

**WRITTEN QUESTION TO THE MINISTER FOR SOCIAL SECURITY
BY DEPUTY G.P. SOUTHERN OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 3rd FEBRUARY 2015**

Question

Notwithstanding the satisfaction expressed in response to a written question on 20th January 2015 (8591) does the Minister accept that tests used to assess the level of impairment suffered by applicants for medical components of income support are similar (in 9 of 17 elements) to the Work Capability Assessment (WCA) administered by service company ATOS to determine eligibility for the UK Employment and Support Allowance (ESA)?

Given that ATOS has now abandoned its contract with the DWP to administer this test, due to extensive complaints from disability groups and others over the 40% failure rate on appeal of the assessments, does the Minister have confidence that a test designed to assess capability for work can be used to assess the very different and more complex levels of impairment?

Were the “experienced UK experts” in the design of and training in these assessments referred to by the Minister ATOS employees and were they were involved in the training of ATOS employees in what became a failed system?

Is the Minister aware of changes proposed for the UK tests following a new round of tendering for the WCA contract and, if so, are the lessons learned by the DWP appropriate for Jersey?

Answer

The impairment test used by Income Support is not comparable to the UK’s Work Capability Assessment. Although both tests inevitably address the functional restrictions on different areas of the mind and body, the UK’s process is entirely focussed on work capability whereas the Income Support assessment is designed to assess much broader needs for additional personal care. A comparison between the two tests is therefore not meaningful in the way that this question anticipates.

The detail of the contract between Atos and the UK’s Department of Work and Pensions is not a matter on which I am able to comment. It is important to understand that Atos is a private contractor that does not develop its own tests, and the DWP’s decision to outsource its assessment process does not have any relevance to the system used in Jersey.

I can state that my Department does not outsource this work to a private contractor. Although medical evidence from a range of external experts may be used as part of the assessment, the final decision on all evidence is made by a Determining officer employed by the Department. Very few decisions are challenged through the local appeal system and our statistics indicate that the majority of officers’ decisions are upheld by the independent tribunal which handles such appeals and, as I have previously stated, I am fully confident in both our assessment process and the performance of the independent appeals system.

The experienced UK experts referred to in my answer to question 8591 were not Atos employees. Their previous roles involved training delivered as part of the Department of Work and Pensions. I am unable to comment on any previous arrangements between the DWP and any of its external contractors.

I am aware that the UK has made small changes to the Work Capability Assessment rules from January of this year. However, these changes concern the degree to which a person receiving the test is deemed capable for work. As the purpose of the Income Support impairment assessment is not to assess work capability, these changes are not relevant to Income Support.