

EMPLOYMENT SUPPORT ALLOWANCE: WORK CAPABILITY ASSESSMENT STATISTICAL RELEASE (OCTOBER 2009)

1. Introduction

- 1.1. Employment and Support Allowance (ESA) replaced Incapacity Benefit and Income Support paid on the grounds of incapacity for new claims from 27th October 2008. The introduction of ESA for new claimants in October 2008 was accompanied by a new assessment, the Work Capability Assessment (WCA). The WCA is based on medical advice delivered by the Department for Work and Pension's (DWP) medical services contractor, ATOS Healthcare.
- 1.2. This publication reports on latest available data on ESA claims which are assessed by the WCA. This is an emerging picture based on the early cohorts of ESA claims, some of which have not yet been assessed.

2. Background on the Data

- 2.1. The data presented in this publication combines three main data sources:
 - benefit claims data held by the Department for Work and Pensions (DWP) covering new ESA claims between October 2008 to February 2009;
 - medical assessment data sourced from ATOS Healthcare covering assessments completed between October 2008 and August 2009; and
 - appeals data sourced from Tribunals Service covering appeals heard up to July 2009.
- 2.2. This report presents monthly data on ESA claims and their subsequent WCA outcomes. ESA claimants begin the medical assessment process shortly after starting their claim. ATOS Healthcare undertake an assessment and the outcomes of these assessments are passed on to DWP to make a final decision on the claimant's ESA status. This will be one of the following:
 - Support group (for those with severe disabilities) – they receive a higher rate of benefit entitlement overall and exemption from mandatory involvement with pathways
 - Work related activity group – They receive higher rate of benefit than those on JSA and are mandated to engage with pathways to work
 - Fit for work – Individuals can ask for a reconsideration or appeal if they disagree with the decision.

If someone is found Fit for Work by DWP they are no longer entitled to claim ESA. However they may ask for a reconsideration and then may appeal against the DWP decision. A large proportion of people claiming ESA cease their claim before medical assessment is complete and this is reflected in the figures presented in this paper.

- 2.3. Around 3% of assessments are made clerically. These figures are not included in this publication.

2.4. This data is based on recorded advice from ATOS, rather than the Decision Maker's final determination. The final outcomes of cases may change. This will be further compounded by reconsiderations following additional medical evidence and the outcomes of appeals.

3. Main Findings

WCA Destinations expressed as a proportion of ESA on-flows

Table 1: Monthly ESA on-flows by Claim Start and result of medical assessment¹

	Oct-08	Nov-08	Dec-08	Jan-09	Feb-09	Total
Support Group	600	2,400	2,200	2,600	2,200	10,000
Work related Activity Group	1,000	4,800	4,500	6,000	5,300	21,600
Fit for Work	3,300	16,000	13,800	18,600	17,100	68,800
Claim closed before assessment complete	3,500	17,700	15,900	19,800	17,600	74,500
Assessment still in progress	600	3,000	3,300	5,500	6,500	19,000
Total	9,100	43,900	39,600	52,500	48,700	193,800

Table 2: Monthly ESA on-flows by Claim Start and result of medical assessment - percentages

	Oct-08	Nov-08	Dec-08	Jan-09	Feb-09	Overall
Support Group	7%	6%	6%	5%	4%	5%
Work related Activity Group	11%	11%	11%	11%	11%	11%
Fit for Work	37%	37%	35%	36%	35%	36%
Claim closed before assessment complete	39%	40%	40%	38%	36%	38%
Assessment still in progress	6%	7%	8%	11%	13%	10%

3.1. Table 1 and Table 2 present assessment results by breaking down cohorts of ESA benefit claims. This is presented for claim starts to February 2009. Beyond this date the results are not reliable as many claims are still within the process.

