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for Work &
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Chris Heaton-Harris MP

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Dear Chris,

Thank you for your letter of 20 November on behalf of Ms Alison Railton of the Motor Neurone Disease Association about the Work Capability Assessment.

Reassessments for the Work Capability Assessment are designed to ensure that claimants receive appropriate financial support, and take account of changes in how health conditions and disabilities affect people over time. However, claimants with severe health conditions and disabilities were being required to take part in reassessments even if we already knew that their condition was unlikely to improve.

Therefore, on 1 October 2016 the Secretary of State announced that we would stop requiring people in the Support Group, or Universal Credit, equivalent with the most severe, lifetime conditions to be repeatedly assessed and, over the last year, we have worked hard to improve the claim process for those people suffering from the most severe, lifelong conditions. Our goal is to reduce the demands on the individual by reducing bureaucracy and so our new measures will ensure that all individuals with a severe, lifelong, and life-limiting condition will not have the undue burden of further assessments.

From 29 September 2017, when considering the re-referral period, the healthcare professional also considers whether the condition or its functional effects meet the new severe conditions criteria. Where the criteria are met, the healthcare professional will advise the Department's decision makers that no further assessments are needed unless there is a subsequent change in circumstances.

The new criteria will be applied at the initial Work Capability Assessment or for existing claimants at their next assessment and are aimed at people with the most severe and lifelong health conditions or disabilities who are unlikely to ever be able to move into work, and for whom reassessments are likely to provide no further new information. We worked with healthcare professionals and other stakeholders, including disability charities, to develop the criteria and guidance.

Rather than a list of specific medical conditions, the criteria will be based on identifying claimants with the most severe health conditions or disabilities. This is because conditions can vary in their severity and two people with the same condition can be affected in different ways. Therefore, we will identify those whom it would be unreasonable to expect to undertake any form or amount of work or work-related activity.

There may be some claimants already in the Support Group, or Universal Credit equivalent, who have been recently diagnosed with a severe condition that we did not originally know about or for others the information we hold is out of date. In such cases, we may need to ask for more information since the people who best understand how their health problem or disability affects them are the individuals themselves. This will ensure that we have the most up-to date information available to apply the criteria fairly and identify everyone who should benefit from it so that those suffering from the most severe, lifelong conditions get the right support and are not reassessed again. However, we will do this in the least intrusive way possible; the vast majority of people who will fall into this category will be assessed on paper and will not need to attend a face-to-face assessment.

We do feel that it is important to ensure that decisions on whether someone meets the new criteria are based on a Work Capability Assessment. Even if we were able to review every claimant currently in the Support Group or Universal Credit equivalent, we would not be able to accurately identify everyone who would meet this criteria on the information currently held.

We have committed to continue working with the Motor Neurone Disease Association and other disability organisations, to review and evaluate this guidance change. The new criteria have been set out in guidance to give us the flexibility to refine the policy where necessary. We will be gathering data to review and evaluate the change over the coming months, officials will be contacting stakeholders in due course to arrange a meeting to review the first six months of the operation of this guidance.

Further information about this change can be found on Gov.UK at: <https://www.gov.uk/government/publications/employment-and-support-allowance-and-universal-credit-changes-to-the-work-capability->

assessment/employment-and-support-allowance-and-universal-credit-changes-to-the-work-capability-assessment-from-29-september-2017.

The amended guidance will be incorporated into the Work Capability Assessment Handbook published annually on Gov.UK. This change will be reflected in the published summer 2018 update.

I hope I have gone some way to allaying your concerns regarding the introduction of this change, I can assure you that we will continue to work with disability organisations to ensure our guidance works in the best interests of all claimants with severe, lifelong health conditions and disabilities.

I hope you find this useful. Please do not hesitate in contacting me if you feel that I can be of further assistance.

*Yours sincerely,
Sarah*

Sarah Newton MP
Minister for Disabled People, Health and Work

