

RESTRICTED***Peer Review******Customer: [REDACTED]******NINO: [REDACTED]*****Review conducted by:*****Name [REDACTED]******Role: [REDACTED]******Address: Chippenham JCP******Approved by: [REDACTED]***

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Background (including reason for Peer Review and remit)

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[REDACTED]

Summary of Findings

[REDACTED]

[REDACTED]

Recommendations

Locally:

To review the need for refresher training and / or increased site awareness of potentially vulnerable claimants to help proactively support similar cases in the future. In isolation, individuals have correctly administered the tasks and actions they are responsible for, however this “transactional” approach has failed to recognise, and respond to, the potential communication barriers for the customer.

To consider the introduction of a previewing / sifting activity on receipt of IBR appeals to ensure that cases appropriate for re-consideration are actioned accordingly. This should be seen as an interim measure that can be reviewed and adapted when Mandatory re-considerations are introduced from 2013.

To actively monitor and manage down volumes of IBR Appeals on site as indicated in the local Improvement / Recovery plans e.g. increasing numbers of trained IBR Appeals staff, ongoing consideration of movement of work within the Group.

Nationally:

This case reinforces the current national activities in place to help encourage claimants to provide all available evidence at the earliest opportunity.

The IB / IS National Reassessment Process

Employment and Support Allowance is replacing Incapacity Benefit, Income Support paid on the grounds of illness or disability and Severe Disablement Allowance. Customers currently in receipt of those benefits will be assessed for Employment and Support Allowance through the IB Reassessment Process.

In the case of IB claimants, [REDACTED] the existing Personal Capability Assessment (PCA) prompts will be re-sequenced by Pension Strategy Computer System (PSCS) into Work Capability Assessment (WCA) prompts. Two weeks before the WCA prompt matures PSCS issues an initial notification letter to the customer.

A Customer Account Management (CAM) task is automatically created for the Contact Centre Directorate (CCD) to make the initial outbound call, during which the customer will be advised that the reassessment process has started.

When the WCA prompt matures an automatic referral is registered on MSRS and the WCA process will start and the majority of cases will be referred to MSRS automatically via a new electronic interface.

An ESA50 and covering letter are sent by Atos to the claimant for completion and return

The claimant returns the ESA50 to Atos who decide whether or not a medical assessment will be required, and if so Atos arrange for the claimant to attend

The medical assessment is undertaken by a Health Care Professional who then prepares a report for the Benefit Centre Decision Maker who uses it in conjunction with other evidence to determine whether or not the claimant has limited capability for work and is therefore entitled to claim Employment & Support Allowance (ESA).

If the Decision Maker decides, [REDACTED], that the claimant does not have limited capability for work, they are required to inform the claimant in accordance with the procedure laid out in Guidance:-

[http://intranet/1/jcp/guidance/bus_del/a-z/ib\(is\)%20reassessment%20for%20benefit%20centres/04%20IB\(IS\)%20National%20Reassessment/DWP_S162811-03.asp#P184_14260](http://intranet/1/jcp/guidance/bus_del/a-z/ib(is)%20reassessment%20for%20benefit%20centres/04%20IB(IS)%20National%20Reassessment/DWP_S162811-03.asp#P184_14260)

[Content of link at Annex 1 above]

Claimant does not have limited capability for work

30. Where the Reassessment Decision Maker (DM) determines that a claimant potentially does not have LCW, an attempt must be made by the DM to contact the claimant or their representative by telephone before the disallowance of their IB/IS/SDA is put into effect. This is called the Decision Assurance call (DAC). Follow the DAC desk aid(1) when making the call, there is also a Welsh version.

31. This call is designed to help claimants decide on the next steps. It includes contacting the claimant:

- by the claimant's preferred method of contact which could be via Text phone, landline or mobile telephone number
- to explain that based on the information available it is likely that the claimant will be disallowed
- to ask if they wish to provide any further relevant information
- to inform them of the disallowance process, explain the decision and discuss further options with them
- to explain that their benefit will cease from the effective date if they are disallowed
- to explain the next steps available to the claimant
 - Moving to another benefit – IS or JSA
 - Appealing against the decision (or, from 28 October 2013, requesting a Mandatory Reconsideration)
 - Leaving benefit
- the appropriate steps to progress the claimant's preferred option.

32. If at any stage of the Decision Assurance call, the DM decides that the claimant requires more time to consider the information they have been given, they can be offered a mini-break and the DM will call them back within 72 hours to continue with the call and discuss their options further. NOTE: Only one mini-break can be taken by each claimant.

