The Importance of Assistance for Disability Benefits Claiming: Administrative Burden, Bureaucratic Rationality, and the False Promise of Equality

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Abstract

This article examines whether assistance during the disability benefits claims process shapes claimants' chances of success. While socio-legal research has long argued that assistance improves outcomes at social security tribunals, far less attention has been paid to the claims stage—where the majority of decisions are made and where most rejected claimants disengage before reaching formal appeal. Drawing on mixed-methods research, we investigate the cognitive, interpretive, and emotional demands that disability benefit claim forms impose. We situate these demands within the framework of 'administrative burden' *and argue that the UK system's reliance on bureaucratic rationality as a mode of bureaucratic justice, while formally neutral, generates substantial compliance and psychological costs that are unequally distributed across the claimant population. Our quantitative findings indicate that claimants who wanted help but could not obtain it were markedly less likely to receive an award than those who received assistance. We conclude that the disability benefits system risks reproducing inequalities of access unless meaningful avenues of support are strengthened and widely accessible from the outset of the claims process.*

Introduction

A substantial body of socio-legal research has argued that representation at tribunal hearings significantly increases the likelihood of a successful outcome. In their landmark UK study, Genn and Genn reported that the success rate in social security appeals rose from 20% to 38% for appellants with expert assistance.[1] Subsequent work has reinforced this pattern,[2]

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[1] Genn H and Genn Y, *The Effect of Representation at Tribunals* (Lord Chancellor's Department 1989).

[2] Genn H, Lever B and Gray L with Balmer N, *Tribunals for Diverse Users: The Access to Justice Implications* (DCA Research Series 1/06, Department for Constitutional Affairs 2006); Adler M, 'Social Security and Social Welfare' in Peter Cane and Herbert Kritzer (eds), *The Oxford Handbook of Empirical Legal Research* (OUP 2010) 344–61.

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suggesting a 'success premium' associated with assistance—a finding that aligns with earlier evidence from the United States.[3]

This effect is commonly attributed to the growing complexity of tribunal processes, which renders them increasingly challenging for unrepresented appellants.[4] Yet, when exploring the importance of assistance for social security outcomes, an exclusive focus on tribunal decision-making risks obscuring a more fundamental concern: most rejected claimants never reach a tribunal at all. Using Personal Independence Payment (PIP) as an example, of approximately 1.4 million rejected claims each year, only around 670,000 proceed to mandatory reconsideration (an internal administrative review of the decision, which is required before tribunal appeal is permitted). Of the 530,000 claimants refused at that stage, just 230,000 lodge a tribunal appeal.[5] At every point in the redress process, then, more than half of rejected claimants fall away. This substantial attrition rate invites closer scrutiny of the conditions under which initial decisions are made by social security agencies. To what extent is the 'success premium' associated with assistance at tribunals also reflected in the dynamics at the claims stage?

If tribunals have become systems that are less easily navigated without assistance, the benefit claims process itself may exhibit similar characteristics—at least for some claimants. The assessment of disability benefits claims in the UK is managed according to a 'bureaucratic

[3] Sandefur R, 'The Impact of Counsel: An Analysis of Empirical Evidence' (2010) 9 *Seattle Journal for Social Justice* art 3 https://digitalcommons.law.seattleu.edu/sjsj/vol9/iss1/3. For a more sceptical perspective, however, based on a randomised control trial, see Greiner and Pattanayak 'Randomized Evaluation in Legal Assistance: What Difference Does Representation Make (Offer and Actual Use) Make?' (2012) 121 *Yale Law Journal* 2121-2214

[4] Genn H, 'Tribunal Review of Administrative Decision-Making' in Geoff Richardson and Hazel Genn (eds), *Administrative Law and Government Action: The Courts and Alternative Mechanisms of Review* (Clarendon Press 1994) 249–86.

[5] Department for Work and Pensions, *Personal Independence Payment Statistics to October 2024* (2024) https://www.gov.uk/government/statistics/personal-independence-payment-statistics-to-october-2024/personal-independence-payment-official-statistics-to-october-2024

rationality'[6] system logic. Claimants are required to submit information about their circumstances, structured by an application form, enabling the welfare bureaucracy to apply eligibility criteria uniformly to millions of claims. The promise of bureaucratic rationality is that all claimants are treated equally and the system operates efficiently.[7] Yet, it rests on an assumption that claimants are equally well placed to translate their lived experience into the structured formats the system requires. The reality may be quite different. Claimants must interpret application form questions, construct narratives of their functional limitation, and marshal supporting evidence—tasks that may be no less demanding than tribunal processes. Where this is the case, some claimants may be systematically disadvantaged from the very outset.[8]

Understanding whether and why assistance matters at the claims stage thus requires attention to the 'administrative burdens'[9] that disability benefit systems place on claimants, and their effects on claims outcomes. Emerging evidence supports the hypothesis that claims-making in disability benefits systems can be burdensome for claimants, that these administrative burdens are differentially experienced, and that assistance can mitigate those challenges for some, shaping patterns of claim assessments. In the United States, quantitative studies show that assistance during the claiming stage for disability benefits is associated with higher rates of initial award.[10] Among specific populations, such as people experiencing homelessness, structured support programmes have produced significantly higher success rates compared

[6] Mashaw, J (1983) *Bureaucratic Justice: Managing Social Security Disability Claims*, New Haven: Yale University Press
[7] Adler, M, 'A Socio-Legal Approach to Administrative Justice' (2003) 25(4) *Law & Policy* 323-352
[8] In the parallel field of procedural justice research, the construct of 'neutrality' has been critiqued for failing to recognise the way that systematic inequalities are built into systems." See, for example, Johnson, Kelly, Walling-Wefelmeyer, Rosa, Smith, Olivia, Hohl, Katrin and Brooks-Hay, Oona, 'Re-imagining procedural justice in policing sexual violence: centring survivors' (2025) *British Journal of Criminology*, 65(3) 639-657.
[9] Herd, P and Moyhihan, D (2018) *Administrative Burden: Policymaking by Other Means* New York: Russell Sage Foundation
[10] Hoynes H, Maestas N and Strand A, 'Legal Representation in Disability Claims' (NBER Working Paper 29871) https://www.nber.org/papers/w29871

with unassisted claimants.[11] Similarly, in Australia, assistance with reading and writing tasks has been shown to increase the likelihood of receiving the Disability Support Pension.[12]

