



DWP Medical Assessment – ESA and UC

As part of the process of assessing continued limited capability for work a majority of claimants will be required to attend a medical assessment. The same assessment is applied to claimants receiving Employment and Support Allowance or Universal Credit on the grounds of being unfit for work.

The assessments are carried out for the DWP by an external company MAXIMUS. In Northamptonshire these Assessments take place at the Gladstone Road centre in Northampton (other venues operate in other areas).

When will I have to go to an Assessment?

The medical assessment is part of the process of deciding if a claimant has limited capability for work, called the Work Capability Assessment. This assessment takes place towards the start of a new claim and is repeated throughout the duration of a claim – this can happen as often as the DWP decides and could be every six months up to every two years or longer. In most cases the claimant will be asked to complete a questionnaire as the first stage of this process.

Not every claimant will need to complete the questionnaire or attend an Assessment, but most are and it is important that if you are sent a form or an appointment for an Assessment you take the action required.

How will I hear about an Appointment?

You should receive a letter asking you to attend an appointment at a scheduled time and day; you should have at least seven days notice of this assessment. Sometimes the DWP might telephone you to ask you to go to an assessment at shorter notice – you do not have to agree but if you do you cannot later use lack of notice as ‘good cause’ for failing to attend.

Due to the high number of assessments it is not uncommon for appointments to be made to attend an

assessment at the weekend – The Centre is often open on both Saturdays and Sundays.

Who carries out the Assessment?

A medically qualified ‘Healthcare Professional’ conducts the Assessment; this person is not necessarily a doctor, but has a medical background and should be specifically trained to apply the Work Capability Assessment.

Getting to the Assessment Centre

You can reclaim your travelling expenses and those of a companion, if you need one. You can ask Maximus for help to book and pay for a taxi to get to the appointment if you can show that you cannot make it otherwise, but you will need a doctor’s letter confirming you are unable to use public transport. If you really cannot get to the centre you can ask for someone to visit you at home, but this can only happen in exceptional circumstances and again you will need a doctor’s letter to support your request.

What happens at the Assessment?

You may have to wait - even if you get to the assessment centre in good time for the scheduled appointment.

The Assessment takes place in an examination room, but remember that you may be observed from the time you get to the Assessment Centre, if the Healthcare Professional feels your behaviour in an informal setting is relevant.

The Healthcare Professional will ask you to describe a ‘typical day’ and will use this information and observations and the finding of their clinical examination to make an assessment of your ability to perform the activities used in the Work Capability Assessment.

Where the Healthcare Professional feels it is appropriate they will carry out a clinical examination. This may involve you being asked to get up onto an examination couch - which may involve using a low step to climb onto the couch; you will not be asked to undress. The Healthcare Professional may manipulate your limbs and ask you to reach, bend, stretch or turn. You can decline to perform an action where you feel unable to do so or where it could cause you pain.

It is important that you really think about your answers at the Assessment and be realistic about what you can manage; you should not put on a 'brave face' if in reality you cannot do some everyday tasks or if you get help from someone else to accomplish them. You might be embarrassed to discuss some issues, but it is your best interests to be as open as you can with the Healthcare Professional, so that they can properly understand any difficulties you have.

Remember the Work Capability Assessment is a generic Assessment used for everyone and as such not every part will apply to you; you should be prepared to be asked about some activities that you might not feel are relevant. At the same time the criteria for being assessed as having a limited capability for work follows a prescribed list of activities or 'descriptors'; it may be that something you have difficulties with is not covered by the Assessment (eg night time continence).

The Assessment should take into account the claimant's ability to perform an action with **repeated reliability**. You should explain if you can only manage to perform the activity once or a limited number of times but not again and again or if you experience increased pain or fatigue and this limits the number of

times you can perform an activity or if you would need to rest and also how you would feel afterwards.

Can I take someone with me?

You can take a friend or relative with you to the assessment, but the Healthcare Professional will direct all questions to the claimant and will not usually accept information from another person, even the person who accompanies them.

You can request that the Assessment is recorded, but this must be arranged with MAXIMUS in advance.

You can take doctor's letters or reports with you but often the Healthcare Professional will not look carefully at any additional evidence or information.

What happens next?

The Healthcare Professional will produce a report (ESA85), which is sent into the DWP. The Healthcare Professional is not the person who will make a decision on the claimant's limited capability for work – this is done by the DWP Decision Maker, but the report of the Assessment informs the DWP decision.

There can be delays of some months between attending an assessment and getting a decision on your continued limited capacity for work.

What if I miss an appointment?

It is essential that you attend medical appointments or there is a high risk that the benefit claim will end. Please see our factsheet on 'Challenging Benefit Decisions' for information on what to do if this happens.



Community Law Service offer specialist benefit advice to assist with identifying benefit entitlement, claiming benefits, understanding benefit decisions and registering benefit challenges and appeal. We can offer appointments to give advice and assistance to prepare for benefit appeals.