

Work capability assessments

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What are work capability assessments

A work capability assessment (WCA) is a functional assessment of what a claimant can and cannot do. Refer to Centre for Health and Disability Assessments (CHDA) for more information.

The WCA report provides advice on whether the claimant has limited capability for work (LCW), limited capability for work and work related activity (LCWRA) or does not have LCW - is fit for work.

When are claimants referred for a work capability assessment

In most cases, claimants are referred to the Centre for Health and Disability Assessments (CHDA) at day 29 of their health condition related claim.

An immediate work capability assessments (WCA) referral must be made when a claimant provides sufficient information to confirm they have certain specified conditions or are undergoing certain specified treatments so they can be treated as having:

- limited capability for work and work related activity
- limited capability for work
- terminal illness, in the absence of a correctly completed DS1500

This is known as a Day 1 referral.

Where we are satisfied that a valid DS1500 has been provided to confirm the claimant has a terminal illness, we can determine the claimant has LCWRA without referring to CHDA. Where we are unsure, a day 1 WCA referral is made.

Claimant consent

DWP and Centre for Health and Disability Assessments (CHDA) may require additional medical evidence to support the work capability assessment (WCA) process. The claimant must give their consent so that we can gather this.

The claimant is asked if they give consent when they report a health condition and on the UC50. The consent given by the claimant allows their doctor or medical practitioner to share information with DWP. This allows CHDA to gather further medical evidence from other sources such as the claimant's doctor if needed.

The claimant is given the choice to give or not give their consent. Where the claimant does not give consent, the WCA action continues. It means a WCA decision can only be based on the information provided. We must then refer to CHDA clerically. CHDA assume claimants have given consent unless they receive the clerical referral.

The claimant can change their mind at any time, to give, or not give consent. If the claimant withdraws their consent, this only relates to the release of information from the doctor or other

medical practitioners dealing with the claimant's health condition. It doesn't affect the way in which DWP uses the information already held.

The exception is the DS1500 which can be supplied to DWP without the claimant's knowledge. Refer to Terminal Illness for more information.

Refer to the capability for work questionnaire for more information.

Employment and Support Allowance migration to Universal Credit

When a claimant moves from Employment and Support Allowance (ESA) to Universal Credit through natural migration and has had a WCA decision made on their ESA claim, this decision will be used on the UC claim.

Details of the ESA WCA decision will be captured on the UCFS MGP1 (DWP). The WCA decision will be recorded by the national inbox team and will only occur when the claimant has declared a health condition.

If the claimant fails to declare they have a health condition on the claim to Universal Credit when they naturally migrate, confirmation must be obtained that they still have a health condition. If so, the claimant must amend the information they have submitted.

Referring claimants affected by terrorist attacks to work capability assessments

We must ensure that Universal Credit claimants who are unfit for work and affected by recent terrorist attacks are treated appropriately throughout their customer journey.

There is no central list of those affected, we rely on claimants identifying themselves.

When a claimant is identified as being affected by a terrorist attack prior to the WCA referral:

- Medical Services Referral System (MSRS) referral is completed as normal
- this is highlighted to the Health & Disability Advisory Service Performance contact in the claimants region

It's vital we treat these claimants sensitively, paying particular regard to the Complex needs guidance.

Withdrawal from the work capability assessment process

There are 6 situations when a claimant must be withdrawn from the WCA process. These only occur prior to the WCA determination.

The six situations a claimant must be withdrawn from the WCA process are when the claimant's:

- no longer unfit for work and declares this
- fit note ceases and the claimant does not provide a further fit note
- initial reason of condition has ended and claimant has declared a different condition
- moved to Northern Ireland
- no longer in receipt of Universal Credit
- died

If the claimant is withdrawn from the WCA process, we notify the CHDA, unless the WCA has already been completed.

Claimant fails to attend or participate

Where the claimant fails to attend or participate in the WCA, CHDA return the referral updating Medical Services Referral System to inform DWP. Both cases are treated as failure to attend and a decision is made as to whether the claimant has good reason for their actions.

Work Capability assessment outcomes

Refer to Work capability assessment outcomes for all information on this subject.

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