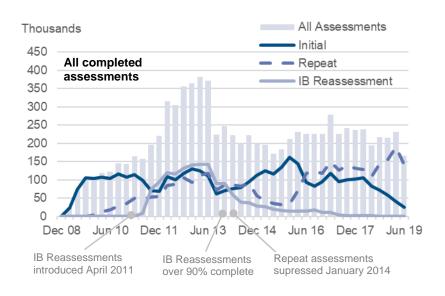
The following diagram gives a visual representation of proportions at each stage of the ESA Work Capability Assessment (WCA) process. The relative thickness of each segment represents the volume of cases flowing through each stage. For initial and repeat ESA WCAs which started between October 2013 and March 2019:

- > 64% have had a completed assessment. WCAs relating to the remaining claims are either still in progress or have been closed by the claimant.
- > 390,000 MRs have been registered in relation to the 2,900,000 completed WCAs.
- > 99.7% of these MRs have been completed, with the decision maker's original decision revised 16% of the time.
- > 21% of assessments with a completed MR also complete an appeal. Of this group (84,000 cases), the latest case decision was upheld 35% of the time.



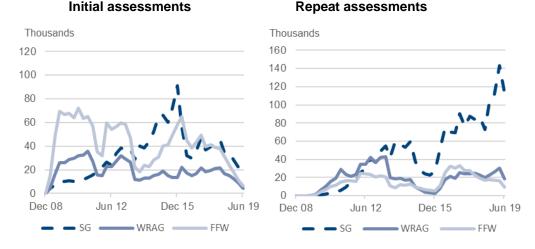
ESA initial and repeat assessment outcomes, IB reassessments

85% of all assessments completed in the latest quarter were for ESA repeat assessments



Initial assessment and repeat assessment volumes have decreased this quarter

Initial assessments



Note: Assessments completed and outcomes are shown in quarters by completed assessment date.

Overall, the number of initial and repeat assessments completed in the latest guarter has decreased by 28% from last guarter to stand at 170,000. In the latest quarter to June 2019, the majority (85%) of completed ESA-WCA assessments were for repeat assessments.

ESA initial assessments have been falling as Universal Credit has rolled out. As assessments take place some time after the initial claim, we continue to see a decline in ESA initial assessments since early 2019.

At the end of 2013, IB reassessment and repeat assessment volumes dropped substantially. The majority of IB reassessments were completed by that point and the focus was moved from assessing existing claims (including repeat assessments) to clearing new claims. IB reassessments are now 99.8%1 complete.

ESA repeat assessment volumes increased substantially at the start of 2016 as processing was re-introduced in December 2015, after almost two years of focussing on initial assessments. During this period, claimants could still request a repeat assessment, for example if they developed a new condition or their condition deteriorated. Since processing of repeat assessments was re-introduced, the number of repeat assessments increased from 35,000 in the quarter to December 2015 to 190,000 in the quarter to March 2019, and decreased to 140,000 in the latest quarter.

See accompanying tables and **Stat-Xplore** for further breakdowns.

There has been a decrease in both completed initial and repeat volumes this quarter compared to the previous quarter.

Since the re-introduction of repeat assessments, their numbers increased substantially and there has been an increasing trend particularly for Support Group outcomes. This may be expected as these assessments are being carried out on claimants who have previously been assessed as having limited capability for work. Where a person's condition has improved, they may be assessed as being fit for work, but the repeat WCA will also account for cases where the condition has remained the same or got worse - and ensure they continue to get the support they need on ESA.

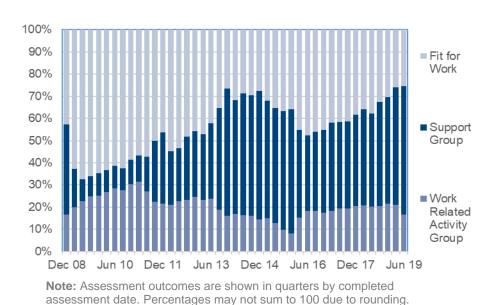
Initial assessment volumes for all outcomes have fallen slightly this guarter.

See accompanying tables and **Stat-Xplore** for further breakdowns.

