

Reassessment of incapacity benefits

Incapacity benefits – Changes you need to know about

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jobcentreplus

Department for
Work and Pensions

What are the changes and when are they taking place?

- Between October 2010 and Spring 2014 customers who receive Incapacity Benefit, Severe Disablement Allowance and Income Support paid on the grounds of illness or disability will be assessed for Employment and Support Allowance.
- Those assessed fully capable of work will be invited to make a claim to Jobseeker's Allowance, be able to claim Income Support (if they are entitled under a different condition of entitlement) or will move off benefit. Those who cannot work or have limited capability to work will move to Employment and Support Allowance.

How will this affect customers?

- All existing incapacity benefits customers are to have their claims reassessed between October 2010 and 2014. As part of this reassessment the majority of incapacity benefits customers will undergo a Work Capability Assessment to determine their future benefit entitlement.
- Current incapacity benefits customers will be referred to Atos Healthcare, our medical services provider, for consideration of a Work Capability Assessment. The assessment will concentrate on what people can do rather than only focusing on what they can't.
- Customers will continue to receive their current benefit (subject to continuing to satisfy the conditions of entitlement) until a decision is made on their case upon receipt of the Work Capability Assessment outcome.

Why are we reassessing incapacity benefits customers?

- It has always been the intention to replace the current working age incapacity benefits, once Employment and Support Allowance was established. We are keen to phase out these benefits as it makes no sense to have several different benefits for customers with health conditions.
- There are currently 2.6 million people on incapacity benefits. We know that many of them, with the right support, could and indeed do want to work but the current system doesn't give them that option.
- For someone on incapacity benefits it could be a considerable length of time before they have to speak to anyone at the DWP about their condition or their work options.
- Moving people onto Employment and Support Allowance and Jobseeker's Allowance will mean they get the right help and support to find work.

Concentrating on what people can do rather than only focusing on what they can't

- There is strong evidence that long periods out of work can contribute to:
 - 2 to 3 times decrease in general health
 - 2 to 3 times increase in mental health problems
 - 20% greater risk of mortality
 - *Source - Waddell, Burton, 'Is Work Good for Your Health and Wellbeing?': 2006*
- There is growing evidence that work can:
 - Promote recovery from both mental and physical health problems
 - minimise the risk of the physical, mental and social effects of long-term unemployment such as social exclusion and poverty
 - *Source - Black: Carol, 'Working for a Healthier Tomorrow, Review of the Health of Britain's Working Population': 2008*

When a decision has been made – Employment and Support Allowance

Where a customer is assessed as eligible for Employment and Support Allowance their claim will be transferred automatically.

We are determined that the transition will run smoothly for all customers. For those who transfer to Employment and Support Allowance we will ensure that benefit payments are not disrupted.

No one moving from their existing benefit to Employment and Support Allowance will see a reduction in the level of their benefit entitlement at the point of change.

There are two groups in Employment and Support Allowance, with different allowances and conditionality:

- Work Related Activity Group
- Support Group

Employment and Support Allowance – Work Related Activity Group

Work-Related Activity Group

- Those for whom we assess an eventual return to work is realistic will be placed in the Employment and Support Allowance Work-Related Activity group. If a customer is placed in the Work Related Activity Group, they will be expected to take part in work focused interviews with their personal adviser.
- If a customer is placed in the Work Related Activity Group they will get support to help them prepare for suitable work. In return, they will receive a Work Related Activity component in addition to their basic rate of benefit.
- If a customer refuses to go to the Work Focused Interviews, or to take part fully in the Work Focused Interviews, it may affect their entitlement to Employment and Support Allowance.

Employment and Support Allowance – Support Group

Support Group

- If a customer is placed in the Support Group because their illness or disability has a severe effect on their ability to work, they will not be expected to take part in any work related activity to receive their benefit. They can do so on a voluntary basis if they want to.
- The customer will receive a support component in addition to their basic rate of benefit.
- If a customer is placed in the Support Group they do not have to go to interviews, but they can ask to talk to a personal adviser if they want to.

When a decision has been made – Jobseeker's Allowance

If a customer is found capable of work they may be able to claim Jobseeker's Allowance. They will be given the option to make a claim when they are informed that their claim for Employment and Support Allowance has been disallowed.

There are two types of Jobseeker's Allowance:

Contribution-based Jobseeker's Allowance

- Jobcentre Plus can pay this for up to 182 days. It's based on how much National Insurance a customer has paid. Generally, self-employed contributions will not help a customer qualify for contribution-based Jobseeker's Allowance.

Income-based Jobseeker's Allowance

- This is based on a customer's income and savings. They may get this if they have not paid enough National Insurance contributions (NICs) (or they have only paid contributions for self-employment) and they are on a low income.

When a decision has been made – Underlying entitlement to Income Support

- Some customers who are found capable of work will be entitled to Income Support on other grounds. For example if they have young children.
- Where this is the case, and we are aware of the entitlement, the customer will be given the option of continuing to claim Income Support. Although the amount of benefit may change.
- The customer will not need to make a new claim.

