

Citizens Advice Scotland

Scottish Association of Citizens Advice Bureaux
www.cas.org.uk



Response to the Fifth Independent Review of the Work Capability Review ('Litchfield Review')

Response from Citizens Advice Scotland

August 2014

- Citizens Advice Scotland and its member bureaux form Scotland's largest independent advice network. CAB advice services are delivered using service points throughout Scotland, from the islands to city centres.
- Citizens advice bureaux in Scotland helped clients with over 500,000 new issues in 2011/12 – more than 1,400 new issues for every day of the year. Nearly 200,000 clients brought new issues to a bureau over the year.
- In 2011/12, Scottish bureaux achieved a financial gain of almost £140million for clients based on funding of £16.9million.

Context: ESA issues in Scottish CAB

Citizens Advice Scotland welcomes the opportunity to contribute to this final independent review of the Work Capability Assessment. Welfare and benefits issues remain the biggest area of work for the Scottish citizens advice bureaux (CAB) network. It is also an increasing area of work. Total Benefit and Tax Credit issues for CAB have increased 7 per cent in the last three years and in 2012-13 it made up 38 per cent of CAB work. CAB are working to support people across Scotland with current welfare changes and doing our utmost to mitigate the negative impact of changes and benefit cuts.

Employment and Support Allowance is by far the biggest issue dealt with in Scottish bureaux, making up over a quarter (25 per cent) of all work. It has been increasing as a proportion of work carried out by bureaux: in 2011/12 bureaux dealt with 49,000 ESA issues, and the following year this rose to 76,000, an increase of 55 per cent.

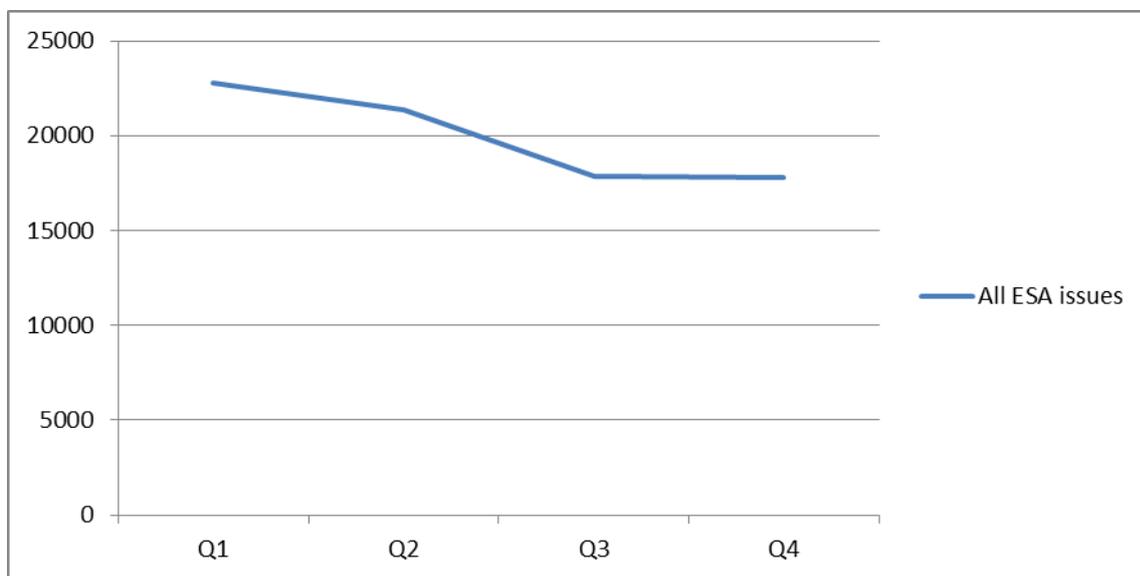


Fig 1: ESA issues in CAB in 2013/14

For the first two quarters of 2013/14 CAB saw ESA issues continue to increase at a similar rate. However, in the second half of the year ESA issues dropped away, and the rate of increase slowed considerably (figs 1 & 2). This has meant that while still increasing, the rate of increase in ESA issues in the past year was much less, at just 5 per cent.