¹ The percentage shown excludes all IB cases closed before assessment

Assessment outcomes for ESA initial assessments

The proportion of outcomes assigned for ESA initial assessments have only shown slight changes since the last quarter



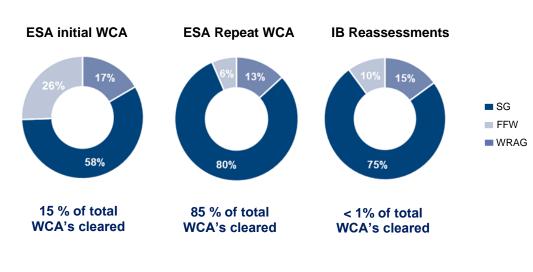
For the 25,000 ESA initial assessments completed in the latest quarter to June 2019:



Outcomes of initial assessments entitled to ESA (assigned to SG or WRAG) decreased by 11,000 in the latest quarter to June 2019 to stand at 19,000.

Historically, there have been substantial changes in the volumes of initial assessment assigned to each outcome. In the most recent quarters, the proportion of initial outcomes resulting in an award has increased, with an increase of 5 percentage points for SG, a 4 percentage points decrease for WRAG and no change for FFW outcomes from the previous quarter to the latest quarter. See accompanying tables and Stat-Xplore for further breakdown

ESA assessments and IB reassessments: Completed outcomes for the latest quarter show sizable differences across claim types



Note: Assessment type percentages may not sum to 100 due to rounding.

For assessments completed in the quarter to June 2019, 15% were initial ESA claims, 85% were ESA repeat assessments and less than 1% were IB reassessments.

In the quarter to June 2019, 85% of WCA clearances were ESA repeat assessments. This is in comparison to 16% in the quarter to December 2015. This is due to the reintroduction of repeat assessments in December 2015 after almost two years of focusing on initial assessments.

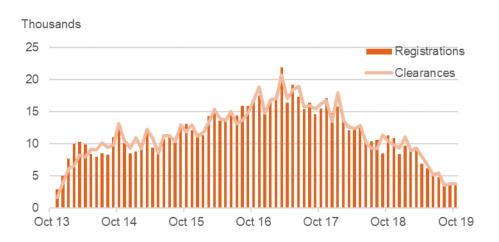
The proportion of ESA repeat assessments with a Support Group outcome has increased from 75% last quarter to 80% this quarter, while the proportion with a Fit for work outcome has decreased from 9% last quarter to 6% this quarter.

ESA repeat assessments have a Support Group outcome at 80% in contrast to 58% for ESA initial assessments. The proportion of IB reassessment outcomes assigned to the support group has increased by 1 percentage point, from 74% in the quarter to March 2019. However this may be due to the small number of IB reassessments taking place.Initial ESA assessments have the highest FFW rate at 26%. This is expected as, unlike IB reassessments and repeat ESA assessments, these claimants don't have a previously known functionally limiting condition.

ESA-WCA Mandatory Reconsideration registrations, clearances and clearance times

If a customer disagrees with their assessment decision they have the opportunity to raise a **Mandatory Reconsideration** and ask DWP to formally review the decision. The aim of a MR is to resolve disputes as early as possible without the need for an appeal hearing. MR figures require less retrospection than the cohort data and are therefore reported monthly, allowing the most recent figures to be included. See methodology note for a more detailed explanation.

Mandatory Reconsideration registrations have generally followed a downward trend since peaking in March 2017

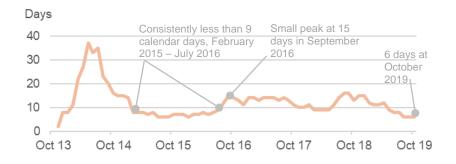


Since the MR process has been introduced in October 2013, the number of MR registrations increased over time, peaking at 22,000 in the quarter to March 2017. Since then, MR registrations have gradually fallen, reaching 3,500 in October 2019. This is the second lowest number of MR registrations in any quarter.

When the MR process was first introduced, the number of MR clearances was lower than the number of MRs registered. However, since May 2014, clearance volumes have increased, as the MR process became established. Since then, clearance volumes have been similar to registration volumes.

The number of ESA-WCA MR registrations may be affected by the rollout of UC.

