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SOLIDARITY

The quarterly newsletter of One Fund For All

WELFARE CHARTER LAUNCHED

The United Kingdom is one of the richest nations on earth, yet over 1 million people use foodbanks, more than a quarter of children live in poverty and 5.5 million adults go without one or more basic clothing necessities, like a warm waterproof coat.

WE CAN END POVERTY IN THIS COUNTRY!

Unite Community together with the Public and Commercial Services Union and the Unemployed Workers' Centres have launched **The Welfare Charter** to begin the process of changing the debate regarding Social Security. We want a system where dignity and basic humanity are central to the policies and delivery of services to those that have to look for support because of ill health, unemployment or disability. The Charter demands a legal minimum wage that people can live on, not just survive on (see page 6).



THE WELFARE CHARTER is launched at the TUC Conference in Brighton

Campaign News from Disability News Service

Coroner's 'ground-breaking' verdict: Suicide was 'triggered' by 'fit for work' test

A coroner has demanded that the government takes action to prevent future deaths of disability benefit claimants, after concluding in a “ground-breaking” inquest verdict that a disabled man killed himself as a direct result of being found “fit for work”.

It is believed to be the first time that a coroner has blamed the Work Capability Assessment (WCA) process for directly causing the death of a claimant.

Disabled activists believe it could prove a huge breakthrough in the fight against the government's welfare reforms, and the battle to scrap the loathed fitness-for-work test and replace it with a more humane and less dangerous assessment.

In a report sent to the Department for Work and Pensions (DWP), the senior coroner for Inner North London, Mary Hassell, said “the trigger” for the suicide was the man being found fit for work by the department.

Responding to her concerns, in a document marked “OFFICIAL – SENSITIVE”, DWP claimed that its policy on how to respond to such cases “regrettably was not followed in this case”.

Mr A, a 60-year-old man from North London, died in the autumn of 2013 and the inquest took place early last year, but the coroner's report has only been uncovered by Disability News Service (DNS) this week.

At the time of his death, Mr A had been receiving anti-depressants and taking therapy and was apparently engaging with an employment support officer.

In her narrative determination – or verdict – the coroner said: “The anxiety and depression were long term problems, but the intense anxiety that triggered his suicide was caused by his recent assessment by the Department for Work and Pensions (benefits agency) as being fit for work, and his view of the likely consequences of that.”

The former orthopaedic surgeon, employed by Atos Healthcare, who carried out the WCA, concluded that Mr A was “at no significant risk by working” and failed to ask him if he had suicidal thoughts.

Following the inquest, the coroner wrote what is known as a regulation 28 report, on the grounds that evidence revealed during her investigations suggested that there was “a risk that future deaths will occur unless action is taken”. That report was sent directly to DWP. In the report, Hassell said the Atos healthcare professional had failed to take into account the views of any of Mr A's doctors during a 90-minute assessment, telling him the DWP decision-maker would look at that evidence instead.

But the DWP decision-maker did not request any reports or letters from Mr A's GP (who had assessed him as not being well enough to work); his psychiatrist (who had diagnosed him with recurrent depression and panic disorder with agoraphobia) or his clinical psychologist (who had assessed him as "very anxious and showing signs of clinical depression").

Instead, Mr A was found fit for work. Six months later, he killed himself.

The coroner said in her report that she believed that action should be taken "to prevent future deaths" and that DWP had the power to take such action.

In its response to her report, DWP said there was a "clear policy that further medical evidence [should be requested] in cases where claimants report suicidal ideation in their claim forms which regrettably was not followed in this instance".

It said it planned to issue a reminder to staff about this guidance, but appeared to make no further suggestions for how to prevent further such deaths.

Mr A had had anxiety and depression and had been claiming disability-related income support for more than 10 years.

He was one of those assessed in the "migration" process that has seen hundreds of thousands of former claimants of disability-based income support, severe disablement allowance and incapacity benefit assessed for the new employment and support allowance (ESA), introduced by the Labour government in 2008.

Mr A was turned down for ESA in October 2012, and then made a fresh application the following month, in which he expressed suicidal thoughts.



But no further medical evidence was requested and after a further WCA, he was again turned down for ESA.

After six months claiming the mainstream jobseeker's allowance, he killed himself.