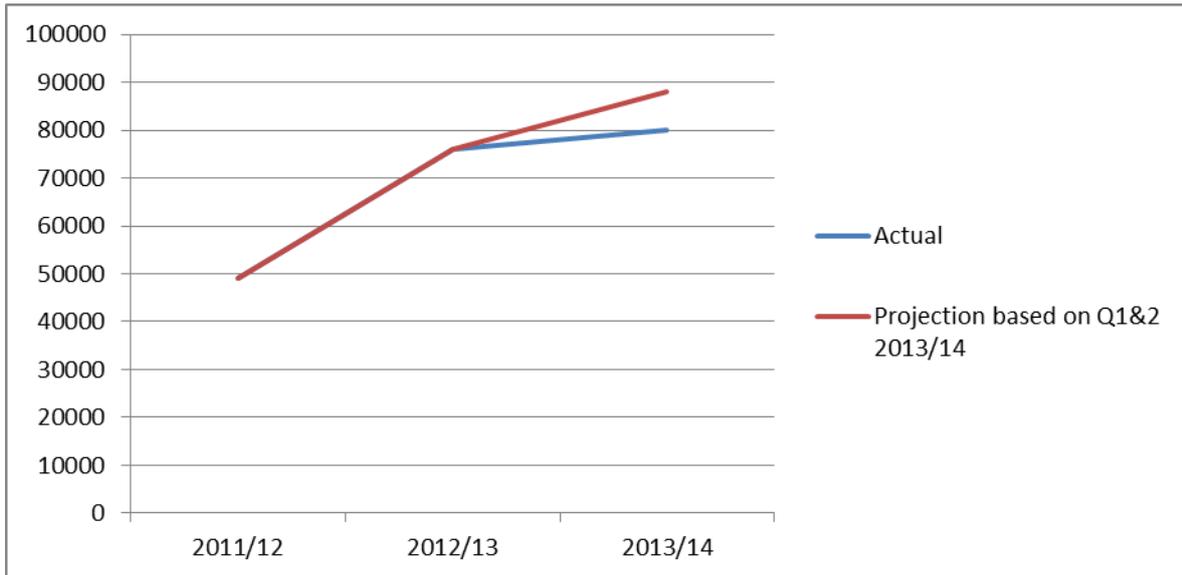


Fig 2: Rate of increase in ESA issues in CAB 2011/12 to 2013/14

Looking in more detail at the areas of new advice provided on ESA it is apparent that the primary factor in the fall in the rate of new ESA issues coming to CAB is a decrease in the number of new appeals issues being dealt with (fig 3). Between 2012/13 and 2013/14, CAB saw a 27 per cent drop in the number of new ESA appeal issues coming to bureaux. However, as figure 3 shows, the drop in appeals was particularly dramatic at the end of 2013/14, and the final quarter of 2013/14 shows a 60 per cent drop in the number of new ESA appeal issues compared to 2012/13.

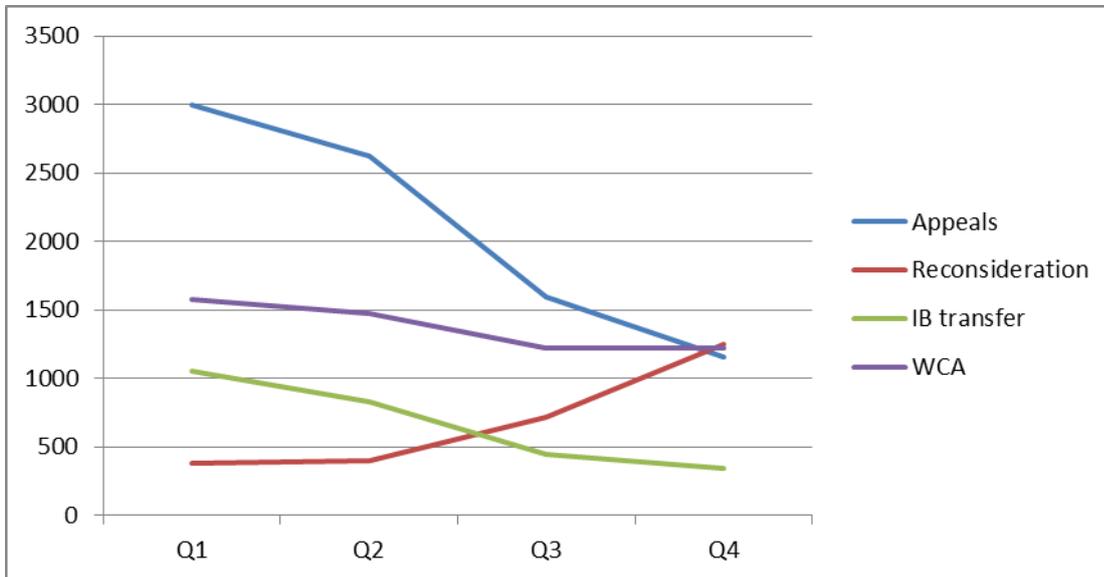


Fig 3: Trends in detailed new ESA issues in CAB 2013/14

Over the year there has been an increase in some other areas of ESA advice, notably mandatory reconsideration. Because of the delays we have seen in mandatory reconsideration it is not clear whether we will see a bounce back in appeals figures once clients have received mandatory reconsideration decisions.

