

‘Turned down for DLA/AA? Think you’re not getting enough?’ AND ‘How to handle an interview under caution.’

An evaluation of Advicenow self-management guides

Executive Summary

This report draws on two groups of depth interviews. The first group was with five DLA/AA advisers and six DLA/AA claimants – referred to here as ‘users’ – which were conducted for Advicenow in October and November 2007. The second group consisted of three advisers on IUCs, a fraud investigator, and one IUC ‘claimant’. These interviews took place in January and February 2008.

We were able to interview a good spread of both advisers and users for the evaluation of the DLA/AA Guide. However, we were less successful in finding respondents for the IUCs Guide. Nonetheless, overall the quality of responses was high, and as a result, the findings of this initial evaluation should prove useful, both in the development of other self-management guides, and in the creative development of both specific examples.

The DLA/AA Guide

Looking first at the six users, four were able to understand and comment on the Guide as an information tool that offered guidance. Two users had problems, mainly with the illustrative materials (case studies and Rose's statement) but not with the other text. These users understood that the Guide was describing a process, and they were able to follow and evaluate the sequence and found it made sense and seemed right. All six users appreciated the contribution made by the use of colour and layout techniques to improve clarity and ease of use, and saw the deliberately informal style as addressing them directly. “It’s not impartial” summed this up.

The practical guidance was pored over in the interviews, commented on and discussed. Almost all of it was received as sensible and effective. The fact that specific doubts and queries were raised about specific issues demonstrates that users understood what the force of the points was, and could examine them carefully.

Two users had undertaken appeals in the past, and one was in the middle of an appeal. Their most common reaction to the Guide was ‘I wish I’d had this then’. These users also said the Guide had helped them to understand why they had been turned down initially – their applications had not been sufficiently detailed or had focused on the wrong things.

The user who is in mid-appeal had used the Guide for the drafting of a statement and had found it of great help. This user was anticipating similar valuable help from the Guide when the appeal papers arrived, and for subsequent actions.

We can say with confidence that four of the six users would try to make good use of the Guide were they to be involved in appeals.

The Advisers were very positive about the guide as a tool for taking users through the appeal process effectively. The language, tone and informal style were thought to be right for a *literate* user. Advisers were perhaps keener on seeing the Guide as potentially valuable in a number of different contexts – not only for users, but also for advisers, intermediaries, and in training.

It is clear from these results that the advisers had more to say than users. This is not surprising, as welfare benefits advisers do this for a living, and so have thought the issues through more, and are more familiar with all aspects of appeals. There are however some very interesting differences in the views expressed by advisers and by users. Broadly speaking, these differences reveal the different perspectives of the two groups, and so show that both groups were, within general limits, able to bring to bear their own viewpoints about the Guide.

Whilst most of the users interviewed understood what the Guide was for, and were able to comment on it effectively, it was notable that most advisers found it hard to put themselves in the shoes of users – despite conscious efforts to do so. In particular, adviser reactions to the illustrative materials were governed by their own need to see solid information conveyed as quickly as possible. And adviser views on other useful internet resources spoke more to adviser needs than user needs.

But if we look at how users reacted to the more illustrative texts – case studies, cartoons and Rose's statement - we can see that things are not always straightforward. Some users simply did not relate to the case studies in any sort of useful way, and hardly anyone grasped what was going on in Rose's statement.

Users appreciated, above all, the solidity of the structure, and the clarity of all the hints and tips, and dos and don'ts in the text. All of this was well-received. But the goal of the illustrative texts was simply not clear.

A further difficulty for users occurred when the 'voice' in the Guide appears to have faltered when it shifted to addressing health professionals and family members: users struggled to grasp this. A similar problem occurs with the case studies and Rose's statement, where the weight and tone of the text is very different, leading to confusion for some users about purpose, and about its appropriateness for them.

Length appeared as an issue in all of the interviews. Although because of the excellent structure there were no real objections, the possibility of splitting the document in different ways was raised, and should be considered.

The two users who were hardly able to comment on the Guide effectively were in this position primarily because they were focused elsewhere, in a way that inhibited their capacity to think about something else. It is reasonable to assume that this will occur for a percentage of DLA/AA claimants, many of whom have difficult lives, and who face a daily struggle to cope. This is not a reason to conclude that self-management guides are not useful: rather, it suggests that the target user audience for such guides will require some refining, and the needs of different users specified with more care. This will be an ongoing part of evaluation, to be carried out in concert with advisers.

Responses to questions about the potential value of different media - especially of the Internet - to offer guidance to users were very limited. No doubt this is due in part to the presentation to users of a high quality printed copy of the Guide.

The IUC Guide

With only one IUC user interviewed, the capacity of the evaluation to make general observation is limited. It is however striking that the single user interviewed expressed appreciation and understanding of the Guide in terms very similar to those used for the DLA/AA Guide. This user appreciated the solidity of the structure, the valuable design techniques, and the choice of a friendly and clear tone addressing the user directly. These factors combined to create a valuable Guide for this user.

This user has less reservations than some DLA/AA users, and had no real concerns to parallel some of those expressed by users of the other Guide. Some concerns were expressed about the value of Steve's story. The user understood but regretted the need for tactical advice that required the reader to make a judgment about their own situation.

The three advisers were overall very positive about the Guide but were very circumspect about users attending IUCs without representation. The language, tone and style of addressing the user directly were thought to be well crafted, and the structure and content well designed and about right in terms of complexity. Advisers saw a literate user as a target, but also suggested that generalist advisers would find the Guide useful.

The only really 'critical' adviser comments were proposals for amendments based either on their experience of how IUCs works in practice, or more often, on their view about corrections needed to points of law. These varied, and it seems clear that there are two issues around IUCs that will need further thought – see below.

The fraud investigator interviewed was positive about the Guide for much the same reasons as others. Like the advisers, he proposed a range of 'corrections' – though not the same ones. He was concerned about the Guide's tone – it was he felt too skewed towards the IUC interviewee.

From all of these comments it is clear both that local practices can vary a lot, affecting any 'general' Guide, and that there are disagreements about the law between advisers and fraud investigators.

Self-management Guides overall

A number of findings emerge from this initial evaluation of views that suggest that the self-management guide is a potentially valuable tool for DLA/AA appeals, and that the IUC Guide is a high quality guide which may be useful in IUCs in some circumstances. The techniques and approaches used in both guides are generalisable to other problems.

The approach of focusing on specific audiences and identifying specific issues that are amenable to self-management in some or all of their aspects can be used for any number of issues. The delivery techniques deployed in these Guides – both for readability/appeal and so usability, and their useful and accessible content, should be readily adaptable for other future Guides.

A notable difference in views about these Guides lies in adviser comments on case studies. In the DLA/AA appeal Guide there was a strong feeling that the case studies were not really useful, or were too long, or should not be on the front page. This was not the case for the IUCs Guide. This may suggest that different types of content can benefit from different uses of techniques. But it may also reflect adviser familiarity and confidence in different topics. It is not really possible to know which of these applies, but the possibility that a topic such as IUCs, which carries greater risks than DLA/AA Appeals, is in greater need of illustrative techniques.

Section 1: ‘Turned down for DLA/AA? Think you’re not getting enough?’

1. User views on the DLA/AA Guide

1.1 SUMMARY

Most users found the guide attractive, clearly written and easy to find their way around. The tone and style of the language was seen as informal and easy to understand. The colour-coding was understood and assessed as very useful, allowing users to jump to the right section at the right time. The solid colour boxes, highlighting what was described as the most important text, were seen as eye-catching and especially useful.

The structure and sequence of the sections was understood and felt to be the right one - following the process, which was what users thought was needed. Although users generally described the Guide as ‘long’ or ‘quite long’, this was not seen as a problem, because of the structure: users expected that most people would use the relevant section when their appeal reached that stage, and so were unconcerned about overall length. The use of short text paragraphs, bullets and large clear headings all made the Guide clearer and easier to use.

The purposes of the case studies and of Rose’s statement were less than obvious to several users. These users found it difficult to see these illustrations as guiding examples, and instead compared them with their own situation, dismissing those parts that did not apply to their circumstances as ‘not relevant to me’.

Two users were, broadly speaking, unable to focus on the Guide as a tool for making an appeal, and spoke instead of their own health problems and how the content of the Guide did or did not relate to or express those difficulties. This may not be surprising, as recipients of DLA and AA are likely to experience considerable day-to-day health problems which will preoccupy them.

Users interviewed spanned a range of ages and educational levels. Users with a professional background were more likely to approach the Guide as an information tool.