To our knowledge, no similar enquiry has examined whether assistance at the claims stage of UK disability benefits affects outcomes. For sure, research has pointed to the 'mediating' role that advice services play within the UK's social security systems,[13] and studies have suggested on the basis of qualitative evidence that assistance may be significant for claims outcomes.[14] Moreover, the recent Independent Review of Adult Disability Payment,[15] commissioned by the Scottish Government, noted anecdotal evidence of assistance improving the success rate for such claimants.[16] However, no study has the tested the hypothesis on the basis of a representative sample of UK disability benefit claimants. This gap in evidence is significant, given the centrality of disability benefits to people's independence and well-being, and the well-known complexity of the UK claims process.[17]

This article responds to this gap by examining whether assistance in the UK disability benefit system affects claimants' chances of receiving an award. By 'assistance' we refer broadly to

[11] Dennis D, Lassiter M, Connelly W and Lupfer K, 'Helping Adults who are Homeless Gain Disability Benefits: the SSI/SSDI Outreach, Access and Recovery (SOAR) Program' (2011) 62 *Psychiatric Services* 1373–76; Kauff J, Clary E, Lupfer K and Fischer P, 'An Evaluation of SOAR: Implementation and Outcomes of an Effort to Improve Access to SSI and SSDI' (2016) 67 *Psychiatric Services* 1098–1102; Kennedy E and King L, 'Improving Access to Benefits for Persons with Disabilities who were Experiencing Homelessness: An Evaluation of the Benefits Entitlement Services Team Demonstration Project' (2014) 74 *Social Security Bulletin* 45–55.

[12] Hong N, 'The Effect of Reading and Writing Assistance on Receipt of Disability Support Pension' (2025) 58 *Australian Economic Review* 81–108.

[13] Edmiston, D., Robertshaw, D., Young, D., Ingold, J., Gibbons, A., Summers, K., Scullion, L., Geiger, B. B., & de Vries, R, 'Mediating the claim? How 'local ecosystems of support' shape the operation and experience of UK social security' (2022) 56(5) *Social Policy & Administration*, 775–790

[14] Scullion, L., Young, D., Martin, P., Pardoe, J. and Hynes, C. (2025) 'Complexity, Duplication and Mistrust: Multi-Stakeholder Perspectives on Benefits Assessments for Veterans' (2025) 32(3) *Journal of Social Security Law*, 216-236

[15] For a recent discussion, see Harris, E 'Rethinking Disability Support: Fiscal, Legal and Economic Implications of the Independent Review of Adult Disability Payment in Scotland' (2026) 33(1) *Journal of Social Security Law*, …

[16] https://www.gov.scot/publications/independent-review-adult-disability-payment-final-report/ at p. 38.

[17] Gray P (2017) *The Second Independent Review of the Personal Independence Payment Assessment* London: Department for Work and Pensions

support with understanding, interpreting, or completing the claim, whether provided by advice agencies, support workers, third-sector organisations, or informal helpers, including family members. This includes both practical and interpretive help in form-filling as well as emotional support. Drawing on a study of claimants' experiences with PIP and Adult Disability Payment (ADP), it investigates whether the disadvantages observed among unrepresented parties in tribunal settings are mirrored in the claims process—and, if so, what this means for the accessibility of welfare state entitlements.

The article shows that the advantages associated with assistance are not confined to tribunal settings but are already operating at the point of bureaucratic encounter where entitlement decisions are first made. By presenting this new empirical evidence about the claims stage, the article seeks to reorient the debate about assistance from the margins of the welfare state (tribunals and other forms of dispute resolution) to its prior bureaucratic processes.

Understanding the institutional architecture of PIP and ADP is essential for situating our analysis of how assistance interacts with the claims process. Accordingly, in the next section we outline the social security policy context of the study, providing an overview of the PIP and ADP systems, and their mode of assessment. We then introduce the empirical study from which our analysis is drawn. The section following presents our data analysis, before we consider the implications of our findings for disability benefits policy and offer brief concluding remarks.

PIP, ADP and the demands of bureaucratic rationality

PIP is the UK's primary non-means-tested disability benefit for working-age adults, administered in Great Britain by the UK Government's Department for Work and Pensions.[18]

[18] In Northern Ireland, PIP is administered by the Department for Communities.

Introduced in Great Britain by the Welfare Reform Act 2012 to replace Disability Living Allowance (DLA), it is intended to provide financial support to people whose long-term health conditions or disabilities create significant barriers to daily living or mobility. PIP is structured around two components—daily living and mobility—each payable at either a standard or enhanced rate depending on the claimant's assessed level of functional limitation. Although presented by government as a modernised, fairer, and more objective system, its introduction formed part of a broader recalibration of welfare provision. As Harris has noted,[19] the reform reflected an ideological shift that narrowed the threshold of entitlement, repositioning disability benefits away from a model of broad social protection and towards one grounded in demonstrable functional impairment and behaviourally oriented assessment practices.

