Centre for Health and Disability Assessments

Operated by MAXIMUS

Expanding the ability to gather Further Medical Evidence at Filework

(Self Directed Learning)

MED-EATGFMEAFW~001

Date: 19th October 2016

Foreword

This training has been produced as part of a training programme for Healthcare Professionals (HCPs) who conduct assessments for the Centre for Health and Disability Assessments on behalf of the Department for Work and Pensions.

All HCPs undertaking assessments must be registered practitioners who in addition, have undergone training in disability assessment medicine and specific training in the relevant benefit areas. The training includes theory training in a classroom setting, supervised practical training, and a demonstration of understanding as assessed by quality audit.

This training must be read with the understanding that, as experienced practitioners, the HCPs will have detailed knowledge of the principles and practice of relevant diagnostic techniques and therefore such information is not contained in this training module.

In addition, the training module is not a stand-alone document, and forms only a part of the training and written documentation that the HCP receives. As disability assessment is a practical occupation, much of the guidance also involves verbal information and coaching.

Thus, although the training module may be of interest to non-medical readers, it must be remembered that some of the information may not be readily understood without background medical knowledge and an awareness of the other training given to HCPs.

Document Control

Superseded documents

Version history

Version	Date	Comments
1a draft	23rd August 2016	Initial draft
1b draft	19th September 2016	Clinical Training Lead Review
1c draft	4th October 2016	Further update following review by Clinical Policy and Projects Lead
1d draft	19th October 2016	Updated following DWP Policy Division
1 Final	19th October 2016	Signed off by DWP Policy Division

Changes since last version

Outstanding issues and omissions

Updates to Standards incorporated

Issue control

Author: Clinical Learning & Development

Owner: Department for Work and Pensions

Signature: **Date:**

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1. Introduction

This Self Directed Learning module is designed to equip Healthcare Professionals (HCPs) with the knowledge, skills and understanding of the process of expanding the ability to gather Further Medical Evidence (FME) during the filework stage of the Work Capability Assessment process. This includes cases being assessed for the purposes of Employment and Support Allowance (ESA) or Universal Credit (UC).

However please remember that for Universal Credit filework, the current process for requesting FME **only** for those cases where a signed questionnaire is available, still applies.

This module is intended for all HCPs who are trained and approved in the Filework process for Work Capability Assessments (WCA).

This self directed learning module will take you approximately 1.5 hours to complete, which can be done in one go or at smaller separate “sittings”. It is important that you complete learning activities in the order they are given; by doing so you will reflect, consolidate and build on your learning throughout.

A Reflective Practice Form is included in Appendix A to allow reflection and consolidation of the HCP’s learning from this module.

A Reply Slip is also included in Appendix B which should be completed and returned to the local Training Support Manager to confirm completion of this module.

Aim

The aim of the module is to provide HCPs with an understanding of the DWP guidance and requirements for requesting Further Medical Evidence at the filework stage of the WCA process to inform the face to face assessment.

Objectives and Learning Outcomes

After completion of this module, HCPs will have:

- An understanding of the DWP medical guidance and requirements for requesting Further Medical Evidence during the filework stage of the WCA process to inform the face to face assessment
- An awareness of the justification principles in relation to requesting Further Medical Evidence to inform the face to face assessment
- Consolidated their learning through review of fictitious case scenarios

CPD Points

1.5 CPD (Continuing Professional Development) Points will be allocated on completion of this module.

A guide to using this Learning Pack

The following symbols are used to assist you in completing the learning activities included in this Learning Pack.

Indicates a time for reading

Indicates you should record / write your views and comments

Advises you of the materials that are provided and/or needed

Suggests the approximate time needed to complete any particular learning activity

2. Background to the requirements for expanding the ability to gather Further Medical Evidence during WCA Filework

This section of the module gives some background information for the reasons why the ability to gather Further Medical Evidence during the WCA filework process is being expanded.

Duration

This section will take 15 minutes to complete.