33. Take the following actions when it is identified that the claimant may require a mini-break during the Decision Assurance call:

Step	Action
1.	<p>Check CAM notes to identify if the claimant has previously had a mini-break:</p> <ul style="list-style-type: none"> • if the claimant has previously had a mini-break continue with the Decision Assurance call • if the claimant has not previously had a mini-break and the DM feels one is appropriate, offer to contact them again within 72 hours to continue the call, when they have had time to consider the information given or allow them the opportunity to provide more information. • If the claimant refuses the offer of a mini-break, continue the Decision Assurance call as normal
2.	When a convenient time and date have been agreed to call the claimant back, set a CAM task to make the call
3.	Record in CAM notes the stage of the Decision Assurance call at which the mini-break and call back was offered to the claimant
4.	If the claimant accepts the offer of a mini break and they have already been informed that they are not entitled to ESA, as action has been taken as per section titled 'Claimant does not have further information' of the Decision Assurance/Disallowance Call Desk Aid (1), the disallowance notification must be issued at this stage

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5.	When the CAM task matures, the DM must make one attempt to call the claimant back at the time and date agreed to continue with the Decision Assurance call at the stage it previously ceased .
6.	If the call is effective, check CAM notes and continue the call from the point at which it previously ceased and answer any further questions the claimant may have
7.	If the claimant has more information to provide, take action as per section 'Claimant has further information to send in to us' of the Decision Assurance/Disallowance Call Desk Aid (1)
8.	If the claimant has no further information to provide, and the disallowance notification has not already been issued, take action as per section titled 'Claimant does not have further information' of the Decision Assurance/Disallowance Call Desk Aid (1) and issue the relevant disallowance notification to the claimant
9.	If the claimant is unavailable when the call back is made, issue the relevant disallowance notification.

34. The effective date is calculated from the date that the disallowance notification is sent to the claimant. This means the effective date may be delayed if the claimant requests time to submit further evidence in support of their claim.

35. Action to take when contacting the claimant who has no LCW

Step	Action
1.	Outcome received on MSRS. Automatic CAM task set - 'Record and Review'
2.	When Claimant Service Officer (CSO) receives CAM task and must determine if claimant has LCW
3.	Access claimant's current IB/IS/SDA award details to establish payment cycle
4.	Calculate a provisional effective date and enter this date in the CAM notepad
5.	Check on the Claimant Information System (CIS) to see if claimant has an interest in IS
6.	If there is an ISCS interest shown on PSCS check ISCS for possible other condition of entitlement to IS and note CAM notepad
7.	Note in CAM Notepad that this is potential disallowance case and a Decision Assurance call is required
8.	If claimant has no LCW, CSO updates CAM task to 'In Progress' and reassigns on CAM to a DM
9.	DM to review information on CAM and in clerical papers
10.	Check the following on each case for any conflicting information: <ul style="list-style-type: none"> • Medical Certificate • ESA50 medical questionnaire – claimant's view • ESA85 Assessment report from MS • any other evidence held. Record in the Decision Making and Appeals Case Recorder (DMACR) if there is any conflicting information
11.	If there is any evidence that is contradictory or further information is needed on any medical aspect of the case, contact MS for advice
12.	When all facts have been established and the claimant still appears to

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	<p>have no LCW, using call type 'Notify No LCW Decision' the DM must make the Decision Assurance call to the claimant to:</p> <ul style="list-style-type: none"> • explain that based on the information available the claimant will be disallowed using Disallowance Desk Aid (1) • ask if they are able to provide any additional relevant information <p>The 'Record and Review' CAM task status must be left open – 'in progress' – to avoid prompting closure of the CAM case</p>
13.	If the call is unsuccessful, a further attempt to contact the claimant must be made, leaving at least 3 hours between each attempt. Note all attempts and outcomes on CAM notepad and CAM contact history
14.	If unable to contact the claimant, issue the appropriate disallowance notification
15.	If the claimant has requested no telephone contact, does not have use of a telephone or has requested they are only contacted in writing, issue form IBM270 to the claimant requesting any further relevant information they may have within 17days. Set a manual CAM task for 17days and update CAM notepad and contact history
16.	If the information hasn't been provided when the CAM task matures, issue form IBM270A as a reminder to the claimant to provide any information they have. Set a further CAM task for 10days and update CAM notepad and contact history
17.	If the information has not been provided when the CAM task matures, issue the appropriate disallowance notification
	Claimant wishes to provide additional relevant information
18.	<p>If claimant wishes to provide further relevant information:</p> <ul style="list-style-type: none"> • tell the claimant to provide the information in writing, or if they are identified as needing additional help or they don't wish to send their information through the post, invite them to provide the information at their local jobcentre by booking an appointment via the AJCS diary as per the current process • wrap up the call and update the 'Awaiting Ver' CAM task sub-status to 'Awaiting Documentation' • update the B/F for 14 days
19.	Update CAM Notepad and Contact History with the action taken on the case
20.	If claimant submits the further relevant information and is found to have LCW take action to gather information and assess and award
21.	When CAM task matures, telephone the claimant again to query if they intend to supply the information. If they still wish to supply the information BF the case again for 7 days or as appropriate if claimant is waiting on a third party e.g. hospital consultant
22.	When the claimant sends in the evidence and further information is needed on any medical aspect of the case, contact MS for advice. Update the 'Record and Review WCA Outcome' CAM task sub-status to 'Advice Ref Required (New Info)'.
23.	When the advice report has been completed the user updates the sub-status of the task to 'Advice Ref Complete (New Info)'. This updating triggers the Status of the case to automatically update to 'Advice Ref Complete-New Info'.