The process for claiming PIP involves distinct stages which place evidential and procedural demands on claimants.[20] After initiating a claim, individuals must complete a detailed form describing the impact of their condition on a series of prescribed activities; most are then referred for a face-to-face or telephone assessment conducted by a small group of contracted-out health assessment providers, whose reports inform the decision-maker's scoring against statutory descriptors.[21]

The administration of PIP has been subject to sustained critical scrutiny since its introduction. A consistent finding across studies is that the PIP assessment process often fails to understand

[19] Harris, N, 'Welfare Reform and the Shifting Threshold of Support for Disabled People' (2014) 77(6) *Modern Law Review* 888-927. See also Roulston, A, 'Personal Independence Payments, welfare reform and the shrinking disability category' (2015) 30(5) *Disability & Society* 673-688.
[20] Machin R. 'Made to Measure? An Analysis of the Transition from Disability Living Allowance to Personal Independence Payment' (2017) 39(4) *Journal of Social Welfare and Family Law* 435-453
[21] Machin R, and Reynolds, A 'The commodification of social security medical assessments: academic analysis and practitioner experience' (2024) 44(4) *Public Money & Management* 335-338. Some determinations can be made without a face-to-face assessment, during the 'file work stage' of the decision-making process: see Scullion, L., Young, D., Martin, P., Pardoe, J. and Hynes, C. (2025) 'Complexity, Duplication and Mistrust: Multi-Stakeholder Perspectives on Benefits Assessments for Veterans' (2025) 32(3) *Journal of Social Security Law*, 216-236.

or accept the complexity of claimants' conditions and their effects on everyday life. Porter *et al* have framed this as a form of 'epistemic sabotage', whereby claimants' testimony is met with scepticism or dismissed as lacking credibility.[22] Pybus *et al* argue that assessments are disproportionately focused on physical health issues, marginalising mental health concerns.[23] Similarly, Machin and McCormack highlight the rigid and formulaic nature of the application form, which restricts claimants—particularly those with mental health problems—from expressing themselves meaningfully, with some consequently experiencing the process as 'demeaning'.[24] In combination, these studies suggest that the PIP process systematically struggles to accommodate the complexity and variability of disabled people's lives.

Against this backdrop of sustained criticism, the Scottish Government, on receiving devolved authority to implement its own disability benefit,[25] sought to create a claims process that was more humane.[26] Whilst the eligibility and financial structure of its new benefit—Adult Disability Payment—remained largely aligned with PIP,[27] the ambition was to offer a more respectful and dignifying experience for claimants.[28] One element of this commitment is seen in the fact that Social Security Scotland set up a 'Local Delivery Service' to help people making claims. This service operates locally through trained client support advisors who can

[22] Porter T, Watson, N and Pearson, C, 'Epistemic Sabotage: The Production and Disqualification of Evidence in Disability Benefit Claims' (2023) 45(6) *Sociology of Health and Illness* 1164-1186
[23] Pybus, K Pickett, K, Lloyd, C, Prady S and Wilkinson R 'Functional Assessments in the UK Social Security System: the Experiences of Claimants with Mental Health Conditions' (2021) 50(2) *Journal of Social Policy* 305-322
[24] Machin R and McCormack F 'The Impact of the Transition to Personal Independence Payment on Claimants with Mental Health Problems' (2023) 38(6) *Disability & Society* 1029-1052; see also Roberts, H, Robertson Stuart, S, Allen S and Gumley A, '"It's Like the Sword of Damocles" – A Trauma-Informed Framework Analysis of Individual Experiences of Assessment for Personal Independence Payment Benefit in the UK' (2024) 53 *Journal of Social Policy* 997-1015
[25] Social Security (Scotland) Act 2018
[26] Simpson, M, McKeever G and Gray A 'From Principles to Practice: social security in the Scottish laboratory of democracy' (2019) 26(1) *Journal of Social Security Law* 13-31
[27] Heap, D 'Goodbye to PIP, but hello to what? Disability, social security, devolution and policy change in Scotland' (2024) 32(1) *Journal of Poverty and Social Justice* 170-180
[28] Social Security (Scotland) Act 2018, s.1(d).

guide people through the claims process.[29] However, questions remain about how well it is currently operating. The Independent Review of Adult Disability Payment recently reported that awareness and uptake of Local Delivery Service support were lower than intended, with many claimants either unaware of the service or uncertain about how to access it.[30] Even among those who did receive support, the Review identified inconsistent availability, constraints on appointment capacity, and ongoing concerns about whether the service can offer assistance perceived as independent. These limitations raise questions about how far the Local Delivery Service can offset the underlying demands of the claims process itself.

Crucially, however, these reforms operate alongside a claims architecture that remains largely unchanged. In both the ADP and PIP systems individuals are required to navigate detailed and often demanding accounts of how their conditions affect their functioning. And given the shared eligibility framework for PIP and ADP, the nature and extent of the information required in the respective forms is broadly similar. As noted earlier, this structuring of the claims assessments process reflects the dominance of 'bureaucratic rationality' as a mode of bureaucratic justice practised in UK social security systems.[31] It prioritises standardisation of information collection, consistent application of eligibility rules, and cost-efficient processing.[32] While this approach ostensibly promises equal treatment in decision-making, it may obscure the unequal labour required of claimants in producing the information on which those decisions depend. As the Independent Review of Adult Disability Payment put it: "If

[29] https://www.socialsecurity.gov.scot/asset-storage/production/downloads/Local-Delivery-service-factsheet-March-2022.pdf (accessed 2nd December 2025)
[30] https://www.gov.scot/publications/independent-review-adult-disability-payment-final-report/
[31] Baldwin, J, Wikeley, N and Young, R, (1992) *Judging Social Security: The Adjudication of Claims for Benefit in Britain*, Oxford: Oxford University Press; Thomas R and Tomlinson J, 'Mapping current issues in administrative justice: austerity and the "more bureaucratic rationality" approach' (2017) 39(3) *Journal of Social Welfare & Family Law* 380-399.
[32] Mashaw, J (1983) *Bureaucratic Justice: Managing Social Security Disability Claims*, New Haven: Yale University Press

help is not accessible to everyone then there is a chance that a two-tier application process may develop…"[33]

It is against this background that our project explored the question of whether failing to receive assistance when making the disability benefit claim shapes one's chances of receiving an award.