Materials

You may wish to refer to the Filework Guidelines, available on the internal online learning portal.

Background

A judicial review was undertaken following a challenge raised by 2 claimants on the process by which the DWP seeks Further Medical Evidence (FME) for claimants with mental health conditions as part of the Work Capability Assessment process, on the basis that the existing process resulted in substantial disadvantage to, or an adverse experience for such claimants, and that the DWP had failed to make a reasonable adjustment to the process.

Although the final judgement dismissed the case against the DWP for the individual claimants, meaning the Department has not been found to be in breach of the Equality Act, it did however state that the DWP's existing process could result in claimants with a mental health condition, as a class, suffering a substantial disadvantage and/or an unreasonably adverse experience (Equality Act 2010).

Following this judgement, the DWP and the Centre for Health and Disability Assessments undertook a small scale feasibility test to understand the potential implications of requesting FME at different stages of the WCA process. The findings from the test indicated that the most effective stage for gathering FME was at filework.

This process will not replace the previous guidelines on requesting FME; rather it allows FME to be requested in additional situations.

The Filework Guidelines indicate that FME must be obtained:

- Where there is a strong probability that this will confirm the level of claimed disability to allow advice to be given on one of the Limited Capability for Work and Work-Related activity (LCWRA) criteria or 'Treat as LCW' criteria

- Where the claimant is noted to have an appointee

- Where there is evidence of a previous suicide attempt, suicidal ideation or self-harm expressed in the questionnaire, previous reports or any documentation relating to the case

- Where a claimant has previously been found to have limited capability for work at a face to face assessment, and evidence is required to confirm the current level of functional restriction, for example to determine whether this has remained the same or whether it has deteriorated

In addition, **FME can now also be requested if the Filework HCP feels that further information would be helpful to the assessing HCP and Decision Maker. This may also be considered as helping "inform the assessment".**

Previously FME would not be requested just to confirm that an assessment was required. However the HCP will now be able to request FME in particular situations where, although the advice at filework might still be to call the claimant for a face to face assessment, the additional information would provide the assessing HCP and the Decision Maker with valuable information relating to the case.

This process will therefore expand on the HCP's ability to gather FME at filework to inform the assessment and will be discussed further in the next section of this module.

In all cases, the reason for requesting FME must be clearly documented and justified. There will be no change to the LiMA logic and the LiMA functionality for requesting FME will not change. However the LiMA FME justification phrases will be updated to reflect this additional process. This will be in place before this process goes live. For cases where the filework HCP feels that FME would not be helpful either for the filework output or to inform the face to face assessment, the DWP have confirmed that there will be no requirement to justify why FME was not obtained.

Most of the filework process will still continue to be completed on MSRS with the exception of cases normally completed clerically such as the 'special customer record' cases.

The options available to request FME will not change, i.e. 113, FRR4, FRR2, and FRR3. However the LiMA justification phrases will be updated to ensure appropriate justification is available for those cases where FME is requested to inform the assessment.

Any requests made for FME 'to inform the assessment' must be called to assessment if this was not returned. Although all FME returned will be reviewed and the appropriate filework action taken, cases where the FME is not returned should automatically default to be called for an assessment.

The process will apply for any type of WCA filework referral, including Pre Board Check, Re-referral scrutiny and IB re-assessment scrutiny. It will also apply for both physical and mental health conditions.

There is no requirement or facility to revisit referrals where FME has already been requested or where the case has progressed to assessment.

Please note that for Universal Credit, the current process that FME may only be requested in cases where a signed questionnaire is present, still applies.

If the HCP feels that FME would not be helpful or there is enough information already available to provide the appropriate advice to the Decision Maker, there is no need to justify why FME is not being requested.

There will be no separate approval or audit process for this change, although the standard filework case review and audit process will continue to ensure that the processes and guidelines are being followed and quality assurance is maintained.