A spokesperson for Disabled People Against Cuts said: "This coroner's verdict gets right to the essence of what is going so badly wrong with ESA. Where people have previously argued that suicide has multiple causes, and one alone cannot be blamed, the coroner in this case rightly identified that withdrawal of ESA was a 'trigger' of suicide.



“This is a ground-breaking verdict, which must now put the onus on the DWP to explain themselves since the response they provided to the coroner was pitiful, callous and inadequate.”

The DPAC spokesperson added: “If you go to any high street and ask people if someone who is suicidal should go to work, they will look at you in horror and say no. So how has a system been constructed that is so bureaucratic and inhuman that the people operating it could not see that? Not just once but twice they declared this person fit to work, displaying both times not the merest shred of common humanity, empathy or even common sense.

ESA is a failed and discredited system that has been shown to cause avoidable loss of life, hardship and misery to vast numbers of people. It must be immediately stopped. The current DWP is not a fit and proper organisation to assess people’s benefit claims.

It’s bad enough that DWP practices are clearly a risk to human life; it is worse that they seek to hide information, delay release and, only when they are forced to, supply incomplete data that amounts to misinformation.

This amounts to intentional negligence and an urgent, thorough, independent investigation is needed to find out the true extent of what has happened. Until all of these steps are taken, people will continue to die needlessly.”

John McArdle, co-founder of the grassroots group Black Triangle, said the case provided “the first irrefutable evidence from a member of the judiciary that the DWP’s WCA regime has been directly responsible for the death of a disabled person and that there exists no reliable mechanism for doctors to flag up substantial risk”.

Campaign News – continued

He said: “It is now incumbent on the government to respond swiftly and meaningfully. Not to do so will only tell us one thing: that this is a government that doesn’t care whether disabled people live or die.

Black Triangle has been campaigning since 2012 for an effective safety protocol to be put in place to assess risk and I sincerely hope that this will be a wake-up call and that primary care stakeholders will join with us and the opposition in making sure that such protocols are put in place without any further delay.”

Dr Stephen Carty, medical adviser for Black Triangle and himself a GP, said the case provided “clear and irrefutable evidence of systemic failure”, including the use of a former orthopaedic surgeon to risk assess a claimant with a mental health condition.

He said: “Unless they make a meaningful change, there will be more cases like this. The coroner has quite correctly identified some of the dangerous, systemic failings in the WCA that effectively allows disability denial and harm to occur.

It is clear that what safeguards there are, are utterly ineffective.”

DWP said in its response to the coroner’s report: “While the Department is committed to continuously improving processes for this group wherever possible, with such a large numbers [sic] of people involved in this system there will inevitably be instances where processes are not conducted in line with the stated policy.”

It added: “It remains important to retain a balance between the added value of further evidence in any claim for ESA and time demands on GPs and other healthcare professionals.”

It said the WCA process remained under “continual review and development”, including through five independent reviews, and concluded: “We have noted the issues in this case and will continue to monitor our policies around assessment of people with mental health problems while we await the outcome of related litigation.”

This “related litigation” concerned whether DWP should request further medical evidence for all claimants with mental health conditions, and was still working its way through the legal system at the time the coroner’s report was written early last year.

DWP finally promised in March this year – at the conclusion of the legal case – that it would work with Maximus, the controversial US outsourcing giant that took over the WCA contract from Atos this year, to develop a pilot programme to test new ways of collecting evidence for ESA claimants with mental health conditions.

But so far – more than six months after that promise, and more than 18 months after the coroner’s report was sent to DWP – there has been no sign of a pilot.

Campaigns

The Welfare Charter

We should have....

1. A political commitment to full employment achieved with decent jobs

People are entitled to decent, stable and secure jobs that provide regular, guaranteed hours that allows them to also meet any caring responsibilities; not zero hours contracts in precarious jobs.

2. A wage you can live on for all and a social security system that works to end poverty

We need a National Living Wage that people can live on, not just survive on, that applies to all.

3. No work conscription – keep volunteering voluntary

Forcing people to work for free on pain of losing benefits is simply providing free labour to organisations that should be paying workers proper wages.

4. Representation for unemployed workers

Everyone should have access to an advocate to help them navigate the social security system and appeal adverse decisions.

5. Appoint an Ombudsman for claimants

A Claimants Ombudsman should be appointed to arbitrate on unresolved complaints, to ensure claimants are treated with respect and dignity.