The Research Project

The data underpinning this article were collected as part of a broader study of bureaucratic justice in the UK disability benefits system.[34] The project employed a mixed-methods design, integrating qualitative and quantitative components.

The qualitative phase explored claimants' experiences of claiming disability benefits, including their perceptions of which qualities make for a good or bad process. Data were generated through semi-structured interviews with claimants and welfare rights advisors. Additionally, to capture experiences across a diverse claimant population, including groups sometimes under-represented in research, we conducted a series of focus groups with claimants with learning disabilities.

Claimants without learning disabilities were recruited from May 2024 via a social media advertisement, which generated 145 expressions of interest. A purposive sample of 25 participants was selected to ensure diversity in age, gender, ethnicity, benefits experience, and basis of claim. Non-response was addressed by replacing invitees with eligible

[33] https://www.gov.scot/publications/independent-review-adult-disability-payment-final-report/ at p. 39.
[34] The main findings of this broader project are reported in Cichocka, A., Halliday, S., Meers, J., Seyd, B. and Tomlinson, J, (2027) *Just Bureaucracy: Managing Claims Fairly in the Modern Welfare State*, Bristol: Bristol University Press. The datasets from the project can be found here: https://doi.org/10.15129/2129b146-9dde-4af6-ac8f-10894a67ca7c

participants from the wider pool. Interviews were conducted via Zoom across three waves of invitations; five invitees did not attend or respond to follow-up, resulting in 20 completed interviews.

The focus group with claimants with learning disabilities was organised in collaboration with a non-governmental organisation specialising in advocacy and support for people with learning disabilities. The NGO identified five individuals with relevant experience. Three group meetings were held during July and August 2024, co-facilitated by a member of the research team and an NGO representative.

Welfare rights advisors were recruited in September 2024 through an advertisement on a widely used online forum for UK welfare rights practitioners ('RightsNet'). Eighteen expressions of interest were received, and all were invited to participate. Fifteen advisors scheduled interviews within the fieldwork window, and one additional advisor joined an interview at the request of a primary participant, producing a total of 16 advisor interviewees. All interviews were conducted via Zoom in late September 2024.

All focus group meetings and the majority of interviews were recorded and transcribed verbatim for analysis; where recording was not permitted (two claimant interviews), detailed notes were taken and written up immediately afterwards. The data were analysed thematically using an abductive approach,[35] in which initial inductive coding of participants' accounts was iteratively refined in dialogue with existing theoretical concepts. This enabled the identification of recurring patterns in claimants' experiences while also situating these within a broader framework of administrative burden.

[35] Timmermans, S. and Tavory, I. 'Theory Construction in Qualitative Research: From Grounded Theory to Abductive Analysis' (2012) 30(3) *Sociological Theory*, 167-186.

The quantitative phase comprised a national survey of adults with experience of claiming disability benefits. Fielded across Great Britain by YouGov in April 2025, the survey targeted adults aged 18+ who had made a PIP or ADP claim within the previous five years. The sample included both successful and unsuccessful claimants. Quotas were set by age and gender using official PIP statistics, and the achieved sample was weighted by age, gender, and region on the same basis. The final sample comprised 1,997 respondents, including 1,840 with experience of PIP claims and 157 with experience of ADP claims.

In this article, our principal empirical claims are thus derived from the analysis of a large, nationally representative survey of disability benefit claimants. The qualitative data are used in an illustrative and interpretive capacity, drawing on participants' accounts to illuminate the kinds of difficulties that may arise during the claims process and the forms of support on which claimants may rely. Given the size and purposive nature of the qualitative sample, these data are not intended to be statistically representative of the wider claimant population. Rather, they serve to develop and help theorise the central quantitative finding—that claimants who want assistance but are unable to obtain it are less likely to receive an award—by linking this pattern to existing work on 'administrative burden' in public administration.

The research project underpinning this article received ethical approval from the University of Strathclyde's Ethics Committee (Ref: UEC 24/06).

Project Findings

Qualitative Findings

Our qualitative data offer clear evidence of the challenges claimants can face when completing disability benefit claim forms.[36] In echoes of work examining the importance of benefit application forms in particular,[37] the welfare rights advisors we interviewed—drawing on their experience of supporting many claimants—consistently emphasised the scale and complexity of these forms:

> The forms are very, very intimidating. They are huge. They're long. [Claimants are] not clear about what they've been asked in many cases on the form. (Pete)

> One of the first things they'll say to me is 'I got the form and it's just so big, and I don't understand what I'm supposed to put in …' That's very common. (Luke)

> A PIP form is overwhelming to most people. A lot of people will come and say, 'look, I know that they probably want me to do it in a particular way.' It's almost like they're trying to unlock it. 'What are they asking from me? What words are they trying to get me to use?' (Emily)

The advisors also pointed to the emotional burden for claimants of completing the forms:

> It's a massive, gruelling, depressing task to have to handle that form. (Mark)

> It can take quite a lot of stamina to fill in forms if you're not used to it. And also, if you just feel down, the thing feels like an effort. And then if you're just, just depressed … making the effort and actually explain[ing] what you struggle with. But often people need affirmation. (Johnny)

[36] All names used in the excerpts below are pseudonyms.
[37] See Aisling Ryan, 'The Form of Forms: Everyday Enablers of Access to Justice' (2023) 32(5) *Social & Legal Studies* 690; and Jed Meers, 'Forms of fettering: application forms and the exercise of discretion in the welfare state' (2020) 42(2) *Journal of Social Welfare & Family Law* 221.

Our interviews with claimants corroborated these accounts. This 'emotional toll of form filling'[38] – a particularly acute issue for welfare benefits – was widespread across the sample. Annie, for example, spoke of her sadness and anxiety around whether she would be believed.

> Then you're, like, feeling sad, you know. You've still got that emotion, like you're having to explain yourself. But, you know, there's always that sort of feeling of, 'Am I doing something wrong?' Or, you know, even though you're telling the truth. (Annie)

Likewise, Donald referenced anxiety and stress, though pointed to the significance for him of eventually obtaining the support of an advocacy worker.

