

DWP Annual Forum
Wednesday 6 July 2011
The Kia Oval, Kennington, London

Implementation of Professor Harrington's Review of the Work Capability Assessment – an update

In June 2010 Professor Malcolm Harrington was appointed to undertake the first of five annual independent reviews on the Work Capability Assessment (WCA). Professor Harrington's first review was published in November 2010. DWP welcomed his report and accepted all the recommendations he made. This session will provide delegates with information about ongoing work to implement his recommendations, and an opportunity to discuss this work with officials.

The session will be structured around the five key areas from Professor Harrington's independent review:

- Customer Experience (recommendations 1 - 4);
- Atos Assessment (recommendations 5 -9);
- Decision Making Process (recommendations 10 -14);
- Appeals Process (recommendations 15 -17); and
- Year Two recommendations (recommendations 18 – 25).

Speakers:

Mark Wilson, Harrington Review Support Team
Sharon Hepworth, Jobcentre Plus Welfare Change Delivery Programme
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Further information:

Link to Professor Harrington's Independent Review and Interim Reports:
<http://www.dwp.gov.uk/policy/welfare-reform/employment-and-support/wca-independent-review/>

Professor Harrington's Recommendations – Year One	
Recommendation	Progress
1. Jobcentre Plus manages and supports the claimant during the course of their benefit claim and identifies their chosen healthcare adviser.	Incapacity Benefit (IB) Reassessment claimants receive additional support to ensure they understand each stage of the process. Similar support is being introduced to Employment and Support Allowance (ESA) claimants from 6 June 2011.
2. Initial questionnaire (ESA50) includes a more personalised justification so the claimant can express the issues that they face in a short paragraph	A revised version of the ESA50 questionnaire has been in use since 14 March 2011. This includes space for the claimant to provide a summary of their condition and asks for the details of the person who knows their condition best (their chosen healthcare adviser)
3. In the longer term, the Government reviews the ESA50 to ensure it is the most effective tool for capturing relevant information about the claimant	Arrangements are in place to keep the ESA50 under review. For example, biannual reviews that take into account feedback received.
4. Written communications to claimants are comprehensively reviewed so that they are clearer, less threatening, contain less jargon & fully explain process	New IB Reassessment letters were introduced and the main ESA forms/letters have been reviewed. A process is in place to keep all communications under review. The WCA appointment letter is currently being reviewed.
5. Every Atos assessment to contains a personalised summary of the assessment in plain English.	From 6 June 2011 a Personalised Summary Statement was introduced into the Atos Assessment form (ESA85) for ESA and IB Reassessment cases where the ESA50 was issued after 14 March 2011 and the assessment completed on or after 6 June 2011
6. Every claimant is sent a copy of the Atos personalised summary and is able to discuss any inaccuracies with a Decision Maker.	A trial of issuing a Personalised Summary Statement to disallowed ESA claimants starts from 11 July 2011 in Wrexham Benefit Centre within the context of the additional support being provided for recommendation 1.

Professor Harrington's Recommendations – Year One	
Recommendation	Progress
7. Atos provide mental function champions to spread best practice amongst Atos healthcare professionals in mental, intellectual and cognitive disabilities.	Mental Function Champions have been in place from May, providing support on a regional basis.
8. Atos pilot the audio recording of assessments to determine whether such an approach is helpful for claimants and improves the quality of assessments	Audio recording was piloted in Newcastle Assessment Centre. The Atos Evaluation Report is currently being considered by the Department.
9. Atos to develop and publish a clear charter of claimant rights and responsibilities, and to publish HCP guidance online for claimants & advisers	The Atos Customer Charter has been displayed in all Assessment Centres from March 2011 and the WCA Handbook (HCP Guidance) is also available via http://www.dwp.gov.uk/publications/specialist-guides/#other
10. Jobcentre Plus Decision Makers are put back at the heart of the system and empowered to make an independent and considered decision.	Cultural changes have begun in Jobcentre Plus to empower Decision Makers, this is supported by regular Decision Making forums chaired by the Benefit Centre Director.
11. Jobcentre Plus to make better use of the reconsideration process.	Changes to reconsideration process were introduced from November 2010
12. Decision Makers are able to seek appropriate chosen healthcare advice to provide a view on the accuracy of the report	New learning for Decision Makers and cultural changes will reinforce a better use of this available option.
13. Better communication between Decision Makers and Atos healthcare professionals to deal with borderline cases.	Better communications are being facilitated by Healthcare Professionals deployed in Benefit Centres to discuss borderline cases with Decision Makers
14. Decision Makers receive training so that they can give appropriate weight to additional evidence	New learning is available for Decision Makers on the WCA process and about gathering and using available evidence. A quality framework for decision making standards is also being introduced.

Professor Harrington's Recommendations – Year One	
Recommendation	Progress
15. Feedback from First-tier Tribunal routinely shared with Jobcentre Plus staff and Atos healthcare professionals. As part of their professional development, Jobcentre Plus Decision Makers to be encouraged to regularly attend Tribunals.	Professor Harrington is working with the Tribunal Service to implement this recommendation.
16. Tribunal decisions are better monitored, including monitoring of the relative or comparative performance of Tribunals.	Professor Harrington is working with the Tribunal Service to implement this recommendation.
17. Training offered by the Chamber President to Tribunal Judges & medical Members should include modules on the evidence of the beneficial effects of work to an individual's well-being.	Professor Harrington is working with the Tribunal Service to implement this recommendation.
18. Mind, Mencap and the National Autistic Society to provide recommendations on refining the mental, intellectual and cognitive descriptors.	The Department is considering recommendations and will feed back initial thoughts to Professor Harrington shortly.
19. To examine the descriptors, in particular how they account for other fluctuating conditions and, possibly, generalised pain and provide any recommendations necessary.	Charities have made initial recommendations, which will be considered by an independent scrutiny group. Final recommendations to Professor Harrington by the end of August.
20. To examine what happens to people who are found Fit for Work, people who are placed in the Work-Related Activity Group, in the Support Group and people who do not complete their WCA	Research to be commissioned in July looking at "borderline" cases and how these are dealt with and what happens to people who apply for ESA but withdraw their claim before the face-to-face assessment.
21. To examine what happens to people who are found Fit for Work but are unable to claim Jobseekers Allowance	Ongoing analysis of this customer group.
22. To undertake research to understand whether the assessment could and should incorporate more "real world" or work-focused elements.	Citizens Advice will shortly make initial recommendations. Professor Harrington will host a seminar in the Autumn to explore the proposals and to look at the feasibility of a real world test in more detail.

Professor Harrington's Recommendations – Year One	
Recommendation	Progress
23. To examine the Atos computer system (LiMA) and how it can drive the right behaviours.	Seminars held in June to look at LiMA in operation. Further views and evidence on LiMA to be gathered via the Call for Evidence.
24. To explore the use of other healthcare professionals in the Atos assessments and to check consistency of assessments by different professions	Professor Harrington will work with Atos to complete this recommendation in July/August.
25. To monitor the implementation of those recommendations in the year one report which have been adopted by Ministers.	Professor Harrington's interim report on implementation of Year One recommendations was published on 7 June 2011. Call for Evidence will also gather views on Year One progress.