Mandatory Reconsideration median clearance times have remained stable



Between August and October 2019, the median monthly clearance time remained fairly stable at 6 days.

Since January 2015, after the MR process was established, the median MR clearance time has usually not exceeded 15 days. However, between August and September 2018, MR clearance times rose to 16 days and started gradually falling since then.

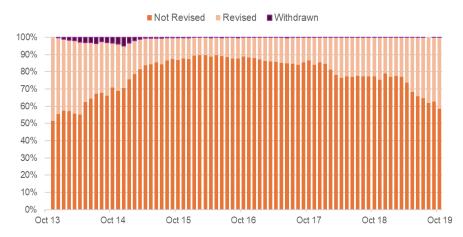
See <u>methodology</u> note for how median clearance times have been derived.

See accompanying tables for full data.

Note: MR Registrations and Clearances are shown by month. MR median clearance times are shown by month of decision.

ESA-WCA Mandatory Reconsiderations outcomes

58% of assessment outcomes were not revised at Mandatory Reconsideration in the latest month, October 2019



Note: MR outcomes are shown by month of decision. Revised % includes allowed and disallowed revisions. Percentages may not sum to 100 due to rounding.

Decisions Made

During the MR process, the DWP Decision Maker will review the evidence for the decision under dispute to either revise or not revise the decision.

When MRs were first introduced, much higher proportions of decisions were revised than in later years. Between March 2015 and January 2018, the proportion of revised decisions remained below 17%. In the latest month, October 2019, 42% of decisions were revised at the MR stage.

In October 2019, the proportion of MR decisions not revised decreased by 19 percentage points from the 77% in same month last year.

Overall numbers of MR decisions made has fallen by 64% from October 2018 to stand at 3,700 in October 2019.

See accompanying tables for further detail.

Fit for Work disputes are the main cause of ESA-WCA Mandatory Reconsideration decisions in October 2019

Decision Outcomes

Customer disputes ESA 58% 35% group Customer disputes FFW 28% 48% decision Customer failed to attend WCA, provide medical 48% 17% evidence or return questionnaire Other/Unknown 0% Revised ■ Not Revised 50% 100% 2.000

The breakdown of revised/not revised decisions per MR category for October 2019 is shown in the chart.

The vast majority of MRs raised during the ESA-WCA process in October 2019 were due to FFW decisions. These types of MRs are less likely to be revised than the other categories.

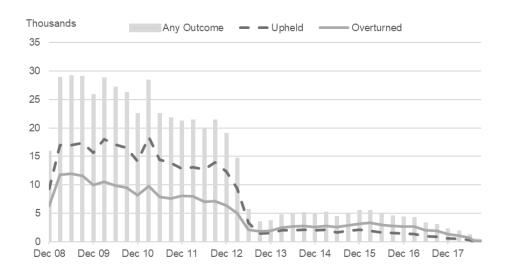
In October 2019, 1,800 MR decisions (48%) were made on disputes about Fit for Work assessment outcomes. Only 28% of FFW disputes resulted in a revision.

In October 2019, 17% of MR decisions were made on disputes where the claimant had not followed the claim procedures correctly. These reasons include failing to return the initial questionnaire, failing to provide medical evidence or not attending their assessment. 48% of these disputes were revised in the latest month.

Appeals clearances and outcomes

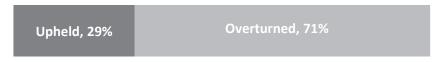
Following an MR decision, the claimant can dispute the decision further by appealing to Her Majesty's Courts & Tribunal Service where an official appeal hearing will take place to consider the decision evidence. At appeal, the decision under dispute will either be upheld or overturned. An overturned appeal decision is where the DWP decision is revised in favour of the customer at a tribunal hearing. If an appeal is upheld this is where the DWP decision is upheld at the tribunal hearing.

The number of appeals heard on initial FFW decisions continues to fall



Note: Appeals outcomes are shown in quarters by claim start date.

Approximately 29% of initial FFW decisions were upheld at appeal this quarter and 71% were overturned



Being found FFW at assessment is the primary reason for claimants disputing a decision and also the main reason for appeal hearings. These figures focus on FFW appeals for initial assessments.