There has also been a drop in the number of issues around transfer from Incapacity Benefit both on the previous year, where there has been a 54 per cent drop, and a

further fall through the course of 2013/14, presumably as the rate of transfer slows down.

Progress since previous reviews

The Disability Benefit Consortium has carried out two surveys, one with ESA claimants and one with benefit advisers, to inform its response to this Review. Their findings suggest that improvements since previous reviews have been slow to emerge, and anecdotal evidence from Scottish CAB advisers paints a similar picture, with clients still being placed in the wrong groups, having to challenge decisions that they are fit to work, and having poor experiences during the WCA itself.

- ▶ A North of Scotland CAB reports of a client who has severe mental health problems. He underwent an Atos assessment, but the assessor did not follow up on any of the difficulties the client talked about or the reasons for his mental health referrals. He was awarded no point. The CAB wrote to the DWP asking for a reconsideration, estimating the client should have received 30 points in the assessment. They also put in a complaint about the medical assessor. The DWP then placed the client in the support group.
- ▶ A South of Scotland CAB reports of a client who is appealing the decision on his ESA award. The client had not fully completed his ESA50 form and the medical assessor did not question this or ask about his mobility during the assessment. Had this absence of evidence been drawn to client's attention, he may have been able to provide the evidence needed to ensure that his assessment was fair. The client's recollection of the assessment is vague as he had doubled his pain medication in order to make the journey to the assessment centre. He does, however, remember how painful and exhausting the journey was and how he arrived at the assessment centre completely drenched with sweat. He queries several of the statements made in the WCA report. In collating the appeal papers the CAB notes that there are inconsistencies, contradictions and absences of evidence. The Decision Maker's Scoresheet (ESA85) has not been completed. The evidence supplied by client in his ESA50 has not been included and neither has the Decision Maker's score been noted. On this basis it appears that the Decision Maker has based their decision entirely on the evidence of the WCA. The client is feeling very dispirited and hopeless about his case.

Communicating the WCA

The Scottish CAB service has also seen a decrease in the past year on issues around the Work Capability Assessment (WCA). The reasons for this fall are likely to be Incapacity Benefit migration drawing near to an end, and the slow down in the number of assessments being carried out by Atos.

CAS has seen evidence from across Scotland on delays in Atos assessments, but there appears to be a particular problem in the north of Scotland. One Scottish CAB reports that there have been no WCAs carried out in their region since 19 December

2013, a period of eight months, despite the CAB being aware of enough people waiting for an assessment to merit a session locally. This case is from that area:

- ▶ A North of Scotland CAB reports of a client who has been waiting for an ESA assessment for 11 months. As a result the client has built up rent arrears and other debts and is facing severe hardship.
- ▶ An island CAB reports of a client who was referred to Atos in January 2014. At the beginning of June the client had still not received a date for an assessment.

Clients are unable to get information about when assessments are likely to take place. The following case demonstrates a number of problems with communication about the WCA, including failure to receive notification of the original assessment appointment, and a lack of information about when a further appointment might be available. This client was left with no money as a result.

- ▶ An East of Scotland CAB reports of a client who missed an ESA assessment in February, having never received notification of the appointment. She contacted the Jobcentre at the beginning of June to get an update on her new application. She was informed that this was on hold and she will receive no payment of ESA until she attends an Atos medical. She was told that timescales for WCAs are unclear, medicals are at least six weeks in arrears, and clients cannot be fast-tracked.

In some cases, clients are waiting so long for an assessment that their condition has improved in the meantime. This means that the assessment is not going to reflect their level of functioning and capability for work for the period when they most needed the benefit, and they may miss out on back payments as a result.

