

Universal credit and mental health



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Universal credit (UC) is now the main benefit for working-age people. It is claimed by people who are disabled and by those who are not, and by those who are working and those who are not. But how well does UC support those who might need more help to claim? In particular, does the Department for Work and Pensions (DWP) respond to the needs of people with mental health problems to ensure they can access UC fully?

The needs of claimants with mental health problems are not being taken into account systematically when they access UC. For some, this is having a negative effect on their mental health.

As the DWP ramps up its work to move people onto UC by the end of next year, the number of people claiming who have mental health problems will rise. While there is significant research¹ on the impact that sanctions, conditionality and work capability assessments have on claimants with mental health problems, there is less evidence on how well supported they are by the DWP when claiming UC.

Some people with mental health problems or other disabilities need additional or different support to claim UC. The DWP, as a public body, has a duty under the Equality Act 2010 to anticipate and respond to disabled claimants' need for a 'reasonable adjustment'. This is necessary to ensure everyone can access the financial support they need. The aim should be to remove the disadvantage and barriers disabled claimants face, and any adjustment therefore needs to fit the particular needs of each individual person.

The DWP's policy on reasonable adjustments directs staff to ask claimants at each and every opportunity whether they need a reasonable adjustment, and to

record the offer on the UC IT system. But the Department does not keep a central record of when it offers or provides reasonable adjustments, so there is a lack of evidence to show whether it is meeting its duties.

CPAG undertook research with individuals with mental health problems claiming UC, and focused on understanding whether the DWP was complying with its duty under the Equality Act. UC was promoted in its early stages as a personalised service, providing support to meet people's needs. We wanted to find out whether it has lived up to this ambition.

In this research project, we set out to explore the experiences of 27 UC claimants with mental health problems. We asked them if they were proactively asked whether they needed reasonable adjustments at the various stages of their claimant journey.

No claimant reported being expressly asked whether they needed a reasonable adjustment. Despite declaring their mental health issues on the application form, the claimants were not asked if

they required alternative methods of communication nor how their mental health affected their ability to interact with the UC system.

What this meant in practice for these claimants was that they faced problems throughout the process of claiming UC and managing that claim. The initial process of setting up a claim was itself challenging. The option of a telephone claim was not made available to any of the claimants, and some reported frustration and communication challenges in corresponding via an online journal with an unknown DWP worker.

Grace,² who has depression and anxiety, told us:

'[The application] was so long and so complicated, and some of the questions, you just had to give a best guess because you didn't know what they were actually meaning or what they were actually wanting. So, yes... I mean I've got multiple degrees and I still had to go to the Citizens Advice Bureau and ask for their help to fill in a form.'



The claimants we spoke to felt the UC system is geared up for those looking for work. This created stress and anxiety about whether they would qualify because their mental health makes working difficult or impossible.

When it came to assessing work-related requirements, the claimants we spoke to felt the UC system is geared up for those looking for work. This created stress and anxiety about whether they would qualify because their mental health makes working difficult or impossible. Some claimants were fearful of sharing information about health issues in case their application would then be refused and they would have no income. By not feeling able to share information, claimants were sometimes put into the incorrect work requirement group. While some claimants did have their work search requirements reduced or removed, many did not, which affected their mental health. There is clearly inconsistency in how this is managed.

Despite reporting his mental health problems, when Steven claimed UC, his conditionality was initially a full work search of 35 hours a week. He had to attend a work-focused interview every two weeks and said he dreaded it and was exhausted by it:

‘I know they do tailor it, but it took a little bit of effort to get them to actually listen to you. It took a good, I’d say, three or four months for them to listen.’

To both make and maintain a UC claim, claimants are required to attend appointments, which claimants reported having a significant impact on their health. There was some evidence of making adjustments for the claimants we spoke to when it came to attending meetings. For example, telephone appointments were sometimes granted, and a taxi was arranged for one claimant to attend his initial interview. However, other claimants reported not knowing about, or being denied, adjustments that would have made attending appointments easier. For many, the threat of sanctions, which reduce or stop UC (eg, for being late for an appointment or not satisfying work-related requirements), was a particular concern.

Sanctions

A reduction in UC for failing to meet work-related requirements without a good reason, or because the person has committed an offence.

Conditionality

What claimants are required to do in return for their UC.

Work capability assessments

A medical assessment with a healthcare professional who makes recommendations leading to a decision by the DWP about whether a claimant is able to look for work, or has limited capability for work or limited capability for work-related activity.

