



INCAPACITY BENEFITS ISSUES FOR MENTAL HEALTH SERVICE USERS

Safeguards that need to be in place before a mental health service user is found fit for work and has their benefit award terminated.

In 2000 the Benefits Agency were notified of the death of a service user with mental illness following the termination of his benefit award. The coroner found that neglect by the Benefits Agency and Social Services was a contributory factor to the death.

Attached (Appendix 1) is a copy of the Benefits Agency Internal Short Term Benefits Bulletin 29/00 dated 14th July 2000. As a result of this incident and the criticisms raised by the coroner the following minimum requirements were adopted:

- The appointment of a liaison officer to improve communications between the BA and the Patient Affairs Officer in the Psychiatric Unit.
- A reminder to staff to liaise closely with the Social Services Department when they know that a service user has a Social Worker designated to them.
- Referral of cases where there is a known history of mental illness to a manager in B3 grade or above before a decision is made to withdraw benefit.

Short Term Benefits Bulletin 10/01 attached (Appendix 2) stated that more comprehensive guidance had been issued on 30th January 2001 as amendment 3 of the Customer Service Manager Pack: we need to be able to see their up to date guidance.

STB E - Mail Bulletin 29/00

as: 29/00
: 14th July 2000
ect: Benefit Claims From Customers With A history Of Mental Health
on: For Information
tact: WAS Benefit Management
Rm 3c21
Quarry House
Tel 0113 2327424
All STB Staff

**23 day rule applies to this bulletin and the standard has been met.
bulletin will be incorporated into a later hard copy.**

disturbing case was recently notified to the BA involving the death of a customer with a background mental illness. The coroner on the case found that neglect by the BA and Social Services was a contributing factor to the customer's death.

Following an adjournment debate in the House of Commons, Angela Eagle referred to a set of new procedures introduced by the district involved in the case and stated that these steps would be rolled out nationally. The BA accepted that a minimum standard was required and is using these steps as an interim measure pending the completion of more detailed work on the issue.

The interim standards were publicised in the 'Customer Service Matters' newsletter (April 2000 Edition) referred to in a letter from Alexis Cleveland to DoFO's and AD's on 05 May 2000.

WAS Benefit Management are aware districts have concerns about these standards and would like clarification. If your office has steps in place that are equal to or above the steps published in 'Customer Service Matters' you need do nothing further at this stage. The minimum requirements are as follows:

- the appointment of a liaison officer to improve communications between the BA and the Patient Affairs officer in the Psychiatric Unit;
- a reminder to staff in the District to liaise closely with the Social Services Department when they know that a customer has a social worker designated to them;
- referral of cases where there is a known history of mental illness to a manager before a decision is made to withdraw benefit.

The definition of a manager is B3 grade or above. In 'Customer Service Matters' reference has been made to a draft letters available from Trish Pitt. We would recommend that these are not used as we feel there is little chance of the customer responding bearing in mind they have not responded to previous correspondence.

If your office standards do not match those listed above then you will need to put plans in place to ensure that your service delivery meets these requirements.

Work on improving these standards has already started. The BA Chief Executive's Office held a workshop on 24 May which was attended by WAS Benefit Management and a representative from each district. The purpose of the workshop was to identify actions to strengthen the steps set out above. The workshop produced a good number of possible solutions, further guidance will be issued in due course.

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