Abstract
This article describes Incapacity Benefit (IB) claimants’ experiences of attending compulsory Work Focused Interviews. It presents findings from a qualitative study which involved observation of Work Focused Interviews (referred to henceforth as ‘Interviews’) and the conduct of semi-structured interviews with IB claimants. In doing so, challenges in accessing vulnerable groups are described. The findings demonstrate that levels of fear regarding compulsory attendance at interviews were high, and that this could be exacerbated by earlier negative experiences of claiming benefits. The article also describes claimants’ experiences of participating in Work Focused Activity, if any, before outlining attempts the claimants had made to move towards work. It concludes by considering implications for policy in light of the increased conditionality introduced by Employment and Support Allowance and the proposed changes by the Coalition Government.

Keywords: Incapacity Benefit, Pathways to Work, Welfare Reform

Introduction
During New Labour’s 13 years in Government, welfare reform was high on the political agenda from the outset (Labour, 1997). However, it was not until 2002 that the long-term sick and disabled were also subject to conditions if they were to claim IB. The changes to IB were contained within the Green Paper, Pathways to Work (DWP, 2002). The Green Paper argued that support should be given to IB claimants because it was wrong for them to be denied the opportunity to work. Alongside this, the benefits for the (expanding) economy of increasing the availability of labour and the health benefits of work were noted. Briefly, the policy made attendance at Work Focused Interviews (Interviews), conducted by Jobcentre Plus Advisors, compulsory for new IB claimants (DWP, 2002).

Many authors criticised the intent behind the policy and the likelihood of it achieving its objective of returning one million IB claimants to work (Grover & Piggott, 2007; Puttick, 2007). Furthermore, some disability rights groups, whilst cautiously welcoming the support that was promised, had concerns about the possibility of claimants being persuaded to take up work that was not appropriate for them (see for example, National Autistic Society, 2002). However, Pathways was viewed less critically by some of the medical profession as a tool for making IB less attractive to claimants who, it was believed, were capable of working (Henderson et al., 2005). Empirical research was conducted largely by those working on the DWP official evaluation (see, for example, Corden & Nice, 2006a; 2006b), which was conducted within the constraints defined by the DWP, and was largely published in-house, leaving the area underexplored in peer reviewed publications.

For claimants living in the pilot areas, attendance at Work Focused Interviews, conducted by Jobcentre Plus Personal Advisors, became compulsory. Non-attendance could result in benefit sanctions. As part of compulsory Interviews, claimants were offered a package of support known as the ‘menu of choices’, including work...
experience training, which had always been available to IB claimants. However, two major changes occurred in the nature of this support. Firstly, avenues of financial support when seeking or entering work were increased. Secondly, the Condition Management Programme (CMP) was introduced. During the pilot period (2002-2007), CMP was delivered exclusively by the NHS, although this was widened in the rollout period to include private providers. Within the pilot, NHS staff provided a bespoke service which aimed to increase the confidence of claimants; to help claimants understand their conditions; and to support claimants to return to a productive role. The service was delivered by qualified health care professionals such as occupational therapists and physiotherapists. Within the four Pathways to Work areas involved in the research, Jobcentre Plus and the NHS provided Pathways to Work in two areas, and Jobcentre Plus and Action for Employment (A4e), a private provider, delivered the package in the other two areas.

The paper will describe how IB claimants experienced their compulsory participation at Interviews. In doing so, the difficulties of accessing a group of vulnerable and frightened IB claimants will be outlined. The empirical findings of the research are split into four subsequent sections. Firstly, initial experiences of claiming benefits, where claimants were largely confused and frightened by the process. The second section will examine claimants’ participation within Interviews with Jobcentre Plus Advisors. The use of non-participant observation alongside interviews with claimants allows differing experiences to be seen and highlights the continuing impact of fear for claimants. The final two sections discuss voluntary activity: participating in back to work programmes and returning to work.