> My neurologist actually put that in his report. He said, 'Thanks to the DWP putting Donald through the wet ringer, basically put him onto the next level, because of all the anxiety and stress this caused him.' But it still didn't do much good. But I did all the actual filling in of the forms. We actually brought in an advocate which was a great help. (Donald)

Roger spoke of his anger and frustration. And whilst he found himself resilient, he doubted that others would be.

> I would assess myself as reasonably intelligent and somebody who can sort of, like, understand the system in a way, and kind of like, I wouldn't say play it, but you know what I mean, have a, have a way of dealing with it. It still frustrated me, and it still

[38] Jed Meers, Aisling Ryan, and Joe Tomlinson, 'Perceptions of procedural fairness and space for personal narrative: an experimental study of form design' (2025) 52(1) *Journal of Law and Society* 81-111. See also Scullion, L., Young, D., Martin, P., Pardoe, J. and Hynes, C. (2025) 'Complexity, Duplication and Mistrust: Multi-Stakeholder Perspectives on Benefits Assessments for Veterans' (2025) 32(3) *Journal of Social Security Law*, 216-236.

> annoyed me. So, there's no wonder, really, that people get extremely upset and frustrated... (Roger)

Our interviews with claimants also offered insights into the cognitive demands of the claims process. Judith, for example, who had little experience with form-filling, described it as daunting:

> I've worked all my life, and I've never really had to fill in these forms much. It's quite a scary process, and it's quite intimidating. (Judith)

The cognitive challenges associated with form filling were further exacerbated for claimants with learning disabilities, as the focus group exchanges below illustrate:

> Researcher: Do you do your form yourself?
>
> Keith: No, my Dad does it…It's like a book! I did one before, for universal credit, and I was, like, 'what is this…?'
>
> Alex: What didn't you like about it?
>
> Keith: The lingo
>
> Laura: The jargon
>
> …
>
> Researcher: What kind of things do *Citizens Advice* do to help?

> Nigel: They filled in the whole form for me. They knew the technical words that needed to be said. They know how to phrase things, like he can walk X number of yards, and all that kind of stuff.
>
> Researcher: So, would you have been able to do that without their help?
>
> Nigel: Nah, I probably wouldn't have applied for it at all.
>
> Researcher: That's interesting.
>
> Nigel: I just find it so stressful. I can't fill in forms at all.

Yet even claimants who generally felt more confident with administrative tasks reported difficulties. Matthew, who was frequently comfortable with forms, nonetheless found his disability claim form confusing and, like Nigel above, felt compelled to rely on expert advice to interpret it:

> The questions on the form don't seem to be very well related to what they're actually asking for because I, I used the advice from *Citizens Advice* about what to write on the form and for several of the questions it seemed that what *Citizens Advice* were telling me to write was quite different from what the question appeared to be asking. (Matthew)

By contrast, Sundhya expressed far greater confidence in her abilities yet still recognised the challenge of completing the form appropriately. She described the process as a kind of game requiring strategic skill and a lot of time:

> The forms are completely unfit for purpose, and I think it takes a very specific sort of person like me that has the cognitive capacity to be able to kind of play the game. I didn't lie. None of it's lies, you know. None of it's a lie. Everything I said on there is true, but I spent a lot of time researching how to word things. You know, I spent a lot of time looking into how the assessors mark it. And I moulded my answers to make sure it fits kind of what they're looking for. (Sundhya)

Taken together, these qualitative findings underscore the significant cognitive and emotional burdens that disability benefit claim forms can impose and the importance to some claimants of support in helping them understand the process and persevere through it, affirming the findings of other qualitative studies.[39] To determine whether, in general terms, a failure to obtain such assistance affects claimants' chances of receiving an award, we now turn to an analysis of our quantitative data.

Survey Findings

In our national survey of disability benefit claimants, we collected data on whether participants had received any support in making their claim. Almost one half of participants (47%) reported receiving assistance, while just over one half (53%) did not. Within the sub-sample of those who did not receive assistance, we further differentiated between claimants who had not wanted support and those who had wanted it, drawing on procedural justice research with rape survivors which showed consistently poorer experiences among those who

[39] Edmiston, D., Robertshaw, D., Young, D., Ingold, J., Gibbons, A., Summers, K., Scullion, L., Geiger, B. B., & de Vries, R, 'Mediating the claim? How 'local ecosystems of support' shape the operation and experience of UK social security' (2022) 56(5) *Social Policy & Administration*, 775–790; Scullion, L., Young, D., Martin, P., Pardoe, J. and Hynes, C. (2025) 'Complexity, Duplication and Mistrust: Multi-Stakeholder Perspectives on Benefits Assessments for Veterans' (2025) 32(3) *Journal of Social Security Law*, 216-236. For a discussion of 'subjective access' to justice in the criminal justice context, see Hohl, K., Jackson, J. and Bradford, B. 'Relational In/Justice Journeys: Revising Procedural Justice Theory Through an Analysis of Rape and Sexual Assault Victims' Experiences of Police Investigations' (2025) *65*(5) *British Journal of Criminology*, 1141-1161.

wanted support but were unable to access it, compared with those who had not wanted support, or who had not received the support they sought.[40] As Figure 1 shows, within the sub-sample of participants who did not receive assistance, respondents were evenly divided with respect to their felt need for support: approximately one half had not wanted it.

