Bias in the Work Capability Assessment: A response to BenBaumberg

Jonathan Hume

My article in the last edition (Hume, 2016) of *Radical Statistics* on the Work Capability Assessment drew considerable criticism, understandable given its inflammatory nature. I wish to use this opportunity to respond to one particular criticism best argued by Ben Baumberg, of the *Rethinking Incapacity* project, on his blog (Baumberg, 2016).

In brief, his argument is that the results I show represent those of a *fair, but more stringent* test of disability and not a biased system as I claim. He argues that there were (at least) two sub-populations of Employment and Support Allowance (ESA) claimants: rich-area claimants, and poor-area claimants with a lower average level of disability. His reason for this claim is that claimants in richer areas are more likely to be able to get work that better accommodates disability (e.g., less manual labour) and will thus not claim benefits with 'lower scoring' disabilities that people in poorer areas would claim.

He argues that if the tests were simply more stringent, a higher proportion of claimants in poor areas would 'fail' the test due to their lower average level of disability. I believe his argument is wrong because he has not accounted for the Work-Related Activity Group (WRAG), the ESA group ostensibly for those who are unable to work due to illness or disability but may be able to work at some unspecified point in the future. The WRAG group is thus (again, ostensibly) for claimants with less severe disabilities than those in the Support Group.

For his hypothesis (i.e. the relationship is explained by the average 'poor area' claimant being less disabled) to be accurate, there must be 'an over-representation of these poorer claimants for both the 'fit for work' group, and for those in the WRAG group. However, Baumberg did not include the latter, which distorted the results. That this *should* be the case if Baumberg is correct is demonstrable with

randomly generated data that meet his criteria that 'poor area' claimants have a lower level of disability on average.

I first generated 1000 cases of normally-distributed data (Table 1). In this hypothetical Incapacity Benefit system, claimants with a score of 40 or greater are judged disabled enough to be awarded the benefit. Two 'poor area' cases were deleted as they did not meet the minimum cut-off. This data meets Baumberg's criteria that 'poor area' claimants are, on average, less disabled. Higher variance was chosen to represent the wider variety of disabilities Baumberg implies claimants in poor areas will claim ESA with.

Variable	Overall	'Rich area' claimants	'Poor area' claimants
N	998	333	665
Mean (expected)	73.11	79.62 (80)	69.86 (70)
Standard Deviation (expected)	10.09	5.01 (5)	10.42 (10)
Min/Max	40.21/99.85	65.59/95.96	40.21/99.85

Table 1. Description of randomly generated data.

The WCA was designed to replace the old Personal Capability Assessment and the 'problem' of claimants being awarded due to the benefit due to accumulating low scores in multiple domains. The WCA was, therefore, designed to be more difficult to 'pass'. Thus, the cut-off for the hypothetical new system was chosen to eliminate 19% of claimants (the mean proportion found fit for work in the original data). The new cut-off point was 63. The original data found 33% of claimants were placed in the WRAG (cut-off 63-75) and the remainder were placed in the Support Group. The results of this new allocation system on the randomly generated data is shown in table 2.

Group	Total (%)	'Rich Area' claimants (% of group total)	'Poor Area' claimants (% of group total)
Fit for Work	185 (18.54)	0 (0)	185 (100)
WRAG	326 (32.67)	53 (16.26)	273 (83.74)
SG	540 (54.12)	333 (61.67)	207 (38.33)

Table 2. Results of new hypothetical allocation system, with 'fit' cut off of 63, WRAG group of 63-75, Support Group 75+

'Poor area' claimants are over-represented in the Fit for Work category (100% vs 66.66%) and under-represented in the Support Group category (38.33% vs 66.66%). 'Poor area' claimants are also over-represented by in the WRAG (83.74% vs 66.66%).

Recall the previous findings: poverty was associated with a higher proportion of fit-for-work judgements and a lower proportion of Support Group judgements, with no significant relationship with WRAG judgements. Were Baumberg's opposing explanation correct, there would also have been a significant relationship with the proportion of WRAG judgements showing a higher proportion of such judgements in poorer areas.

References

Baumberg, B. (2016) *Does the WCA really penalise poorer people?* Available from https://www.rethinkingincapacity.org/wca-really-penalise-poorer-people, accessed 13/08/2016

Hume, J. (2016) Bias in the Work Capability Assessment: A human rights issue? *Radical Statistics, 114*.