

# Assessment of compliance with the Code of Practice for Official Statistics

## Statistics on Outcomes of Work Capability Assessments

*(produced by the Department for Work and  
Pensions)*

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### **About the UK Statistics Authority**

The UK Statistics Authority is an independent body operating at arm's length from government as a non-ministerial department, directly accountable to Parliament. It was established on 1 April 2008 by the *Statistics and Registration Service Act 2007*.

The Authority's overall objective is to promote and safeguard the production and publication of official statistics that serve the public good. It is also required to promote and safeguard the quality and comprehensiveness of official statistics, and good practice in relation to official statistics.

The Statistics Authority has two main functions:

1. oversight of the Office for National Statistics (ONS) – the executive office of the Authority;
2. independent scrutiny (monitoring and assessment) of all official statistics produced in the UK.

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# **Assessment of compliance with the Code of Practice for Official Statistics**

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## ASSESSMENT AND DESIGNATION

The *Statistics and Registration Service Act 2007* gives the UK Statistics Authority a statutory power to assess sets of statistics against the *Code of Practice for Official Statistics*. Assessment will determine whether it is appropriate for the statistics to be designated as National Statistics.

Designation as National Statistics means that the statistics comply with the *Code of Practice*. The *Code* is wide-ranging. Designation can be interpreted to mean that the statistics: meet identified user needs; are produced, managed and disseminated to high standards; and are explained well.

Designation as National Statistics should not be interpreted to mean that the statistics are always correct. For example, whilst the *Code* requires statistics to be produced to a level of accuracy that meets users' needs, it also recognises that errors can occur – in which case it requires them to be corrected and publicised.

Assessment reports will not normally comment further on a set of statistics, for example on their validity as social or economic measures. However, reports may point to such questions if the Authority believes that further research would be desirable.

Assessment reports typically provide an overview of any noteworthy features of the methods used to produce the statistics, and will highlight substantial concerns about quality. Assessment reports also describe aspects of the ways in which the producer addresses the 'sound methods and assured quality' principle of the *Code*, but do not themselves constitute a review of the methods used to produce the statistics. However the *Code* requires producers to "seek to achieve continuous improvement in statistical processes by, for example, undertaking regular reviews".

The Authority may grant designation on condition that the producer body takes steps, within a stated timeframe, to fully meet the *Code's* requirements. This is to avoid public confusion and does not reduce the obligation to comply with the *Code*.

The Authority grants designation on the basis of three main sources of information:

- i. factual evidence and assurances by senior statisticians in the producer body;
- ii. the views of users who we contact, or who contact us, and;
- iii. our own review activity.

Should further information come to light subsequently which changes the Authority's analysis, it may withdraw the Assessment report and revise it as necessary.

It is a statutory requirement on the producer body to ensure that it continues to produce the set of statistics designated as National Statistics in compliance with the *Code of Practice*.

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# 1 Summary of findings

## 1.1 Introduction

1.1.1 This is one of a series of reports<sup>1</sup> prepared under the provisions of the *Statistics and Registration Service Act 2007*<sup>2</sup>. The Act allows an appropriate authority<sup>3</sup> to request an assessment of official statistics against the *Code of Practice for Official Statistics*<sup>4</sup> in order for them to gain National Statistics status. This report is in response to such a request. The report covers the sets of statistics reported in the following publications, produced by the Department for Work and Pensions (DWP):

- *Employment and Support Allowance: Outcomes of Work Capability Assessments, Great Britain - new claims*<sup>5</sup> (WCA-New Claims); and
- *Employment and Support Allowance - Incapacity Benefits Reassessments: Outcomes of Work Capability Assessments, Great Britain*<sup>6</sup> (WCA-IB).

1.1.2 Section 3 of this report adopts an ‘exception reporting’ approach – it includes text only to support the Requirements made to strengthen compliance with the *Code* and Suggestions made to improve confidence in the production, management and dissemination of these statistics. This abbreviated style of report reflects the Head of Assessment’s consideration of aspects of risk and materiality<sup>7</sup>. The Assessment team nonetheless assessed compliance with all parts of the *Code of Practice* and has commented on all those in respect of which some remedial action is recommended.

1.1.3 This report was prepared by the Authority’s Assessment team, and approved by the Board of the Statistics Authority on the advice of the Head of Assessment.