**Research design: methods and accessing IB claimants**

The empirical findings discussed here were part of a PhD study on Incapacity Benefit reform. The research began in 2007, alongside the enactment of the controversial Welfare Reform Act, which rolled out the Pathways to Work model nationally. The research adopted a qualitative mixed-methods approach to investigating ‘how Pathways to Work was experienced by users’. The project involved five different groups of users: Jobcentre Plus Advisors, Condition Management Programme clinical staff, employers and two groups of IB claimants (engaged and unengaged). This approach was utilised to give as full an account of the changes to IB as possible. In this article, however, only the views of IB claimants will be given, as their experiences of having to comply with the policy change or face benefit sanctions were not experienced by the other groups. As such, the research here draws on the experiences of 21 IB claimants, as told through semi-structured interviews, and as viewed by the author through the observation of compulsory Interviews during a period of non-participant observation lasting one week. Claimants lived within seven different counties, covering four of the six Pathways to Work areas in Wales. All claimants are fully anonymised and identified by pseudonyms.

IB claimants who took part in the semi-structured interviews comprised of two groups based upon how they were accessed, either through their participation with Pathways to Work, or independently of their participation. First, claimants who were labelled as ‘engaged’ had attended compulsory Interviews with Jobcentre Plus, chosen to attend the Condition Management Programme’s (CMP) initial assessment, and attended three further sessions with the CMP. At this point, claimants were asked by their clinician to participate in the research project. The second group of claimants were accessed in a very different way, in order to see if the experiences described by engaged claimants were the norm. It has long been documented that for those at the top and bottom of a society, there may be more reasons to be cautious about revealing personal information (Williams, 2004; Goldstein, 2002). Consequently, it was likely that attempting to
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Interview IB claimants about their experiences of claiming benefits and their health conditions, both of which are sensitive subjects, would be difficult. For this reason, the researcher aligned herself to organisations likely already to have won the trust of claimants by treating them with respect and promoting their rights.

Firstly, the customer service centres of two Housing Associations were chosen because of their neutrality in terms of the benefits system. This approach resulted in five semi-structured interviews with IB claimants, who had much more diverse experiences of Pathways to Work than the engaged claimants. When this source of claimants ceased to yield results, the researcher was able to use the Citizens Advice Bureau (CAB) as another gate-keeper and accessed a further six claimants. These claimants had all attended the CAB because of problems with their claim for IB, and thus it is likely that these cases are less typical of the average IB claimant than those who were accessed via Housing Associations. In total, 21 interviews occurred with IB claimants. Of these, 12 occurred face-to-face; one engaged, and all 11 unengaged. The face-to-face interviews occurred in various surroundings: a claimant’s home, private interview rooms and even a cupboard. All of the locations ensured complete privacy.

As a result of the wide geographical spread of the remaining engaged claimants, and the length of time it took to recruit the ten engaged participants, nine of the engaged claimants took part in a telephone interview. Whilst the majority of research on telephone interviewing has related its positive qualities to quantitative interviews (e.g. Shuy, 2001), Novick (2008) suggests that telephone interviewing can lead to greater sharing of sensitive information, because interviewees feel more relaxed. In the research, the use of telephone interviews did not appear to elicit less rich detail than during face-to-face interviews: interviews were comparable in length, and claimants shared detailed accounts of their lives. Consequently, the use of both face-to-face interviews and telephone interviews can be seen as adding an interesting methodological dimension.

In addition to the interview data, 14 interviews conducted by one Personal Advisor in one Jobcentre Plus office were observed over the course of a month. The office in which the observation occurred was more pleasant than other offices visited through the period of the research. Like the majority of Jobcentre Plus offices, the fieldwork office had door staff provided by a private security firm. However, unlike in some other offices, the door staff were very polite and courteous to claimants. Furthermore, whilst all offices were decorated in a similar style, with brightly coloured, attractive and comfortable furniture, the fieldwork office was one of the most spacious, allowing for greater privacy during interviews. Throughout the observation period, of five full days, the author spent the entire day with the Advisor. However, with the exception of a lunch break each day, the entire period was spent at the Advisor’s desk in the open-plan office. During interviews, the claimant sat opposite the Advisor with a desk between them, and the researcher sat at the end of the desk, to convey as neutral a stance as possible. These interviews covered a wide range of examples of Pathways to Work interviews, from first interviews, where the scheme is explained and claimants’ fears are (hopefully) allayed, through to those who had been successful in finding work and were being offered financial support to ease their transition back into work. The observed interviews also included one ‘Partner Interview’, where the non-working partners of those claiming IB must attend an interview, or their partner’s benefit can be sanctioned. This is a further departure from previous income maintenance policies and an addition increase in conditionality.