1.2 GENERAL VIEWS

On design and format techniques used

- The use of colour was described as appealing, vivid, striking
- Colour-coding the contents list and the sections helped users to find their way around the Guide.
- There was specific praise for the solid colour boxes – described as highlighting the most useful information
- The large expressive headings provided excellent lead-ins
- The two-column layout made the text much easier to read.
- The jargon buster was understood and appreciated as a useful tool, though one user felt that the differences between DLA and AA were not as clear as they might be. One issue was raised about it – see below

- Some users suggested that more use could be made of bullets, and that some paragraphs were too long
- Reactions to the use of case studies and other illustrative techniques was mixed.

On clarity, readability, ease of use for users

With some minor exceptions users had no difficulties in following the meaning of the text. The literacy level, tone and informal style were praised by all users. Some users did speculate as to whether other users, with lower literacy levels than themselves, might have problems with some of it, but they were not specific. Broadly speaking, users did see the Guide as demanding a moderately high level of literacy.

The use of bullets and short paragraphs was praised, with some suggestions for changes – see below.

On content: problem, skills, and experiences

The content was described by all users as full, with nothing missing as far as they could tell. The level of detail, although quite high, was described as necessary and also about right. Detail was less of a problem primarily because of the easy to follow structure, which users could dip in and out of. The guide was commonly described as good and practical. The mix of explanations of rules and procedures with guidance on what needed to be done and what was involved in that was especially valued.

1.3 SPECIFIC COMMENTS

The case studies

The case studies met with mixed responses. Views were of three kinds. Most users described the case studies as useful illustrations, allowing the reader to understand the complexities of an appeal by showing a specific real situation. Users giving this response found the case studies useful as a tool to reflect on what they needed to do themselves.

Some users reacted very personally to the case studies. Typical examples of this were to check the case studies to see if they ‘fitted’ their own circumstances, and where they did not the comment that “this doesn’t apply to me of course”; or to find similarities and comment that these did fit with their own experience. These users also expressed some concern that they might be required to reveal their own circumstances in such detail. These users did not seem to understand the role of the case study in the Guide overall.

Several users thought that the case studies made good points but were much too long – ‘cumbersome’. An aspect of this reaction was to add that although the case study was useful it risked being a bit patronising, and to some extent got in the way of the information content.

Step-by-step

The step-by-step page was described as ‘useful’ although without any real enthusiasm, and with no embellishment. The only exception was a user who suggested that more of the text might be presented in this way, but then reflected that not all information lent itself to this technique.

Cartoons

Only one user made enthusiastic comments about the cartoons. Most were neutral, and comments were typically “I suppose they break it up a bit - they make it easier to look at”. Usually, users would describe the cartoons as of value to others, rather than themselves.

They’ve got it wrong

The options and time limits were described as very clearly set out and very useful. The coloured box was singled out as an especially useful way of highlighting the key point.

On page 3, the account of the importance of the *effects* of the illness and not the illness itself was seen as clearly explained and effectively highlighted.

The inclusion of both DLA and AA was cited as unnecessarily confusing on this page: complex information is made more so by the need to explain differences.

More bullets and shorter paragraphs were also sought for this page.

Before the hearing – what will happen

Page 12. This page was singled out as especially useful: knowing what to expect, and getting guidance on how to deal with this, were both valued. However, the descriptions of the tribunal procedures as an event elicited anxiety in some users – they were daunted by the description: “I don’t think I could go through that myself”. This raises the interesting possibility that describing the process in detail may ‘put people off’ rather than enable them.

How do I stay calm

Overall the ‘stay calm’ section was appreciated by some users, but was not welcomed by others. Several users welcomed this page as good advice, and one described their own rather different techniques for staying calm. Some concerns were expressed about some of the more ‘personal’ aspects of the advice. Other users felt that the advice did not merit a whole page.

What should I do on the day?

This was generally seen as useful and very practical, speaking directly to users’ needs.

On page 15. Concerns were raised about several points of advice or explanation. Some users did not agree with the advice on dress codes, and some did not understand what was being said about dress. Two felt they would always “dress appropriately” - this was most likely to mean they would dress smartly. One user asked why how you were dressed would affect the panel’s assessments of you.

The advice not to use the “right” language also raised queries: what was meant by this was the most common question, but also one user felt that using the right ‘buzz’ words might help to be more convincing – speaking the same language as the panel.

The point in column 2 about the accompanying person was not always understood. The phrase ‘the person who helps you’ was not always clear, and this was linked in users’ minds to uncertainty about what the word ‘carer’ meant in the text elsewhere.

The point that users should ‘Try to answer every question as broadly...’ was not understood by all users, who seemed to get lost in the brackets here.

On page 16. The section for friends and relatives was not readily seen as addressing someone other than the user, and more emphasis should be put on that. A separate page, to give to a relative, was suggested.

What happens after the hearing?

Two users were puzzled by the use of bold text for the first paragraph – suggesting that this point was more important than the other two. Users felt that paragraphs one and two were of equal importance. Suggestions were for the use of bullets, or to deploy the solid colour boxes technique to emphasise.

Contacts

Some users wanted more references to specialist support orgs – for example to the Alzheimer’s Society. Specific contacts for children to make themselves were also suggested.

For doctors, social workers etc...

This section had mixed reactions. Overall users did not engage with this page – comments were mostly approving but bland. Several specific issues were raised.

First, several users had only realised after reading through it that this page was aimed at health professionals – and it was suggested that this could be made clearer in two ways: a larger and more explicit title, and extra text at the start, addressing the user, and telling them what to do with this page.

Second, the failure to mention OTs – who seem to be quite commonly involved – was criticised, both here and elsewhere. It seems that OTs often help with completing application forms and help to prepare appeals.

One user was concerned that the Guide assumes a reasonable relationship with the GP and others, and this is not always the case. Others also commented that the best professional to provide supporting evidence is one who knows you well. And so this should be the emphasised on this page.

Rose’s statement

Some users understood that the purpose of Rose’s statement was to show the sorts of detail that were needed to make the case, but most did not. The most common reaction was to read through it and compare with their own circumstances, and if these did not fit to fail to see its relevance. A second reaction was to comment on how brave Rose was to “reveal” such personal detail – adding that they themselves would be reluctant to do so.

One user was concerned that Rose’s statement ran the risk of being seen as patronising – using over-simplified language to emulate how an “ordinary” person might write a statement. This was a recurring theme for the case studies as well.

Carers, supporters, family members and professionals

There was often doubt for users about who a particular text was referring to when discussing carers, supporter and so on. Several users felt that the use of these terms needed to be re-thought.

Other improvements suggested

- Better organised white space on each page to enable the reader to make their own notes (This assumes a paper format for the Guide)
- Make a better balance of amounts of text between pages 5 & 6, 7 & 8 and 15 & 16.
- The most common meanings of “AA” are the Automobile Association or Alcoholics anonymous – this is confusing
- The notions of ‘oral’ and ‘paper’ hearing were not immediately understood by several users and they felt that this needed a better explanation
- Having both DLA and AA in the same Guide was confusing for two users, who suggested separate Guides. Although there are strong similarities, they found a fair number of differences, and saw these as an unnecessary complication in what was already a complex explanation

Paper and internet resources

Most users had not understood that the Guide is an online tool. This is perhaps unsurprising, given the context in which they were commenting on it. As a result, some comments assume that the paper delivery method would be the principle one.

In general having a copy to hand was valued by users. The issue this raises is that of the cost of high quality colour printing and the cost and problems of distribution this would bring.