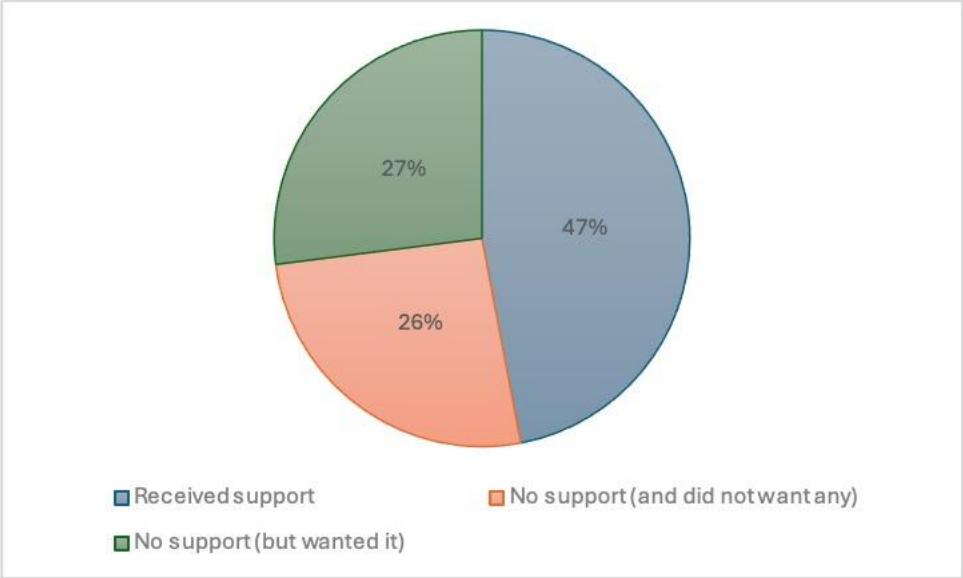


Figure 1: Percentage of the sample in receipt of support

For those participants who had received assistance, we asked about the source of the support they received. Four categories of potential support were set out: (1) family/friends; (2) a welfare rights worker; (3) a support worker; and (4) a worker arranged by Social Security Scotland. Participants were invited to tick all that applied to them. The findings are set out in Figure 2 below, showing that most participants received assistance from one source only, with 'family and friends' being the most common:[41]

[40] Hohl, K., Reid, A-K., Molisso, S. & Pullerits, M. (2023). *Rape and sexual assault survivors' experience of the police in England and Wales. Survey Report I: January – June 2023*. London, UK: City, University of London. https://openaccess.city.ac.uk/id/eprint/31310/ at p. 50.

[41] The proportion of participants who received support from Scotland's Local Delivery Service was only 0.4% of the sample and is not included in Figure 2.

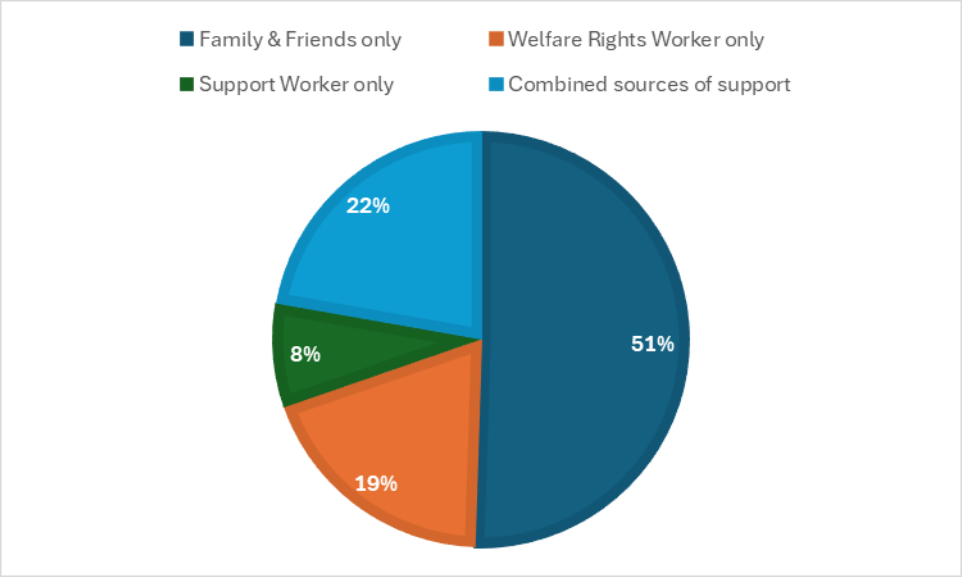


Figure 2: Sources of support received by the subsample who had received assistance

We next asked participants to indicate whether they had been successful in obtaining an award from their disability benefits claim. Removing participants who indicated that they were still waiting to hear (leaving us with a sample of 1,807 respondents), we found that 17% reported having had their claim denied, with 83% having had it granted.

We also examined the association between claimants' experiences of assistance and the outcomes of their claims, excluding respondents who were still awaiting a decision. Among claimants who reported that they wanted assistance but did not receive it, 28% indicated that their application had been denied. By contrast, denial rates were substantially lower among claimants who received assistance (12%) and among those who did not receive assistance but reported that they had not wanted it (14%).

