

## The mental health descriptors in detail

For each descriptor you will find the following information:

*Descriptor in detail:* this looks closely at what you must show in order to be awarded the point(s) for the descriptor. It includes any guidance given by commissioners (see the *Glossary* for information about commissioners). Use this information when you are trying to decide how many points you consider you should score.

*Sample written answer:* this gives you an example of the kind of thing you might write if you decide to fill in the questionnaire using our additional sheets, (see *Completing your incapacity for work questionnaire*) or if you submit written evidence at a later stage or for a hearing. Please use your own words and avoid copying what we've written – this guide is downloaded by DWP staff as well as claimants and support workers.

### 15 a) Cannot answer the telephone and reliably take a message. 2 points

#### Descriptor in detail

There are two tasks involved here – answering the phone and taking a message (commissioner's decision CIB/5336/2002) - if you can do one but not the other you still score the points. If you don't have a telephone is this because of fears you have about using the phone? Imagine what would happen if you did have a telephone, would you be able to answer it and reliably take a message?

*Answer the telephone:* do you seldom or never answer the telephone? Do you only answer the telephone if you know who is calling? Perhaps you only answer pre-arranged calls; or you may have caller id installed and only answer the phone to certain people; you may wait until callers have rung off and then dial 1471 to see who called or you may have an answering machine and wait for people to leave a message. A commissioner has held that if your mental health condition causes such apathy that you don't normally bother to answer the telephone, then you may qualify for these points (CSIB/53/2003).

*Reliably taking a message:* If you do answer the phone do you get confused or have difficulty concentrating if someone gives you a message? Do you have difficulty remembering the message or remembering to write it down? Reliably taking a message should also involve passing the message on, would you remember to do this?

#### Sample written answer

"I only answer the telephone if I have arranged beforehand for someone to call. Otherwise I wait for them to leave a message on the answering machine and then decide whether to call them back."

### 15 b) Often sits for hours doing nothing. 2 points

#### Descriptor in detail

*Often:* there is no case law defining what counts as often for this descriptor. Make it clear how many days in the average week you would sit for hours doing nothing, (would it be most days or every day?).

*Sits:* it probably doesn't matter if you lie on the sofa or stand for hours doing nothing, but decision makers can be rather literal about these things. If you stay in bed for hours doing nothing, make it clear that you're awake.

*Hours:* this suggests at least two hours at a time.

*Doing nothing:* if you have the TV or radio on but do not pay it any attention you are doing nothing. Repetitive and obsessional thinking should also count as doing nothing.

**Sample written answer**

“I often find that hours have passed while I have been sitting thinking about what I ought to do today or trying to get the confidence to go to the shop. This happens most days.”

**15 c) Cannot concentrate to read a magazine article or follow a radio or television programme. 1 point****Descriptor in detail**

There are conflicting decisions about whether the words ‘*or television*’, which were added to the legislation, should be ignored. Commissioner’s decision CIB/2821/2004 held that the words *or television* should be ignored following a decision known as *Howker* because they made it harder for claimants to score a point for this descriptor and the proper procedure had not been followed for changing the law. But in CSIB/279/2005 the Commissioner held that the change was not unlawful. The Commissioner held that the change made it easier for claimants because if they are unable to concentrate to carry out any one of the three activities they will score a point. Tribunals have to decide which of these decisions they will follow.

*read a magazine article*: Being able to read a book is likely to be taken as evidence that you could read a magazine article. Being able to read a newspaper might also be. If you don’t read magazines or books, is this because you have difficulty concentrating?

*follow a radio programme*: do you have thoughts or feelings that stop you concentrating if you try to listen to a radio programme? The radio programme should be largely talk based rather than music. If you do not listen to the radio is this because you would have difficulty following it? What would happen if you did try to listen to the radio?

**Sample written answer:**

“I hardly ever listen to the radio because I find it too difficult to concentrate. I watch the television, but if you were to ask me the plot of what I’d just been watching I wouldn’t be able to tell you. If I start to read a magazine article I don’t normally get past the first few paragraphs before I start thinking about something else.”

**15 d) Cannot use a telephone book or other directory to find a number. 1 point****Descriptor in detail**

This is a very specific descriptor. It is not a literacy test – if you cannot read well enough to use a telephone book this is unlikely to be accepted as grounds for scoring the point. However, if you can go on to show that your literacy problems are connected to your mental health this may allow you to score this point. For example, if as a result of your mental health you have always had problems concentrating this may have affected your opportunities to learn to read a telephone book.

**Sample written answer**

“I cannot concentrate well enough to look up a telephone number.”

**15 e) Mental condition prevents him from undertaking leisure activities previously enjoyed. 1 point****Descriptor in detail**

*mental condition*: if you also have physical health problems and this is the reason you have stopped, for example, playing sports, this is not relevant. It must be to do with your mental health.

*Leisure activities previously enjoyed*: what leisure activities did you previously undertake that you no longer do because of your mental health? You may have to think back a long way. Leisure activities can be anything from going to the pub, going for meals; playing sports; meeting friends