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24.	If on re-examination of the evidence the claimant has LCW, take action to gather information and assess and award the case. Update CAM Notepad with action taken on the case and update the "Record and Review WCA Outcome" task to progress the case.
25.	If on re-examination of the evidence the claimant does not have LCW, the DM must: <ul style="list-style-type: none"> • re-calculate the effective date and update CAM Notes • continue the Decision Assurance call, using the Disallowance Call (2) deskaid there is also a Welsh version explain disallowance and next steps
26.	Follow existing processes to disallow IB/IS/DSA from the effective date
27.	Close CAM task 'Record and Review' - No LCW'. This will create two new tasks: <ul style="list-style-type: none"> • issue disallowance notification • make disallowance call. DO NOT MAKE THIS CALL Issue the appropriate disallowance notification with the IBR65 immediately to the claimant, and form ESA65B to the claimant's GP. Clear both tasks and update the contact history correspondence type 'IBR65'
	Claimant has no further evidence to provide
28.	The provisional effective date calculated at step 4 now becomes the actual effective date
29.	If the claimant has no further evidence to provide, whilst still on the call, the DM must: <ul style="list-style-type: none"> • update CAM Notepad • update CAM task 'Record and Review' task sub-status to No LCW. • will automatically create two new tasks: • issue disallowance notification • make disallowance call.
30.	DM must: <ul style="list-style-type: none"> • continue the Decision Assurance call, using the Disallowance Desk Aid (1) • explain disallowance and next steps
31.	Close CAM task 'Record and Review' – No LCW'. This will create two new tasks: <ul style="list-style-type: none"> • issue disallowance notification • make disallowance call. DO NOT MAKE THIS CALL. Issue the appropriate disallowance notification with the IBR65 immediately to the claimant and form ESA65B to the claimant's GP. Clear both tasks and update the contact history correspondence type 'IBR65'
32.	If the claimant expresses an intention to appeal record this in CAM
33.	Update CAM Notepad and Contact History with the action taken on the case.
34.	If the claimant states that they wish to continue with, or make a claim to, IS under another condition of entitlement see Claimant has no LCW but may have entitlement to Income Support on grounds other than incapacity

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35.	<p>If there is no other condition of entitlement to Income Support arrange to:</p> <ul style="list-style-type: none"> disallow claimants IB/SDA from the day before the effective date (this will pay any IB/SDA to the day before the effective date) disallow claimant's IS from the effective date if there is no other condition of entitlement to IS (this will pay any IS to the day before the effective date).
	Claimant expresses interest in claiming Jobseekers Allowance
36.	After being informed of the disallowance and the claimant expresses an interest to claim Jobseekers Allowance, using warm handover process, transfer claimant to the Contact Centre Directorate (CCD) using existing process
37.	Disallow IB/IS/SDA on PSCS/ISCS as at step 34
38.	<p>When the disallowance notification task has been cleared, two new CAM tasks are created</p> <ul style="list-style-type: none"> Close ISCS/PSCS Claim - This is a User set task. The User must insert the date of the day before the effective day. The task will mature and must be cleared on the day before the effective date so that users can be sure that the claimant's IB/IS/SDA case has been closed Close CAM Case - This Task should be left open. It will automatically create a BF to mature in 30 days, allowing time for the claimant to appeal. If the claimant does not submit a valid appeal within the 30 days the task can be cleared and the case will close
39.	If the claimant has submitted a valid appeal see IB (IS) Reassessment guidance
40.	There will be a 5% CAM Management Check on cases disallowed under this process. Action the Management check as usual.
41.	Check if the claimant is IB claimant is participating in either the Jobcentre Plus Offer programme or the Work Programme (WP) and notify the jobcentre or the WP Provider as appropriate. See Change of Circumstances (WCA Outcomes, para 5)

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Annex 2

Customer Benefit Summary

[REDACTED]

Annex 3

Chronology of Events

[REDACTED]

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Annex 4

[REDACTED]