## 1.2 Decision concerning designation as National Statistics

1.2.1 The Statistics Authority judges that the statistics covered by this report are readily accessible, produced according to sound methods and managed impartially and objectively in the public interest, subject to any points for action in this report. The Statistics Authority has determined that the statistics published in *WCA-New Claims* and *WCA-IB* can be designated as new National Statistics, subject to DWP implementing the enhancements listed in section 1.5 and reporting them to the Authority by March 2013.

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<sup>1</sup> <http://www.statisticsauthority.gov.uk/assessment/assessment-reports/index.html>

<sup>2</sup> [http://www.opsi.gov.uk/Acts/acts2007/pdf/ukpga\\_20070018\\_en.pdf](http://www.opsi.gov.uk/Acts/acts2007/pdf/ukpga_20070018_en.pdf)

<sup>3</sup> Subsection 12(7) of the Act defines ‘appropriate authority’ as Ministers of the Crown, Scottish Ministers, Welsh Ministers, Northern Ireland departments or the National Statistician

<sup>4</sup> <http://www.statisticsauthority.gov.uk/assessment/code-of-practice/index.html>

<sup>5</sup> [http://statistics.dwp.gov.uk/asd/workingage/index.php?page=esa\\_wca](http://statistics.dwp.gov.uk/asd/workingage/index.php?page=esa_wca)

<sup>6</sup> [http://statistics.dwp.gov.uk/asd/workingage/index.php?page=esa\\_ibr](http://statistics.dwp.gov.uk/asd/workingage/index.php?page=esa_ibr)

<sup>7</sup> <http://www.statisticsauthority.gov.uk/assessment/assessment/guidance-about-assessment/criteria-for-deciding-upon-the-format-of-an-assessment-report.pdf>

### 1.3 Summary of strengths and weaknesses

- 1.3.1 The statistics team engages with users of these statistics within DWP, but it has not investigated or documented the needs of other users. The Work Capability Assessments (WCA) process has been the subject of considerable scrutiny and some controversy and therefore is reviewed periodically. These statistics have been developed significantly since their first release. Without a better understanding of who uses the statistics and the types of decisions they inform it is not clear whether they adequately meet users' needs or whether further developments will help to better meet such needs.
- 1.3.2 The releases provide little information about the methods used to produce the statistics, for example which data source is used to produce each set of statistics and whether there are any missing data and how these might affect the quality of the statistics. The releases contain insufficient explanation of the rationale used to choose to publish the statistics eight months after the end of the reference period for the statistics.
- 1.3.3 The releases were reviewed and considerably improved in 2012 introducing enhanced commentary, adding time series, and better aligning the statistics with the main stages in the WCA process. Additionally the releases include contextual information and metadata which make the statistics more accessible and useful.

### 1.4 Detailed recommendations

- 1.4.1 The Assessment team identified some areas where it felt that DWP could strengthen its compliance with the *Code*. Those which the Assessment team considers essential to enable designation as National Statistics are listed in section 1.5. Other suggestions, which would improve the statistics and the service provided to users but which are not formally required for their designation, are listed at annex 1.

### 1.5 Requirements for designation as National Statistics

- |                      |   |
|----------------------|---|
| <b>Requirement 1</b> | Take steps to engage more widely with users of these statistics; document the needs of users, the use made of the statistics and the types of decisions they inform; publish information about users' experiences; and use all this information to better support the use of the statistics (para 3.1). |
| <b>Requirement 2</b> | Explain the extent of revisions to previously published statistics (para 3.3).  |
| <b>Requirement 3</b> | Improve the published information about the methods used to produce these statistics and explain better the rationale for the choice of publication date approximately eight months after the end of the reference period for the statistics (para 3.4).  |

- Requirement 4** Provide information about the comparability of these statistics with those produced in Northern Ireland. (para 3.5).
- Requirement 5** Improve the commentary in these releases to explain the appropriate uses of, and draw out the main messages from, these statistics and to provide more information in these releases about the quality and reliability of the statistics in relation to the range of potential uses. (para 3.6).
- Requirement 6** Improve the links to other published information relevant to these statistics (para 3.8).
- Requirement 7** Publish a timetable of releases for *WCA-IB* for 12 months ahead (para 3.9).
- Requirement 8** Ensure that government statements issued alongside official statistics contain a prominent link to the statistical release (para 3.11).
- Requirement 9** Provide details in the Statement of Administrative Sources about the arrangements for auditing the quality of the data that underpin the statistics (para 3.12).



