

F6 Employment and Support Allowance and Work Capability Assessments

Liberal Youth

Mover: George Potter

(Approved amendments to the motion included in **bold text** below.)

Conference notes:

i) That eligibility for the Employment and Support Allowance (ESA) benefit is determined by the Work Capability Assessments (WCAs) which are currently carried out by Atos Healthcare, a private company.

ii) That currently 39% of assessed rejections which go to appeal are subsequently overturned, though the appeal success rate is lower for claimants without representation.

iii) That the way in which WCAs are conducted has been criticised by Parliamentary Inquiries and by the Tribunal Judiciary.

iv) That the Liberal Democrat-Conservative Coalition Government has stated its aims to support people who are fit to work move off state benefits and into work and support those currently unable to work to prepare for work in the future.

v) The on-going reviews of Work Capability Assessments led by Professor Malcolm Harrington, which have made recommendations on how the WCA process can be improved.

vi) That the Government has so far implemented the vast majority of the recommendations made by Professor Malcolm Harrington.

vii) The Government's Welfare Reform Bill proposals to simplify the appeals process for claimants.

Conference believes that:

A. It is the duty of a compassionate society and government to provide the necessary support for those who are unable to support themselves.

B. The old Assessment procedure, when claimants were assessed using a 'tick box' questionnaire, did not take into account the claimant's medical history as provided by their GP and/or Consultant.

C. The new Assessment procedure must aim to reduce the number of cases which are overturned on appeal.

D. That vulnerable cases like this, where a welfare recipient's income is threatened, should qualify for free legal representation.

Conference calls for:

1. The Government to continue to implement Professor Harrington's recommendations on reforming the WCA as a priority, in addition to an emphasis on:
 - a) Clearer Assessment criteria and descriptors, to make it more apparent under what circumstances ESA is paid.
 - b) Ensuring greater accuracy in Assessment, particularly for those with fluctuating conditions.
 - c) A less stressful Assessment process.
 - d) People with disabilities getting the support they need.
- 2. Liberal Democrats in Government to oppose an arbitrary time limit on how long claimants can claim contributory ESA.**
3. All ESA claimants going to appeal to be given access to adequate representation **and expert advice, and for Government to reconsider the exclusion of welfare benefits casework such as this from the scope of legal aid.**
- 4. A presumption that ESA claimants with serious and uncontrollable life-threatening conditions should be allocated to the support group rather than the work related activity group.**
- 5. A review of ATOS performance in delivering the Medical Services Agreement contract with DWP in respect of the quality of medical assessments.**
- 6. Effective contract compliance for contractors carrying out ESA eligibility assessments to avoid poor performance, and a presumption that in future ESA eligibility will be carried out by the public sector or non-profit organisations.**

Applicability: Federal.