

Westminster Hall debate 'Work of Atos as a service provider Citizens Advice briefing

12 February 2014

Kevin's story

I am a UK Veteran and I receive a War Disability Pension. I also had a Stroke 7 years ago this June, it left me with limited mobility all down my left side and 24/7 "Central Post Stroke Pain". I have spent two years going down the medications route before having "Motor Cortex Stimulation", that did not work. I received an Atos fitness for work questionnaire just before Christmas, with a deadline for return of the 26th December 2013 (as if anyone would be working then). Less than a week and I received a reminder from Atos, saying that they have not yet received my form. It is now the 4th February 2014 and I have heard nothing from Atos, despite their covering letter stating that it was "Urgent". I have heard lots of horror stories about Atos, and the stress it is causing me may well lead to another Stroke.

Simon's story

I've suffered from severe anxiety, agoraphobia, depression and panic disorder for a number of years. The DWP and Atos have made things difficult for me at every turn. When my doctor has tried to fax evidence on my behalf he has found that their machine is never turned on.

The above are just two of the dozens of stories which people have shared on the Citizens Advice #FitforWork ESA campaign page which highlight problems they have had dealing with Atos as part of the Work Capability Assessment.

Our campaign is calling for:

- The Department of Work and Pensions (DWP) to listen to evidence from the health and social care professionals who know you best.
- The medical evidence required to make your case to be provided free of charge.
- The companies, like ATOS, running the work capability assessments to be held accountable for poor quality assessments and bad customer service.
- The DWP to pay people ESA while a second opinion is given on their application.

You can read more people's stories at <http://blogs.citizensadvice.org.uk/blog/topics/fit-for-work/>

Atos provision of Work Capability Assessments (WCA)

Citizens Advice has helped a steadily increasing number of problems with ESA since the introduction of the benefit in 2008. We would expect to see a significant increase in advice with the introduction of

a new benefit. Nevertheless, advice sought on ESA continues to outstrip its predecessors by a long way.

Last year, Citizens Advice helped people with close to 450,000 problems with Employment and Support Allowance (ESA), 45 per cent higher than the year before. Almost 58,000 of these related to the Work Capability Assessments carried out by Atos, 94,000 were about appeals.

Citizens Advice has launched a campaign to make the ESA fit for work. A key component of the campaign is to ask the Department for Work and Pensions (DWP) to hold whichever providers run the WCA to account for poor quality assessments or bad customer service.

DWP is currently in the process of re-tendering for new contracts to provide WCAs. It is vital that the Department takes this opportunity to learn the lessons from the failures of the previous contracts with Atos and make sure that assessments work for both claimants and other tax payers.

The Department's contractor for medical services, Atos Healthcare, completed 738,000 face-to-face medical assessments in 2011-12 and charged the Department £112.4 million¹. Atos has held the contract for running WCAs since they were launched in 2008. However, the National Audit Office has been highly critical of the DWP's management of this contract, highlighting a failure to adequately seek financial redress when Atos failed to comply with the contract.

Accuracy of WCA reports

Citizens Advice has long had concerns about the accuracy of the WCA reports that Atos provides to the DWP as part of the DWP decision-making process. *Right first time?*, our indicative study of the accuracy of such reports, found worrying levels of inaccuracy. More than two thirds have at least a medium level of inaccuracy and around 40 per cent have such a serious level of inaccuracy that they could lead to the wrong decision being made. Full information on this can be found in our report *'Right first time?'*²

Atos customer satisfaction

Atos has reported a high customer satisfaction record. But the experience of our advisors, who day in day out help people who are furious at the way that they have been treated, suggests that Atos might not be asking the right questions. We are therefore calling on DWP to introduce regular independent scrutiny of their satisfaction surveys.

Sandy's story

A CAB in London recently reported the case of Sandy, a client with mental health problems who had been found fit for work following her Atos WCA, and was appealing the decision. The CAB adviser noted that a letter from her GP said 'I feel that her ability to work is largely affected by her psychological state rather than disability'. However, Sandy reported that at her assessment she felt the points she raised about her mental health were largely ignored and that the assessor concentrated purely on her physical health. The experience had made her mental health worse, she had increased her medication, and her symptoms of anxiety had worsened.

Stephen's story

A CAB in Bedfordshire reported the extremely serious case of Stephen who suffered from epilepsy. He had to leave his job after his condition worsened culminating in him having a large seizure at work. He applied for ESA and was put in the Work Related Activity Group (WRAG) following a face-to-face assessment by Atos. Both Stephen and his carer, who attended the WCA with him, were concerned by their experience. They reported that the assessor did not seem to understand the

¹ <http://www.nao.org.uk/wp-content/uploads/2012/10/1213627es.pdf>

² http://www.citizensadvice.org.uk/index/right_first_time

limitations caused by the risk of seizures, and asked questions which did not seem appropriate such as if he could touch his toes or lift things. As part of being in the WRAG, Stephen was required to take part in the Work Programme, but both an adviser from the provider company (Seetec) and his own hospital consultant neurologist agreed that he had been put in the wrong group and could not participate in this activity. He had suffered symptoms of an impending seizure whilst doing a computer job search, and had recently been admitted to hospital because of a severe exacerbation of his condition which meant that he was at high risk of seizures which could now be fatal.