- ▶ A South of Scotland CAB reports of a client who was in the assessment phase of ESA from April 2013. He was unable to attend his original WCA, and was not given another appointment until April 2014. As a result of being on the assessment phase for over a year he suffered financially and got into debt, as he was also having additional deductions made from his benefit. The client eventually got a WCA appointment, by which time his mental state had greatly improved. The client was found fit for work. He is pleased to now be looking for work, but feels he has been unfairly treated due to the delay in assessing his eligibility for ESA.
- ▶ A North of Scotland CAB reports of a client who made a claim for ESA 14 months ago, and is still waiting for a WCA. The client now considers herself to be fit to work and has been engaging in permitted work. She has now been told by DWP that her claim will close if she continues to work. This means her WCA referral will lapse, meaning she has no opportunity to demonstrate being unfit for work and receive the back payments she may be entitled to.

Some clients have been waiting a considerable time following an assessment to receive a decision from the DWP about their benefit entitlement.

- ▶ A West of Scotland CAB reports of a case of a client which the CAB has been pursuing for eight months to find out the outcome of the client's WCA. Finally, after an hour and a half on the phone to DWP in June, the CAB finally established that in March, three months previously, the DWP decided to place the client in the support group for ESA for a period of 18 months.
- ▶ A West of Scotland CAB reports of a case where it has taken nine months to receive a decision from the DWP following the client's medical assessment. At the beginning of June 2014 they were informed that the client has been placed in the Work-Related Activity Group from the beginning of September 2013. She is due approximately £1100 in back payments.

Administration of the system remains a problem. From the case evidence gathered by CAS it is often not apparent where the problem lies, but we consistently see a range of problems with communication between the DWP and its contractors, loss of mail, poor communication with claimants, which in some cases lead to claimants experiencing delays or not receiving the benefit they should be entitled to.

- ▶ A West of Scotland CAB reports of a client who has had their ESA claim closed down by DWP due to non-receipt of the ESA50 form, and has received no money for four weeks. The client returned the form to Atos by the due date, and Atos confirmed receipt and state it was sent on to the DWP.
- ▶ A West of Scotland CAB reports of a client who has been claiming ESA for over 14 months and has only recently been sent out an ESA50 form to ask about his conditions. The client has mental health problems and sees a psychiatrist monthly.

Medical evidence

The provision of medical evidence remains a problem for many ESA claimants. The collection of evidence by DWP / Atos needs to be improved so that claimants do not have to rely on evidence provided by their own doctors. Some doctors charge considerable fees of up to £100 for supporting letters for benefit claims, others refuse to provide evidence at all unless requested by the DWP, while other doctors go out of their way to help claimants.

- ▶ A North of Scotland CAB reports of a client who had been told by her local Medical Group that it would cost £75 to provide her with a medical report to substantiate her Employment Support Allowance Appeal (ESA).

Improvements to the ESA113 form and better guidance for GPs and other doctors on providing evidence would help to alleviate some of the need for additional medical evidence.

Mandatory requirements for ESA

CAS is deeply concerned about the growth in the number of sanctions being applied to ESA claimants. Figure 4 is based on the latest figures from the DWP, and shows a

dramatic rise in the number of sanctions being applied for failures to participate in Work Related Activity, particularly during the first part of 2014.