Fear and confusion

Whilst this article relates to attendance at compulsory interviews, and claimants were not asked to describe their experiences of
bureaucratic processes involved in applying for IB, or medical examinations to determine their eligibility, many interviewees discussed these early experiences at some length. These narratives were universally negative. Claimants found the process of applying for IB confusing and ‘frustrating’. There was a general ignorance surrounding the benefits that claimants might be entitled to, resulting in periods where claimants did not claim benefits and allowances to which they were entitled. The Personal Capability Assessment, the medical test which determined if applicants were incapacitated enough to be awarded IB, was described as humiliating and demeaning, and was also seen as inappropriate to determine incapacity. Furthermore, three of the 21 claimants had ‘failed’ the assessment but been too ill to be able to claim Jobseekers Allowance.

It is therefore unsurprising that, when claimants received letters in the post demanding their presence at the Jobcentre Plus Offices, ‘or your benefit can be sanctioned’, they were scared (Corden & Nice, 2006a; 2006b). Fears were related to being ‘forced’ into a return to work that claimants felt unprepared for. Levels of fear were higher among unengaged claimants, several of whom had had previous negative experiences of ‘the Job Centre’, in its many guises over the course of their working lives. In particular, those who had claimed benefits during the 1980s recalled the hostility of the Job Centre environment and the unpleasantness of their interactions with Benefits Agency staff. Although the Jobcentre Plus offices of today are a considerable improvement on the offices of the 1980s, many of the claimants had not had any reason to enter a Jobcentre Plus office for many years, and as such their negative perception of the environment, and the way in which they expected to be treated, as well as the policy intention continued. On the other hand, one unengaged claimant, Michelle, who was educated to degree level, felt confident that she would not be forced into work. However, this was more to do with acting assertively towards her Advisor, rather than because she viewed the policy as benign:

“I’m not worried, to be honest I’m not worried at all about any of it because I think it’s all just a load of flam ... When they want me to (attend a Work Focused Interview), I’ll be telling them to come to my house, I don’t think people want to go out and discuss with strangers their medical ... I wouldn’t go (to the Jobcentre Plus office).

Whilst the claimants’ experiences within the research were of high levels of initial fear, it should be noted that for some IB claimants, who did not take part in the research, levels of fear were even higher. Whilst conducting interviews in the CAB offices, a CAB Advisor provided advice on IB and Pathways to Work to a CAB client. It materialised that the claimant had been considering undertaking a part time college course, and sought information about how this might affect her benefits. After the advice session occurred, in a private room, the CAB Advisor walked the client back out to reception past where I was sitting with the other CAB Advisors. She was visibly upset, and apologised to me for not taking part in an Interview. The CAB Advisor commented that she was ‘terrified’ her benefits would be disallowed, which is why she had decided not to take her educational aspirations further, and why she felt she ‘couldn’t risk taking part in an interview’ for the research.

In addition to the fear already reported, many claimants did not understand why they were being asked to attend a Work Focused Interview, when they had been ‘signed off on the sick’, which to them meant they were legitimately exempt from working. In fact, one claimant who had claimed IB for 14 years, since he was aged 50, described himself as ‘medically retired’. The majority of the claimants also saw attaching conditions to receipt of their benefit as ‘not fair’. Within the 21 Interviews, almost every claimant described their legitimacy as an IB claimant, which amounted to having worked for the
majority of their lives and thus having paid in to the National Insurance system. Consequently, a change in policy, which was seen as disadvantageous to claimants, was seen as breaching the basic contributory covenant which an insurance-based policy represented. Several of these factors can be seen in the dialogue which occurred between myself, Ben (one of the unengaged claimants) and his mother, who also took part in the interview at Ben’s request. Ben suffered severely with diabetes, necessitating regular stays in hospital, including a month long stay in the Intensive Care Unit prior to Ben’s Interview:

Ben: Because I hate being on benefit.
Mum: He never have.
Ben: I left school at sixteen and ...
Mum: He worked ever since up until.
Ben: I done college, well I was working through college, doing apprenticeship through college and what have you and you know I’ve worked since sixteen and then to have this on me and not work is ... devastating to be honest with you ...