The total number of appeals heard on FFW decisions for initial assessments is very low compared to figures pre-2013 when mandatory reconsiderations were introduced. Figures have remained lower than pre-2013 levels over the last 4 reporting years after a steep drop of 9,000 in the quarter to June 2013.

The chart shows that in the latest quarter to September 2018, the number of appeals heard on FFW decisions for initial assessments has decreased from 980 in the previous quarter to 600. This is the lowest figure since the introduction of ESA benefits in 2008 and the introduction of mandatory reconsiderations in 2013. Please note that as these figures are grouped by claim start date, numbers could increase as more appeals are completed for claims started in the most recent months.

The low numbers of appeals over recent years may be partly due to the introduction of the MR process, although there could be other factors which have also contributed. The purpose of MRs is to give the customer an opportunity to present evidence against a decision for review without the need for formal appeal processes, therefore when the new system was introduced fewer appeals were expected.

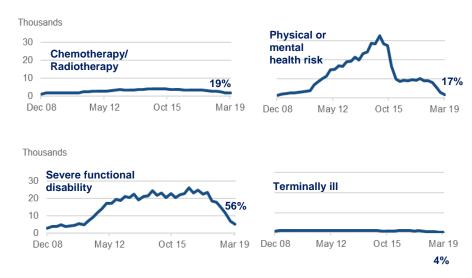
This quarter, the proportion of decisions under dispute that were upheld at appeal has decreased by 3 percentage points, from 32% to 29%, compared with the previous quarter; after remaining between 32% and 37% in the previous 10 quarters. The proportion of decisions under dispute that were upheld at appeal resulted from 600 initial FFW decisions with a claim start date in the quarter to September 2018.

See accompanying tables and <u>Stat-Xplore</u> for further details.

Note: DWP Statisticians have identified that the methodology to match appeals to the ESA-WCA data has gradually caused an undercount since 2013. While the undercount does not change the overall trends in the data or story, work to improve the methodology and produce revised figures has commenced and the data will be revised in the March 2020 release. For more information please see **methodology note**.

Health Conditions and ESA group allocation for initial assessments

'Chemotherapy/Radiotherapy' and 'severe functional disability' are the main reasons for SG allocation this quarter



'Adapting to change' and 'Social interaction' remain the main reasons for WRAG allocation (with 15 points or more) this quarter



Recent falls in volumes across all groups are likely to reflect falls in ESA initial assessment as UC rolls out.

There was a notable decrease in allocations to the 'physical or mental health' risk group for claims started from October 2015 onwards. Volumes in this group fell from 28,000 in the quarter to September 2015 to 17,000 in the quarter to December 2015. This could have been due to updated guidance on the application of risk introduced at the start of 2016 to restate the policy intent and place the question of risk in the context of work-related activity. In the quarter to March 2019 volumes in this group have decreased to 1,500.

Most claimants assigned to the SG, who started their initial ESA assessment in the quarter to March 2019, were placed there due to health conditions linked to 'physical or mental health risk' or 'severe functional disability'. These two leading categories make up 72% of all SG allocations this quarter.

'Chemotherapy/radiotherapy' and 'terminally ill' numbers have remained relatively low, accounting for 19% and 4% of all SG assignment reasons respectively for claims started this quarter.

Since 29th September 2017, claimants in the ESA Support Group no longer need to go for reassessment if they meet the severe condition criteria. Information on this can be found on **Stat-Xplore**

The charts show the four main functional impairment categories in which claimants have scored points when assigned to the WRAG, scoring 15 points or more at initial assessment. Receiving 15 points or more is the main reason for assignment to the WRAG at initial assessment, however claimants can also be assigned to the WRAG at reconsideration or after appeal.