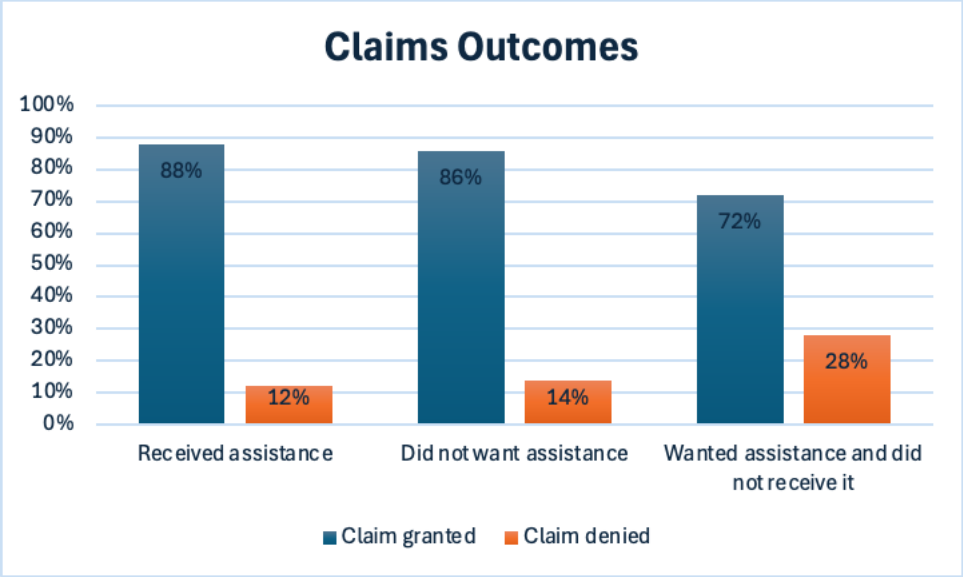
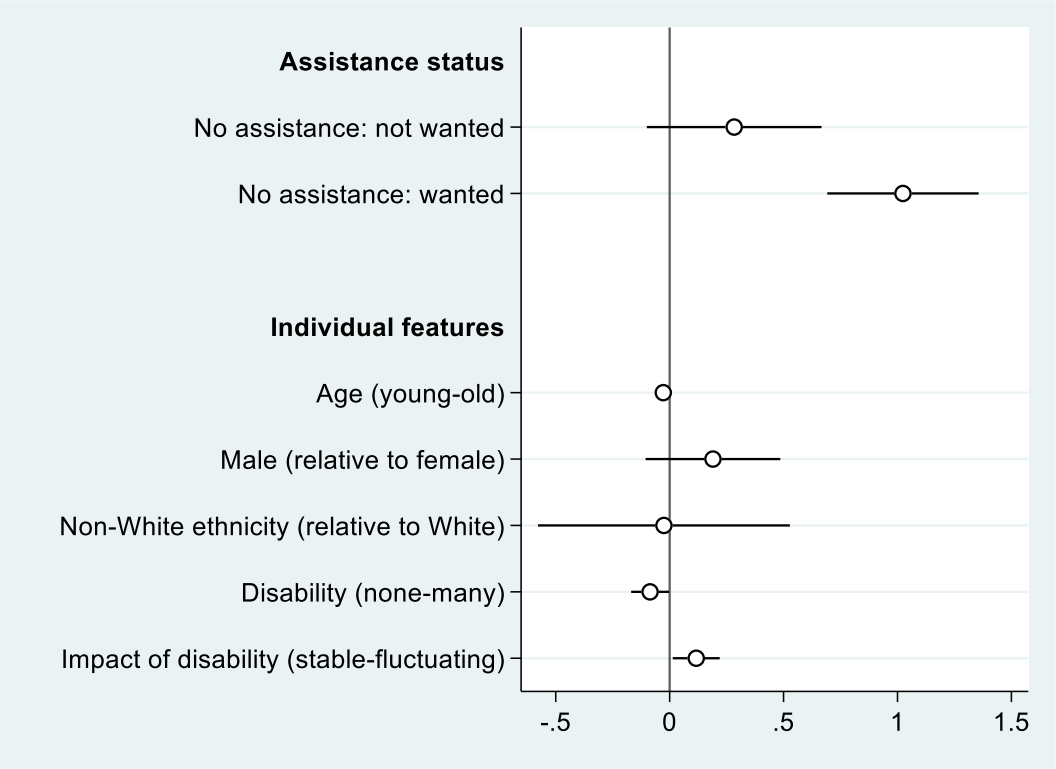


Figure 3: Claim outcomes analysed by assistance status

These data suggest that claimants who perceive themselves as needing support but are unable to access it are substantially less likely to receive a benefit award than either those who do not seek support or those who do manage to obtain it.[42] One possible explanation, however, is that claimants who want but do not receive assistance differ from other groups in ways that independently reduce their likelihood of success. While the nature of such differences is not immediately clear, they might plausibly relate to demographic characteristics such as age, gender, or ethnicity, or to the nature or severity of the claimant's disability. To assess whether access to assistance is associated with claim outcomes over and above such factors, we ran a multivariate regression model predicting claim outcome. The model included terms capturing claimant age, gender and ethnicity (coded as White versus non-White). We also included terms relating to participants' disabilities (measured by whether they reported any condition

[42] We also explored whether the association between assistance and claim outcomes varied by the source of support (for example, family and friends, welfare rights advisors, or other support workers). However, the number of respondents within individual categories of assistance was insufficient to support reliable statistical analysis, and we therefore do not report those results. This would be a fruitful issue for further research.

that significantly affected their ability to carry out day-to-day activities[43]) and the degree to which the impact of that disability on the individual's day-to-day life was perceived by participants to be stable or fluctuating. The dependent variable was whether the claim resulted in an award (i.e., claim granted or denied). The results of our binary logistic regression model, presented in Figure 4, show the factors associated with benefits being denied relative to benefits being granted.



[43] We measured disability in two ways. First, we measured the type of disability reported by respondents. Disabilities involving vision or hearing problems were categorised as 'sensory'; those involving mobility or dexterity were categorised as 'physical'; those involving understanding or memory were categorised as 'cognitive'; those involving mental health or behavioural interactions were categorised as 'psychological'. We entered each type of disability separately into the model. The only statistically significant association with benefit outcomes was for respondents reporting a physical disability. Among this group, there was a statistically significant ($p<0.05$) and negative association with reporting a benefit application being denied. In other words, where a claimant had a physical disability (involving mobility and/or dexterity problems), they were less likely to have their benefit application denied than were people who had no physical disability. However, with the exception of this association, none of the other disability types were significantly related to the benefit outcome. Given this, we employed a second measure of disability, which captures the extent of individuals' disability. This measure comprised an additive scale of disabilities, ranging from 0 (no reported disability) to 10 (reported suffering from each of the disabilities on the survey's list of disabilities). The additive scale had a mean of 3.49 and a standard deviation of 1.87.