Mum: Yeah they threw him off.
Ben: And they took me off it and then after that I was just too ill ...
Mum: And our doctor said he wasn’t fit enough you know.
Ben: My GP said you are not fit enough to work, there is no way you can go back to work. He said: “it’ll kill you”
Mum: It’s just not right what they’re doing to the likes of him ...

Of the 21 interviewees, despite high internal resistance to attending an Interview, no one reported that they had failed to attend an Interview. Findings from the official evaluation show that ‘Failure to Attend’, as it is referred to by Jobcentre Plus, is a regular occurrence within the context of Pathways to Work (Dickens et al., 2004), but also more generally across all Jobcentre Plus claimant groups (National Audit Office, 2006). This finding was supported during the observation period. Access had been negotiated to observe 21 Interviews, however, seven interviewees ‘Failed to Attend’. The Advisor who was conducting the interviews reported that this was not an unusually high number.

Experiences of Work Focused Interviews

During the fieldwork period, three initial Interviews were observed, representing the first time a claimant had been required to attend the Jobcentre Plus offices. During these, the Advisor always stressed:

I’m not here to force you to do anything, the only thing you have to do is come and see me, and you really do have to or your benefit might get stopped. But I’m not going to force you into work or anything that you don’t feel ready for.

However, none of the claimants who participated in the research interviews recalled being given this information. This is not necessarily to suggest that their Advisors had not said something similar, but that such a statement might have been forgotten: claimants were given a large amount of information, they were frightened and they were distrustful of the system.

Within Interviews, there was a requirement for claimants to ‘participate’, which entails not only attending the Interview but also agreeing to an ‘Action Plan’. The Action Plan contains steps that the claimant agrees to undertake including participating in Work Focused Activity (CPAG, 2009). This process is mandatory, Advisors have targets to meet in this area, and the drafting of an Action Plan occurred in all of the Interviews observed. The process, however, was not labelled or defined for claimants, who thus might not have understood that they were forming a binding contract. This is very different to the process involved in creating a Jobseekers Agreement, where Jobseekers Allowance claimants must sign their Agreement. Likewise, none of the claimants interviewed recalled creating an Action Plan, or being given a copy of their Action Plan. Such a finding illustrates the complex bureaucratic
As part of the menu of choices introduced by Pathways to Work, claimants were supposed to be offered one or more of a plethora of ‘choices’ by their Advisor, who was able to tailor this information to the claimant’s circumstances. During the observation period, it was obvious that the Advisor knew the choices well, and was comfortable using them. Consequently, individualised support was offered to claimants. For example, a 43 year old man who had previously worked as a ceiling fitter, who was desperate to return to work as he was in danger of having his house repossessed, had been claiming IB for just over six months and was offered advice on the Permitted Work Rules. By participating in Permitted Work, the man would be allowed to work part time whilst claiming IB for up to a year in order to facilitate the transition back to full time work, whilst retaining the security of IB. Furthermore, the Advisor was able to offer the claimant the £40 a week Return to Work Credit, money towards buying tools from the Advisor Discretion Fund, and a Return to Work Grant of £200 (if he visited a ‘job broker’ - brokers were private companies who delivered some support towards returning to work).

On the other hand, claimants who presented as further from the labour market were offered advice on less work-focused choices such as the Condition Management Programme. The Advisor was a clear advocate of the policy, and told one claimant that she would attend herself if she was allowed to. In exceptional circumstances, the claimant’s requirement to attend further Interviews could be waived. Whilst the Advisor in the observation period appeared to provide the most appropriate information based upon claimants’ self-reported medical and work history, some of the claimants interviewed for the research felt that the (factually correct) information that they had been given about ‘choices’ available to them was inappropriate. For instance, one man, who regularly spent extended periods in hospital, found it absurd that he had been told about the Return to Work Credit when he had been told by his consultant that a return to work might never be possible.

The research shows that many claimants were generally still fearful of the system, or did not understand why they were being offered ‘support’ to return to work when their GP had told them they were too sick to work. The complexity of the system, alongside media coverage which suggested that one third of IB claimants would be obliged to return to work (The Sun, 2008), did not help to alleviate this distrust. Furthermore, for claimants who were furthest from the labour market, the policy seemed punitive, unhelpful and inappropriate.

