

As you may well know this Government are radically reforming the welfare system and welfare benefits in an effort to reduce the welfare burden on the state.

Part of that reform was the staged migration of those in receipt of Incapacity Benefit onto a new benefit called Employment and Support Allowance [ESA].

As part of the process the Government awarded a French Company called ATOS the contract to undertake the medical examinations involved.

A number of issues have come to light during this process that members who have been or are going through the process need to be made aware of:

- After the medical examination ATOS provide the DWP with a report which includes how many points the person being assessed has achieved and the DWP then write to the individual to inform them of the result. There are several instances where the DWP have informed individuals that they have failed to meet the eligibility criteria to receive ESA, only for the individual to question that with the DWP and to be informed that they [DWP] had **got it wrong** and in fact the individual had qualified for ESA after all. If you are wondering why you have not qualified for ESA then write to the DWP asking for disclosure of your file in relation to the matter, they just may have got it wrong.
- The DWP have also been very quick to place people in the '*work related activity*' group [which basically means you are capable of some work and in some cases without a medical examination] and then write to those people telling them that they have qualified for ESA. This type of ESA is means tested and in most retired police officers cases will cease after 12 months, as they will fail the means testing criteria because of their police pension. It is worth knowing that there is another form of ESA known as '*the support group*' which is a continual payment [dependant on medical examinations] and **is not** means tested. If you have been placed in the '*work related activity*' group and do not think you are capable of work you should appeal the decision with the DWP and request copies of the documentation including the report from ATOS.

- There are also instances where ATOS have made *errors and mistakes* in the compiling of the report for the DWP, including the omission of relevant facts discussed with the individual which could have made a difference to the assessment. It is worthwhile if you have not been assessed yet either making some notes of the examination or taking a friend with you, should there be a dispute at a later stage. Again if you are unhappy with the outcome request the relevant documentation from the DWP and if you are still unhappy request further information from ARTOS themselves

Information in relation to the migration process, medical assessment and how to appeal is available on our website at: <http://www.narpo.org/index.php/links/advice-websites.html> and individual advice in relation to any Benefits issues is available FREE to NARPO members via our Benefits Advisors details at: <http://www.narpo.org/index.php/member-services.html?start=1> .

I have tried to make this as concise as possible, if you have any queries please get back to me.

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