Please note that there MUST be a reasonable expectation that the FME would assist the assessing HCP and subsequently the Decision Maker. It is not appropriate to request FME for cases where there is no reasonable expectation of this. FME should not be requested for every case; on the off chance that something useful might be returned. In every case where FME is requested, the HCP must provide an appropriate justification for this request.

3. Guidance for requesting FME during the WCA Filework Process

This section will provide general guidance on the circumstances where the HCP might wish to request FME during the WCA filework process in order to inform the assessment.

Duration

This section should take 15 minutes to complete.

Materials

You may wish to refer to the Filework Guidelines, available on the internal online learning portal.

Requesting FME

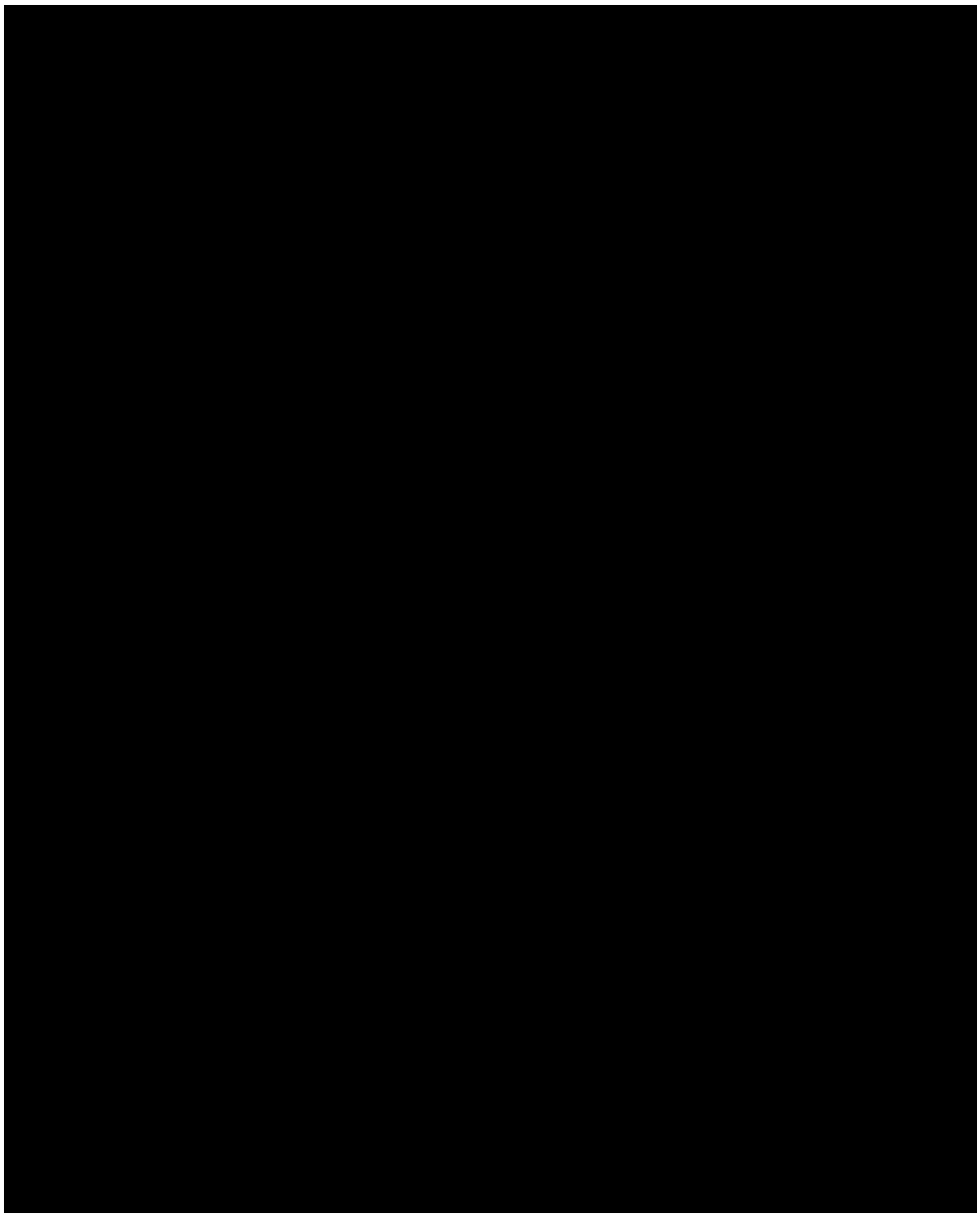
When would you request FME during the WCA filework process?