**Participation in (voluntary) Work Focused Activity**

Whilst Advisors in the study reported detailed consideration over which ‘choice’ to recommend to claimants, the claimants themselves were generally unaware that there were different options. The ten engaged claimants were recruited from the Condition Management Programme (CMP), and as such, had all taken part in voluntary Work Focused Activity. For the engaged claimants, the decision to participate in the Programme could be related three factors; desperation, apathy or being allowed the space to make an informed decision.

Firstly, two claimants, both with anxiety-related conditions, were keen to ‘try anything’ in order to hasten their return to work. Jacob, a 26 year old man suffering with debilitating anxiety and panic attacks, had attempted to return to work under the Permitted Work Rules. When this had failed, as a result of increasingly severe symptoms, Jacob’s Advisor was going to waive his requirement to attend a subsequent five Interviews. At this point, out of sheer desperation, Jacob stated that he asked if there was anything she could do to help. He then reported, ‘(the Advisor) said “Oh, we do… there’s an NHS thing now…”’ So she explained it to me, she said “it’s up to you,
The only unengaged claimants who undertook Work Focused Activity reported a very different experience of being referred to the CMP. Having claimed IB uneventfully for 13 years, one day Jo’s benefit was not paid into her bank account. The DWP insisted that she had not completed a form that had been sent to her in the post, although Jo said she did not receive any correspondence from the DWP. Consequently, Jo began a new claim for Employment and Support Allowance (ESA), IB’s successor, and participated in Work Focused Interviews. Within one Interview, Jo stated that her Advisor ‘just managed to sneak it into the conversation’ that she would be seen by an occupational therapist at her next appointment. Jo believed that this was part of the medical test to determine her eligibility for benefits and participated because she felt she had to. Jo attended three CMP sessions before ‘Failing to Attend’ sessions she was expected to participate in. Whilst the engaged claimants generally reported positive experiences of CMP, Jo’s experience was entirely negative and did not result in any improvements to her health. This shows the importance of allowing claimants to decide when they are ready to make steps towards returning to work:

And I said well I don’t really want to (attend the Condition Management Programme) but being that I thought I was under threat … that I was going to have my benefit stopped, that they were trying to get me to go back into work within a certain length of time. I agreed and I went … So I didn’t rate condition management at all, I just thought it was a load of old rubbish and I felt as if they were just, trying to say, well you passed all this, you are fit enough for work mentally and I knew I wasn’t mentally fit for work so …

Returning to work?

Within the Pathways to Work Green Paper, the intention to return one million IB claimants to work was made very clear. The policy change failed to have the radical effect hoped for, and the support aspects of Pathways to Work were found to have little effect in returning claimants to work (NAO, 2010). Within this study, two of the 21 claimants returned to work. Firstly, Mark, a
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33 year old man who had suffered from depression following the breakdown of his marriage. Having decided, in a similar vein to Rachel, that it was time to return to work after eight months of claiming ESA, Mark, who was a builder, was able to find work with relative ease using local contacts. Subsequently, a friend mentioned the Return to Work Credit and Advisor Discretion Fund to him. These are the two elements of financial support available as part of Pathways to Work to facilitate a return to work. It is not unusual for those who return to work to be unaware of the existence of such support (Corden & Nice, 2006a; 2006b). Consequently, Mark visited his Advisor in the Jobcentre Plus office and then had to meet with a Job Broker to claim the Return to Work Credit. This process shows the way in which the bureaucracy operated was inflexible and that it did not work proactively to reward those who sought and obtained work on their own initiative. The ineffective publicity surrounding the Return to Work Credit can also be seen as failing to provide the incentive it was intended to (DWP, 2002) for those who might have been enticed to return to work by a financial incentive.

The other claimant who returned to work was Jacob, one of the engaged claimants who participated in the Condition Management Programme. Jacob was a 26 year old man who had claimed IB for 15 months as a result of severe anxiety and panic attacks which often left him completely incapacitated. After attending four one-to-one Condition Management Programme interventions with an occupational therapist, Jacob felt he was ready to return to work despite his occupational therapist’s reservations. Jacob, who previously worked as a plasterer, retained a good relationship with his previous employer who was able to offer him a job. Accordingly he signed himself off IB and returned to work. However, Jacob experienced a worsening of his symptoms and, after two weeks, had to resign and rapidly reclaim IB.