Housing Benefit and Council Tax Benefit

Housing Benefit and Council Tax Benefit calculations may be affected by reassessment.

- Customers moving to income-related benefits will receive maximum eligible help with rent and council tax.
- Customers moving off benefits will be contacted by the Local Authority to review their entitlement to Housing Benefit and Council Tax Benefit.
- For customers moving to contributory Employment and Support Allowance (paid without income-related ESA) from IB/SDA (paid without Income Support) any disability premium will be removed from the Housing Benefit/Council Tax Benefit calculation and replaced by either the work-related activity component or the support component.
 - Where the Housing Benefit/Council Tax Benefit amount increases, the higher amount will be awarded immediately.
 - Where the Housing Benefit/Council Tax Benefit amount decreases, a transitional addition will be awarded to protect the overall benefit income.
 - Customers appealing a decision not to award Employment and Support Allowance who are paid contributory Employment and Support Allowance pending the appeal hearing will also have their Housing Benefit/Council Tax Benefit entitlement transitionally protected whilst their appeal is processed.

Understanding our customers

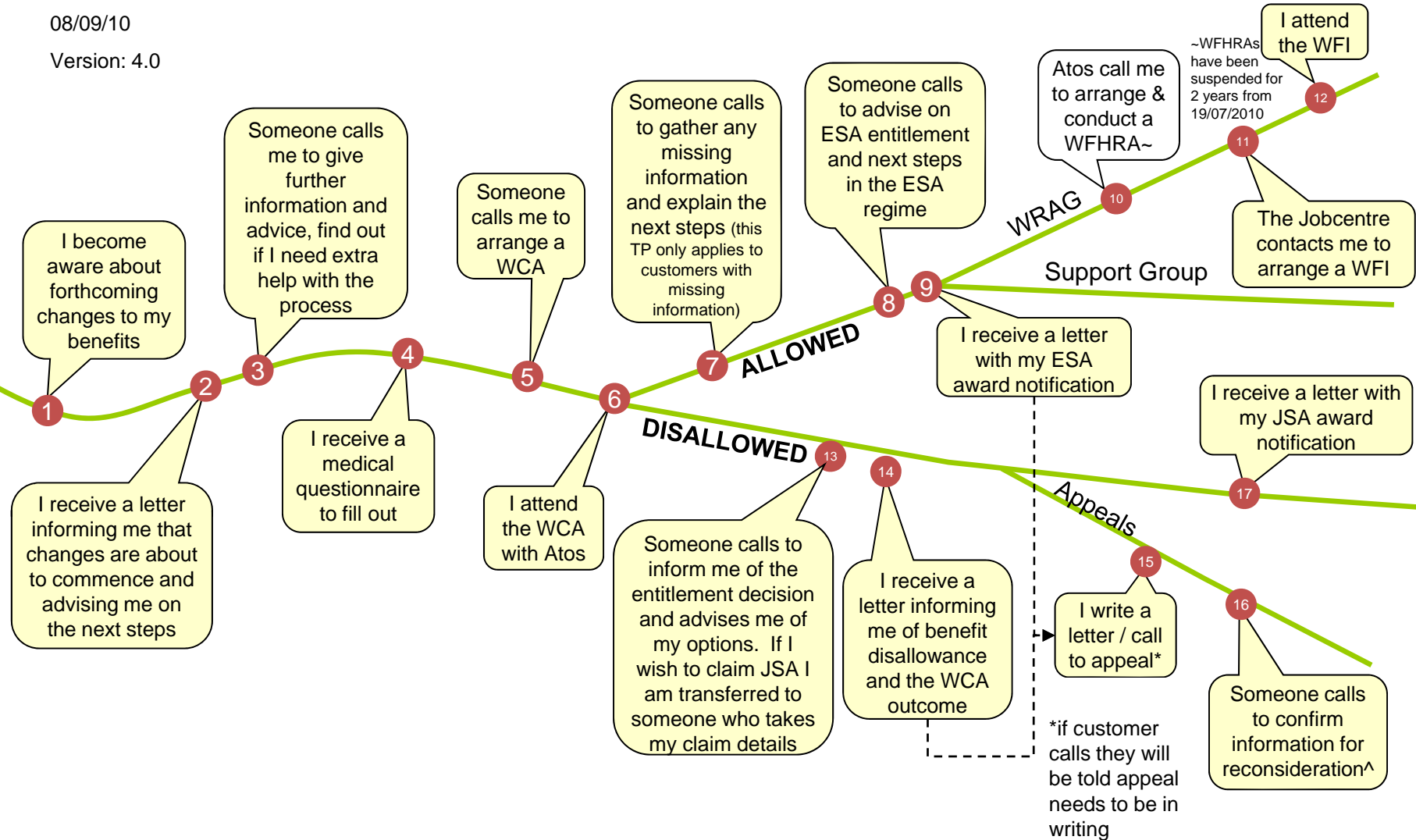
- We have undertaken extensive field research with incapacity benefits customers and Jobcentre Plus staff.
- Outlined below is a summary of customer categories identified, their average length of time out of work and the proportion of reassessment population each group represent.