## 2 Subject of the assessment

- 2.1 In 2008, DWP introduced Employment and Support Allowance (ESA) to replace Incapacity Benefit<sup>8</sup>, Severe Disablement Allowance<sup>9</sup> and Income Support<sup>10</sup>. Part of the claims process for ESA is a work capability assessment (WCA) which are carried out on DWP's behalf by Atos Healthcare<sup>11</sup>. These result in a recommendation from Atos Healthcare to DWP regarding a claimant's capability for work. DWP decides on eligibility for ESA in each case, taking account of the recommendation from Atos Healthcare, a completed claimant questionnaire, and the information provided by the claimant's doctor. The claim can have three outcomes where an individual can be found: fit for work; to have limited capability for work; or to have limited capability for work and in addition, limited capability for work-related activity. Claimants can appeal DWP's decisions at HM Courts and Tribunal Service (HMCTS).
- 2.2 *Employment and Support Allowance: Outcomes of Work Capability Assessments, Great Britain - new claims (WCA-New Claims)* has been published quarterly since October 2009. It covers those new claims for ESA that were made in the quarter to which the statistics relate and is published approximately eight months after that quarter.
- 2.3 *Employment and Support Allowance - Incapacity Benefits Reassessments: Outcomes of Work Capability Assessments, Great Britain (WCA-IB)* reports on the outcomes of reassessments of work capability of benefits recipients who, before the introduction of ESA, were already in receipt of Incapacity Benefit. *WCA-IB* was first published in March 2012 covering referrals for reassessments up to the end of July 2011. Originally intended to be a quarterly publication, DWP postponed subsequent releases in June following concerns about the quality of the data arising from the transfer of data between IT systems. DWP published an explanation<sup>12</sup> about the delay on its website. DWP told us (October 2012) that it plans to publish *WCA-IB* next in November 2012, and it will seek users' views on moving to a six-monthly publication cycle.
- 2.4 Statistics in both *WCA-New Claims* and *WCA-IB* are based on DWP's final decision about entitlement to ESA or the Atos Healthcare recommendation, where a decision hasn't been reached. The releases present analyses on the outcomes of completed assessments, claims still in progress and claims closed before the WCA was completed.
- 2.5 The data that are used to produce these statistics come from three administrative sources:
- DWP's Job Seeker's Allowance (JSA) Computer System, which is used for the administration of both JSA and ESA;
  - Atos Healthcare's database of the outcomes of the WCAs that they conduct; and

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<sup>8</sup> <http://www.dwp.gov.uk/healthcare-professional/benefits-and-services/incapacity-benefit/>

<sup>9</sup> <http://www.dwp.gov.uk/healthcare-professional/benefits-and-services/severe-disablement-allowance/>

<sup>10</sup> [http://www.direct.gov.uk/en/MoneyTaxAndBenefits/BenefitsTaxCreditsAndOtherSupport/On\\_a\\_low\\_income/DG\\_10018708?PRO=hp&CRE=pop](http://www.direct.gov.uk/en/MoneyTaxAndBenefits/BenefitsTaxCreditsAndOtherSupport/On_a_low_income/DG_10018708?PRO=hp&CRE=pop)

<sup>11</sup> <http://www.atoshealthcare.com/>

<sup>12</sup> [http://statistics.dwp.gov.uk/asd/workingage/index.php?page=esa\\_ibr](http://statistics.dwp.gov.uk/asd/workingage/index.php?page=esa_ibr)

- HMCTS's data on the outcomes of the appeals that it hears about DWP's decisions.
- 2.5 DWP publishes separate statistical summaries<sup>13</sup> of the number of people claiming benefits, which were the subject of Assessment Report 66<sup>14</sup>. The Northern Ireland Executive administers its own benefits system, which mirrors that in of GB. The Department for Social Development, Northern Ireland publishes a statistical summary of the numbers of people in Northern Ireland claiming benefits<sup>15</sup>, but no information about outcomes from WCAs.
- 2.6 These statistics are used within DWP to monitor the WCA process. They are used to calculate forecasts of ESA claimants and to assess caseloads. The statistics are used by the voluntary sector to examine claimant patterns for people with specific conditions and to help forecast future demand for their advisory services. Other analysts<sup>16</sup> use the statistics to research the impact of changes in benefits entitlements on local economies.
- 2.7 The WCA process has been the subject of considerable scrutiny and some controversy<sup>17</sup>. In 2009, DWP carried out a review<sup>18</sup> of the process. There is also a statutory commitment to independently review the WCA process each year for the first five years of its operation<sup>19</sup>. DWP has published the outcomes of the first three such reviews<sup>20</sup>.
- 2.8 In 2011, the House of Commons Work and Pensions Committee<sup>21</sup> expressed concerns about the reporting of statistics on ESA and suggested that 'more care is needed in the way ... in which [Government] releases and provides its commentary on official statistics on the IB reassessment'. In response to this, the Chair of the Statistics Authority wrote<sup>22</sup> to Dame Anne Begg, the Committee's Chair, supporting its concerns and wrote<sup>23</sup> to the Secretary of State for Work and Pensions, notifying him of the Authority's view that these statistics should be assessed against the *Code of Practice*. In April 2012 the Secretary of State for Work and Pensions wrote<sup>24</sup> to the Authority requesting that these statistics be assessed.