Failed returns to work, or other productive roles, were experienced by two other IB claimants. Firstly, Joanne, a 49 year old ex-auxiliary nurse, who suffered with clinical depression and anxiety. Joanne had secured a position working in a care environment but in the weeks leading up to her start date, Joanne became increasingly depressed and anxious and, following a consultation with her GP, decided not to attempt the transition. Rebecca got slightly further than Joanne in her transition to voluntary employment. Rebecca was a 50 year old woman who had been employed in a variety of manual occupations throughout her life-course. Her last job, working as a catering assistant on a mobile burger van, had ended two years prior to the research, when she had injured her back. Following her engagement with CMP, Rebecca began working for a local charity shop. However, the job involved a lot of lifting and her back pain increased to an unmanageable level. Thus, Rebecca’s return to work only lasted a matter of hours.

These cases show that even if IB claimants move into work, their conditions are still significant barriers to remaining in work. This is something that Pathways to Work and other statements of the Government’s intent in this area failed to address sufficiently (see for example, PMSU, 2005).

Conclusions

Those who were claiming ESA were not a major part of the research, as most claimants encountered during the fieldwork were still claiming IB. This situation is proposed to change over the next few years through the Coalition Government’s proposal for migration, via medical tests for all claimants. Within the two-tiered system introduced by ESA, those who are defined as less ill following their medical assessment will be required to not only participate in Interviews, but also to participate in work-based activity, or their level of Allowance will be decreased. It has been suggested that this can be seen as a major step towards full workfare (Bambra & Smith, 2010) and the policy change is also
to the financial detriment of many claimants (Grover & Piggott, 2010).

Whilst the New Labour Government described the use of increased conditionality as being essential to ensure equality of opportunity in the workplace for IB claimants (DWP, 2002), the Coalition Government has largely removed these discourses from the policy agenda (DWP, 2010). Whilst it has been argued that the policy intentions within Pathways to Work (DWP, 2002) and 21st Century Welfare (DWP, 2010) are very similar (Patrick, 2011), it is noteworthy that the discourses surrounding such policy agendas have changed. Consequently, the policy may become more punitive in the future in line with its new harder rationale.

It is still unknown how many people will be removed from either tier of ESA by the new Work Capability Assessments, although the BBC reported that (unpublished) Government research showed that almost one third of IB claimants were thought to be ready to move into work without the need for any support (BBC, 2011). The number will depend entirely on the strictness of the test, but reassessing all claimants has the potential to significantly reduce the numbers claiming ESA, in a way that the package of support offered by Pathways was unable to do (NAO, 2010). However, as IB claimants are largely concentrated in areas with high levels of unemployment (Beatty, 2010) it is likely that many will be unable to return to work, even if their health conditions would permit them to do so. Consequently, whilst these cases might be labelled as a success, with fewer people claiming IB, it is likely to have significant impacts in terms of poverty and stress, both of which can exacerbate many health conditions.

Footnotes

1 It is not possible to provide a detailed outline of Pathways to Work. For a more comprehensive account, readers should consult Barnes & Hudson (2006).

2 The Personal Capability Test was the test used from 1995-2007 to assess eligibility for IB, it was replaced in 2007 by the Work Capability Assessment, which determines eligibility for ESA, IB’s successor.

3 Advisors’ perspectives on Work Focused Interviews will be covered in a separate article.

4 ESA was introduced to replace IB by the Welfare Reform Act 2007, and divides the category of sick and disabled workers into those who are ‘least able’, who have no conditions attached to receipt of their Allowance, and those with ‘more manageable conditions’, who have to participate in Work Focused Activity or they will receive a lower rate of the Allowance (which is the same amount as Jobseekers Allowance).

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References


**Notes on Contributor**

Aimee Grant has recently completed her PhD thesis ‘New Labour, Welfare Reform and Discretion: Pathways to Work for Incapacity Benefit claimants’. Her interests lie in income maintenance policies, poverty and social justice.

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