

Cover Sheet Learning Disability Programme Board Papers

Date of meeting

4 July 2013

Attachment number

LDPB (13) 25

Title of paper

DWP update paper on helping people with learning disabilities into work and changes to the benefit system.

Summary

A DWP update paper which sets out ways of helping people with learning disabilities into work and changes to the benefit system.

Action required / recommendation

FOR INFORMATION AND DISCUSSION

LDPB members are asked to:

- note content of paper and ask any questions about it

DWP update paper on helping people with learning disabilities into work and changes to the benefit system

This paper sets out at:

- A** The main DWP policies which help people with learning disabilities into work;
- B** The major changes to the benefit system that are coming into force;
- C** The allowances are being made for people with learning disabilities in terms of things like interviews, the consideration of medical evidence and training for assessors.

DWP
June 2013

A The main DWP policies which help people with learning disabilities into work

Please note that following the recent Spending Review there are likely to be changes to the employment policies and possibly the benefit regime in the offing. Unfortunately at the time of the next meeting not of all these changes have been announced or even decided upon yet.

It is unlikely that the full details will be announced until the end of July. Once these are known we will let the Board have details of the changes as soon as possible.

1. DWP are committed to ensuring that all disabled people have the opportunities, chances and support that they need to get a job and remain in employment and there is a range of provision to help them.
2. The Work Programme is the biggest single Welfare to Work programme. It provides more personalised back-to-work support for unemployed people, including disabled people.
3. Disabled people with more complex needs which cannot be met through the Work Programme, can access a range of specialist disability employment provision.
4. Work Choice provides tailored support to help disabled people who face the most complex barriers to employment, find and stay in work and ultimately help them progress into unsupported employment, where it is appropriate for the individual. Work Choice is voluntary and available regardless of any benefits being claimed. Work Choice can provide an indefinite period of support once the customer is in work, unlike mainstream employment provision. This is in recognition of the fact that some Work Choice participants may need ongoing support to overcome barriers in work that cannot be met through normal workplace adjustments.
5. From July 2012 we have introduced the Work Choice wage incentive which is a payment worth up to £2,275 that an employer can claim where they employ an 18 to 24 year old from Work Choice for at least 26 weeks.
6. Access to Work provides additional support for individuals whose health or disability affects the way they do their job. It provides individuals and their employers with advice and support with extra costs which may arise because of an individual's needs. The type of support Access to Work provides can include transport to work, support workers and specialist adaptations and equipment.

7. During 2011/2012 Access to Work supported over 30,000 people to keep or get employment. Additionally we have made an extra £15 million available for Access to Work for the spending review.
8. Residential Training provides vocational training to unemployed disabled adults, whose needs cannot be met through any other government funded programmes and is delivered through nine Residential Training Colleges. Colleges have the freedom to develop their services to meet the needs of the individual.
9. Jobcentre Plus Disability Employment Advisers can provide support and advice for disabled people who need help finding and retaining employment. They can refer individuals to specialist programmes, including Work Choice, and can use the professional expertise of Work Psychologists, who specialise in working with disabled people. Disability Employment Advisers can advocate with employers on the individual's behalf and help employers to explore job solutions such as the restructuring of a job's tasks/environment, or the provision/change of equipment.
10. DWP works closely with employers through the employer-led Disability Employer Engagement Steering Group and Business Disability Forum. Both groups work to improve employers' knowledge and confidence in dealing with disability issues and develop practical tools for the recruitment and support of disabled workers. The Department supports these organisations and their aims wherever it can.
11. We do not target our employment programmes exclusively at individuals with particular conditions. The Department's programmes, including its specialist disability employment programmes, aim to identify and meet the needs of the individual.

B The major changes to the benefit system that are coming into force

1. The changes are :

1 April 2013 – Removal of the Spare Room Subsidy:

- Working-age tenants in the social sector will receive Housing Benefit for the number of bedrooms their household needs, bringing them in line with those in the private sector.

1 April 2013 – Crisis loans and community grants replaced by local provision:

- The full funding for this will be given to local authorities or devolved governments, who are best placed to deliver better targeted, local provision.

8 April 2013 – Personal Independence Payment introduced, replacing DLA:

- We are replacing DLA for people aged 16-64 with Personal Independence Payment:
- Introducing a new assessment, with a face-to-face consultation for most people, ensuring regular reviews and making the assessment more objective.
- New claims for PIP will start from areas including Merseyside, North West England, Cumbria, Cheshire and North-East England.
- New claims for the rest of Great of Great Britain will start in June 2013.
- From October 2013, some existing DLA recipients will be invited to claim PIP.
- PIP will be subject to an independent review in 2014 and we will use this review to understand how the assessment is working in practice.
- The majority of reassessments will not start until October 2015.
- Overall spending on Personal Independence Payment and Disability Living Allowance will be higher in every year to 2015-16 (£13.3 billion) than spending on Disability Living Allowance was in 2009-10 (£12.4 billion).