<sup>13</sup> [http://statistics.dwp.gov.uk/asd/index.php?page=statistical\\_summaries](http://statistics.dwp.gov.uk/asd/index.php?page=statistical_summaries)

<sup>14</sup> <http://www.statisticsauthority.gov.uk/assessment/assessment/assessment-reports/assessment-report-66---benefits--employment-programmes--sanctions-and-vacancies.pdf>

<sup>15</sup> [http://www.dsdni.gov.uk/benefits\\_statistics\\_summary\\_feb\\_12.doc](http://www.dsdni.gov.uk/benefits_statistics_summary_feb_12.doc)

<sup>16</sup> For instance researchers at Sheffield Hallam University ([http://www.shu.ac.uk/research/cresr/publication\\_downloads.html](http://www.shu.ac.uk/research/cresr/publication_downloads.html)) and Citizens Advice Scotland (<http://www.cas.org.uk/publications/pillar-post>)

<sup>17</sup> For example <http://www.bbc.co.uk/news/uk-19244639> and <http://www.guardian.co.uk/society/2012/may/23/gps-work-capability-assessment-scrapped>

<sup>18</sup> <http://www.dwp.gov.uk/docs/work-capability-assessment-review.pdf>

<sup>19</sup> <http://www.legislation.gov.uk/ukpga/2007/5/contents>

<sup>20</sup> <http://www.dwp.gov.uk/policy/welfare-reform/employment-and-support/wca-independent-review/>

<sup>21</sup> <http://www.parliament.uk/business/committees/committees-archive/work-and-pensions-committee/>

<sup>22</sup> <http://www.statisticsauthority.gov.uk/reports---correspondence/correspondence/letter-from-sir-michael-scholar-to-dame-anne-begg-mp-11082011.pdf>

<sup>23</sup> <http://www.statisticsauthority.gov.uk/reports---correspondence/correspondence/letter-from-sir-michael-scholar-to-rt-hon-iain-duncan-smith-mp---s16-notification---15082011.pdf>

<sup>24</sup> <http://www.statisticsauthority.gov.uk/reports---correspondence/correspondence/letter-from-iain-duncan-smith-mp-to-sir-michael-scholar-30042012.pdf>

