

### Organisational case study – provided by OCAY (Older Citizens Advocacy York)

Working in a small charity with four part-time staff and a team of up to 18 active volunteer advocates, OCAY works with a current caseload of just over 100 live cases on average at any given point this year (2017), compared with nearly 80 in 2016.

Within these figures there has been an escalation in benefits cases – in particular relating to Personal Independence Payment benefit, Disability Living Allowance and Employment Support Allowance, with the first of these taking the lion's share.

Taking a cursory overview of the data, (covering April 2016 to present) reveals the following number of cases seeking help with benefits:

Ages	Closed cases	Open cases
	Unspecified age – 2	Unspecified age – 6
50-59yrs	12	15
60-69yrs	16	23
70-79yrs	6	10
80-89yrs	1	5

## More information

Prior to 2016 OCAY clients typically needed signposting to City of York Council for a benefits review or needed some straightforward information on what their benefits entitlement might be. Over the last 12 months OCAY have seen an escalation in the number of clients with complex mental and/or physical health needs. These clients have typically been allocated Disability Living Allowance (DLA) 'indefinitely' and now have to undergo Personal Independence Payment (PIP) assessments (designed to review those on DLA).

To qualify for the benefit at standard or enhanced rate clients must be able to evidence the impact of their condition(s) on their day to day living to a sufficient level of detail. Clients have come to OCAY having scored zero when applying on their own behalf. In some press reports it has been claimed that assessors have been under guidance to reject as high a rate as 80% of claimants at first assessment.

There is a process of Mandatory Reconsideration, First Tier Tribunal (appeal) and Second Tier Tribunal (which can only give permission to re-run the appeal). OCAY has experienced a sudden need for intensive training to be developed in-house to equip some of the volunteer advocates to help take on more complex cases and meet the increased need. Typically to prepare a full response to seek an appeal can take up to four hours for one client – and that is only one stage of the process.

The process is overwhelming for clients for many reasons; the terminology used, the use of tribunals (often heard in court rooms), the nature of the assessments sometimes intruding into their private lives with little scope for dignity, the way activities are described, the lack of clarity as to the amount of detail which will make a difference, the short timelines by which forms must be turned around, and so on.

It can take up to 18 months to reach a final decision (from original application to Second Tier Tribunal). During this time benefits are reduced in accordance with the original assessment outcome; clients have to survive on a

bare minimum, significantly increasing their risk of sustained poverty and having a significantly detrimental effect on their emotional and mental health. OCAY have already sat with upwards of half a dozen clients who have told us they wished the world would end and they didn't have to wake up the next day due to the traumatizing nature of this. Figures in the national press in 2017 have been reflecting significantly high levels of successful appeals – as much as 64% of cases according to some reports.