A Guide to Work Capability Assessments

When individuals can't carry out work activities because of disability, neurodivergence, or health issues, they can seek financial support to help. To get the right help, they'll need to apply for a Work Capability Assessment. But what is it and how does it work? We'll get into the details you should know in this guide.



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What Is a Work Capability Assessment?

A Work Capability Assessment (WCA) is a process to review someone's ability to carry out their work or work-related activities. Applicants should provide assessors with relevant data, records, and evidence to accurately review the extent of their limitations at work. The application process may involve face-to-face interviews and a medical assessment. The goal is to establish whether the condition affects someone for at least half of their time at work.

Funding from a Work Capability Assessment usually comes in two forms:

- Extra Universal Credit (UC)
- New Style Employment and Support Allowance (ESA)

Universal Credit is a government-funded payment provided by the Department of Work and Pensions (DWP).



UC will pay for living costs but there is also a 'New Style' ESA which is a fortnightly payment that applicants can claim on their own or when they submit UC claims. If someone receives both, one will offset the other. In other words, any New Style ESA they receive can reduce UC payments by the same amount. And receiving New Style ESA funding depends on someone paying enough NI contributions for two years before they make a claim.

At the end of 2023, two million people were on Universal Credit in Great Britain. From this number, <u>almost 70% had limited capability to work</u> and for work-related activity.



How Long Does a Work Capability Assessment Take?

The time it takes to complete a Work Capability Assessment can vary but it's not often fast. Accessing New Style ESA funding involves a 13-week assessment phase, although delays are common. For some people, getting UC funding can be s quicker process, but the decision-making process can take four to six weeks.

The process of carrying out a Work Capability Assessment will usually involve the following activities:

- Application forms: Applicants must complete a UC50 or ESA50 work questionnaire before they get to assessment.
- Assessments: These happen in different settings like at the assessment centre, by phone, or through Facetime calls.
- Medical assessment: A healthcare
 professional will assess the claimant based on
 the information they provide in the application.
 They'll usually gather information and evidence
 through a face-to-face assessment and ask
 about the claimant's medical history.

- Summary reports: Assessors will compile reports, including a medical assessment where relevant.
- Decision process: Delegates from the DWP will review the application, assessments, and recommendations to confirm the applicant's restrictions to work and applicable funding.



Who Qualifies for a Work Capability Assessment?

People with health conditions, disabilities, or neurodivergence that limit the work they can do for more than 28 days may need to take a Work Capability Assessment. But assessors may refer some people sooner if they're experiencing the following:

- Receiving treatment for cancer or recovering from cancer treatments
- Are pregnant or have serious risks to their health or the health of an unborn child
- Remain in hospital or similar institution for more than 24 hours
- Receiving treatments including dialysis, plasmapheresis, or total parenteral nutrition
- Laws that prevent them from working

Qualification for WCA is specific to individuals with limitations that stop them from working or doing work-related activities. This is different from an employer's legal duty which, under The Equality Act 2010, requires they provide Reasonable Adjustments for staff. Employers should also make workplace adjustments to accommodate neurodivergence, disability, or health conditions.

Getting help for specific adjustments can come from the <u>Access to Work scheme</u>, <u>which is also</u> government funding. Access to Work provides funding for in-work support when individuals can work but need help to overcome the barriers they face.

It's worth noting that some individuals can receive both Access to Work and ESA funding if they work less than 16 hours a week. Before applying, individuals need to review the rules about working while claiming ESA.



Limited Capability for Work and Work-Related Activity

When assessors conduct Workplace Capability Assessments, they'll review an applicant's status. Through the application, they may determine that individuals have some ability to work – even if it's limited. As a result, they will categorise them into one of three areas:

- Limited Capability for Work and Work-Related Activity (LCWRA): Applicants won't need to look for work or prepare for work and will receive a higher rate of benefit.
- Limited Capability for Work (LCW): Individuals may not be able to work but will receive support to help them prepare for work in the future.
- Fit to work: The applicant isn't entitled to ESA funding or the health-related amount of UC.



Work Capability Assessment Points

During assessments, WCA assessors will identify which descriptors apply to each applicant using a points-based system. This process helps to determine where someone sits across the three outcomes – Fit to Work, LCWRA, or LCW. To receive an LCW category, someone must score 15 points or more.

Assessors will ask about someone's day-to-day lifestyle, hobbies, or leisure activities. They may also carry out physical examinations. Applicants need to explain their abilities, and any symptoms, to receive a proper assessment.

For instance, over 80% of people with autism are unemployed. Some will be in the Severe or Level 3 ASD category. During their assessment, these individuals should show evidence of their inability to engage in work. An example may be repetitive or restrictive movements like an inability to pick up and move light or heavy items. Assessors will award points according to the severity of each particular restriction.



How Long Do You Have to Wait for a Work Capability Decision?

After applying for a Work Capability Assessment, any decision can take up to 12 weeks. But it's often longer. In some cases, it can take many months. Application decisions also depend on which funding pot the support comes from.

New Style Employment and Support Allowance (ESA)

The first WCA should take place within the 13-week assessment phase. It's common to experience delays that will extend the assessment phase for several months. Applicants who haven't received a response after eight weeks should contact the DWP by writing to the address or calling Jobcentre Plus for help.



Universal Credit (UC)

When it's decided that an applicant should receive Universal Credit, the decision maker will write to the applicant to inform them of the outcome. They can then continue to receive Universal Credit during this time regardless of the outcome. However, applicants who fail the assessment may need to look for work.



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