2.9 DWP estimates that it deploys the equivalent of one full time person to produce these statistical releases.

### 3 Assessment findings

- 3.1 The statistics team told us that it works closely with officials who are responsible for monitoring the WCA process and forecasting caseloads. Additionally the statistics are used by officials monitoring the condition of the labour market, the development of the Government's Work Programme and the development of the new Personal Independence Payment (PIP) programme<sup>25</sup>. The statistics team maintains a log of user requests, which it uses to review the content of the publications. However, DWP has not investigated or documented the ways that the statistics are used outside DWP. It has not received or published any feedback about the user experience of these statistics. However without a better understanding of who uses the statistics and for what, it is not clear whether they adequately meet users' needs. For example, the release does not include any information about the extent to which DWP makes decisions which do not accord with the outcome of the WCA, or the duration of the claims process. The Assessment team considers that these issues are likely to be of interest to users. As part of the designation as National Statistics, DWP should take steps to engage more widely with users of these statistics; document the needs of users, the use made of the statistics and the types of decisions they inform; publish information about users' experiences; and use all this information to better support the use of the statistics<sup>26</sup> (Requirement 1).
- 3.2 In *WCA-New Claims* DWP states that 'an important reason why ESA claims in this sample were withdrawn ... was because the person recovered and either returned to work, or claimed a benefit more appropriate to their situation'. The drafting of this sentence, which is based on DWP research, doesn't make it clear whether there are other important reasons for claims to be withdrawn, and so there is a risk that DWP may be perceived as being selective in choosing which reasons to mention. We suggest that DWP review the drafting of this sentence, to ensure that the reference to the research is conveyed impartially and objectively.
- 3.3 *WCA-New Claims* and *WCA-IB* both clearly explain the provisional nature of the statistics. In *WCA-New Claims*, DWP explains the likely direction of future revisions and makes a clear statement about the overall trend, given the likely future revisions. We regard this as good practice. However, neither release explains the extent of revisions to previously published statistics. As part of the designation as National Statistics, DWP should explain the extent of revisions to previously published statistics<sup>27</sup> (Requirement 2). We also suggest that DWP investigate the feasibility of presenting in the releases a time series of the number of outstanding appeals. This will help users interpret the statistics and provide evidence to justify the assumptions made about the likely extent of future revisions to each year's statistics.
- 3.4 *WCA-New Claims* and *WCA-IB* both include a description of the sources of the data that are used to produce the statistics and a brief summary of the statistical production process. However, they should include more information about methods: for example, describing which data source is used to produce each set of statistics, whether there are any missing data and how these are

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<sup>25</sup> <http://www.dwp.gov.uk/policy/disability/personal-independence-payment/>

<sup>26</sup> In relation to Principle 1, Practices 1, 2, 3 and 5 of the *Code of Practice*

<sup>27</sup> In relation to Principle 2, Practice 6 of the *Code of Practice*

treated. The releases do not provide sufficient explanation about why DWP choose to publish the statistics eight months after the period to which they relate, rather than seven, nine or some other delay. *WCA* states that 'robust data is only available for claims that began at least eight months ago due to the time required to arrange and complete assessments and record and process data', without justifying this assertion, or offering evidence about the impact of choosing a different cut-off. As part of the designation as National Statistics, DWP should improve the published information about the methods used to produce these statistics and explain better the rationale for the choice of publication date approximately eight months after the end of the reference period for the statistics<sup>28</sup> (Requirement 3).

- 3.5 These statistics cover GB. *WCA-New Claims* includes a link to summary statistics covering the numbers of claimants of ESA benefits in Northern Ireland (NI). There is no accompanying explanation in the release, for example, about whether the *WCA* processes in NI are the same, or to explain that the NI statistics do not give the numbers of claimants who were found fit for work or placed into the Work-Related Activity Group or the Support Group. As part of the designation as National Statistics, DWP should provide information about the comparability of these statistics with those produced in NI<sup>29</sup> (Requirement 4).
- 3.6 These releases were reviewed and considerably improved in 2012 introducing enhanced commentary, adding time series, and making a better alignment of the statistics with the main stages in the *WCA* process (including a description of the 'claimant journey' through the process with a flow chart). Contextual information and metadata make the statistics more accessible and useful. The releases present different sets of statistics and describe possible reasons behind the trends. However, both releases could be improved in four important respects:
- Neither release explains the uses of the statistics. DWP told us that the statistics are intended to be used to monitor the *WCA* process, rather than as an estimate of the number of people receiving ESA. The latter is covered in DWP's benefits summaries<sup>30</sup>. Although the relevant DWP webpage for new claims<sup>31</sup> refers to the caseload statistics and points to where these may be found, neither statistical release points users to these benefits summaries. It would be appropriate to include some information about the number of individuals receiving benefits and the cost of the benefits, to provide additional context.
  - *WCA-New Claims* presents many different analyses of the statistics (for example: including and excluding appeals; by claim start date; by assessment date; and by initial and final outcome) but it does not draw together and explain the main messages from these different analyses. As a result, the mix of statistics it presents can be difficult to interpret. It may help to present the statistics in the context of the claims process flow chart, which is included in the release.

