From the Chair

Sarah Newton MP
Minister for Disabled People, Health and Work
Department for Work and Pensions

Dear Sarah

Re: Universal Credit for claimants with terminal illness

As you will be aware, our recent report on *Universal Credit: support for disabled people* made recommendations on the Department’s Special Rules for Terminal Illness: the process through which people who are terminally ill can apply to have their benefit claim fast-tracked.¹

The Committee recommended the Department adopt a more flexible approach to allowing claimants to access the SRTI. Specifically, we recommended that it should formally remove the requirement for claimants to provide a DS1500 form stating that they are expected to die within six months, and require them only to provide evidence that they have a terminal illness that is likely to cause their death.

The Department did not accept this recommendation. I am perplexed by this, as your response made clear that the Department expects doctors to interpret the rules flexibly:

> *We have made clear to clinicians that providing a prognosis in these circumstances is not an exact science and their opinion should be based on the balance of probability.*

We have heard that the Department’s current approach can cause considerable distress to people with terminal illness and their families, and places medical professionals in a very difficult position. Our proposal is a modest one, but with the potential to bring much-needed relief from bureaucracy for people living in enormously difficult circumstances. I simply cannot understand why the Government has rejected our recommendation out of hand, nor why it continues to block the progress of Madeleine Moon’s Access to Welfare (Terminal Illness Definition) Bill.

The Committee is keen to pursue this issue further. To that end I tabled several written questions on 4 March. These were intended to help us understand better how the SRTI are working in practice. I am afraid that your responses were unilluminating. I would be very grateful if you would provide the Committee with some further detail to help us continue our work.

I asked what consultation with stakeholders the Department had undertaken prior to including a “reasonable expectation of death within six months” as a condition for claimants accessing the SRTI. This drew on evidence from stakeholders, cited in our report, that the requirement can cause substantial distress for claimants. I have also attached to this letter some illustrative case studies that we have since received from the Motor Neurone Disease Association.

Your response noted that the Department has “regular meetings with key stakeholders to understand how our policies are working”.

¹ [https://publications.parliament.uk/pa/cm201719/cmselect/cmworpen/1770/1770.pdf](https://publications.parliament.uk/pa/cm201719/cmselect/cmworpen/1770/1770.pdf)
1. Might you please tell us which stakeholders the Department has consulted on this particular issue?

2. Please will you also supply the Committee with relevant minutes of any stakeholder meetings where this issue has been discussed?

I understand that the Department recently asked the Deputy Chief Medical Officer, Gina Radford, to conduct a review of the six month clause.

3. Might you please supply:
   a. A list of members of the review group established by the Chief Medical Officer; and
   b. A copy of the report or observations resulting from the review?

Your response to my questions noted that the Department does not collect data on various aspects of the SRTI, including how many applications are made, rejected or approved.

4. In the absence of this data, might you please set out how the Department reassures itself that the SRTI process is working as expected—including for claimants who have terminal illnesses but are not expected to die within six months?

I also asked how many claimants had been refused access to the SRTI and subsequently died within six months. You neglected to answer this question. It seems to me that this is a key test of whether the SRTI are functioning as the Department envisages: if claimants with less than six months to live are being routinely refused access, then the case for changing the rules is strengthened.

5. Can you confirm whether the Department collects this data and, if not, whether it intends to do so?

With best wishes and I look forward to hearing from you,

Rt Hon Frank Field MP  
Chair, Work and Pensions Committee  
Cc. Madeleine Moon MP