8 April 2013 – Benefit Uprating:

- Most out of work benefits have risen significantly faster than average earnings since 2007, around 20% compared to around 10%.
- Working-age benefits and tax credits will be up-rated by 1 per cent.
 - This is fair and in line with the rise in millions of public sector workers' pay.
 - Benefit levels will still be higher than if they had grown at the same rate as average earnings since the financial crisis began.
- Disability benefits will continue to be up-rated inline with inflation.
- The State Pension will increase by 2.5% (£140.40 per year increase) due to our promise to protect pensioners.

15 April 2013 – Benefit cap:

- Households on out-of-work benefits will no longer receive more than the average weekly wage after tax and National Insurance.
- Those on Disability Living Allowance and Working Tax Credits will be exempted.
- This rolls out in Croydon, Bromley, Haringey, and Enfield; and then nationally by the end of September.

End of April 2013 – Universal Credit rolls out in pathfinder areas:

- Some new claimants will receive Universal Credit, which is replacing the six main out-of-work benefits to simplify the benefits system and make work pay.
- The Welfare Secretary has previously set out the timeline for introduction of Universal Credit, and that is the timeline we are working to
- We are on track to start the first phase of Universal Credit this month as planned.
 - We have always planned a trial phase where Universal Credit will start next month for some new claimants in the Manchester and Cheshire regions.
 - Some single, childless jobseekers involved in the early roll out will claim Universal Credit instead of Jobseekers Allowance.
 - Ashton-under-Lyne Jobcentre will accept Universal Credit claims from 29 April.
 - Wigan, Warrington and Oldham Jobcentres will trial the new Universal Credit claimant commitment from 29 April and take Universal Credit claims from July.
 - Each of the four job centres involved in the early roll-out will be testing a range of activities to prepare for Universal Credit.
- We always planned a phased roll out and the pilots will be expanded in October.
- And we have always said we would bring claimants onto Universal Credit over four years (2013 – 2017), having tested the service to ensure we roll it out safely.

2. We are sensitive to the needs of claimants with mental, intellectual or cognitive impairments and have designed PIP claim processes with their needs in mind.

3. The claim process for PIP has been developed by involving claimants and people who support disabled people. This has led to the process being simplified. Initially the claim will be taken over the telephone. If required the claimant can have someone to help them make this call. At the Making a Personal Independence Payment Claim stage (part 1) claimants will be asked for general information about, for example: their name, address, whether they are in hospital, claiming under the special rules for those who are terminally ill. Specific questions will be asked regarding someone's mental health or cognitive impairment. We then note to the PIP computer system that they need additional support to ensure we provide that support as necessary throughout the claiming process.

4. Once a claimant has submitted their claim we will send them a PIP Part 2 Claim form (How your Disability affects you) on which they will be able to provide additional details in support of their claim. The form contains a combination of free text and tick boxes. In developing this form it was tested with claimants with a range of conditions including learning disabilities to

ensure it was simplified and easier to complete. There are directed questions within it, but it also allows a claimant to explain in their own words, how their disability affects them. There is less duplication of questions and simpler language. The form's length is 34 pages. The form also recommends that any further medical evidence is returned along with the form. This might include information from the family members. If the claimant fails to return the PIP Part 2 Claim form they will be referred directly to the Assessment Provider.

C What allowances are being made for people with learning disabilities in terms of things like interviews, the consideration of medical evidence and training for assessors

1. Greater use of appropriate evidence is an important aspect of the PIP assessment. This includes evidence from claimants from the face-to-face consultation that most individuals will undergo and from supporting professionals. DWP will ask claimants to identify the most appropriate additional sources of information, particularly professionals who support them on a regular basis. We envisage that evidence will come from a variety of sources, including not only GPs, hospital consultants, community psychiatric nurses, and social workers, but also people experienced in supporting the claimant or other disabled people, such as family members or support workers.
2. DWP recognise that for people with mental, intellectual, cognitive or developmental impairments, attending a face-to-face consultation at an unfamiliar location can cause anxiety. Therefore claimants are encouraged to bring with them a relation, friend or a professional who supports them. In some cases we will also be able to consider carrying out consultations in the individual's home. Information given by the companion could be useful, particularly in cases where the claimant may lack insight into their condition, understate the challenges they face or have difficulty communicating.
3. Not all claimants are asked to attend a face-to-face consultation. Health professionals review all of the evidence provided with the claim, and request any further evidence they feel might help in providing advice to the DWP decision maker. If the health professional cannot provide advice to DWP at this stage, only then will an individual be asked to attend a face-to-face consultation.
4. DWP have worked closely with the assessment providers throughout the development and implementation of their delivery models, including their plans for the recruitment and training of health professionals. Health professionals receive a broad training in disability analysis as well as in specific impairments, including mental, intellectual, developmental and cognitive impairments. Their training plans are subject to DWP's approval, and they are required to demonstrate that health professionals meet all of our requirements before they are approved to carry out assessments on our behalf. Furthermore, all health professionals will be subject to ongoing quality audit to ensure they continue to deliver high quality assessments.
5. In his report on the Work Capability Assessment, Professor Malcolm Harrington recommended that there should be mental, intellectual and cognitive champions available to support assessors when they are reviewing evidence, in order for them to provide the most appropriate advice to the Departmental decision maker. We recognise the importance of this approach, and have ensured that the PIP assessment providers will be required to provide Mental Function Champions to perform this role.