2. DLA/AA adviser views on their service users

On user needs in general

- Users who apply for DLA/AA are less likely than the ‘average’ citizen to be equipped to deal with the complexities and stress of this for health reasons of many kinds
- Family carers may be more capable of a ‘self-help’ element in their applications and appeals
- Frequently the first approach to advisers is from family carers

On user needs and problems around DLA/AA

Advisers’ views on the problems experienced by users in relation to DLA and AA in general, and to appeals in particular, were:

- The poor quality of DWP decision-making – many refusals or rates decisions are clearly wrong from the start
- The obscurity of and lack of information in DWP letters and forms
- Users see no point in appealing – they see the DWP as being likely to be right

- Users do not understand how to appeal, or even what an appeal is, and so do not appeal
- Even when persuaded to appeal, users are often reluctant to attend, and may even want to back out through a lack of confidence

Users and information/advice

- Users do not know where to go for help
- Face-to-face advice is not available to everyone
- Users need good help and support in the preparation stages especially
- More representation is needed, but not everyone can have representation, and the guide might fill some of that gap

User understandings of DLA and AA – health issues and user needs

- Users are likely to focus on their health issues, rather than on the *effects* of these. The Guide goes only part way to mitigating this difficulty, and some advisers felt that the Guide could be more explicit about what *not* to rely on
- As a result, users find it difficult to give a straightforward and accurate account of their needs. Partly this is caused by nervousness, and partly it is about what sort of person they are: some users will tend to be reticent and downplay the effects of their illnesses; others may misdescribe or exaggerate. It would be helpful to make it clearer that, for example, exaggeration is also unwise

3. Adviser views on the DLA/AA Guide

3.1 SUMMARY

Overall advisers described the Guide as a high quality document, well-structured and attractively presented through the use of effective colour and layout of text. Advisers found the content comprehensive and well conveyed through the use of plain language delivered in a friendly informal tone that addressed the user directly. The level of detail was thought appropriate, despite the fact that they described the Guide as very long. The case studies were singled out for specific criticism as redundant. The ‘stay calm’ section was seen by most as unnecessary.

Advisers had some minor doubts about the accuracy of the technical information - details have been provided separately - but overall found it to be correct. The guidance for users on how to appeal and the culture of the tribunal was welcomed as accurate, well-focused, and of real value to users.

There was general approval of the sequence adopted – following the process – and this was described as both effective and as logical.

Some but not all advisers tended to see the Guide as uniquely a vehicle for conveying information, and the stronger their view on this, the more likely it was that techniques such as the use of case studies, the ‘stay calm’ section, and the cartoons would be seen as inappropriate, or even as hindrances.

The case studies attracted the most criticism. Only one adviser describe these as good without comment. Other views ranged from: suggesting deletion to shorten the document; keeping them in a very condensed form; and, almost all advisers, moving them off the front page. Most saw the front page as the jumping-off point for the Guide, and the long case study as delaying the start.

Although some advisers saw the Guide as being potentially of value to some users – those perhaps more determined or more literate – the most frequent speculations about probable use were for volunteer training, for new or generalist advisers, and for relatives and carers who were often determined to help their family member.

One adviser described the application and process as very long, with periods of inactivity – during which a user could keep a copy of the guide and refer to it as an aide-memoire etc.

Of course, all of these advisers were subject specialists and this may well condition their sense of what is realistic. A particular difficulty for them lay in assessing the Guide as an online tool. Only one adviser had specific proposals to make about online information, the most common response being that users were unlikely to make use of this resource online. Similarly, only one adviser wondered how anyone would find out about the Guide – no answer was provided, but it is of course a key issue addressed by Advicenow in all of its work.

3.2 GENERAL VIEWS

The overall appearance and presentation

- The overall design was praised for its effective use of colour, solid colour text boxes, large expressive caption headings, two columns with short line length, and paragraphs and bullets that broke a long text up effectively
- The use of colour-coded matched front page tabs in the contents list was a good way to route users through to each section
- The use of images was generally well-received, though mostly without enthusiasm
- The step-by-step page was praised as especially clear – more of it could be done like this
- The ‘jargon buster’ was valued as a useful simple explanation
- Rose’s statement was a clever and clear way to put across the sorts of accounts needed to support an appeal
- In printed format the point size was generally seen as too small
- Generally the Guide was seen as too long
- The case studies and the ‘stay calm’ page were mostly described as unnecessary, or as obstacles
- Suggestions for improvements to the Contacts sections were made

Clarity, readability, ease of use for users

The guide was generally described as well written: jargon free, straightforward, chatty, using a good friendly tone and generally being very readable. Explanations were generally clear, and the text flowed well.

The style focuses on the users, addressing them directly, and is not 'impartial'. The use of speech quotes as heading makes this directness clearer, and users should easily see that the Guide is 'on their side'.

The print size caused some concern. Most felt that it was too small, though they understood that on screen and paper format had different effects. An adviser who deals with blind and partially sighted people discussed this issue both for sighted people and for his own users group. In the latter case, 14 pt is ideal and design techniques are redundant: plain text is better than all of these techniques.

Most advisers found it too long and doubted that all users would be literate enough to cope with this. The length was seen as off-putting were it to be given to users in paper format. Suggestions for avoiding this included printing off relevant sections only, when needed. Since the structure permitted each section to be used separately, this was seen as feasible.

Points were also made about language and ethnic minority users, and traditions in which the use of a text would not be a first preference for learning about a subject.

Content: the problem, skills, and the experience

The division into sections, and the sequence of these, was clear, and followed a logical process. Advisers saw the Guide as trying to cover the whole process and doing that quite well. The content was described as comprehensive, providing full details about the process and a lot of very useful practical suggestions and descriptions. There is no repetition.

As already stated, case studies were not valued on the whole. Most advisers preferred a straightforward launch into the core content. One suggested putting the step-by-step process onto the front page, alongside the contents.

Some advisers speculated that making several shorter guides might be more accessible: for example dividing the single Guide into stages of the process, to make it less daunting.

Information on 'special rules' for claims when the user is terminally ill could be usefully added.

3.3 SPECIFIC POINTS

Front page

The colour-coded contents list, leading to matched colour section, was seen as very effective. The case study was generally seen as delaying the provision of information, and should be shortened or removed. This would allow the Content list to have sub-heads.

The case studies

There were one or two positive comments on these, but most wanted them shortened or removed. Advisers tended to prefer something "more factual and straightforward". Advisers understood that they sought to illustrate and offer a practical example that would make the issues clearer, but still they were not liked by most. The two who thought the case studies helpful did not want the Guide to begin with them. Another suggestion was to use design to

make them distinct from the “information”. Shorter “sound bites” (vignettes) might be more effective.

Cartoons

Advisers were generally unsure about the cartoons. Some did not like them, though without being able to say why. Some saw them as illustrations for illustration sake. Some appreciated that the Guide is for a wide audience, and so their own views might not be typical. Some advisers suggested that this is a hard subject to illustrate. Some found them humorous, others were indifferent.

They’ve got it wrong!

On page 2. The suggestion of asking for a statement of reasons to buy time was highlighted as an excellent example of a good tactic and confirmed as good practice for some cases.

How do I stay calm

The ‘Stay calm’ section evoked some quite strong reactions. Clearly some advisers have had clients who were so anxious they could not speak or they burst into tears, gabble, and say the wrong things.

One adviser described it as being “not about information”, “fluffy” and “insubstantial”, another as “Really good – I’ve never seen anything like this before”. But most were unenthusiastic about this page. A typical slightly positive comment was that “to have something of this type might be of value - but if this is the case, more is needed”.

A specific suggestion was to add in the points about asking for a break – mentioned elsewhere.

Received a huge pack of papers

All advisers concurred with the Guide that attendance at the hearing by the user was crucial. But advisers held different views on the issue whether they should themselves attend and/or ‘represent’ and whether this would improve the chances of success. Others emphasised preparation, and would attend only occasionally, typically for “moral support”.

Most who did attend thought that letting the user speak for themselves was the most effective approach, though some said they could do it better themselves and did.

Before the hearing

All advisers emphasised that preparation was the key, and that evidence from professionals was crucial. This was seen as more important than adviser attendance by some – see above.

On page 11. People are often concerned about cost of getting to the tribunal and about how to do this. There needs to be more explanation and emphasis about this: it is a big hurdle, the venue can be far way, often users can’t get there by bus, and they can’t afford taxis. In practice advisers often take them.

On page 12. The information on hearing postponement is not quite right. It is not always easy to change the date, and they may go ahead without you if you try to postpone near the date.

‘What should I do on the day’

This was valued as a very useful set of practical points - practical nuts and bolts – which take the user through what to expect. Advisers expected that these points would help anxious users a good deal in their abilities to deal with the hearing.

On page 16. The section for friends and relatives was thought be especially useful.

Jargon buster

Advisers liked the jargon buster. Several suggested explaining DLA/AA earlier as well as in the jargon buster. Obviously, users who are claiming should know what DLA/AA is, but this is not always the case in their experience: for example, if someone else had made the initial claim.

Useful contacts

The useful contacts page was viewed as valuable, and some specific suggestions for other helpful details were made. These have been passed on to Advicenow separately.

For doctors

Advisers’ views on this section varied. Some were very critical, other described it as very appropriate and very useful. Four main points were made. First, that GPs in particular would not read such a long text. Second, that healthcare professionals were often reluctant to interpret medical conditions into capacities – they would prefer to stick with the disability itself. Third, that health professionals may well not know what the disability tests are or what the questions at the hearing will be. Fourth, that it is far better for the user to speak to their Doctor face to face to get supporting evidence.