Customer Group	Average duration on incapacity benefits	Proportion of reassessment population
Aged 35-55 with other physical conditions	7.7 years	18%
Men aged 55-60	8.6 years	9%
Aged 35-55 with musculo-skeletal conditions	7.8 years	9%
Aged under 35	5.7 years	12%
Aged 35-55 with mental health conditions	7.8 years	24%
< 5 years from state pension age	9.7 years	5%
IB Youth and SDA claimants	11.7 years	15%
Over 15 years on incapacity benefits	16 years	8%

Customer journey

08/09/10

Version: 4.0



The customer journey, explained step by step

In response to feedback/lessons learnt from the implementation of Employment and Support Allowance, we have added additional contact points to the customer journey.

Simplifying the journey for the customer in this way, enables us to:

- provide further information to the customer at each step
- provide the customer with more opportunities to ask questions
- explain what will happen next so that they understand exactly where they are in the journey

Customer journey

Step 1 - Customer may become aware of forthcoming changes to their benefit via the media.

Step 2 - Customer will receive a letter informing them that changes are about to commence and advising them on next steps.

Step 3 – Customer will receive a call to provide further information and to find out if they need extra help

Customer journey, step by step

Step 4 - Customer will receive a medical questionnaire to fill out.

Step 5 - Customer will receive a call from Atos Healthcare to arrange a Work Capability Assessment.

Step 6 - Customer attends the Work Capability Assessment with Atos Healthcare.

Step 7 - Customer will receive a call to gather any missing information and to explain the next steps (this will only apply to customers for whom there is missing information).


The image shows a screenshot of a government form titled "Limited capability for work questionnaire". The form is from Jobcentre Plus, part of the Department for Work and Pensions. It contains instructions for filling out the questionnaire, including a deadline of 4 weeks. Below the instructions is a section titled "About you" with various input fields for personal information: Surname, Other names, Title (with a dropdown menu showing "Mr/Mrs/Miss/Ms"), Address, Postcode, Date of birth, and National Insurance (NI) number. At the bottom of the form, there is a disclaimer: "The healthcare professional that does your medical assessment does not make the decision about your benefit or credits." and the reference "AL1 Flyer 12/09".

Limited capability for work questionnaire

Customer journey – if a customer is entitled to Employment and Support Allowance

Step 8 – Customer will receive a call to advise on Employment and Support Allowance entitlement and next steps.

Step 9 – Customer will receive an Employment and Support Allowance award notification.

Step 10 – Following careful consideration, it has been decided that the Work Focused Health Related Assessment (WFHRA) element of the Work Capability Assessment will be suspended for a period of 2 years. 

Step 11 – Customer will be contacted to arrange a Work Focused Interview (WFI).

Step 12 – Customer attends the Work Focused Interview.

Customer journey – if a customer is not entitled to receive Employment and Support Allowance

Step 13 – A Jobcentre Plus decision maker reviews the outcome of the customer's Work Capability Assessment – face to face assessment, Atos Healthcare's medical report, the contents of the limited capability for work medical questionnaire and any other available information. The Jobcentre Plus decision maker will reach a view as to whether or not the customer will be entitled to Employment and Support Allowance on the information available.

The Jobcentre Plus decision maker will then advise the customer of their options. If they wish to claim Jobseeker's Allowance they will be transferred to someone who will take their claim details.

Step 14 – Customer will receive a letter informing them of benefit disallowance and the Work Capability Assessment outcome.

Step 17 – Customer will receive a letter with their Jobseeker's Allowance award notification.

Customer journey – appealing a decision

Step 15 – Customer will write or call with a request to appeal. If a customer appeals a decision they will continue to receive the assessment rate for Employment and Support Allowance, pending the outcome of the decision. To appeal against a decision the customer must make the appeal in writing.

Step 16 – Upon receipt of an appeal a Jobcentre Plus decision maker will undertake a reconsideration of the original decision. This will involve a call to the customer to confirm that they have provided all of the information needed. This is to ensure that the Jobcentre Plus decision maker has all of the available information before undertaking the reconsideration.

The Jobcentre Plus decision maker will then undertake the reconsideration, notify the customer and continue with appeals process where it is appropriate to do so.

Further information and useful contacts

Contact Details

Jobcentre Plus Partnership Manager – Veronica Carter 07919 014520
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We have also developed information that our customers and stakeholders can access direct. This includes a page on [Directgov](https://www.direct.gov.uk) (www.direct.gov.uk/ibchanges or www.direct.gov.uk/newidiadauba for Welsh speaking customers) and information on the [DWP Adviser](https://www.dwp.gov.uk/adviser/updates/ib-reassessing-claims) webpage at: www.dwp.gov.uk/adviser/updates/ib-reassessing-claims