Reasonable adjustment

The DWP has to anticipate and plan how to meet the needs of disabled people, such as those with mental health problems. These adjustments need to fit the particular needs of each individual person, so the DWP must ask each person to find out what their needs are. Examples of a reasonable adjustment might be offering a telephone appointment rather than a face-to-face meeting, or offering a private interview room within a busy job centre so sensitive information is kept private.

Jagath, who has anxiety and panic attacks, told us:

‘Quite a lot of the time, I’d really panic about actually going out and I would be late. Even if I was one minute late, I would be really panicking that they might sanction me or something. I even didn’t go to a few appointments because I just was so upset.’

Claimants also faced administrative and communication challenges in maintaining their UC claim, as well as problems because of the way UC is designed. Claimants reported being ‘messed around’ with appointments, with last minute cancellations for example, and receiving confusing and conflicting communications about what the DWP expected of them. There was also a feeling among the people we spoke to that there was no tailoring of communications to meet their needs. The lack of personalised support left claimants struggling to resolve often complex problems with their claim and not knowing where to turn for help.

Problems with work capability assessments have been well-documented. Some of the claimants we spoke to who had been through the assessment process reported insensitive questioning by the assessor, such as being asked how they planned to end their life or when they last self-harmed. There were also practical problems relating to the assessments, such as a claimant requesting a home visit but not being able to afford £25 to pay for a GP letter to support the request.

Work coaches are employed by the DWP to meet with claimants and support them to return to work, if they are deemed able to follow their work capability assessment. The people we spoke to reported mixed experiences with their work coach. Some were able to develop good relationships, but many faced barriers, making it harder to share information. These barriers included a fear of being

sanctioned or a lack of trust. Some claimants reported that their work coach had a poor understanding of mental health, perhaps not surprising when work coaches see claimants with a wide range of issues which may require specialist knowledge. Jean, who has depression, commented:

‘You just feel that, if I say, “I’ve got depression”, if I talk about my depression, they’re not going to be sympathetic, because they’re not trained.’



There were also practical problems relating to the assessments, such as a claimant requesting a home visit but not being able to afford £25 to pay for a GP letter to support the request.

Only two claimants were asked by their work coach about their mental health condition and how it affects daily functioning. If work coaches are not asking about claimants' mental health when it has been declared on the application form, and claimants do not feel able to raise it, how can the DWP meet its legal obligations to consider and offer reasonable adjustments to those disabled by their mental health? Asking claimants about their need for a reasonable adjustment, and recording this, should be embedded within the daily practice of work coaches, in accordance with DWP policy and its legal requirements under the Equality Act.

A claimant will not always be able to communicate with the same work coach, so it is vital that the DWP records adjustments when they are made and displays them prominently within the UC computer system to ensure continuity. Many claimants we spoke to reported having to repeat their circumstances to different workers. It seemed that new workers either had not looked at their files or that relevant information was not there.

Marie, who has anxiety and depression, described how staff are unaware of her health issues and needs each time she contacts the UC helpline:

'they don't know. I have to explain all over again.'

Where claimants think they have a case for unlawful discrimination and a breach of the Equality Act, there appear to be few accessible remedies. For example, challenging through the courts has to happen within a three-month period and might require bringing two cases – in the social security appeal tribunal and the county court. This is an obvious barrier and deterrent, and means these issues are unlikely to be brought to the DWP's attention.