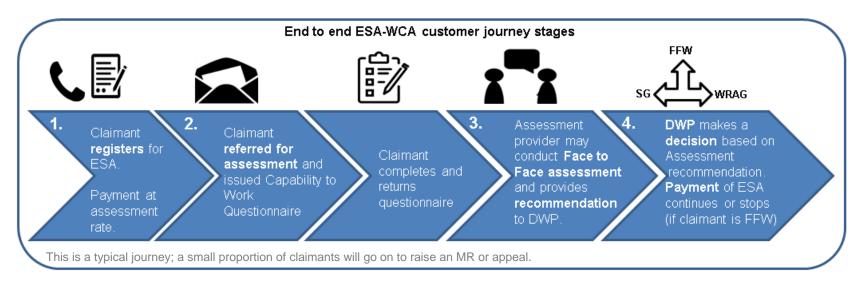
For claims resulting in a WRAG allocation (with 15 points or more) the most common categories where claimants scored points this quarter were 'adapting to change' and 'social interaction'. 84% of claimants had an 'adapting to change' condition and 80% scored points in the 'social interaction' group. **Note** that claimants can have multiple functional impairments therefore appear in more than one category.

Other reasons for being assigned to the WRAG (with 15 points or more) which aren't shown (Upper Limb, Sensory, Continence, and Lower Limb) are less common.

See accompanying tables and <u>Stat-Xplore</u> for statistics on all reasons and health conditions assigned to the WRAG.

ESA-WCA customer journey clearance times for initial claims (experimental)

The following process flow shows the main stages of a typical customer journey when completing a Work Capability Assessment for ESA:



Clearance times for individual stages of the ESA WCA process

Monthly median clearance time (weeks) for completed initial claims by month of completion

Start Stage	End Stage	Clearance Type	Apr-19	May-19	Jun-19
1	2	Claim Registration to WCA Referral	1	1	1
2	3	WCA Referral to Assessment Provider (AP) Recommendation	9	9	10
3	4	AP recommendation to DWP decision	2	3	3
1	4	End-to-end ESA claim (Claimant registration to final decision)	19	17	19

^{1.} Individual stage medians may not sum to end to end median. Medians at each stage are calculated independently.

Note: All charts are shown in quarters by claim start date.

Note: ESA clearance times are labelled as experimental as there is scope to develop them further.

For initial WCAs completed in June 2019, the median end-to-end clearance time decreased to 19 weeks from 20 weeks in March 2019.

Within this, the median time spent with the Assessment Provider (WCA Referral to AP recommendation) was 10 weeks in June 2019. This stage will usually involve an assessment and includes the waiting time for the customer to complete and return the questionnaire. Multiple referrals are sometimes required before an assessment is completed and a recommendation received as customers may not attend appointments or return questionnaires.

Note: The end-to-end clearance times recorded refer to time taken from claim registration to date of DWP decision. This decision will include MRs where there is a completed decision.

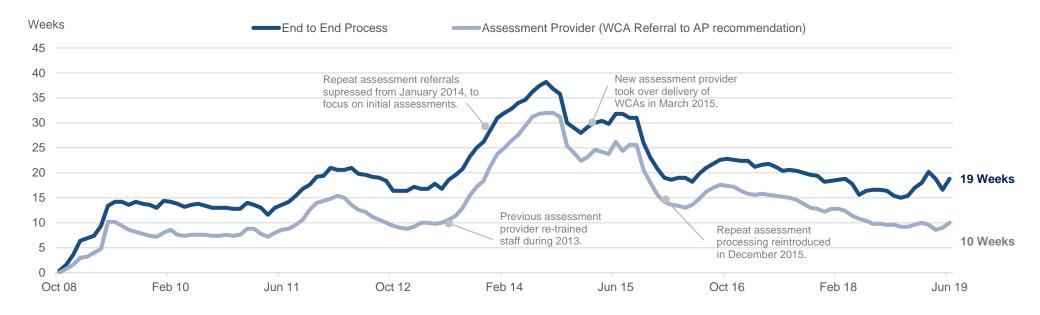
See accompanying tables for further breakdowns by region.

^{2.} Mandatory Reconsideration clearance times will be included in the end-to-end clearance time if they have been completed by the statistics extract date.

^{3.} Weeks are for weekdays and rounded to the nearest week.

ESA-WCA clearance times for initial assessments (experimental)

Median clearance times (weeks) for completed initial claims up to June 2019



Note: Clearance times are shown by month of clearance. Median weeks are calculated in weekdays and rounded to the nearest week.

The chart shows end-to-end median clearance times from claim registration to final DWP award decision for initial claims from October 2008 to June 2019. Included in the end-to-end process is the time taken from when the customer is referred to the health assessment provider to the provider's recommendation. The median clearance time for the assessment provider is also shown in the chart.