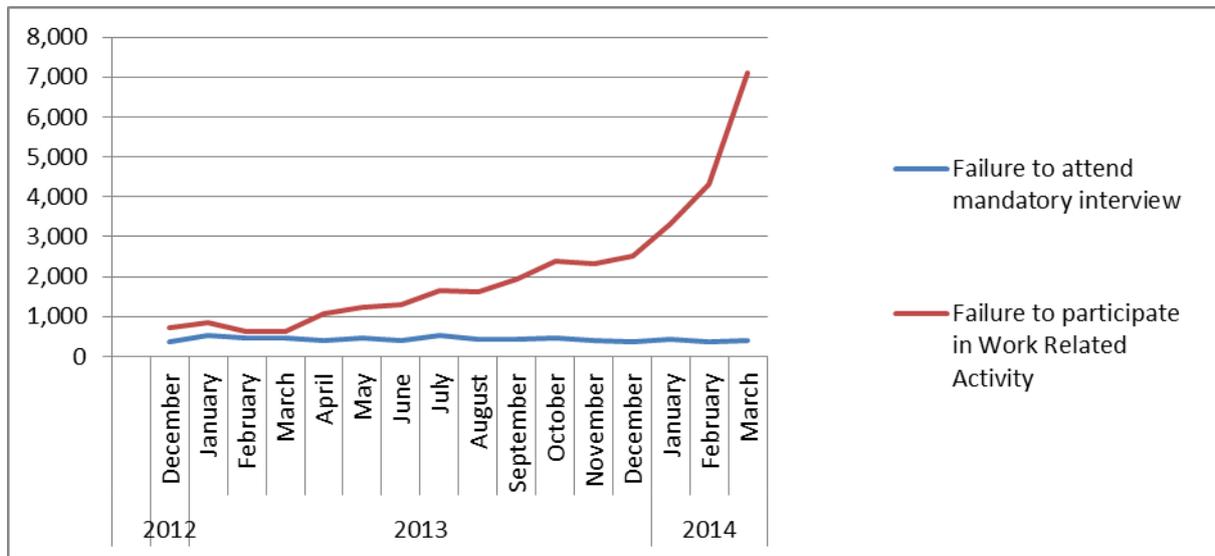


Fig 4: From DWP: Jobseeker's Allowance and Employment and Support Allowance sanctions: decisions made to March 2014, published August 2014, Table 2.3

Feedback from bureau advisers suggests that often ESA claimants are unaware of the mandatory nature of work-related activity. During training sessions on sanctions for CAB advisers, a number of welfare advisers had not come across the action plans that claimants are supposed to receive, setting out the mandatory requirements placed on them.

“ESA clients in WRAG [the Work-Related Activity Group] often do not understand that they have to prepare for work.” Bureau adviser

- ▶ A West of Scotland CAB reports of a client who has been awarded the work-related activity component of ESA. He has ME, for which he has a letter from his doctor, saying he is unable to hold down a job. He was unwell last week and could not attend a meeting with the Work Programme provider, and informed them of this. Today he was at the Work Programme provider but was again feeling unwell. He spoke to them and explained, and they said if he went home the Jobcentre would sanction him. He called the CAB, who explained to him that as part of being in the Work-Related Activity Group he had to attend these meetings. The client did not know this and thought they were voluntary. The CAB explained that if he was sanctioned he would have to request a mandatory reconsideration and that he would get no money in this period. The client felt this was very unfair.

At present communications to ESA claimants are not clear enough that failure to attend these meetings could result in a sanction and/or loss of benefit. **The initial letter and explanations of the process to ESA claimants must be improved to make this clear.**

In Scotland 11,700 ESA claimants were referred for a sanction between December 2012 and March 2014, often causing stress and anxiety for claimants. Of these

referrals just 28 per cent resulted in an actual sanction, varying from 26 per cent in the north of Scotland to 31 per cent in the east and southeast of Scotland. Depending on how the process is applied, if payments are suspended while a decision is being made, even a non-adverse decision can cause hardship.

- ▶ A West of Scotland CAB reports of a client who had his ESA claim passed to a decision maker for a potential sanction. The sanction referral was immediately dismissed. However the client's payments were stopped at the point of referral and will take ten days to reinstate. The CAB helped the client apply for a crisis grant.

In some cases the requirements being placed on claimants appear entirely inappropriate.

- ▶ A West of Scotland CAB reports of an ESA client under severe pressure from Working Links adviser to set up a home baking business. The client says she has no training in running a business, in health and safety or hygiene. Her lease specifically forbids her to run a business from her home.
- ▶ An East of Scotland CAB reports of a client suffering from post traumatic stress disorder, anxiety and epilepsy after being a witness to a murder, and then being held on remand as a suspect for eight months until the actual murderer was identified. He is being required to attend a work-focused interview and feels he cannot manage this due to his paranoia and social phobia. The Jobcentre adviser told the CAB that although subsequent interviews may be done over the phone, he must attend the first one. The client's condition is greatly deteriorating as a result.
- ▶ A North of Scotland CAB reports of a client on ESA for extreme stress. She had not turned up to two life-skills appointments because she was not well. She informed her personal adviser, but the adviser has now left the Jobcentre and has not written the information about the client phoning in on the computer. The client has been sanctioned. This is exacerbating her stress.
- ▶ An East of Scotland CAB reports of a client who has had his ESA sanctioned. He attended his appointment but was left sitting which caused him a lot of pain. When this became too much for him he went to the reception desk and explained what was wrong and that he couldn't wait. As he had already signed in he says the girl said she would let the person he was seeing know. He then requested another appointment and received a letter with this information. The client attended this appointment and then a few days later his benefit was sanctioned.

The following case shows a DWP adviser insisting that a claimant in the support group undertake mandatory work activity.

- ▶ Citizens Advice Direct reports of a client and his partner who are both in the ESA support group. The client's partner has received a call from the Jobcentre insisting that she must take part in a work-focused interview. The client called them back and reiterated that she is in the support group, but the Jobcentre adviser continues to insist she must.

