

# The government's Work Capability Assessment for disabled people is one of the toughest in the world – it is not fit for purpose

Blog Admin

A major component of the 'new labour' government and the current coalition government's radical welfare reforms has been the Work Capability Assessment (WCA) for disabled people. [Debbie Jolly](#) co-founder of [Disabled People Against Cuts \(DPAC\)](#) finds that the assessment has been made much more stringent, with people with often multiple impairments being found 'fit to work' through the test. If the WCA is not immediately reviewed and rethought, the current system will provide little benefit to employers and will severely reduce the quality of life of many disabled people.



From now until Spring 2014 all those who are receiving Incapacity Benefit, Severe Disablement Allowance and Income Support paid on the grounds of illness or disability will be assessed for Employment and Support Allowance (ESA), undergoing a stringent Work Capability Assessment (WCA) carried out by the French Company Atos who are contracted by the Department of Work and Pensions (DWP).

First introduced in 2008, the much criticised WCA has become [even more punitive](#) since changes in the 2011 edition of the training manual for assessors. Pilots in Aberdeen and Burnley have raised more criticisms of the process adding to the raft of criticisms from the British Medical Association, GPs, Citizens Advice Bureaus (CABs), Members of Parliament and disability organisations.

Those going through the test can be put into one of three groups: *ESA Support Group* not required to undertake work-related activity – but will be reassessed continuously; *ESA Work Related Activity Group*, for those deemed fit for work with support and preparation. It will be limited to just 12 months before ESA is stopped, and also may be subject to reassessment in the 12 month period; or *Fit for Work*, not entitled to ESA but transferred to a lower amount on Jobseeker's Allowance.

## The Problems

Case studies have repeatedly shown the inhumanity of a system based on government targets and the pain and misery of the increasing stringency of these tests. One example from the 2010 [Citizens Advice Bureau's report on ESA and WCA](#) testing procedures highlights the experiences that someone considered 'fit for work' through WCA might endure:

*She was in a great deal of pain in her muscles and joints and had extreme fatigue. At times her balance was affected and she could not walk without someone to support her. Sometimes she lost sensation in her legs, and on her worst days she could not walk at all. Any exertion such as walking 40 or 50 metres led to days in bed. She had had a bad reaction to some of the treatment and an ECG showed her heart muscle had been damaged. Her husband had to come home from work each lunchtime to help her. Her immune system was weakened, so she had to be careful when mixing with others. She claimed ESA but was given six points in the Work Capability Assessment (WCA) and found capable of work. Her doctor supported her claim and she is currently appealing, but under Incapacity Benefit she would probably have been exempt and would have avoided this process.*

There are many other stories like this. There are also increasing [stories of suicides](#) committed by people left without any means of income fighting and winning appeals, only to find they are called for WCA reassessments shortly after. As part of the recognition of the increasing trend of those going through assessments to take their own lives Job Centre Plus staff have been issued with [guidelines](#) on how to deal with people who they think might be suicidal because of the WCA testing.

[One estimate](#) claims that up to 500,000 people have been wrongly denied Incapacity status. In the *Guardian*,

Amelia Gentlemen reminds us that since its rollout people with terminal illness have been found 'fit for work', those with mental health issues have said the system cannot appreciate complexities of mental health, and others that the tick box system is [unable to cope with any nuances](#) of long term impairments or illness.

Citizens Advice Scotland reported that under incapacity benefits, 37 per cent were found 'fit for work'. Under Work Capacity Assessment, the figure had [soared to 66 per cent](#). In 2008 The DWP and Atos were [severely criticised by Robert Martin](#), the President of the Appeals Tribunal Panel, a position now abolished:

*Criticism was made of ATOS Healthcare medical practitioners who did not appear to pay sufficient attention to the appellant at the medical examination and who produced findings in medical reports based on observations that were inconsistent, or recorded in the medical report findings that were contradictory*

In a later 2010 [independent review](#) of the WCA tests Professor Harrington concluded:

*There is strong evidence that the system can be impersonal and mechanistic, that the process lacks transparency and that a lack of communication between the various parties involved contributes to poor decision making and a high rate of appeals." and that "evidence has consistently and regularly highlighted problems with each stage of the WCA process, which limit both the assessment's fairness and effectiveness.*

[Moreover Atos's own staff have said the assessments are too harsh](#). Prospect, the trade union who represent 135 Atos doctors, has also [stated](#) that the target of seeing ten or more people a day is unrealistic and will lead to wrong assessments, especially in complex cases.

Despite the overwhelming evidence that WCA was not working, Atos were awarded a further 3 year contract by the DWP at the end of 2010, with a contract for £300 million based the perceived expertise of a software system LiMA, which comprises the central part of the WCA testing.

### **Hidden Statistics**

There has been a 56 per cent increase in ESA appeals with figures up from 25,700 in the second quarter of 2009/2010 to 52,000 in the [same quarter of 2010/2011](#). Almost half of cases are [overturned at appeal](#). Paul Hoggarth of *Burnley Citizens Advice* said that as many as 80 per cent of those supported in their [claims to overturn a 'fit for work' decision win](#). Figures from the DWP show that of those declared 'fit for work' by the WCA system, [just 13 per cent are in employment](#). The 'fit for work' myth does not convert into any form of reality.

A representative survey carried out by Ipsos MORI and reported in '[Employment and Support Allowance: findings from a face to face Survey](#)' commissioned by the DWP, found that nearly a third of those going through the WCA process were described as having 'literacy problems'. A further six per cent 'problems speaking English' and 11 per cent had 'numeracy problems'. Twenty two percent were described as in one or more disadvantaged groups including those with mental health issues, ex-offenders, and those with perceived learning difficulties.

[An overwhelming 69 per cent](#) of those going through the WCA process had 'multiple health conditions', with 81 per cent of people receiving medical treatment for their condition and 38 per cent waiting for treatment or additional treatment in all ESA groups. These statistics do not present us with a set of fraudsters pretending to be sick or disabled, nor a set of individuals who have been languishing on incapacity benefits for years; in fact 71 per cent of applicants to ESA were new claimants making their first ever claim.

### **The discredited WCA**

The WCA is not really about assessing fitness for work, nor supporting people into work. The 'capability' tests were always part of a mutual interdependence between successive Governments' need to reduce social claims on the state and business identifying financial benefit in such a process. The misery it causes is deemed irrelevant by all parties.

The 2011 manual issued by the DWP to Atos provided new regulations including:

*...infrequent loss of consciousness would not substantially impact on a person's ability to work and therefore only those experiencing weekly or monthly episodes of loss of consciousness will be awarded scoring descriptors.*

Thus if you spontaneously lose consciousness once every five weeks, you will be assessed as 'fit for work'. This is one example of the non reality of new WCA 'fit for work' standards. It undermines the logic, and the economic and social realities of any reasonable employment criteria. The WCA is presented under the guise of state and market efficiency. It serves neither criterion.

*A number of demonstrations were held last week in response to Atos and benefit cuts, see: <http://benefitclaimantsfightback.wordpress.com/>, and you can view a video of the protests against Atos on the [Guardian's website](#).*