3.2. National Statistics on ESA on-flows and caseload are published on the DWP Tabulation Tool. Latest data available shows there were 195,500 new ESA claims between 27th Oct 2008 and 28th Feb 2009. Note that rounding and exclusion of clerical claims means the figures in Table 1 won't match the Tabulation Tool figures exactly.

3.3. 52% of these ESA claims were assessed resulting in the following outcomes:

- 5% were assessed as suitable for the Support Group;
- 11% were assessed as suitable for the Work Related Activity group; and
- 36% were assessed as being fit for work.

The remaining 48% either left ESA before completing assessment or assessment is still in progress.

3.4. It is expected that the Decision Maker's decision (see paragraph 2.3) will reduce the number of people deemed as 'Fit for Work' and increase numbers in the 'Support Group' and the 'Work Related Activity Group' (presented in Tables 1 to 3) although it is anticipated that the impact will be small.

¹ Figures are round to the nearest 100

WCA breakdown showing people assessed by month of assessment

Table 3: Medical Assessments by Month of Assessment and result

	Oct-08	Nov-08	Dec-08	Jan-09	Feb-09	Mar-09
Support Group	0	100	400	900	1,500	2,200
Work Related Activity Group	0	0	200	700	1,400	3,500
Fit for Work	0	0	300	2,100	4,300	11,600
Total Assessed	0	100	900	3,700	7,200	17,300

	Apr-09	May-09	Jun-09	Jul-09	Aug-09	Total
Support Group	1,900	2,300	3,100	3,100	2,900	18,300
Work Related Activity Group	4,100	5,400	8,400	9,000	8,300	41,000
Fit for Work	13,600	17,200	27,900	28,500	25,000	130,500
Total Assessed	19,600	25,000	39,400	40,600	36,100	189,800

3.5. Table 3 presents cases by month of assessment where assessment has been completed² up to the end of August 2009, the latest data available. Note that these figures are not intended to match the figures in Tables 1 and 2 above. Table 3 only records people completing assessment and also includes claims that started after February 2009.

3.6. There have been 189,800 WCA assessments up to the end of August 2009. Of these assessments³:

- 10% have been assessed as Support Group
- 22% have been assessed as Work Related Activity
- 69% have been deemed Fit for Work

Note that these percentages differ to the figures in Table 2 as they are based on volumes of complete assessments rather than volumes of ESA claims.

4. Appeals

Table 4: WCA Appeals heard on 'Fit for Work' Decision - data to end of August 2009

Appeals Heard	4,900
DWP Decision Upheld	3,300
Decision in favour of Appellant	1,500

4.1. Table 4 presents data on numbers appealing the Department's decision on being assessed as 'Fit for Work'⁴ and which have been heard by Tribunals Service by the end of August 2009. This initial data shows that 69% of DWP decisions have been upheld.

4.2. Due to the time it takes for appeals to be submitted to Tribunals Service and heard, a very limited volume of Appeals Heard data is held currently. Volumes

² Excluding clerical assessments. Subtotals and overall totals are rounded from source data so tables may not add up exactly

³ These percentages do not sum to 100% due to rounding

⁴ Includes clerical assessments, we can infer that an appeal that links to a clerical assessment was very likely to be against a 'fit for work' decision

will increase in the coming months as more appeals are processed giving a more robust picture of appeal volumes and outcomes.

5. Future publications

- 5.1. This publication will be updated quarterly.
- 5.2. The data in this publication will be updated for further ESA claims and assessments.
- 5.3. We will calculate the number of claims where ESA claimants who are deemed as 'fit for work' and subsequently appeal. Appeal information is currently incomplete and does not allow us to determine total appeal numbers.
- 5.4. We will include the impact of the Department's decision on ESA entitlement (see paragraph 2.4).
- 5.5. We will include information on movement to other benefits.
- 5.6. Comparable information on the Personal Capability Assessment (PCA) for Incapacity Benefit (IB) claims is not held centrally. This information will be available later this year or early next year at which stage we will include comparison of WCA and PCA results.