One trend which has begun to emerge is the requirement for ESA claimants to re-engage multiple times before a sanction is lifted. ESA sanctions may be applied when a claimant fails to engage with the work-related activity. Initially the sanction period is open-ended until the claimant “re-engages”, and then a further fixed term period is applied of between one and four weeks.

Some bureaux advisers have reported that in their area, when an ESA claimant has received a sanction, in some cases Work Programme providers are requiring the claimant to re-engage not just once before lifting the open-ended sanction, but up to four times. Having to re-engage with the provider on multiple occasions before the open-ended sanction is ended and the fixed term sanction period is applied, can mean some claimants, who are already vulnerable through not being fit to work, face considerable hardship.

- ▶ A West of Scotland CAB reports of a client who has received a second sanction on his ESA. He is requesting being moved into the Support Group. The CAB phoned the Work Programme provider, who said the client has to engage with the provider on four separate occasions before the sanction can be lifted. When the CAB adviser challenged this, the member of staff said he is following instructions from the prime provider and he doesn't know if there are any rules on this. The CAB then contacted the prime provider, who said it is at the discretion of the service provider as to how they treat re-engagement and how many times the client has to do this before ESA is paid again.
- ▶ A West of Scotland CAB reports of a client who has been sanctioned since January (five months), despite complying with Work Programme requirements since the two appointments he missed in December due to ill health. The DWP told the CAB to contact the Work Programme provider. When eventually the CAB was able to get through, the adviser said she did not know the client had been sanctioned, and the two appointments that he missed were when he was attending with a different Work Programme provider. The CAB then spoke to the previous provider, who said that it was not them but the current provider who had raised the sanction and who had to complete the paperwork.

We welcome the findings and recommendations of the Oakley Review¹, which may help to improve some of the communications and processes around sanctions. But **specific attention needs to be paid to how sanctions are affecting ESA claimants**, and in particular why there has been such a dramatic rise in sanctions for work-related activity in recent months.

Mandatory reconsideration

CAS has previously published evidence of considerable delays of up to 10 weeks in the processing of mandatory reconsiderations. Many of the cases we have seen

¹ Oakley, M (2014) Independent Review of Jobseeker's Allowance sanctions validated by the Jobseekers' Act 2013 <https://www.gov.uk/government/publications/jobseekers-allowance-sanctions-independent-review>

related to reconsideration of WCA decisions, and the delays are particularly problematic for ESA clients, who do not receive benefit in the meantime, and whose only option is to claim JSA.

The DWP should set a maximum timescale for mandatory reconsiderations and report on this publicly.

- ▶ An East of Scotland CAB reports of a client who has had his ESA sanctioned for not attending a Work Programme appointment. His medication had been increased and he was unable to keep awake. The CAB sent a mandatory reconsideration request to DWP seven weeks ago. The client has been living off porridge for two weeks as he has heard nothing from his claim. He is considering selling items to raise cash. He has also received four letters from the Jobcentre containing four different Work Programme appointments. The CAB telephoned the Jobcentre and confirmed this as an error, and that he only had to attend two of the appointments.
- ▶ A West of Scotland CAB reports of a client who felt that his WCA assessor did not take full account of his medical history and physical symptoms. He completed a mandatory reconsideration request, which he handed into his Jobcentre in March. Three weeks later, the DWP said they received no correspondence from him. A month after handing the letter in, the DWP told the client they had now received it. As of the beginning of June, the client has still not received a decision, and has been without any income since the end of February.
- ▶ An East of Scotland CAB reports of a client who received zero points at his WCA. He has submitted a mandatory reconsideration and has been waiting for around two months for an outcome. He has been told to claim JSA in the meantime, but when he had an interview at the Jobcentre he was told he wasn't eligible to claim JSA if he wasn't fit to work.

In addition to severe delays, which are leaving many clients in hardship, we have seen a number of cases where the DWP are not processing mandatory reconsideration requests correctly. For example, failing to use the phrase "mandatory reconsideration" or trying to make requests on the phone may mean the request is not processed properly. In some cases DWP staff do not seem to be fully aware of their own rules.