It was also suggested that pro-forma letters addressed to health professional should replace what is currently in this section. Alternatively, set this out as short bullets which cover the key points and tell them what the minimum necessary information is.

Rose’s statement

Rose’s statement was understood and welcomed by most advisers as helping the user to elaborate their own problems. Use of the two columns helped both to offer guidance and to illustrate what users need to do.

Some advisers were concerned that it was too long, and too complex: helpful, but a bit too much. They wondered if it might be more useful for generalist advisers, or as a handout on a training course.

Doubts were expressed about one of the specific statements. In practice, advisers would not expect users to write: ‘I’m entitled to middle rate care’ – in case the tribunal decided to make a higher rate award. It would be better to say: “I’m entitled to more...”

The possibility was raised of replacing the single statements with a number of shorter statements to cover different users: a child, an older person, a mental health services user and so on.

4. Adviser views on uses for the DLA/AA Guide

Usefulness to users

As far as the advisers were aware, there is no similar document available for users. With one exception, advisers had not yet given the Guide to a user, or used the Guide with a user. In most cases this was because the Guide was very new, and the opportunity had not arisen. One adviser preferred their agency's own information, which they felt was simpler 'for the average client', although it was explanatory and not aimed at self-help.

Most advisers expected that in the future they would give the Guide to users who wanted to include self-management in their approach. In this context, the most common expectation was that as a guide through the whole process - which might take months – the Guide would be a useful support throughout. This applied to users who were being supported by an adviser: between adviser contacts, the Guide was something they could refer to. Advisers did however expect that many of their users would be unable to benefit from the Guide, for a mix of reasons around literacy, experience of using texts, and ability to self-help.

Other views were:

- the Guide would help to persuade users who were unsure about appealing
- middle class users - the example was a teacher - would benefit from it

Several advisers raised the issue of how people would get to know about the Guide.

Usefulness to intermediaries

Advisers also expected the Guide to be of value to intermediaries:

- For more capable users and family carers, both as a guide to the appeals process and as a reference document throughout the long appeals process – for example between adviser appointments
- Non-adviser professionals - for example social work teams - would benefit. It would give them an idea of what happens at tribunals. Some professionals – for example social workers or housing officers do accompany users to tribunal – and it would be useful for them
- As a tool for use by 'generalist' advisers and to train new volunteers
- As a training tool - both for training and for follow-ups to training
- Notably for volunteers advisers

5. Adviser views on other useful supports for their users

Advisers were not especially thoughtful about this, and views on, for example, uses of the internet, or of other media, were limited. For blind and partially sighted users audio was mentioned, but in this case the adviser also pointed out that for example *listening* to a case study would be a different experience, and would delay getting to the information.

Printed information was generally seen as the best option for DLA/AA claimants.

There was concern that many users don't use the Internet, and online information was seen as less useful for older clients.

Section 2: ‘How to handle and interview under caution’

6. A user view of IUCs

The problem

This user was invited to an interview by the local authority about his claims for housing benefit and council tax benefit and had to sign a statement. Following the interview - about 10 days before the evaluation interview - he does not know what to expect, and has been very worried. He is not sure if he will hear from DWP as well, but was concerned that they might ask to see him.

The user did not really understand what was happening, and what would happen after the interview with the local authority. He did not seem to think that the interview he had was an IUC, although it did sound as though it might be when he described it. However, it does not appear to have been taped, so that its content could not presumably be used as evidence.

He is especially concerned that he is now studying at university part-time to be a teacher, and an accusation of benefit fraud could damage his career prospects. He is now working nights and is part-time at the university during day, and is no longer claiming.

7. A user view of the Guide

7.1 SUMMARY

This user was very enthusiastic about the Guide, describing it as very reassuring, very clear, easy to get around, and very useable. The colour-coded structure and the clear headings meant that finding the right section was very easy. The cartoons lightened the tone, and made light of serious matters. The case studies were vivid and helpful – though they did not match this user’s circumstances – see below.

A general concern for this user was that he might be sent to prison and so he wanted to know more about that. He suggested a stronger lead on penalties in the Guide – in his case, for example, including a heading that said “You’re not going to prison”.

7.2 GENERAL VIEWS

On design and format techniques used

The design was described as very good and the use of a wide range of techniques was very helpful. The colour-coding was very useful, and the use of “child-like” pastel colours was soothing and pleasant. The design helped it not to look like a “scary legal thing”.

Some headlines - for example - ‘Don’t ignore it’ are very important and “could be more prominent, even first, as it is very easy to put your head in the sand”.

On clarity, readability, ease of use

The guide was very readable and easy to use. The topic is complex, and so because of its length it does look like hard work at first glance, but in fact is neither unclear nor complicated. The style and tone helped with this – it “avoids the bureaucratic” and “it feels like it’s on your side - it’s *for* you.” It avoids even hinting that the claimant may have been “naughty”.

However well written it may be, given that not everyone learns by reading, there may be a case for more illustrations and techniques.

On content: problem, skills, and experiences

The content is complex with a high level of essential detail. This user coped well with this, but, fairly typically, wondered if others would:

“I’m quite intelligent - not very educated - but I can manage it. Others might not be able to – if not used to reading a lot. Also they might not find the site”.

The user described the content overall as excellent and reassuring, especially given the anxiety raised by the possibility of an IUC:

“It’s very scary – astonishing that people get put in prison. It would ruin my life – I wouldn’t be able to teach”.

Especially useful were ‘What you can do before...’ ‘after’..., and the section on the interview itself.

The sorts of “tactical” guidance in the Guide prompted this user to comment that “the advice given was helpful but sort of contradictory”. The main example of this was on page 11, where the Guide says “you can stop the interview if you want to, but then advises you that this could have negative consequences, so you must be careful”.

This user also wanted a clearer section on penalties. As already indicated, his main focus was “I don’t want to go to prison”, and suggested a stronger heading on penalties.

7.3 SPECIFIC COMMENTS

The case studies

Case studies were a good read and also it was good to have one on the front page. However, this user wanted to read about someone more in his own situation. He felt that Steve’s story was not really serious – “Steve will just have to pay back a bit of HB...” – and “the example is too trivial compared with the rest of the Guide”.

Cartoons

The use of cartoons was appreciated as a way of lightening the tone of the Guide, and of taking the “sting” out of issues through “parody”. P2. “The cartoons dampen you down, helps you to calm down and think clearly about what to do next”.

The cartoon on page 2 met with mixed reactions. Whilst it was a good “parody of fear”, it also showed a Sikh, and this may suggest that Asians are benefit cheats.

Step-by-step sections

The user particularly liked the facility given by the various Step sections to “flick through” the boxes, to check if you are doing it right. The tables counterbalanced the more wordy parts, and offered an easy place to go to dip in and find things.

The letter in the Step section on page 8 was described as “empowering”.

8. Adviser views on their service users

On user needs and problems around IUCs

Advisers’ views on the problems experienced by users in relation to IUCs were:

- The main need not being met is for representation at IUCs
- Users reactions to the IUC letter vary, but there is a common theme of either not understanding why they’ve received a letter, and not understanding what an IUC is about
- Typically users want to know what will happen at the interview and afterwards, and what they can do beforehand
- IUC letters are usually very general, and do not say what the request for an interview is about: ‘We would like to talk to you about your benefits’, and asking the user to ring up, at which time they would be told it was an IUC. Letters may well not be polite or friendly, and can be quite intimidating
- Typically users are very worried
- Advisers take the view that good practice by the investigators should be to allow people to attend with users, but this is not always so
- Some local authorities will not allow anyone to attend other than those with a formal entitlement to do so – a solicitor, an appropriate adult. Others take a positive view of the user’s having someone with them
- Local practices clearly vary, especially from local authority to local authority
- Advisers generally regard the DWP as acting properly, whereas some local authorities are seen as making up their own rules
- Fraud investigators are not sufficiently familiar with benefit law to avoid making important errors
- Fraud investigators often get the benefits side of things wrong. Some advisers believe that they are paid by results, and that local authorities get funding from central government based partly on rates of fraud ‘clear-up’
- Fraud investigation can generally be characterised as overzealous - investigators simply do not understand the day-to-day problems people face
- Fraud is also a political issue, as witnessed by the government’s campaigns

Users and information/advice

Advisers need to both advise on the IUC, and look at the specific benefit claim, to see if they can address any problems that they discover themselves.

