AdvoCard is an independent advocacy service for mental health service users in Edinburgh. We received funding in 2013 to employ a full time Advocacy Worker specifically for issues surrounding Welfare Reform. We were able to begin this service in September 2013.

For those with mental health conditions Welfare Reform has brought a variety of problems. However, the main two issues that we are seeing at AdvoCard are problems arising from the migration of Incapacity Benefit to Employment Support Allowance and the introduction of Personal Independence Payments to replace Disability Living Allowance. Between September 2013 and May 2015, 47% of all referrals to AdvoCard’s Welfare Reform Service were for issues surrounding ESA with 42% of referrals concerning PIP.

**Face to Face Assessments and the reconsideration process**

All but 2 individuals who have sought Advocacy Support to attend an assessment, both PIP and ESA, have had a positive result from the assessment. This should not in any way be construed as to mean that the experience was a positive one, however. For many the experience was extremely difficult and lead to many accessing support services, crisis services and advice agencies.

Those individuals who have been referred to AdvoCard after they have been unsuccessful during the assessment phase have had a longer, more difficult process of submitting reconsiderations and appeals and have experienced a greater deterioration in their mental health and prolonged financial hardship.

To date all those who have sought assistance with reconsiderations have also been successful in being awarded the benefit that they had claimed. However there were many barriers to be overcome in the reconsideration process. Primarily, the use of what appears to be drop down menus in the assessment report. This becomes a problem when health care assessors attempt to fit a complex condition into a box on a drop down menu thus minimising the effects of that condition and missing important factors that then have to be given described in more detail at the reconsideration stage. The delays in receiving a decision on a reconsideration request also played a significant factor in the deterioration of the claimant’s mental health and prolonged financial difficulties with many claimants waiting several months to receive a decision.

For the assessment process to work, the needs of the claimant and the barriers they face should be at the heart of the process of claiming disability benefits. Eligibility should not be determined by drop down menus in reports and points given according to a check list that bears no relevance to the real problems faced on a day to day basis by those with chronic mental health problems.
Factors causing difficulties for claimants with Mental Health conditions

Some of our service users reported difficulty reading and understanding forms and letters. There were also some who simply did not open their mail so were not aware of appointments, assessments or claim forms that had been sent to them until it was too late. Some may have been aware at the time the letter was sent but had difficulty in remembering or organising support for the appointment and therefore did not attend.

This can cause a number of problems for claimants who then have their claim closed down due to non-attendance. For example, a recent female claimant, a single parent of an 11 year old and with chronic mental health conditions found that her ESA payments had been stopped without notification. She accessed our service for support with this. On contacting the DWP we were informed that she had failed to attend her Work Capability Assessment a few days earlier and had therefore had her claim closed. The claimant knew nothing of the assessment. She was not aware of having received a letter. We were told to write a letter explaining this to have her claim reinstated. She sent a letter that day. The explanation that she had not been aware of the assessment was not accepted and she was informed that her claim would be closed down. As she had been expecting a payment of her ESA which never arrived she was left with no money. She contacted the Welfare Fund for a Crisis Grant and was informed that she was not eligible for this as she was not in receipt of any benefit. This lead her to access foodbanks to help her manage until the issue was resolved. This took 5 weeks in total to resolve with the outcome being that her ESA was reinstated and a second assessment date was organised for her. With some compassion and understanding for her conditions this could have been done over the phone on the day that her payments had been stopped however, 5 weeks of worry, stress, letters to DWP and follow up phone calls resulted in a marked deterioration in her conditions and extreme poverty for her and her son as they struggled to survive on a greatly reduced income.

It should be recognised that by the very nature of eligibility for these benefits, ESA and PIP forms and letters will quite often be sent to individuals who experience difficulty coping or managing day to day affairs and therefore special consideration must be given for non-attendance or no contact.

Lack of insight into their condition or over exaggerating their own capabilities are also problems faced by those with a mental health condition. Many do not wish to discuss with a complete stranger how bad day to day life is for them. Some have reported feeling ashamed at admitting that they do not wash for weeks at a time or do not change their clothes, or have problems with continence. For others, there is the distressing experience of discussing their self-harm or suicidal thoughts. This can be extremely difficult and the lack of compassion or understanding shown throughout the assessment process compounds this.
Mental Health Deterioration

Throughout the claim process, 37% of those referred to AdvoCard experienced a deterioration in their mental health, with 12% showing suicidal ideation or actual suicidal behaviours. 60% felt more in control of the process having accessed advocacy. Many of the people that we work with describe feeling degraded and humiliated by the assessments and examinations that have been put in place to determine eligibility for benefits such as Employment Support Allowance (ESA) and PIP. Some experience a sharp increase in their anxiety levels to an almost unmanageable level. 38% of those accessing our service also experienced prolonged financial hardship throughout the process. The high number of people experiencing financial hardship were largely due to extended delays in assessment and problems with delays in reconsiderations and appeals. This in turn led to, or contributed to, a deterioration in their mental health. On several occasions, this in turn also led to increased use of mental health services such as the Edinburgh Crisis Centre and MHAS.

Arlene Astley
Advocacy Worker (Welfare Reform)
AdvoCard