In June 2019, the median end-to-end clearance time was 19 weeks. The median clearance time for the assessment provider (referral to recommendation) took 10 weeks.

See accompanying tables for further breakdowns by region.

About these statistics

This product has been assessed by the UK Statistics Authority for National Statistics status and has been awarded National Statistics. National Statistics designation is awarded to the subset of official statistics that are judged to be of good quality, value and trustworthiness. This badge does not currently apply to the experimental cohort figures or ESA clearance times.

Key uses of the statistics include:

- Providing the evidence base for assessing the potential effect of changes, monitoring and evaluation of DWP policy
- Answering Parliamentary Questions and Freedom of Information requests and Forecasting benefit expenditure (in conjunction with expenditure statistics)
- Policy development and evaluation by local authorities and other welfare to work and pensions stakeholders and providers.

Terminology:

- Registration Claimant registers an application for a WCA, MR or appeal.
- Clearance DWP decision maker has determined whether the claimant should or should not be entitled to claim ESA.
- Mandatory reconsideration Claimant wishes to dispute a decision made on their claim and requests DWP to reconsider the decision.
- MR clearance time The clearance time begins from the point the MR is raised on the DWP administrative system by the Benefit Centre as a valid MR, having considered whether they can initially change the decision in the light of any new information. The total clearance time therefore includes the time taken to transfer the case to the Dispute Resolution Team and the time taken for the decision maker to make a decision.
- Repeat assessment An existing claim that has been reassessed for ESA, as opposed to a new claim. A repeat assessment is the second or subsequent WCA undertaken on an existing, continuous ESA claim, usually between 3 and 24 months after the previous assessment. These claimants will have already been assessed as having a limited capability for work at their initial WCA and the repeat assessment will assess if their capability for work has changed.

Experimental cohort statistics:

MR statistics have been added to the regular cohort data to build on the story of the end to end customer journey. The cohort MR statistics are less timely than the stand alone MR statistics due to time lags in the benefits data and assessment data they are linked to in the cohort process. Time lags are present to allow stages within the process sufficient time to complete. These statistics give a feel for the volumes flowing through each stage of the ESA WCA process. For robust figures on individual stages, please use the stand-alone figures within the published tables (not table 17).

ESA Clearance Times (experimental):

- This release includes recently developed ESA clearance times. The statistics are labelled as experimental as there is scope to develop them further.
- Clearance times for initial claims only are included in these statistics.

UC-WCA:

This release only includes ESA and IB WCAs and does not capture UC WCAs, UC MRs or UC appeals. Recent trends in these ESA WCA statistics will be impacted by roll out of UC

Development of UC-WCA official statistics:

• DWP statisticians are currently looking to develop official statistics on numbers of UC claimants who go through a Work Capability Assessment (WCA) and outcomes. When we have decided the information is robust and accurate to publish as official statistics we will preannounce via the gov.uk release calendar: https://www.gov.uk/government/statistics/announcements

Where to find out more:

- See <u>Stat-Xplore</u> for more detailed breakdowns of the data covering Region, Local Authority and Westminster Parliamentary Constituency breakdowns available for WCA outcomes by claim start date and completed assessment date.
- See <u>methodology note</u> for more detailed information on these statistics.

Notification of future changes to this series:

• DWP statisticians identified that the methodology to match appeals to the ESA-WCA data has gradually caused an undercount since 2013. While the undercount does not change the overall trends in the data, work to improve the methodology and produce revised figures has commenced and the data will be revised in March 2020.



NATIONAL STATISTICS STATUS

National Statistics status means that our statistics meet the highest standards of trustworthiness, quality and public value, and it is our responsibility to maintain compliance with these standards.

The continued designation of these statistics as National Statistics was confirmed in February 2017 following a compliance check by the Office for Statistics Regulation.

Since the latest review by the Office for Statistics Regulation, we have continued to comply with the Code of Practice for Statistics, and have made the following improvements:

- Added more value by providing more detailed breakdowns and publishing statistics via Stat-Xplore, enabling users to create customised tabulations.
- Introduced more robust quality assurance methods to better assure ourselves of the quality of the statistics.
- Enhanced trustworthiness by reducing pre-release access.