Advisers typically discussed with the user and try to establish what the problem might be. Advisers generally believe they can get a good idea of what the IUC is about from talking to the user. This is described as straightforward in most cases - tending to follow the sorts of examples given in the guide.

Advisers may also look at the benefit claim, and contact the relevant benefits agency, separate from the fraud investigation. In some cases this sorts the problem out and the IUC does not need to continue.

Advisers may also advise users to make contact with the benefits agency to find out more about the issue being investigated. The adviser would reassure them on what would happen, using knowledge taken from the experiences of other users.

Advisers can advise but may be barred from attending as they have no formal standing in IUCs and no solicitor-client privileges. In theory therefore they could be asked about what was said between them and their clients if a case went to court. For these reasons one adviser, though dealing with a regular flow of IUC enquiries, did not attend. However, another has attended IUCs "not as a legal representative, but as an accompaniment" so attitudes to this clearly vary. In these cases the adviser said:

"I did not do a lot. I briefed the client to answer what they could and then just sit and observe. I went to ensure that procedures were followed and to give the client moral backup, and to be an independent witness for what was said when the machine wasn't running"

This adviser felt that the client's needs might be better met by a criminal law representative, but legal aid is mostly not available. In practice he would have liked to be able to discuss the case with a criminal lawyer, and if faced with an IUC now would seek someone out. Other advisers expressed unwillingness to attend because they are not criminal lawyers.

A key issue is that users will need legal advice about both criminal law and benefit law. A benefits adviser will probably not have the criminal law experience to do IUCs well nor will a criminal lawyer will not know about benefits law. In general it is difficult for one adviser to combine these skills, and advisers felt strongly that generalist advisers should not attend IUCs.

User understandings of IUCs

Users have no real understanding of IUCs. They are given very little information by the investigators and so do not know what the interview will be about. They also do not know what an IUC is. This is partly in the wider context of a general lack of adequate understanding of the criminal law – for example users do not realise that someone other than the police can caution them. So ignorance about IUCs sits in the middle of a broader social ignorance about the law and the legal system.

Should users attend IUCs?

There were different adviser views on this. Users who attend IUCs are rarely legally represented, and advisers described risks of two sorts. The first is that their replies to questions can be used in court against them, resulting possibly in a prison sentence. In this context, some criminal lawyers and welfare rights advisers advise that the client should not attend, so that there no evidence can be gathered through the IUC without representation.

The second is that investigators may be insufficiently familiar with benefits law. This can result in users agreeing to 'fraud' and agreeing to 'repay' monies they have received lawfully.

There is clearly a debate among advisers about this issue. Some advisers point out that as IUCs are governed by PACE, in theory refusal to attend can result in arrest. However, if this happened, then legal representation would be available in the police station, and so arrest may be of benefit to the user. Investigators also pointed to this power of arrest, but it is not known if it has been used, and if so what the results were.

9. Adviser views on the Guide

9.1 SUMMARY

Advisers had not used the Guide with their own users, but had read through it several times in preparation for the interview. Two of the three interviewed had taken part in the advisory panel for the preparation of the Guide, as a result of which we assume that their views will have been formed in part through this process, and to some extent skewed towards positive responses. That said, the third adviser was no less positive than the other two.

Overall advisers described the Guide as of high quality, with a clear and intelligible structure that followed the process of an IUC very effectively. The Guide is also a first, and so very useful for that reason as well.

The general presentation and use of colour and layout were praised, and the content was described as detailed but about right, given the complexity of the topic. The division into clear sections gave users good access to it section by section, so making the overall length not a problem. The general tone and style were praised as friendly, in particular as the text addresses the user directly.

Advisers saw the Guide as a very good mixture of materials – case studies, sample letters, information in table form, clear headers to 'do this, do that'. This was described as very very useful, and really focused.

Some doubts were expressed about the capacities of users to make good use of a text of this kind for a problem such as IUC. This was not about the Guide itself, but about the place of such a Guide in the IUC process, and is discussed below. Advisers tended to see the target user as literate and fairly independent.

There were a series of specific concerns about accuracy– described in the detail below. These related in part to local variations in practice that meant things were not necessarily done in the ways indicated in the text, and in part to problems of conveying the nuances of the topic in plain English. There were however no broad concerns about any aspects of the Guide.

9.2 GENERAL VIEWS

The overall appearance and presentation

Advisers were happy with the overall design and presentation of the Guide. Layout had been used to good effect, so that the content is conveyed to the reader in a friendly approachable way. A number of techniques - bullet points, Q&As, cartoons, and step by step pages - help to break up the text and make the information easier to digest.

Clarity, readability, eases of use for users

The language and tone of the Guide were well received and described as 'friendly'. The Guide was seen as well written and useful, offering a lot of good information.

One adviser pointed to the limitations of the Guide for people whose first language is not English and who may have sight problems, and also expressed some concern about the size of the text in a printed version. A different adviser, who advises blind and partially sighted people, discussed the issues of print size and design for his own user group, for whom 14 pt was described as ideal. Design techniques are redundant for blind and partially sighted people, plain text being better than all of these techniques.

Content: the problem, skills, and the experience

The structure and sequence of the sections was described as the right one. But it was seen as difficult to get the balance of the content, the level of detail right. "It's not possible to cover every eventuality, and it's hard to know where to stop".

Advisers wondered both if there was too much detail, and also whether there was enough. The example given was that people often get wrong advice from friends and relatives, but this is not mentioned in the Guide. The Guide is not therefore "a complete empowerment tool" – it does not cover everything.

The linking of the information about IUCs to details of what needs to be done in relation to the benefit issues was seen as an effective and appropriate mix, making sure that the Guide covers the issues and matches up with the user needs generated by this topic.

9.3 SPECIFIC POINTS

Front page

The front page was praised for its clarity and for using an attractive colour-coded contents list that led to a matched colour section. The case study was seen as a good starting point which illustrated the issue well by two advisers. However, a third adviser expressed doubts about its being on the front page, and concerns were also expressed about the content of the case study – see below.

Summary

The summary is very useful for those who don't want to read it all. Advisers thought this might be better earlier – but did not feel strongly about it.

On page 15. Under 'At the interview...' add 'Don't allow yourself to be intimidated':

"This can happen – literally big burly men stand over you, and look straight at you. But the fact is they get things wrong, and for example bring out an old claim form (an out of date one) and say 'Is this your writing?'"

"They often get benefit law wrong and say 'You're not entitled... 'when clearly you are'".

So also add points titled "Don't take anything the investigators say at face value".

Useful contacts

The contacts page points to the networks, not to specific organisations, which is probably better than having specific agencies. One concern was that Contacts does not mention local authority welfare rights organisations – this is an omission. Not all local authorities are HB or CT authorities and so can advise.

The case studies

The case studies were generally liked and described as "bringing it to life". But one adviser doubted that these should be on the front page – that leading the text with a case study might be too specific. A case study doesn't make it clear what fraud is - it's quite possible in Steve's story that there was no overpayment and also no fraud. Perhaps clearer statements about what fraud is should come first?

But Steve's story was also described as realistic, and the Jen case study as a good mirror to a lot of circumstances – Jen made an innocent error, but the DWP had to negotiate a settlement. But one adviser saw an interpretation problem with Steve's story, and felt that it probably did not reflect the legal position:

"If Chloe moves in temporarily there may be no influence on Steve's benefit at all. Chloe may not be a non-dependent, and she may not be part of Steve's household. In practice a local authority would almost always decide that they were cohabiting, and mostly they would be wrong."

These differences in views were subtle – no-one was saying the case studies were completely wrong or inappropriate.

Cartoons

Two advisers liked the cartoons, and one had no comments of substance. Positive comments were that they worked as "comic relief" - putting the reader's mind at rest if from watching TV users were expecting a "heavy" interview.

10. Adviser views on uses for the Guide

Usefulness to users

Advisers thought that they would want to give the Guide to users, and one had already referred “a couple of people” to it. Advisers were likely to make a judgement about which users would be able to learn, understand, deal with their own issues and use it in a structured way.

“It could be read through, and then used section by section, starting with the Summary and looking at the step-by-step as they went along”.

There were also reservations about users using it as stand-alone – for example it doesn't include warnings about fraud officers '*saying a load of baloney*' in the interview.

“Benefit interactions are very complicated, and often frauds officers don't know what they are dealing with – don't know the rules, but think they do. So there are real risks for users”.