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<sup>28</sup> In relation to Principle 4, Practice 1 of the *Code of Practice*

<sup>29</sup> In relation to Principle 4, Practice 6 of the *Code of Practice*

<sup>30</sup> See footnote 13

<sup>31</sup> [http://statistics.dwp.gov.uk/asd/workingage/esa\\_wca/index.php?page=esa\\_wca\\_arc](http://statistics.dwp.gov.uk/asd/workingage/esa_wca/index.php?page=esa_wca_arc)

- The releases refer to ‘data cleansing’ in relation to DWP’s benefit administration datasets, but do not explain what this entails or the quality of the resulting data. The releases also state that data from Atos Healthcare ‘is thought to be robust’ given the rigour of quality assurance around the WCA process, but neither release explains what DWP does to assure itself of the quality of the data used to produce the statistics. Some aspects of the quality of the statistics are discussed in the releases for instance information about procedures to verify quality and the application of the revisions policy, but there is scope for more detail and for the information about quality to be presented more coherently.
- The Assessment team formed the view that the format and extent of the caveats to possible explanations for movements in trends or statistics between periods in *WCA-New Claims* may give the impression of a lack of confidence in the plausibility of the explanations.

As part of the designation as National Statistics, DWP should improve the commentary in these releases to explain the appropriate uses of, and draw out the main messages from, these statistics and to provide more information in these releases about the quality and reliability of the statistics in relation to the range of potential uses<sup>32</sup> (Requirement 5). We suggest that in meeting this requirement DWP should consider the points detailed in annex 2. We also suggest that DWP improve the descriptions of caveats that accompany the explanations of trends in the releases.

3.7 *WCA-New Claims* describes the main findings from the reviews<sup>33</sup> of the WCA process. These reviews have made recommendations for changes to the WCA process, which have been implemented and are likely to have had a discernible impact on the statistics in the release. DWP told us that it plans to investigate the impact the reviews have had when there is a longer time series of complete (post-appeals) statistics to analyse. *WCA-IB* does not discuss the reviews, although the statistics in the release will also have been affected by them. We suggest that DWP publish plans for analysing the effects that the reviews of the work capability assessment process have had on the statistics.

3.8 The releases cross-refer to each other well, but DWP publishes them on different sections of its website and the website does not explain the close links between the two releases. Neither the releases nor DWP’s website cross-refer to other relevant information published on the ad hoc analysis page on DWP’s website<sup>34</sup>, or to relevant forecasts and research, for example about the destination of those people where the decision has been taken that they are fit for work. As part of the designation as National Statistics, DWP should improve the links to other published information relevant to these statistics<sup>35</sup> (Requirement 6).

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<sup>32</sup> In relation to Principle 8, Practices 1 and 2 of the *Code of Practice*

<sup>33</sup> See footnote 20

<sup>34</sup> [http://statistics.dwp.gov.uk/asd/index.php?page=adhoc\\_analysis](http://statistics.dwp.gov.uk/asd/index.php?page=adhoc_analysis)

<sup>35</sup> In relation to Principle 8, Practice 4 of the *Code of Practice*

- 3.9 DWP has not published a forward timetable for the publication of *WCA-IB*. As part of the designation as National Statistics, DWP should publish a timetable of releases for *WCA-IB* for 12 months ahead<sup>36</sup> (Requirement 7).
- 3.10 DWP has published a list<sup>37</sup> of those people who have pre-release access to *WCA-New Claims* and *WCA-IB*. The list includes an entry for 'head of and key staff in' relevant business areas in DWP. The individual job titles are not provided, as required by the *Pre-release Access to Official Statistics Order 2008*<sup>38</sup>. As a consequence, the number of people who are given privileged early access is not apparent. DWP has told us that when it releases *WCA-New Claims* in October 2012, it will ensure that the published records of those who have pre-release access to these statistics clearly identify the individuals or individual roles concerned.
- 3.11 In March 2012, DWP issued a ministerial statement<sup>39</sup> on the day that *WCA-IB* was published. The statement quoted from, but did not include a link to, the statistics. As part of the designation as National Statistics, DWP should ensure that government statements issued alongside official statistics contain a prominent link to the statistical release<sup>40</sup> (Requirement 8).
- 3.12 In July 2012 DWP reported<sup>41</sup> a breach of the *Code of Practice*, when an individual not on the pre-release access list for *WCA* was inadvertently sent material that included statistics from the release. The published breach report explains the circumstances of the breach and the corrective actions taken.
- 3.13 DWP has published a Statement of Administrative Sources<sup>42</sup> that details the administrative sources it uses in the production of its official statistics. The Statement does not adequately cover all the elements required by the *Code* – for the administrative sources that are used to produce these statistics, the Statement does not explain the arrangements for auditing the quality of the data. As part of the designation as National Statistics, DWP should provide details in the Statement of Administrative Sources about the arrangements for auditing the quality of the data that underpin the statistics<sup>43</sup> (Requirement 9).

