

Incapacity Benefit Employment and Support Allowance

Notes to help Examining Doctors

- **What is Incapacity Benefit/Employment and Support Allowance**

Incapacity Benefit (IB) is paid in the United Kingdom to someone who cannot work because of sickness or disability. From October 2008, Employment and Support Allowance (ESA) replaces IB for new claims.

- **How is entitlement to benefit decided?**

In order to determine whether a person has limited capability for undertaking any kind of work, entitling them to IB/ESA, we apply capability assessments to both benefits. The assessments are both based on assessing the functional effects of illness or disability in carrying out day to day activities relevant to work. The new test for ESA has updated the previous test for IB and is a more accurate assessment of the activities relevant to the modern workplace. In particular, the assessment of mental function has been expanded to assess cognitive and intellectual impairment as well as mental illness. We need your help in applying the new test which is called the Work Capability Assessment.

- **Applying the Work Capability Assessment**

We will use the information from your Work Capability Assessment to decide on the customer's entitlement to IB/ESA. We provide the following guidance to our own healthcare professionals carrying out the Work Capability Assessment, and we hope you will find it helpful.

- **General guidance on carrying out the assessment**

This assessment of functional effects of a condition is different from assessments for diagnostic purposes. You do not need to provide a precise diagnosis; what we are looking for is your overall conclusion about how the person performs key tasks in work-related activities.

- You will have available a questionnaire completed by the person to be assessed, explaining what they believe to be the functional effects of their condition.
- You will have a statement from the person's treating physician which gives the diagnosis.

● General guidance on carrying out the assessment - continued

The assessment should be carried out using a combination of:

- interviewing to form an impression of how the person manages to cope with normal day to day activities they would usually perform. Helpful topics to explore include: washing and dressing; doing housework including shopping and cooking; hobbies and leisure activities
- carrying out informal observation of the person throughout the assessment: for example observing them walk to the consulting room; whether they are able to sit comfortably and for how long; whether they need help with clothing before or after clinical examination; whether they can hear a normal conversational voice; whether they understand and reply appropriately to questions
- carrying out a formal assessment if appropriate: for example simple tests of mental function; assessing grip strength; assessing mobility
- carrying out a formal clinical examination of relevant systems: for example of the cardiorespiratory system, the musculoskeletal system, or the neurological system, as appropriate, depending on the diagnosis.

It is also important to give the person the opportunity to tell you about any other problem which may not have been covered, and to record this information in the appropriate part of the assessment form.

Considering the effects of pain, stiffness, fatigue, or variability of symptoms

The effects of pain, stiffness, or fatigue need to be taken into account in giving an opinion of the person's functional ability. If an activity can only be carried out at the expense of significant pain; or if it causes significant fatigue so that it cannot be repeated within a reasonable time, you should record the person as being unable to carry out the activity.

When assessing a person who describes problems with pain, stiffness, or fatigue, you should consider whether the reported symptoms are consistent with the diagnosed condition, for example morning stiffness in rheumatoid arthritis, or stiffness after a period of immobility in osteoarthritis. You should also consider whether the reported symptoms are consistent with the described effects on daily life.

With conditions that vary in intensity, you should record the person's ability as it applies *most of the time*, taking into account the natural history of the condition and how it would be expected to fluctuate over time. Some conditions, for example asthma or depressive symptoms, may fluctuate from week to week or even from day to day; other conditions, for example multiple sclerosis, may fluctuate over much longer time periods.

● Guidance on completing the report form

Physical function

Please complete all sections of the report.

For each functional activity, there is a series of descriptors indicating various levels of limited function. For each activity, please tick the descriptor which in your opinion applies to the person.

The functional activities are then grouped into broader areas of function, for example, lower limbs, upper limbs, special senses. For each grouping, please detail the evidence, from your interview with the person, observations, and clinical findings, which supports your choice of descriptors.

If the level of function you have selected differs from that indicated by the person, please explain why your opinion differs from theirs.

● Guidance on completing the report form - continued

Mental function

Please complete this section of the report if in your opinion there is any condition which impacts on mental or cognitive function, for example if there is evidence of mental illness; or of a condition such as autistic spectrum disorder affecting cognition; or if side effects of medication are affecting cognition.

If you do not think a mental function assessment is needed, please give your reasoned opinion for this decision.

If you decide a mental function assessment is required, please complete it in the same way as the physical function assessment, i.e. by selecting the appropriate descriptor for each functional activity and then providing the detailed evidence on which you have based your opinion.

Exceptional circumstances

On rare occasions a person may not have significant functional limitation, but may nevertheless have a condition which clearly means they have limited capability for work. There are two circumstances in which this might happen:

- The person has a life-threatening uncontrolled and uncontrollable medical condition.
- There would be a significant risk to the person or to others if he or she were to engage in work.

If you consider that either of these situations applies, please complete the sections headed "Exceptional circumstances", indicating which circumstance applies, and giving your reasons for your opinion.

Prognosis for return to work

Finally, please indicate when, in your opinion, the person's condition might be expected to improve sufficiently to allow them to return to work.