6. Equality in the labour market and workplace; equality in access to benefits.

We need a labour market where structural inequalities are overturned and a benefit system that is accessible to people.

7. An end to the sanctions regime and current Work Capability Assessment - full maintenance for the unemployed and underemployed.

We need a non-means tested, non-discriminatory benefit payable to all, with housing costs met. This must be allied with the wide provision of low cost housing.

8. State provision of high quality information, advice and guidance on employment, training and careers

There must be a supportive and independent careers and job-broking service, not linked to conditionality or benefits, offering face to face advice.

News

INTRODUCING DAST BEREAVEMENT SUPPORT WORKER

Hello, my name is Jo Reeve and I am the newest member of the Derbyshire Asbestos Support Team. I have been asked to write a little about myself, what can I say?

My motto has always been 'Carpe Diem!' I am married to the wonderfully supportive Mick and we share our home with Paddy, our Staffy (or rather he shares his home with us!) Between us we have five amazing children and two grandchildren. My granddaughter calls me 'Biker Nan', which brings me on to one of my passions – motorbikes, if I am not in the kitchen or garden then we will be out on our bike! My other passions are cooking, especially cakes, gardening and reading.

I am really excited to have been appointed to the new Lottery Funded Bereavement Support Project, here at DAST. This is an innovative and exciting opportunity to work on something that has been close to my heart for some time now. I have always had a passion for justice and equality and have been fortunate to have always worked in organisations and on projects that I passionately care about and believe in. I have worked in both statutory and third sectors within the advice field, and for the last 4 years as a Macmillan Professional firstly with Citizens Advice Bureau and then within the NHS working from St John's Hospice in Doncaster. Working with terminally ill patients and their families has highlighted for me the very great need for quality bereavement support, readily accessible for anyone affected by bereavement. I also believe that those best placed to offer the most effective and healing support, are those who have been through a similar experience themselves.



A very wise man, author Henri Nouwen, wrote:

“The friend who can be silent with us in a moment of despair or confusion, who can stay with us in an hour of grief and bereavement, who can tolerate not knowing... not healing, not curing... that is a friend who cares.”

In my first few weeks here at DAST I have come to realise that the horror, tragedy and injustice of asbestos related disease and death is one that unites and inspires those whom it touches to become a community of strength, support, power and....friendship. I genuinely look forward to having the opportunity to meet people affected by asbestos related diseases and feel very humble to now be a part of such a brilliant, worthwhile organisation.

Where to get advice

ALFRETON Alfreton House High Street Tuesday 9.00am— 12.00pm Wed, Thur 9.00am-12.00pm 1.00pm-4.00pm	BOLSOVER Bainbridge Hall Carr Vale Monday 1.30pm—4.0pm	BRIMINGTON Community Centre High Street Monday 9.0am—12.0pm	CLAY CROSS Adult Education Centre Market Street Monday 9.30am—12.30pm
CLOWNE 48 Mill Street Tuesday 1.00pm—3.30pm	CRESWELL Limestone House Elmton Road Thursday 1.00pm—3.30pm	ECKINGTON Business Centre Market Street Monday 1.30pm—3.30pm	GRASSMOOR Community Centre New Street Thursday 10.00am -12.00pm
HEANOR Salcare Ray Street Friday 8.30am-12.30pm	NORTH WINGFIELD Community Resource Centre Thursday 1.00pm-3.30pm	PINXTON Village Hall Kirkstead Road Tuesday 1.00pm—3.30pm	SOMERCOTES Parish Hall Nottingham Road Monday 1.30pm-4.00pm
STAVELEY Library Mon and Thurs 9.30am— 12.30pm	See our website www.duwc.org.uk	CHESTERFIELD 1 Rose Hill East Mon—Fri 9.30am—1.00pm 01246 231441	SHIREBROOK 44 Patchwork Row Mon—Thurs 9.00am—11.30am 01623 748161

Help us Go Green!

If you are able to receive your issue of Solidarity via email, please send your address to:

info@duwc.org.uk

For more regular updates you can follow us on Twitter [@derbyshireuwc](https://twitter.com/derbyshireuwc) and we also have a Facebook page.

Don't Forget...

To remember us in your will, or to ask for donations in lieu of flowers at your funeral.

Let our future be your legacy.

If you should need the advice and representation services of DUWCs

Welfare Rights Team:

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