Usefulness to advisers and intermediaries

Advisers thought the Guide could support the work of welfare rights advisers with no IUC experience. Advisers could also imagine using it with users themselves – as a prompt for the adviser - and to enable the user to follow what was happening.

11. Adviser views on other useful supports for their users

Advisers recognised the potential for online access – “the growing thing”. Several drawbacks were highlighted. Many people still have no Internet access, and even then finding information is not easy, and updating is a real issue. For example on most welfare rights websites there is wrong information. Reading long documents online was also thought to be inherently difficult – and advisers had doubts about the usefulness of complex information used online – suggesting that a quality printed copy would be more effective, but appreciating the issues of cost and updating.

Policy changes are needed to make the rules fairer, so that only people who really need to go to IUCs do go. Specifically, it should also be possible for users to get easy access to both criminal and benefits advice.

12. An investigation officer on IUCs

The process

Calling someone in for an IUC is serious and can put people under considerable stress. IUCs operate under PACE. The process starts with gathering evidence and then sending a letter inviting the claimant to come in. The letter says ‘we have reason to investigate’, and describes it as a formal interview that will be on tape. A copy of their rights is sent with the letter on an A4 3 fold leaflet – “we keep it simple” – and a leaflet that describes the facilities – things like the lack of child care.

This explains that they do not have to come in – that it is voluntary – but that it is their opportunity to put their side. The investigator emphasised the value of openness and transparency.

Most claimants do turn up. Some are accompanied, some not – it varies. Some attend with a legal representative, some with a solicitor, some with a friend, some with a partner. Partners are excluded because it may be necessary to interview the partner as well. There's no guidance within PACE about who can and cannot attend, other than a legal representative, or an appropriate adult. The investigator described how his team think the issues are "cut and dried because we've got the evidence - but we welcome a third party".

The fraud team begin by asking the parties to identify themselves, and then clarify their role in the interview – to see that everything is conducted fairly:

"We emphasise that if they are not representatives, then they are not there to advise, to answer, or to ask. We may ask them to assist if the person being interviewed did not understand the question".

The length of the interview varies – "It depends on the detail of the case and on how cooperative the person is". There can be more than one interview. It is a fact-finding interview – to test if we have got the right end of the stick.

The investigator described interviewee responses as varied, depending on what the issue is. Examples given were that working or not working is very specific and easier to deal with, whereas hearsay about something other action is more difficult. The course of the interview is not easy to predict.

At the end of the interview the team give out a leaflet that explains the four options for what happens next: nothing, a caution, an administrative penalty, and prosecution. The administrative penalty is fixed fine - 30% of the overpayment is added on –and is an alternative to prosecution. If the person admits it, the team can caution, and if they don't admit it, they can offer an administrative penalty or go to court.

Overall, one in three IUCs results in a sanction. If people don't turn up, investigators will refer the case to legal services, who will judge if legal proceedings can be taken.

Interviewees and IUCs

Interviewees don't tend to question the use of the tape. The investigator speculated that this was probably because they are used to seeing it on television. Reactions to the interview vary: "some people are withdrawn; some are aggressive; some cry; and some seem relieved to 'get it off their chest'". In most cases, the team sees itself as having solid evidence already that an offence has been committed.

The investigator saw representation as useful and welcomed it. If the representative is legally qualified, they are invited in to a pre-interview disclosure meeting, and then offered 15 minutes with their client before the interview.

13. An investigation officer on the Guide

13.1 GENERAL SUMMARY

The investigator described IUCs as "a difficult and important topic", and the Guide as trying to find a happy medium. He did see this as "always problematic".

The Guide was described as very well put together, using a range of design and format techniques - cartoons, jargon buster, case studies. But it was too long, and so probably would not be read – "people will give up reading after two pages".

It would be better in paper format as A5 size - this would make it more accessible. Reducing the length to say 12 pages or smaller would also help.

The investigator saw the guide as less objective than it ought to be:

"It's very weighted to the individual who will attend the IUC. It miscasts the investigator role - which is purely to gather evidence, not to make decisions. Investigators make recommendations, but do not make judgments – they gather information".

There was some concern that it is available now with some things not accurate – this may cause frustration if there are requests that are not based on correct law etc.

13.2 SPECIFIC POINTS

What is an interview under caution?

On page 2. It might be useful to add in the reason for the caution – to protect the individuals' rights.

Step-by-step guide: preparing...

On page 7, paragraph 'Do I have to go to the interview?' Ideally they should attend, and not bury their head in the sand. The investigator suggested an ostrich cartoon – the problem gets worse if it's ignored.

What will the interview be like?

On page 10, paragraph 'Where will the interview be?' The 'cell' point is over the top – it will just cause worry.

On page 10, next paragraph. This is unhelpful, as doing an interview other than in a controlled environment is always a last resort – you have to take the tape, the batteries and so on and hope the sound will be OK. This suggests that they want to have a snoop around, and is unhelpful.

After the interview under caution

On page 12, paragraphs 1-3. The penalty options depend on if the interviewee admits or not, and this isn't mentioned.

On page 12, paragraph 2, says it's 'very rare' to be sent to prison - but quite a few people do go to prison.

On page 12, right-hand column, last para. It says some councils call it something other than 'formal caution' . The investigator had not heard this, and wondered what they did call it.

On page 13, first paragraph after the highlighted blue paragraph. The investigator says they notify people as soon as practical.

Useful contacts

Suggest adding LA welfare rights, and Yellow Pages for formal legal advice. For local authorities there can be a conflict of interest, and this will need checking.

Section 3:

14. Conclusions and recommendations

The principle aspects of the content and presentation techniques used in both Guides were seen as successful:

- Design and the uses made of colour were effective
- The process structure of both Guides was understood and evaluated as successful
- The overall amounts of information and level of detail, despite some reservations, were appropriate and successful
- The technique of directly addressing the users in a friendly tone was effective
- The inclusion of a mix of explanation, guidance and hints was understood and effective
- The use of images and large headings to break up the text was effective

Some issues for the DLA/AA Guide are raised by:

- Aspects of the illustrative case studies
- The complexity of what was happening in Rose's statement
- The pages aimed at health professionals and carers

Some issues for the IUC Guide are raised by:

- Local variations in practice which make it hard to 'get it right' for all localities
- Disagreements among specialists on both 'sides' about the accuracy and detail of the law and proper procedure – again making it difficult to 'get it right'
- Strongly-held opinions among advisers and investigators that prevent the sorts of agreements on the proper and fair ways to conduct IUCs that the Guide needs if it is to be as useful and accurate as possible

DLA/AA Guide

It is recommended that further experiment with illustrative techniques is required to understand the ways in which different users react to these. It is possible that some users do not benefit from the use of these techniques, and a better focus on user types may be needed. Specifically, Advicenow's standard approach of a case study on the front page was not universally welcomed by users.

Some users of this Guide were daunted by the detailed accounts of the hearing, and also by the detailing of what they themselves would need to do in order to make their own case. Where this is the case, it seems likely that users will need help from an adviser to get to the point of making an appeal. For users 'of a nervous disposition' it may be better to have a less detailed self-management Guide, with more limited objectives.

The paragraphs and the pages in the Guide vary in the amount of text in them, and there was some feeling of inconsistency as a result. Advicenow should consider whether a different balance is likely to improve access.

The possibility of splitting the document in different ways – separating DLA and AA, and creating smaller documents for different parts of the process - should be considered.

Advisers clearly need better support and probably training to begin to understand the role that self-management guides can play for their users. Adviser doubts about the value of the internet do seems rather misplaced, based on lack of reflection on how information is used on the net, and further engagement with advisers on the potential of Internet Guides would be of value.

IUCs Guide

We were able to interview only one claimant who had seen this Guide, and although his responses were both full and enthusiastic, this does not provide sufficient data to draw much on in the way of conclusions or recommendations. He was appreciative of the Guide, and only very slightly critical.

Similarly, we were able to interview only one investigator, whose views on the Guide were positive, but with reservations about accuracy in some parts, and about usability overall.

The key difficulty for this Guide on which we can comment lies in the lack of agreement among respondents about some points of accuracy - about how the law in specific sections can be presented accurately but understandably, and about the validity of the descriptions of specific aspects of the procedure.

We know that in preparing the Guide, Advicenow's team was faced with competing claims from advisers and investigators about the 'correct' text, and this process, perhaps unsurprisingly, was also evident in the evaluation. Further work on this issue of balance and accuracy will hopefully produce an improved version of the Guide.