- ▶ A West of Scotland CAB reports of a client who returned to the CAB for further help. His ex-wife moved out that morning, leaving the children with him. He continues to receive no benefit. An initial request for a mandatory reconsideration had been made, although there had been a problem which resulted in a formal complaint. A second mandatory reconsideration request was made by phone. Two hours later the client was contacted by DWP and told that a mandatory reconsideration request had to be in writing. The DWP escalation line subsequently confirmed this to be incorrect.
- ▶ A North of Scotland CAB reports of a case where a mandatory reconsideration letter was submitted requesting two changes to the client's benefit, one relating to

a move from contribution-based to income-related ESA, and one requesting the client be moved from the WRAG to the support group. The requests were made in the same letter. The DWP say they have received the first mandatory reconsideration request, but insisted they have not received the second reconsideration request. The client has written twice to the DWP and is increasingly distressed at the delays.

- ▶ An East of Scotland CAB reports of a client wrongly advised by a member of staff at the local Jobcentre that, because of "a recent change in the law", he cannot receive ESA whilst he is waiting for his appeal for ESA to be heard, even if he submits medical certification of his Limited Capability for Work. It would seem that the staff member is getting confused about the 2013 amendment to the Social Security (D&A) Regs 1999 (re. "Mandatory Reconsideration") and its implications for ESA appellants.
- ▶ An East of Scotland CAB reports of a client who has a long term health condition. Her consultant has advised her that she should not work again and that she has 2-5 years to live. She has enhanced PIP and lower rate mobility. She has not been placed in the support group as requested and wished to appeal that decision. She had phoned and asked for a reconsideration explaining to the Jobcentre that she wanted to appeal the decision. They sent a letter about a reconsideration but not a mandatory reconsideration. During a call to the Jobcentre the CAB was advised that a mandatory reconsideration had not been specifically requested.

One case highlights a potential problem of being reassessed following a mandatory reconsideration decision, something which previously had to be addressed with rapid reassessments following successful tribunal decisions.

- ▶ An East of Scotland CAB reports of a client whose ESA entitlement is being reassessed less than three months after she was placed in the support group following a mandatory reconsideration. She suffers from both physical and mental health problems and hasn't worked for many years as a result. The client's mental state is fragile and the imposition of a further WCA so soon is proving extremely distressing for her. The adviser comments: 'Had the client's request to be awarded the Support Component been granted by a Tribunal, the Tribunal would have given a recommendation about how much time should pass before being reassessed (commonly between 12 and 24 months). With a mandatory reconsideration, however, no such recommendation is made.'

We are also seeing evidence of claimants who have been refused ESA and transferred to JSA, are then struggling to comply with the higher levels of conditionality associated with this benefit and do not know that they can request changes to conditionality because of their condition. We are also seeing claimants who are being told that they are too unwell to claim JSA.

- ▶ An East of Scotland CAB reports of a client whose ESA has ceased while she asks for a mandatory reconsideration. In the meantime she is claiming JSA. She was not aware she can have input to her Claimant Commitment nor that she could

speak to a disability adviser. In the meantime she is struggling with this and runs the risk of being sanctioned.

- ▶ An East of Scotland CAB reports of a client who failed his WCA in April. He claimed JSA but the Jobcentre told him he was too disabled to look for work, refused to let him sign on, and told him to claim ESA. He is awaiting a date for tribunal. He has had no money for around three months, is in temporary homeless accommodation and is destitute.
- ▶ A West of Scotland CAB reports of a client who returned and confessed to being destitute with no money in her meter and only frozen food which she cannot heat up. She received a Crisis Grant two weeks ago for £80 and wanted to apply for another one. She has still not applied for JSA as she feels she cannot truthfully answer the questions re looking for work and refuses to lie. The Social Work department also advised her to apply for JSA before they could help her. This client's problems have been caused by the huge length of time being taken for the 'Mandatory Reconsideration' of her ESA. She has no other avenues to explore and is vulnerable.

Where a client has an ongoing sick note from their doctor lasting more than two weeks, they will be ineligible to claim JSA no matter the outcome of the WCA.

- ▶ An East of Scotland CAB reports of a client who had failed his ESA medical - scored zero points – and has lodged mandatory reconsideration by telephone. He was told it could take 8 weeks before a decision is reached. He applied to sign on as available for work, but this was refused as the client handed in a fresh medical statement stating he was unfit for work. He has run out of electricity and has £1.60 emergency credit left and no credit on his gas. The CAB gave the client a referral to the Salvation Army for a food parcel.

These people fall through the gap and can end up without any income. **These gaps must be investigated and addressed urgently, so that people are not excluded from accessing a source of income because they are too sick for one benefit and not sick enough for another.**

The DWP should monitor what effect not paying ESA during mandatory reconsideration has in relation to JSA claims and referrals to foodbanks and review this policy following the first year of implementation.

