

Determining the next WCA referral date

70. The next WCA referral date is calculated from the date the last assessment was undertaken by HAAS. It will be based on medical advice provided on the ESA85. When deciding on a re-referral date the DM should also take the following into account:

- The claimant's age at the point of re-referral. If the claimant is approaching State Retirement Age, that is within 6 months of SRA, no further referral is required. Set a prognosis period 3 months after SR date to prevent auto push.
- The claimant's health condition
- Whether the claimant's health condition is likely to change for better or worse
- If the Tribunal has recommended a re-referral date. Apply any Tribunal recommendations on review periods as the default and only alter where there is strong justification.
- Factors that the Tribunal took into account in reaching their decision.
- The original prognosis
- Whether any surgery is likely that may offer a significant improvement.
- The date will be between a minimum of three months and a maximum of three years in the future, **unless the claimant meets the Severe Conditions criteria. Where the DM decides the claimant has LCWRA and meets the Severe Conditions criteria the common prognosis fixed date of 01/05/2030 is input to prevent those claimants being reassessed.** When the date has been entered in JA674694, JSAPS will automatically bring forward the prognosis date by 2 months. If the HAAS' advice on the WCA outcome/assessment indicates the longer term, this should be set within two years.

Note: the three year future WCA should only be applied to LCWRA outcome reports where a claimant is placed into the Support Group.

71. The DM should apply the recommendations of the Tribunal as to when the next WCA should take place, from the date of the original decision unless the Tribunal specifies otherwise. This is because the Tribunal was looking at the claimant's circumstances from that date and not the date of the hearing. However, where the Tribunal advises that the next WCA should take place on a date calculated from the date of the Tribunal hearing then the DM should accept this.

72. DMs must use a minimum period of eight months as the point when the claimant must complete a new WCA following a successful appeal, unless there are mitigating circumstances. This means that new re-referrals will commence at the six month stage.

73. There are circumstances where it is reasonable to refer the claimant for another WCA within a short time frame than the minimum eight months. For example, a change in circumstances that affects a claimant's health since the original decision. A DM may consider referring the claimant for another WCA in order to assess the situation.