



Mental health problems and benefits reassessments

November 2017

About Mind

We're Mind, the mental health charity for England and Wales. We believe no one should have to face a mental health problem alone. We provide advice and support to empower anyone experiencing a mental health problem. We campaign to improve services, raise awareness and promote understanding.

Summary

The Department for Work and Pensions has recently released new guidance that sets out when disabled people should be exempt from reassessments for Employment and Support Allowance (ESA) and Universal Credit (UC). This guidance is a small step forward for some people with mental health problems but it will not prevent the vast majority of unnecessary benefits reassessments that currently take place.

This briefing sets out what we've heard from people with mental health problems about their experience of reassessments as well as our recommendations for change.

Benefits reassessments and mental health

We know that money worries and problems with benefits can have a significant effect on a person's mental health. In a 2016 YouGov survey of 1,500 people with mental health problems, over half of those who had considered taking their own lives had done so because of financial problems including the fear of losing benefits.¹ Often people with mental health problems tell us the anxiety caused by the anticipation of a reassessment disrupts their recovery:

"I was denied PIP originally, my mandatory reconsideration was rejected and I was only awarded PIP following a tribunal. The eight months it took to receive the correct outcome were some of the worst in my life. My mental health deteriorated, I began self-harming again, suicidal thoughts increased, I shut down during therapy and couldn't speak, relationships became strained and I felt completely alone. It was humiliating and I'm terrified that I'll have to go through the process again in a year."

"I've been through it twice and the second time was just to claim what a tribunal had told me I was entitled to the first time round. I have two lifelong conditions that will not get better, I'm only ever awarded for short periods, eighteen months to two years. It must cost the tax payers a fortune in

¹ Mind (2016) [One in two people with mental health problems have felt suicidal because of money, housing or benefits issues](#)

tribunal and staff costs, which are unnecessary since nothing will change for me.”²

How reassessments work now

Personal Independence Payment (PIP)

PIP is usually awarded for a specific length of time. A person’s decision letter will let them know the length of the award and they will be able to challenge this through mandatory reconsideration or appeal if they believe their award should be longer.

However in most cases someone will be asked to send in further information and attend a reassessment as part of an ‘award review’, before their award expires. We are frequently contacted by people who have been distressed after being required to attend a reassessment far earlier than expected.

Many people we hear from who are receiving PIP for mental health problems like anxiety and depression are awarded a short-term award of two years, meaning that they are required to fill out a review form and attend an assessment every year.

Employment and Support Allowance (ESA)

Unlike PIP, income-based ESA and the equivalent component of UC are awarded indefinitely so there is no set time at which someone could expect to be reassessed. We hear frequently from people with mental health problems who feel anxious about not knowing when they can expect to be reassessed.

In practice many of the people with mental health problems we hear from are asked to fill out a review form or attend a reassessment between one and two years after their original award.

Overlap between assessments

PIP and ESA are different benefits with distinct purposes. PIP is intended to cover some of the extra costs of being disabled. ESA is there to support people to cover the costs of living when they are unable to work because of a disability or health condition. The benefits are administered separately, with assessments delivered by different providers on behalf of the Department for Work and Pensions.

We know that 1.3 million people receive a combination of PIP and ESA (or their precursors).³ Waiting times for assessments, and lengthy appeals processes often mean that each of these claims can last for several months. As a result many of the people with mental health problems we hear from spend a large part of the year claiming for or appealing one of these two benefits:

“My first PIP award 3 years ago was quite accurate but the assessor was in training. I’m worried how today’s assessment went as it was quite different and seemed a bit less optimistic. I hope I don’t get it taken away as they tried to take my ESA away too recently and it caused months of terrible anxiety and depression and isolation.”

² Quotations taken from a 2016 Mind survey of over 800 people with mental health problems who have experience of applying for PIP

³ DWP (2016), [Work, health and disability green paper: data pack](#)

The recently introduced ‘severe conditions guidance’

The Department for Work and Pensions new guidance applies to people going through an assessment for ESA or the equivalent component of Universal Credit. It sets out criteria for when someone should have reassessments ‘switched-off’ altogether, so that they can receive their award indefinitely without having to supply new information or attend assessments. These criteria apply to people who have already been found to have ‘Limited Capability for Work Related Activity’ on the basis that their health condition or disability affects their daily life. It doesn’t apply to people who are put in that group because having to prepare for work would be a risk to their health. The criteria are:

1. The person would always be expected to meet the criteria for ‘Limited Capability for Work Related Activity’
2. The condition is lifelong once diagnosed
3. There is no realistic chance of recovery of function
4. The condition is unambiguous

Some mental health problems are expected to last throughout someone’s lifetime and we want to see these criteria being applied fairly to people with mental health problems when it’s clear from someone’s history that their condition is long-term and unlikely to change. The guidance contains an example of someone with schizophrenia who would meet these criteria because:

- *“Schizophrenia is a lifelong condition*
- *Given duration of condition, multiple treatment regimes over the years and long terms negative features of disease, and significant functional improvement seems unlikely.*
- *Condition is formally diagnosed by specialist”⁴*

While we know that for some people many of the symptoms of schizophrenia can improve with the right treatment, we think it’s positive that the guidance recognises that many people with schizophrenia are affected in the long-term and should not need to repeatedly undergo a stressful assessment process.

Implemented properly this guidance could remove unnecessary burdens for some people with long-term mental health conditions receiving ESA. However it does not address the wider issues of the unnecessary anxiety and stress that repeat assessments cause many people with mental health problems who do not have conditions which could be considered ‘lifelong’, but who clearly qualify for a long-term award of PIP or ESA.

It’s also concerning that the significant number of people who are deemed to have Limited Capability for Work-Related Activity on the grounds that it would be a risk to their health won’t be eligible for an exemption. While many people in this group will have conditions which can improve, it’s very likely that if going to a Jobcentre will risk their mental health then going to frequent face-to-face assessments will as well. This underlines the need for the Department for Work and Pensions to do more to prevent unnecessary reassessments across the board, and not only through its severe conditions guidance.

⁴ [Disability Rights UK \(2017\), Guidance on Work Capability Assessment reassessment published](#)

Our recommendations for the Department for Work and Pensions

To prevent unnecessary reassessments for people with mental health problems, the Department for Work and Pensions should:

Make the process for ending reassessments more transparent:

- Include information about when someone receiving ESA can expect to have their award reviewed in the initial decision-letter.
- Amend PIP and ESA forms to give people a chance to talk about their prognosis and any health advice they have had about whether their condition is likely to be long-term.
- Include award length as part of the mandatory reconsideration and appeals process for ESA so that people can put forward the case for a longer award if they feel the Department for Work and Pensions have made the wrong decision.

Increase the use of longer-term awards:

- Require assessment providers to consider the impact of a short-term award on a person's treatment and recovery alongside evidence about that person's prognosis.
- Require assessment providers to request further medical evidence from a range of healthcare professionals whenever it might make a difference to the length of a person's award.
- Require assessors to have sufficient training and experience to understand the long-term impact that many mental health conditions can have.
- Work with assessment providers to understand how often assessors recommend a long-term award and develop new prompts to make sure this is properly considered during face-to-face assessments.

Put in place procedures to reduce the number of reassessments:

- Avoid requiring a face-to-face assessment unless there is strong evidence that the person's condition has changed.
- Consult further with disabled people about options for better data sharing in order to avoid requiring people to go through multiple PIP and ESA assessments within a short period of time.

If you'd like to talk to us about this briefing, please contact:
Ayaz Manji
Policy and Campaigns Officer

020 8215 2273
Mind, 15-19 Broadway, London E15 4BQ