However, a wider trawl of advisers and investigators' online fora for this evaluation revealed opposition to the very existence of such a Guide. The former group saw the guide as encouraging people to enter a situation where they could only lose, the latter saw a cheat's charter. The advisers wanted proper criminal and benefit representation in all cases, and investigators wanted claimant simply to agree that they had committed an offence.

Advisers would probably benefit from training in dealing with IUCs so that they can offer representation in many more cases. Investigators might benefit from training in benefits law.

Most people who seek help from an advice agency have no real understanding of what the matter is about, suggesting that many who do not seek help are similarly in the dark. However, there does also seem to be a blockage to public understanding of IUCs, and more work needs to be done on publicising this and the options for getting help, including the online Guide. Advisers would also benefit from discussions of the place of the IUC Guide in public understandings and actions around IUCs.

For further thoughts on the policy issues raised by the production of this guide, see the companion report 'IUCs and policy'.

Self-management guides in general

This evaluation demonstrates, albeit in an initial and quite limited way, the potential value of online self-management guides for the public and for advisers and others who are tasked with offering support to the public at times of difficulty. Self-management guides:

- are valued by both the public and by advisers
- help to fill the gap between adviser work with clients and client understandings of the problems they are being helped with
- offer the public access to understandable and useful support for difficult problems

The development and evaluation of these two Guides has pointed to a number of broad issues that these Guides have in common:

- Advisers lack the information tools they need to make their client work as effective as possible. The Guides could bridge a real gap
- Further work is needed on the appropriate uses of online and printed materials designed to support the public in dealing with problems
- The risks of misleading the reader were pointed to more insistently with the IUC Guide, and it was suggested that the issues that self-management guides may legitimately deal with should be circumscribed. Given these views, further debate and evaluation of the uses made of both guides by the public would pay dividends

Appendix 1: the DLA/AA interviewees

USERS

User 1

User 1 is 24, and is getting Incapacity Benefit and DLA with maximum mobility and (he thinks) the lower care element. He had a brain tumour which was operated on several years ago leaving him with right side weakness, and epilepsy. He is unable to drive. He is actively seeking work. He has been supported by a teenage cancer organisation social worker. Since the operation he returned to university and finished a degree.

His original entitlement was DLA full care and full mobility but this changed around 1 year ago when he was 'reassessed' by DWP and received a letter removing the mobility component altogether and leaving only a small caring element - £16 in all, from about £200. He wrote an appeal letter and rang the social worker for help but she did not come back to him. After 6 weeks his bank account showed that most of the DLA had been restored. He has had no contact with DWP since. He has read through the Guide several times on screen for the interview. User 1 is White English and has a university degree.

User 2

User 2 is 65, and is a husband whose wife, aged 68, has Alzheimer's. He applied for AA on her behalf in March 2007 but was turned down. He wrote asking for a review, with further detail, and was turned down again, with one month to appeal. As yet he has no date for the appeal. He has been supported by an adviser, who gave him a high quality colour copy of the Guide to help him with the review request. No appeal date has been fixed, but he has used the Guide in considering the appeal. He would prefer not to go through an appeal – he hopes to write again and persuade DWP - but will attend if this is unavoidable. No appeal date yet. Talking to adviser about this, who will attend with him as the 'official' representative.

They are both White British. The husband is a retired professional, going into his profession direct from school. He is accustomed to both read and write complex documents.

User 3

User 3 is 65 and suffered a stroke over 12 years ago and is partially sighted as a result. She has also had a hip replacement and is now a wheelchair user and needs help to do most physical tasks. She applied for DLA and was initially refused the mobility component and appealed but lost. Since her disability worsened she has been getting DLA at the middle rate for personal care and the upper mobility rate - for 10 years. When she is 66 she will lose the mobility component. She had read through the Guide for the interview. She describes herself as White British – English, and left school with A levels going straight into a professional career.

User 4

User 4 is in the age group 45 to 59, and is getting Incapacity Benefit and Income Support because of a chronic lung disease. She applied for DLA 6 years ago but was refused. She

applied again later and is now on DLA with lower rate care and high rate mobility. She did not realise you could attend an appeal and in any event was too ill to go. She had read through the Guide for the interview. She describes herself as White British – English, and left school with CSEs, then training as a chef through City and Guilds. She describes herself as not very literate, having trouble with long words.

User 5

User 5 is 63 and has been getting DLA - both components - at highest rate indefinitely since November 2005. She has MS. She has been advised to apply by various professionals for some years but lacked the confidence. Eventually she applied with help from an adviser, and was refused. She appealed and attended a tribunal in November 2005 and was successful. She has read through the Guide several times on screen for the interview, reflecting on her own experiences of her appeal. User 5 declined to indicate her ethnicity. She was educated to A level.

User 6

User 6 is 76 and claims Housing Benefit and Council Tax Benefit. She has a number of health problems – heart, mobility, but was refused AA over one year ago but was unwilling to appeal mainly because of the daunting effort involved, and the ‘embarrassment’ of having to describe her difficulties. Her late husband claimed AA but this ended when he died two years ago. Her adviser is seeking to persuade her to apply again. She is now being pursued for an alleged overpayment of Housing Benefit and is being assisted in this by her adviser. She has read through the Guide for the interview. User A is white British and had little formal education from the start of her teens, describing herself as "uneducated".

ADVISERS

Adviser A

A senior adviser in a Law Centre which offers benefits advice, including appeals, under the Legal Help scheme. Benefits includes the full range, not only DLA/AA. The Centre help to prepare appeals and attend in some cases, though not all – this is a judgment. Adviser A also advises on debt, with a mixed caseload of around 50.

Adviser B

A specialist welfare rights adviser for a national blindness charity. Working on the national telephone helpline on benefit problems. Adviser B also does benefits casework face to face, but most contact with users is over the phone, and only develops into cases and face-to-face when this is required. B deals with between 5 and 10 DLA/AA cases, including appeals.

The telephone service is also supported by a range of factsheets which are sent out to callers if appropriate. These are on community care, employment, the DDA, and welfare benefits. There are several on DLA/AA: an introduction, a checklist, and one on appeals.

Adviser C

Adviser C works for a local charity providing support for older people, including an information and advice service. Most users under 60 tend to be referred to the CAB. The agency deals with a range of issues, including benefits. The home visiting service devotes a lot of time to benefit application form completion - mostly AA, with some DLA. The agency deal with high volumes of DLA/AA applications and a very high success rate on application means that they do appeal around once a month.

Adviser D

Adviser D is a welfare rights officer in a unitary local authority SSD team for adults with disabilities. The team assesses for adaptations, home care etc. Advises users aged 18 to 65 - almost entirely disability benefits and means-tested benefits for disabled people and their carers. Advice covers claims, completing forms, writing to GPs etc and appeals. Most work is on DLA and most clients have already claimed before they come to the team.

There are appeals in about 10% of cases. Appeals are often about changing middle rate care to higher rate, to get access to ILF cash. Everything is done using a standard format: team fills in the form, explains, completes TAB1, collects evidence, always attends and speaks at tribunal - presents the case.

Adviser E

Adviser E is a welfare benefits adviser in a local authority. Because their users have to meet the LA's 'access charging policy' users tend to be vulnerable people - illness, learning disability, physical disability, family need, or a child on the register – and so on.

Referrals are from local authority staff, and most are complex, so that one-off advice followed by self-help is rarely feasible. Cases are everything from signposting to Tribunal representation. Users are often helped long term. Huge caseloads of DLA and AA and other disability benefits. Do take-up campaigns.

Lots of people they see need reconsideration or appeals. In past 5-6 years have represented, though not in all cases. They don't represent if they think there isn't a case.

Appendix 2: the IUC interviewees

Adviser F

...is the same person as Adviser B

A specialist welfare rights adviser for a national blindness charity. Working on the national telephone helpline on benefit problems. Adviser B also does benefits casework face to face, but most contact with users is over the phone, and only develops into cases and face-to-face when this is required. B deals with between 5 and 10 DLA/AA cases, including appeals.

The telephone service is also supported by a range of factsheets which are sent out to callers if appropriate. These are on community care, employment, the DDA, and welfare benefits. There are several on DLA/AA: an introduction, a checklist, and one on appeals.

Adviser G

A specialist adviser on benefits and debt under LSC contracts in a local authority welfare rights unit. Has been doing this for 10 years, but does very little work on IUCs - overall the agency does 1 or 2 a fortnight but they can go for weeks without seeing any. Users come in with their invitation letter to IUC, and advisers talk to them and try to establish what the problem might be. In the past would occasionally attend with user – has done this maybe 3 or 4 times – but is excluded under contracting. Others do go for example with a vulnerable client, with say mental health problems, or a language problem. In some cases they may ask an appropriate adult or a social worker to go.