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<sup>36</sup> In relation to Protocol 2, Practice 2 of the *Code of Practice*

<sup>37</sup> [http://statistics.dwp.gov.uk/asd/index.php?page=publish\\_PRA1](http://statistics.dwp.gov.uk/asd/index.php?page=publish_PRA1)

<sup>38</sup> <http://www.legislation.gov.uk/ukxi/2008/2998/contents/made>

<sup>39</sup> <http://www.dwp.gov.uk/newsroom/press-releases/2012/mar-2012/dwp026-12.shtml>

<sup>40</sup> In relation to Protocol 2, Practice 9 of the *Code of Practice*

<sup>41</sup> <http://www.statisticsauthority.gov.uk/assessment/code-of-practice/breach-reports/index.html>

<sup>42</sup> <http://statistics.dwp.gov.uk/asd/index.php?page=policy>

<sup>43</sup> In relation to Protocol 3, Practice 5 of the *Code of Practice*

## Annex 1: Suggestions for improvement

A1.1 This annex includes some suggestions for improvement to DWP's statistics on outcomes of work capability assessments, in the interest of the public good. These are not formally required for designation, but the Assessment team considers that their implementation will improve public confidence in the production, management and dissemination of official statistics.

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| <b>Suggestion 1</b> | Review the drafting of the sentence 'an important reason why ESA claims in this sample were withdrawn ... was because the person recovered and either returned to work, or claimed a benefit more appropriate to their situation' in <i>WCA- New Claims</i> , to ensure that the reference to the research is conveyed impartially and objectively (para 3.2). |
| <b>Suggestion 2</b> | Investigate the feasibility of presenting in the releases a time series of the number of outstanding appeals (para 3.3).   |
| <b>Suggestion 3</b> | Consider the points detailed in annex 2, in seeking to improve the statistical releases (para 3.6).  |
| <b>Suggestion 4</b> | Improve the descriptions of caveats that accompany the explanations of trends in the releases (para 3.6).  |
| <b>Suggestion 5</b> | Publish plans for analysing the effects that the reviews of the work capability assessment process have had on the statistics (para 3.7).  |



## **Annex 2: Compliance with Standards for Statistical Releases**

- A2.1 In October 2010, the Statistics Authority issued a statement on *Standards for Statistical Releases*<sup>44</sup>. While this is not part of the *Code of Practice for Official Statistics*, the Authority regards it as advice that will promote both understanding and compliance with the *Code*. In relation to the statistical releases associated with DWP's WCA statistics, this annex comments on compliance with the statement on standards.
- A2.2 In implementing any Requirements of this report (at paragraph 1.5) which relate to the content of statistical releases, we encourage the producer body to apply the standards as fully as possible.

### **Appropriate identification of the statistics being released**

- A2.3 The titles of the releases indicate their content and geographical coverage. Each release has a subtitle that includes the name of the originating department and the frequency of the release. Executive summaries in each release provide short descriptions of the topics covered by the statistics and explains which of the statistics are new. The releases include contact details for the responsible statisticians.

### **Include commentary that is helpful to the non-expert and presents the main messages in plain English**

- A2.4 Both releases include summaries that identify the main messages. *WCA-New Claims* presents some headline statistics as well as the same statistics adjusted for appeals. In practice, the two sets of statistics differ very little, if at all. DWP might consider presenting this more simply.
- A2.5 On the whole the releases explain the statistics and the benefits system clearly, in language suitable for a non-technical audience, but there are some examples of terminology that warrants further explanation. For example, some claims are 'clerically processed'; some claimants are diagnosed with 'non-functional descriptors'.
- A2.6 The commentary accompanying the statistics draws out the main messages and suggests reasons for underlying trends. To aid users understanding of the trends it might be helpful to state whether the possible reasons stated are thought to be equally plausible. *WCA-New Claims* makes good use of graphs to illustrate trends whereas *WCA-IB* does not use graphs for this purpose. Neither of the releases explains why the statistics are important or for what they are likely to be used.

### **Use language that is impartial, objective and professionally sound**

- A2.7 *WCA-New Claims* refers to some DWP research that investigated why some claims close before a WCA is carried out – highlighting 'an important reason' why claims are withdrawn is a claimant recovering or claims a benefit more

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<sup>44</sup> <http://www.statisticsauthority.gov.uk/news/standards-for-statistical-releases.html>

appropriate to their situation. The text could be clearer in discussing any other important reasons, if applicable and obviate any perception that DWP is being selective in the way it has quoted from the research. Otherwise, the language in the releases is impartial, objective and professionally sound.