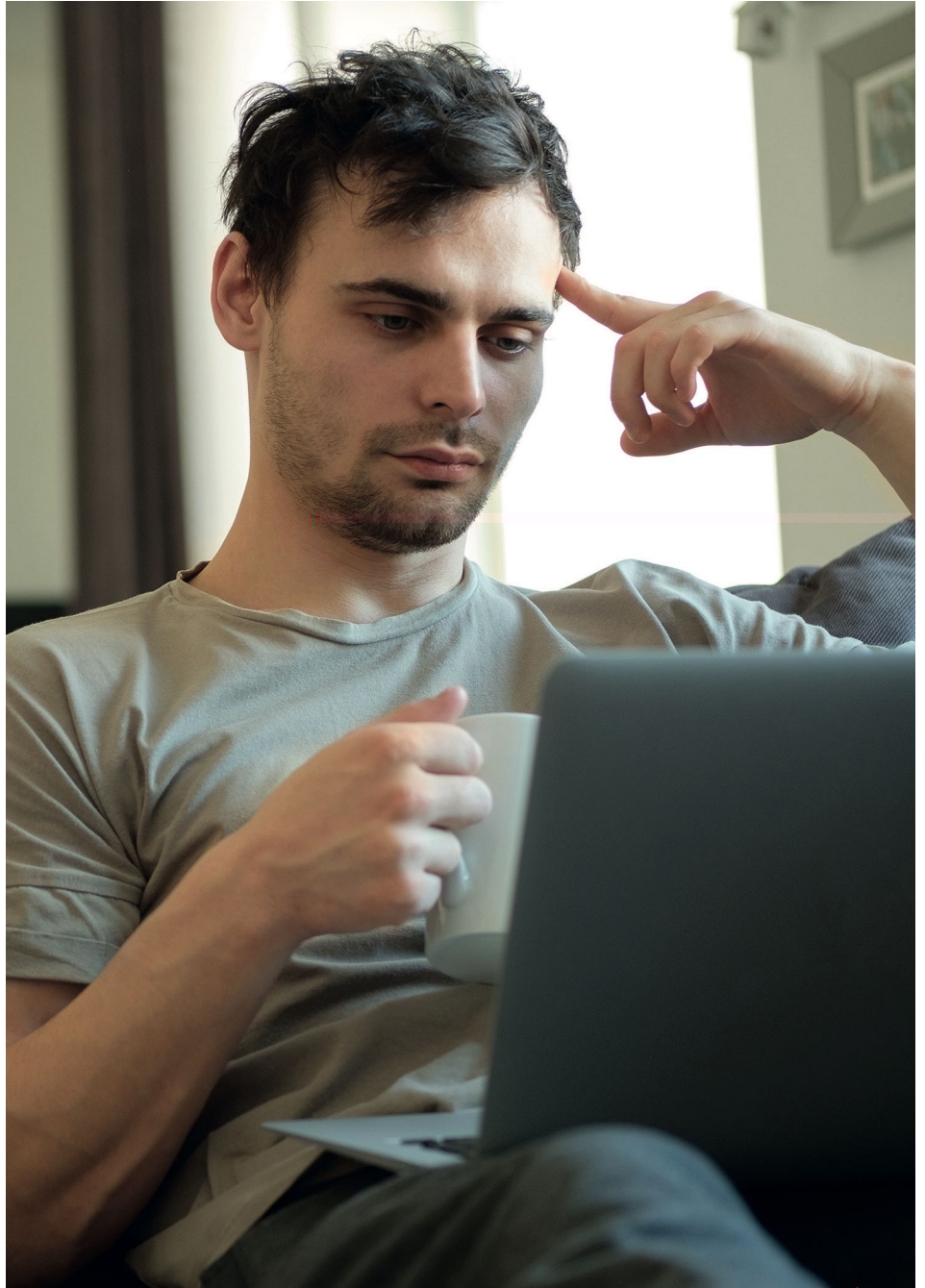
The social security system should be there for all of us when we need it. But we know that people experiencing mental ill-health face specific problems claiming support. Our research paints a picture of a benefit system where the needs of claimants with mental health problems are not taken into account systematically when they access UC. Some DWP staff appear to misunderstand the concept of equality of access to the social security system.

Stella, who has depression and anxiety, was told she could not have a reasonable adjustment. She asked her work coach for a telephone appointment instead of a face-to-face meeting, and the work coach told her, 'I can't make an exception for you'.

Kevin, who has bipolar disorder and borderline personality disorder, summed up his experience:

'The government does not put the person at the centre of the need. They say, "This is a service and you must fit the box." We just get the one broad brush approach. And that could be difficult for somebody with my needs and other needs. And I am not an isolated case locally.'

Claimants are not getting the support they need, and some report this negatively affects their mental health. Disabled people and those with health issues are over-represented in the social security system compared with the general population.



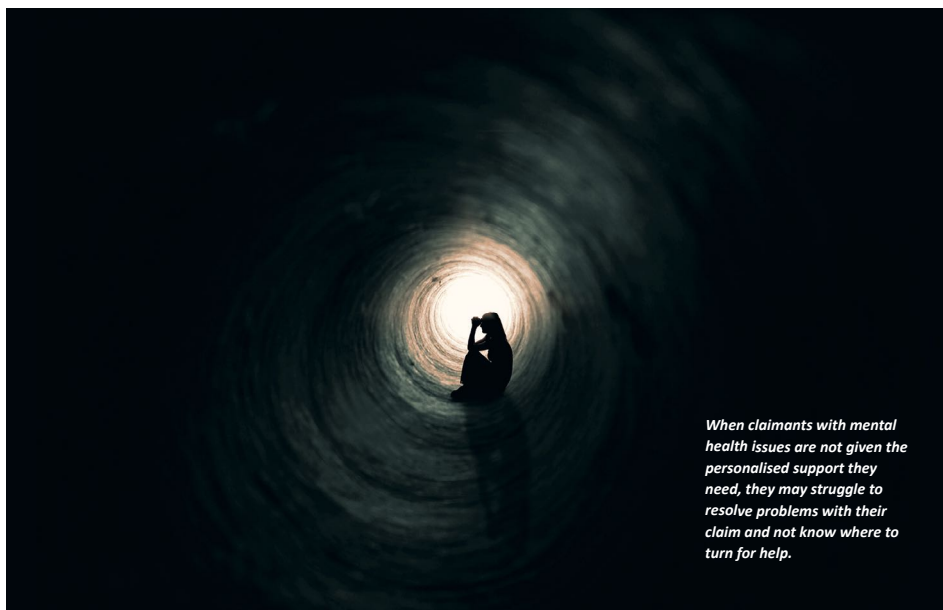
Some UC claimants with mental health problems experience frustration and communication challenges in corresponding via an online journal with an unknown DWP worker. They should be given the option to claim by telephone.