Adviser H

Adviser in a County Council welfare benefits unit working mostly with clients aged 60+. The unit also offers a second tier service for other professionals such as social workers, and provides a telephone helpline. The unit does a lot of DLA/AA across the agency. Adviser H's experience of IUCs was in a different advice agency, where there was a lot of advice on IUCs. In the current agency has advised on IUCs twice only. Adviser H commented on the drafts of the Guide, and has circulated it to colleagues.

INVESTIGATION OFFICERS

Investigation Officer G

Manager of a team of 3 officers who investigate benefit fraud in housing and council tax benefits for a local authority. The team does 4 to 10 IUCs a week, and IO G does IUCs in person. Over the past 20 years IO G has worked on fraud for the DWP and for local authorities. G currently works as a self-employed contractor for the local authority.

USERS

User 7

User 7 is between 30 and 44, and was getting job seeker's allowance, housing benefit and council tax benefit until recently. A few weeks ago User 7 received a letter from the local authority to "attend an interview about his housing benefit and council tax benefit". He attended an interview about 10 days before this interview and was asked questions about his claim – mainly about casual earnings - and had to sign a statement. Since then he has heard nothing. He did not think that the interview was an IUC, and was waiting to see if the LA would be asking him back for an IUC. He also seemed to assume that the DWP would be in touch about his benefit. It seems possible that the LA in fact conducted an IUC with him, though we have no way of being certain of this.

User 7 is worried that the government views benefit fraud as serious crime. He is now working nights and is part-time at university during the day, training to be a teacher. He is therefore very worried that an accusation of benefit fraud could damage his career prospects.

User 7 describes himself as White British and gay. He was educated to degree level as an adult, after attending school only sporadically when in his teens.

Appendix 3: Evaluation issues

This Appendix sets out issues that may influence future evaluations. For issues that were raised by respondents that are policy issues, see the companion report 'IUCs and Policy'.

A number of evaluation issues arose around DLA/AA that may be helpful in developing further evaluations:

- Identifying DLA/AA claimants with specific problem around appeals was not a simple matter. Despite the large amount of adviser work on these issues, Advicenow had to put in a lot of effort to secure the appropriate number of potential interviewees
- The DLA/AA appeal process is lengthy, with several difficult stages, and a period of several months is likely to be needed from the start of the process to the end. Sufficient elapsed time is needed for users to go through this process (using the Guide), and selection of users to take part in evaluation should allow for this
- Disabled interviewees are likely to have more day-to-day problems, and less capacity than the average person to take part
- Daily life is also more stressful in itself, and arranging interviews added to that stress for some users

A number of evaluation issues arose around IUCs that may be helpful in developing further evaluations:

- Identifying IUC interviewees has proved very difficult - mainly because very few cases have come via the CLA phone lines, and not-for-profit advisers do little work on this issue
- As a result, we have not had a user base sufficiently large to provide contacts with adequate numbers of willing interviewees
- IUCs elicit strong views, and both some advisers and some investigators refused to cooperate with the evaluation. The main concern expressed was that the Guide was in itself an unwise venture.
- Advisers felt that qualified representation was the only solution, and investigators felt that the Guide gave comfort to people who might be committing fraud
- Claimants involved in IUCs are more likely to be wary of discussing their situation with evaluators – a wariness that has compounded the difficulty of funding claimant interviewees

John Seargeant
February 2008

Appendix 4: Addition interviewee

‘How to handle an interview under caution’

Report on a user interview for the evaluation of the Advicenow IUC self-management guide

In January 2008 this user was contacted to arrange an interview about his IUC and use of the Guide. He had already attended the IUC, and preferred to wait until he had a result/outcome before we interviewed him. In June 2008 he contacted Advicenow to advise that he had not had an outcome, and was happy to be interviewed now. This is the report of that telephone interview.

Background and overview

The advantage of interviewing this user was that he had used the Guide in anticipation of an IUC, and so had seen the process through with the Guide in hand. The difficulty presented by this interview was that all of this took place some six months before we were able to interview him, and his recall was therefore more general than might otherwise have been the case.

That said, his assessment of the Guide was almost entirely positive – with two exceptions: the presentation of an IUC as less intimidating than it turned out to be; and the lack of indication of a timescale for getting some sort of decision after the IUC.

Knowing about the Guide was this user’s other main concern. Although his account of how he came to get a copy was based on memories from more than six months previously, he felt that the existence of the Guide should have been more prominent or perhaps more obvious. Finding it had not been as easy as it might have been. This was expressed not so much as a criticism, but more as an observation. It seems likely that he expected the CAB to give him a copy, though he did not say this directly.

User account of the IUC

The user and his wife both received letters from the local authority inviting them to an interview about his claims for housing benefit and council tax benefit. His letter mentioned rights to representation and (he thinks) the caution issue.

He then realised he had been overpaid because of his wife’s earnings. He had thought that these benefits operated in the same way as tax credits, with an annual review. In part he believed this because as a self-employed person his earnings vary a lot, and advising the benefits offices of changes as and when seemed an unlikely way of dealing with changes.

He went to the CAB, who described the local authority’s approach as ‘heavy-handed’ and who contacted them to discuss. However, they insisted on having the IUC.

He knew that this was a serious matter mainly because of the publicity on the TV at the time – which he described as ‘scary’.

He decided not to take a solicitor with him, as he was admitting to the mistake, instead deciding that if they did prosecute, he would use a solicitor then.

The user described the interview also as ‘scary’. In the past he has been cautioned by police, who were much more pleasant. This interview was intimidating. He was asked to explain and did so, admitting his mistake, and found that he was then asked the same questions repeatedly. They said they could not decide if he was genuinely mistaken, or if there was some fraud. In the end they said nothing about what would happen.

His wife attended for interview immediately after his own, but her first language is not English, and the fraud officer realised they would need an interpreter. Her interview did not take place then, and has not done so since. After one month he rang them to query this, and got through to the person who had interviewed him. He seemed to have ‘caught them off guard’ and said they would write to him. They then sent a letter to him advising that they had referred the matter to their legal departments. That is the last he heard.

His general situation was difficult – their relationship was not good, they were under threat of eviction. These were, he believed, the sorts of reasons for which he did not ‘stay on top of it’ as he thinks he should have done.

He has also been told he now has no benefit entitlement, and he is repaying the overpayment in monthly instalments. He has had no ‘decision’ on the issues of prosecution (or caution). He is unwilling to make any further enquiries as he feels it is better to leave well alone. He also believes he is entitled to some benefit, but is reluctant to pursue this because of the way he is likely to be treated.

User views on the Guide

This user expressed concern that he had to make a real effort to get the Guide. It was not offered by the CAB and he eventually obtained it by downloading from the Advicenow website. Later, Advicenow sent him a printed copy. These events were some time ago, and his recall was not full, but his basic point about difficulty was clear.

The user read the Guide thoroughly several times before attending the IUC. He described the Guide as ‘fairly clear’ and full of all of the information he needed. Overall the content was very easy to understand, and covered everything. He had no difficulties at all with the content.

The general design, use of colour and white space helped with understanding. The case studies offered what he described as ‘benchmark’ – a way in to understanding in practice what sorts of issues were subject to IUCs.

The general tone of the Guide led him to expect that the IUC would be OK, but in practice it was uncomfortable and intimidating – like a police interview. In part because he had thought that these benefits worked like tax credits, where there is some recognition of the problems of varying incomes, he was not unduly worried about the IUC at first. The tone of the Guide reinforced this, and combined to ‘disguise’ how ‘heavy’ the interview would be.

The use of the cartoons in particular contributed to a lighter tone than was accurate, in the light of his experience of the interview. Whilst he understood the purpose of cartoons, he was concerned that they did give the wrong impression.

Having the Guide enabled him to go into the interview knowing more or less what it would be about and what the options were. Choosing his approach for the IUC was made easier for him because he realised he had been overpaid and decided to admit this and explain it at the interview.

One important exception for content was that there is no indication of how long it might take for the outcome to be decided. However, he expected that this might either be kept confidential by the authorities, and also could well vary from locality to locality. Similarly, he would have liked to know if there were financial 'cut-off' points for prosecution to be considered. Are there amounts below which they are unlikely to bother? The guide is silent on this.

John Seargeant
June 2008