A2.8 The statistics are based on administrative data, understood to be a record of 100% of cases. There is no discussion in the releases about quality issues relating to the administrative data, such as missing data or inaccuracies.

### **Include information about the context and likely uses**

A2.9 The releases include a clear explanation about the benefits system, including a flow chart that explains the claims process. This places the statistics in the relevant context. The releases explain the development (past and future) of the WCA process. *WCA-New Claims* refers to relevant statutory instruments. Neither release includes information about why the statistics are important, who uses them and for what, and whether there are any government targets relating to WCA.

A2.10 The releases provide some very clear caveats about aspects of the quality of the statistics in relation to their use: explaining that the statistics do not take account of appeals that have not yet been resolved. The releases include a brief explanation about how the quality of the data is assured but could usefully include more information, for example about how DWP assures the quality of information from Atos Healthcare regarding the WCAs, or about the automatic methods of quality assurance which allows efforts to be focused on areas of the database which do not fit with pre-determined rules.

### **Include, or link to, appropriate metadata**

A2.11 The releases explain the data sources and methods. However, neither release explains the choice DWP has made in deciding that the statistics are judged ready for release eight months after the reference period, and how the balance between the need for timeliness and quality to best meet users' needs has been evaluated.

A2.12 Each release includes clear links to the other, but they do not include links to relevant statistics produced by HMCTS relating to appeals against decisions about eligibility for benefit. Links are not included in the July 2012 *WCA-New Claims* release to ad hoc analyses about the outcomes of WCAs as part of the Incapacity Benefit reassessments such as analyses by the duration of claim<sup>45</sup> and by regions and local authorities<sup>46</sup>.

A2.13 The releases explain the development of the WCA process and refer to recent reviews that have led to changes to the process and forthcoming reviews that are likely to do so. However, the releases do not explain sufficiently well the impact of such reviews on the analysis of the time series.

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<sup>45</sup>[http://statistics.dwp.gov.uk/asd/asd1/adhoc\\_analysis/2012/esa\\_ibr\\_outcomes\\_of\\_wca\\_time\\_breakdown.pdf](http://statistics.dwp.gov.uk/asd/asd1/adhoc_analysis/2012/esa_ibr_outcomes_of_wca_time_breakdown.pdf)

<sup>46</sup>[http://statistics.dwp.gov.uk/asd/asd1/adhoc\\_analysis/2012/esa\\_ibr\\_outcomes\\_of\\_wca\\_geog\\_breakdown.pdf](http://statistics.dwp.gov.uk/asd/asd1/adhoc_analysis/2012/esa_ibr_outcomes_of_wca_geog_breakdown.pdf)

## Annex 3: Summary of assessment process and users' views

A3.1 This assessment was conducted from May to August 2012.

A3.2 The Assessment team – Jacob Wilcock and Iain Russell – agreed the scope of and timetable for this assessment with representatives of DWP in June. The Written Evidence for Assessment was provided on 15 June. The Assessment team subsequently met DWP during August to review compliance with the *Code of Practice*, taking account of the written evidence provided and other relevant sources of evidence.

### Summary of users contacted, and issues raised

A3.3 Part of the assessment process involves our consideration of the views of users. We approach some known and potential users of the set of statistics, and we invite comments via an open note on the Authority's website. This process is not a statistical survey, but it enables us to gain some insights about the extent to which the statistics meet users' needs and the extent to which users feel that the producers of those statistics engage with them. We are aware that responses from users may not be representative of wider views, and we take account of this in the way that we prepare Assessment reports.

A3.4 The Assessment team received 6 responses from the user consultation. The respondents were grouped as follows:

Voluntary sector	3
MSP	1
Other government departments	1
DWP	1

A3.5 Those users who told us about whether the statistics met their needs broadly agreed that they did. One respondent said that they would prefer to see information in *WCA-New Claims* and *WCA-IB* combined into one release. One of the respondents from the voluntary sector said that they would like more information about claimants with the condition in which they have a specific interest – the classifications used in the WCAs are sometimes too broad. A government analyst who responded said they would like to know more about what happens to people who are declared 'fit for work'.

### Key documents/links provided

Written Evidence for Assessment document