FME should be requested for cases where:

[redacted]

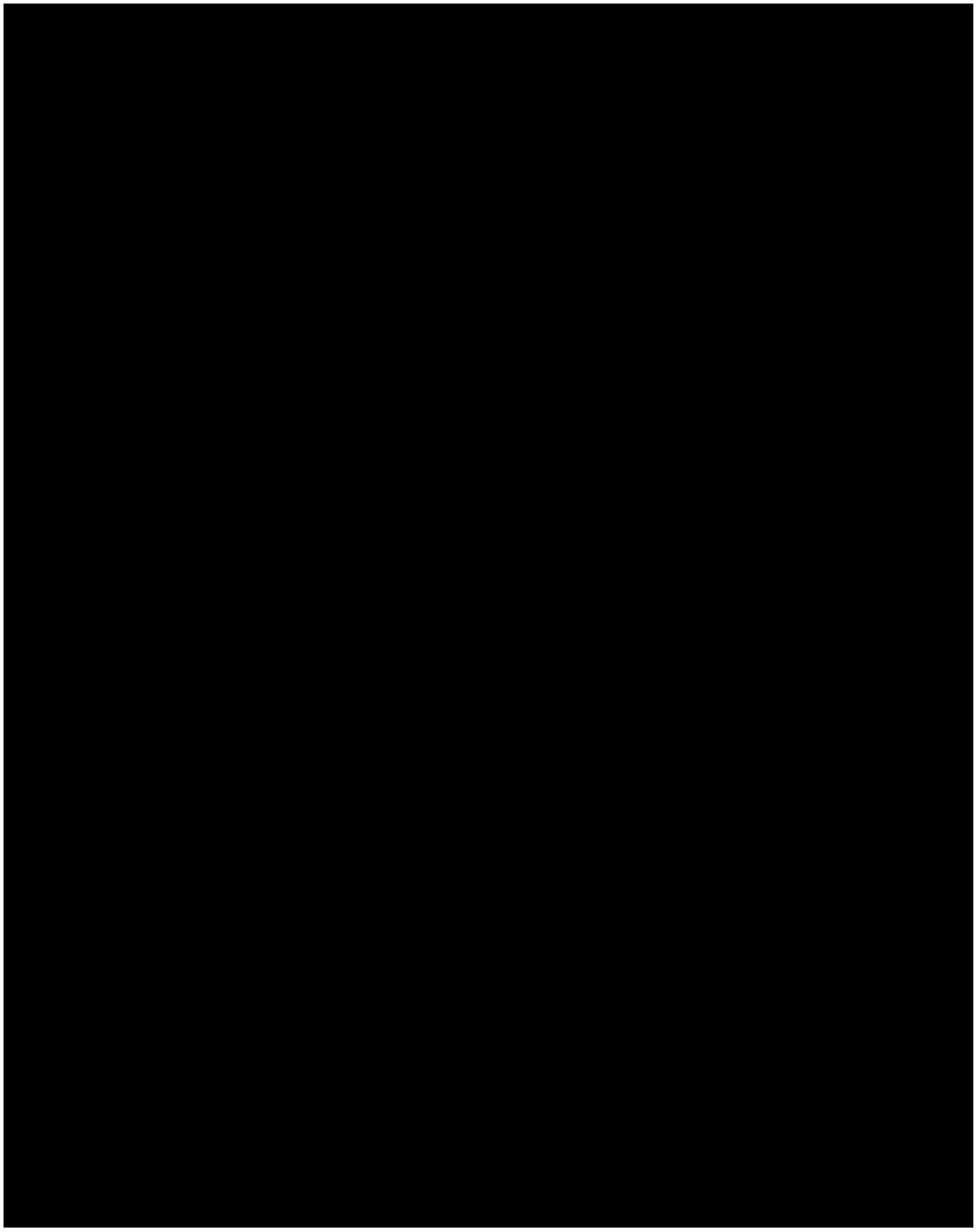
When do you think more information would be useful to the assessing HCP or Decision Maker?