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The DWP must make sure it is systematically ensuring that all claimants' legal rights under the Equality Act are met.

This April, the Equality and Human Rights Commission announced it was entering into a legally-binding agreement with the DWP, in response to its failure to meet the needs of people with mental health problems and learning disabilities. This will commit the DWP to an action plan to resolve issues people face and give a means of redress. We welcome this step and hope it will lead to a significant change so that people with mental health problems can get appropriate support from our social security system.



When claimants with mental health issues are not given the personalised support they need, they may struggle to resolve problems with their claim and not know where to turn for help.

Summary of recommendations for the DWP

Recommendation 1: The DWP should train and support staff to ask all claimants at each interaction whether they need a reasonable adjustment, both in how they communicate with their work coach and in how they access the UC service. The DWP needs to make clear that adjustments and easements are available to claimants with mental health problems, so that claimants are confident that they can access the UC service.

Recommendation 2: The DWP should create an environment in which claimants feel safe sharing sensitive information. Communication needs should be explored properly so that the service is tailored to the needs of claimants with mental health problems.

Recommendation 3: The DWP should consider setting up an 'extra care team' providing more specialist support to claimants with additional communication needs so they can fully access the UC service. Alternative methods of communicating should be fit for purpose. Home visits should be provided when needed and should not require a GP's letter. Phone lines should be answered within reasonable times, making it easier for appointees and advisers to assist claimants with ongoing matters.

Recommendation 4: DWP staff should be trained in identifying claimants whose mental health is affected by attending the job centre. Alternative appointments should be available – eg, by phone, a home visit, or at a different office.

Recommendation 5: Claimants need to have clear information about their entitlement to UC and be reassured that it is a benefit for those with health issues who are unable to work.

Recommendation 6: Work coaches need to explore how a claimant's health affects their ability to travel, use public transport and come to the job centre building. Alternatives should be offered to enable proper access to the service.

Recommendation 7: Claimants should not be sanctioned for being a few minutes late to DWP appointments.

Recommendation 8: The DWP should support work coaches to implement a more standardised approach to applying discretion. The DWP should design and make publicly available a checklist for work coaches to identify which circumstances should be explored with claimants (mental and physical health, but also domestic abuse, caring responsibilities, etc).

Recommendation 9: Claimants should be provided with information about how to challenge work-related requirements that they disagree with, including information about their rights and the steps they can take to exercise these rights in practice.

Recommendation 10: The DWP should improve its IT system to monitor and report on how many reasonable adjustments have been offered and in what circumstances. This data should be made publicly available.



If work coaches are not asking about claimants' mental health, and they do not feel able to raise it, how can the DWP meet its legal obligations to consider and offer reasonable adjustments to those disabled by their mental health?

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Read the full report of the project: Making Adjustments? The experiences of universal credit claimants with mental health problems at cpag.org.uk/policy-and-campaigns/briefing/making-adjustments-experiences-universal-credit-claimants

Footnotes

1. See, for example, S Wright (ed), *Mental Health, Welfare Conditionality and Employment Support: Policy recommendations and key findings*, University of Glasgow, 2020, available at eprints.gla.ac.uk/224227/1/224227.pdf; P Dwyer, *Welfare Conditionality Final Findings*, University of York, 2018, available at welfareconditionality.ac.uk/wp-content/uploads/2018/05/40414_Overview-HR4.pdf; SAMH, *Universal Credit and Mental Health: Recommendations for change*, 2019, available at samh.org.uk/documents/ItWasAConfusionReport_ONLINE_VERSION.pdf
2. All names have been changed



See cpag.org.uk/policy-and-campaigns/briefing/making-adjustments-experiences-universal-credit-claimants