Delays in Atos face-to-face assessments

Citizens Advice Bureaux continue to report worrying delays in people being invited to their Work Capability Assessment, including reporting seeing ESA claimants waiting up to 2 to 3 months after the 13 week assessment period for an assessment. This extends the period during which disabled people have to manage on very limited incomes – any eventual benefit award is backdated but this does not compensate for the debts that may have been built up in the meantime. Extended delays in the process also compound the stress and uncertainty inherent in claiming the benefit.

Peter's story

A CAB in the South West (Truro) told us that one of their clients, Peter, faced a 5 month wait for a Work Capability Assessment and found it increasingly difficult to meet his mortgage repayments. He suffered from anxiety and was further depressed at the long wait and uncertainty about what his financial position would be going forward. The delay also had an impact on any other benefits he might be entitled to.

Derek's story

A CAB in Wiltshire reported that one of their clients, Derek, waited four months for a face-to-face assessment. Having first applied in early January 2013, he was sent an appointment by Atos for June. This was then cancelled and a new appointment sent for July. At the end of August Derek still had not received a decision – the bureau were told that this was because the case had been selected for audit, which causes additional delay. Derek suffered from depression and anxiety, exacerbated by the delays and the difficulty of managing his day-to-day expenditure and outstanding debt repayments on his reduced benefit income

Atos provision of PIP assessments

Atos holds two of the four DWP contracts for managing the face-to-face assessments for Personal Independence Payment (PIP), which began to replace Disability Living Allowance from April 2013. Capita hold the other two contracts, although PIP is yet to start in Northern Ireland. The introduction of the new benefit has been beset with problems. Claimants are currently facing delays and problems at every stage of the claims process – with similar experiences across the two providers and the parts of the process delivered directly from DWP.

Our evidence from bureaux across both Atos and Capita areas in England and Wales shows disabled people waiting more than six months for a face-to-face assessment with the providers, which forms an important part of the DWP's decision-making process the same way as the WCA does in ESA. Delays of this length, and the administrative problems that often accompany them, including scheduling problems, last minute cancellations, and difficulties with accessing assessment centres, are unacceptable. For example, people who are claiming the benefit for the first time are likely to have experienced a catastrophic life event – an accident, sudden onset disability or a significant deterioration in an existing condition – and face an urgent need for support with the extra costs they suddenly face.

Joanna and Tom's Story

Joanna went to a CAB in London in November 2013. Her husband Tom had been diagnosed with cancer in August 2012. In May 2013, on advice from Macmillan, they applied for DLA, which two months later was transferred to a PIP claim. A further two months later in September they received a letter from Atos stating the need for a face-to-face assessment, but were not given a date for this. When Joanna came to the CAB in late November, they had still not yet got a date from Atos, and she was starting to feel desperate. Her husband was due another operation before Christmas, and she was now caring for him full-time, but could not claim Carers Allowance until his PIP claim was finalised. The CAB adviser rang the PIP helpline who informed them that claims were currently taking over 6 months to be processed, and that Tom's case could not be accelerated as the special rules for terminal illness did not apply in this case. The couple had never before claimed benefits, and were struggling to cope. The stress of the situation was contributing to Tom's deteriorating condition.

Mary's Story

Mary went to a CAB in Berkshire in January 2014. She had a long-term health problem causing chronic and widespread pain and had applied for PIP in June 2013. She experienced considerable problems with assessment scheduling, location, and delays with Atos. Four months after her application in October she attended a face-to-face assessment at a regional centre, despite this being inconveniently located some 25 miles from her home. However, when she rang Atos two weeks later, she was told her files from the day had been lost due to an IT error, and that she would therefore have to attend another assessment. A second assessment date was set in December, at a different centre located in the region. Mary met the considerable costs travelling by taxi and train to get to the early morning appointment on time, but when she got there the assessor did not show up. For a third time Atos asked her to attend an assessment in yet another location. This was scheduled for January, a total of six months after the date she had made her claim. She was under considerable financial strain as a result of the delay in getting an assessment and decision for PIP. The CAB wrote a letter of complaint to Atos about the mishandling of this client's case.

Despite our engagement with both the DWP and the providers, there does not seem to be a simple solution to these delays.

The DWP is rolling PIP out to some existing DLA claimants by geographic area over the next few months before beginning the re-assessment of most DLA claimants from October 2015. Citizens Advice urges the DWP to put the roll-out of this re-assessment on hold until it is confident that both Atos and Capita have cleared their assessment back-logs and can manage the significant increase in business that reassessment of existing DLA claimants will bring.

Contact

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