Processing of ESA following tribunal decisions

We are also seeing delays in the processing of tribunal decisions. It is not always clear where the delay is occurring, as information is passed from the Tribunal Service back to DWP, but case evidence suggests there may be significant delays while DWP processes tribunal findings. This is causing further problems for clients who have already had to fight hard to try and get the money they should be entitled to.

- ▶ A North of Scotland CAB reports of a client who received a favourable tribunal decision regarding his ESA in March 2014, three months earlier. He is still waiting for his ESA payment and back payments. He is living on money from friends.
- ▶ A West of Scotland CAB reports of a client who was successful at appeal and placed in the support group in April 2014. She is due over £1000 in backdated payments. After eight weeks she has still not received her money. On 6 June she was told by DWP that her case had been overlooked and they will deal with it as soon as possible. Six days later she phoned back and was told it can take 8-12 weeks to process.
- ▶ A North of Scotland CAB reports of a client who won his tribunal for ESA in March 2014. He has not received a benefit payment in the two months since then, and is not receiving housing benefit either. The CAB phoned the DWP who said that they had not been informed of the tribunal decision, although the CAB notes that they were informed nine days previously.
- ▶ A South of Scotland CAB reports of a client who has received notification from the Tribunal Service that her ESA appeal has been accepted. She is wondering whether to sign off on her JSA to switch back to ESA. The CAB called the DWP who told them that DWP had not received notification from the Tribunal Service, and that it could take eight weeks to accept the appeal and forward notification. The CAB adviser then phoned the Tribunal Service who said they send notifications to the client and DWP on the same day.

Some CAB are also reporting an increase in cases where DWP are requesting statements of reasons from the Tribunal following a decision in favour of the client.

- ▶ A South of Scotland CAB reports of a client who won his ESA tribunal and has now received a letter from the DWP which he doesn't understand. The letter says that the DWP are requesting the reasons for the decision made by the Tribunal. They may challenge the decision, although there must be grounds for them to make a successful challenge. The adviser comments: 'This is the third client in recent months who have either alcohol or mental health problems where DWP do not seem to be satisfied with the Tribunal decision. The client now has another period of waiting until he is sure of his entitlement. In the meantime his arrears will not be paid.'

Cumulative impact of problems with disability benefits

Alongside significant delays in ESA, CAB are seeing major delays for Personal Independence Payment, both prior to assessment and after the assessment has taken place and the claimant is waiting for a decision. We are also beginning to see examples of cases where there are problems with medical assessments (in Scotland contracted to Atos).

The combined impact of serious ongoing delays in both major disability benefits is of grave concern for a group of clients who are already facing ill health and disability.

Procuring new contractors for the WCA

As well as being the contractor for the WCA, Atos are also the contractor for Personal Independence Payment assessments across Scotland. The Work and Pensions Select Committee highlighted the very serious delays that have come about following the introduction of PIP in its report on the performance of the Department². Bureaux continue to see very significant delays for PIP claimants who are waiting for their assessment, meaning that some clients who already face significant disabilities or health conditions are without much needed money and other benefits linked to PIP. Anecdotally we are hearing particular problems with home visits and more rural locations. Despite these ongoing problems, as of January 2014 PIP has been rolled out to new and former DLA claimants with changes of circumstances across a very large swathe of Scotland, which we understand from the DWP represents nearly half the caseload in Scotland.

There are lessons to be learnt from this experience for potential contractors for the WCA. **Systems must be fully in place before major changes are rolled out, and the problems of providing services in very rural communities and for clients who need home visits must be fully addressed.**

CAS would be extremely worried if there were further problems with the administration of disability benefits of the level seen with ESA and PIP. These claimants are, by definition, very vulnerable. Gaps and delays in payments can leave people destitute and can have a disproportionate impact on their health and wellbeing.

As this is the final of the five independent reviews of the Work Capability Assessment, CAS would like to see **an ongoing process for scrutinising the implementation of ESA and the WCA in the future**, particularly given the level of change still ongoing within the ESA assessment process and the uncertainty about future contractors.

For further information please contact Beth Reid, Policy Officer, beth.reid@cas.org.uk
or 0131 550 1062

² Work and Pensions Select Committee: [1st Special Report - Monitoring the performance of the Department for Work and Pensions in 2012-13: the Committee's Third Report of Session 2013-14](#)