Further Medical Evidence may provide valuable information to the assessing HCP and Decision Maker in various situations. These include (although the list is not exhaustive):



[redacted]

When would it be inappropriate to request FME?



4. Consideration of Filework Case Scenarios

This section will allow consolidation of knowledge and understanding of the expanded ability to gather FME during the WCA Filework Process through review of fictitious Case Scenarios.

Duration

This section of the module should take 1 hour to complete.

All the case scenarios in this document are fictitious and have been solely designed to support learning activities.

You should review each case scenario and answer the questions in the boxes provided before considering the suggested advice for each case.

Please discuss any queries regarding the case scenarios and the suggested advice with your Clinical Standards Lead or Area Quality Assurance Lead.

Case Scenario 1

The following case scenario is fictitious and has been solely designed to support learning activities.

[redacted]

How would you proceed at filework?

Case Scenario 2

The following case scenario is fictitious and has been solely designed to support learning activities.

[redacted]

How would you proceed at filework?

Case Scenario 3

The following case scenario is fictitious and has been solely designed to support learning activities.

[redacted]

How would you proceed at filework?

Case Scenario 4

The following case scenario is fictitious and has been solely designed to support learning activities.

[redacted]

How would you proceed at filework?

Case Scenario 5

The following case scenario is fictitious and has been solely designed to support learning activities.

[redacted]

How would you proceed at filework?

Case Scenario 6

The following case scenario is fictitious and has been solely designed to support learning activities.

[redacted]

How would you proceed at filework?

Case Scenario 7

The following case scenario is fictitious and has been solely designed to support learning activities.

[redacted]

How would you proceed at filework?

Case Scenario 8

The following case scenario is fictitious and has been solely designed to support learning activities.

[redacted]

How would you proceed at filework?

Case Scenario 9

The following case scenario is fictitious and has been solely designed to support learning activities.

[redacted]

How would you proceed at filework?

Case Scenario 10

The following case scenario is fictitious and has been solely designed to

[redacted]

How would you proceed at filework?

Appendix A - Reflective Practice Form

Name:

Activity Completed:

Activity Date:

Time Spent on Activity:

Why did I engage in this learning activity?
(Consider any particular learning need you identified etc)

What are my key learning points from this activity?
(Consider knowledge, skills, attitude and behaviour etc)

How will I apply this learning to my role?
(Consider value added to your skill set and professionalism)

Are there any other learning needs identified due to this activity?
(Consider points to clarify, further study etc. Also consider adding how when and where you plan to address the other learning needs.)

Appendix B - Reply Slip

I confirm that I have read the module 'Expanding ability to gather Further Medical Evidence at Filework' and completed the Reflective Practice Form.

Name:

Base location:

Signature:

Professional Registration Number:

Once completed, return this to your local Training Support Manager

Observation Form

Please photocopy this page and use it for any comments and observations on this document, its contents, or layout, or your experience of using it. If you are aware of other standards to which this document should refer, or a better standard, you are requested to indicate this on the form. Your comments will be taken into account at the next scheduled review.

Name of sender: _____ Date: _____

Location and telephone number:_____

Please return this form to: Centre for Health and Disability Assessments
Learning & Development
Room 263 2nd Floor
Five Ways House
Islington Row Middleway
Birmingham
B15 1SL