Figure 4: Factors associated with denial of benefits applications

Overall, the demographic variables included in the model show little association with the likelihood of a benefit claim being denied. This is reflected in the fact that the confidence intervals around most point estimates overlap with zero, indicating that we cannot rule out the possibility of no effect. One exception is age: older claimants are marginally less likely to report a denied application than younger claimants (the point estimate for 'age' sits to the left of the 0 line, indicating a negative relationship with denied application). A second exception is disability: individuals with multiple disabilities were also less likely to report a denied application than individuals with fewer disabilities. Likewise, where the impact of those disabilities on the individual's day-to-day life fluctuated rather than being stable, there was an increased likelihood of reporting a denied benefits application.

Our principal finding, however, concerns the role of assistance. Relative to claimants who received support, those who perceived themselves as needing support but were unable to access it were significantly more likely to report that their application had been denied. By contrast, there was no statistically significant association for claimants who did not receive assistance and indicated that they had not felt a need for it. Given the inclusion of controls for age, gender, ethnicity, and disability-related limitations, these results cannot readily be attributed to differences in claimants' demographic characteristics or reported nature and extent of disability. Rather, they clearly indicate that the main factor associated with claim denial was the absence of assistance where claimants felt a need for support during the claims process.

Discussion

Why does the absence of assistance, where a claimant perceives a need for support, reduce the likelihood of a successful claim? The explanation, we suggest, lies in two interconnected features of the claims process. First, making a disability benefits claim imposes a range of burdens on claimants. Second, claimants differ in the resources available to them to manage these demands: some are able to draw on their own knowledge, skills and time to navigate the process independently, while others must rely more heavily on external assistance. Where such assistance is unavailable, these claimants are placed at a relative disadvantage.

Administrative Burden

The notion of 'administrative burden' has emerged as a useful frame for understanding the gap between formal entitlement and the actual award of welfare benefits.[44] It emphasises the individual's experience of their interactions with the state, [45] highlighting barriers that extend beyond formal rules or eligibility criteria,[46] thereby creating the possibility of what has been termed 'administrative exclusion'.[47]

Three interlinked dimensions of administrative burden are frequently identified: learning costs, compliance costs, and psychological costs.[48] Learning costs refer to the time and effort

[44] Moynihan, D, Herd, P, and Harvey, H 'Administrative burden and inequality in social policy', (2015) 75(6) *Public Administration Review*, 1–12; Bennett, H, Currie, M and Podoletz, L 'Universal Credit: administrative burdens of automated welfare' (2024) *Journal of Social Policy* DOI: https://doi.org/10.1017/S0047279424000175 ; Tarshish, N, Gal, J, Holler, R, Benish, A and Dahan, M, 'A Fast Track to Social Rights: Passported Benefits and Administrative Burden' (2025) 54 *Journal of Social Policy* 734-750

[45] Beswick, D, Lynn, P, and Phillips, M 'Administrative burdens of automated welfare: The case of Universal Credit', (2019) 48(1) *Journal of Social Policy*, 1–21.

[46] Brown, J T, Carey, G and Malbon, E, 'What is in a form? Examining the complexity of application forms and administrative burden' (2021) 80 *Australian Journal of Public Administration* 933-964

[47] Brodkin, E and Majmundar, M 'Administrative Exclusion: Organizations and the Hidden Costs of Welfare. Claiming' (2010) 20(4) *Journal of Public Administration Research and Theory* 827-848

[48] Moynihan, D, Herd, P, and Harvey, H 'Administrative burden: Learning, psychological, and compliance costs in citizen–state interactions', (2014) 25(1) *Journal of Public Administration Research and Theory*, 43–69.

required to identify a program, appreciate its eligibility criteria, and trigger an application. Compliance costs capture the tangible work of satisfying formal requirements, such as completing forms, providing evidence, attending appointments, or meeting procedural conditions. Psychological costs denote the mental and emotional toll, including stress, stigma, confusion and frustration. Our analysis – which is based on the experiences of those who, by virtue of having made claims, had successfully overcome the learning costs of the disability benefits system –focuses on the nature and implications of the compliance and psychological costs that follow.

As a number of our research participants noted, the application form for disability benefits is extensive, requiring claimants to provide detailed information about their mobility and their ability to carry out daily activities. In doing so, it gives rise to two distinct forms of compliance cost: cognitive and interpretive. First, claimants are required to select, organise, and translate the complexity of their everyday lives into standardised responses to prescribed prompts, frequently perceived not to reflect their lived experiences. Thus, it involves substantial cognitive effort, as individuals must abstract from potentially fluctuating, contextual, and often embodied experiences in order to produce accounts that fit the form's categories and structure. Second, claimants must grasp the meaning and purpose of individual questions within the wider bureaucratic exercise of determining eligibility. This interpretive task involves understanding how questions map onto statutory criteria and assessment logic. The former challenge concerns the cognitive work of rendering lived experience administratively legible, while the latter concerns navigating the underlying structure of the eligibility scheme as embedded in the form—effectively 'unlocking' it, as one welfare advisor put it.

A further dimension of administrative burden relevant to our analysis concerns the emotional strain generated by the claims process. Although psychological costs may be more readily associated with individuals abandoning claims before completion,[49] our qualitative data suggest a potential dynamic for those who do persevere. As the excerpts from our claimant interviews and focus groups illustrated, the act of completing the form was not only cognitively and interpretively demanding but also emotionally taxing, particularly if they felt disbelieved or anticipated scepticism on the part of the bureaucracy. The sense that they might be viewed as undeserving 'scroungers' could be particularly upsetting.[50] Such emotional responses may intensify cognitive and interpretive burdens. Anxiety, frustration, or self-doubt may make it harder to process complex questions, to sustain concentration over time, or to present information in a structured and strategic way. In this sense, emotional burden does not operate separately from cognitive or interpretive demands, but can intensify them by reducing confidence, persistence, and ability to make judgements about how to present information. For claimants who already find the form difficult to understand or complete, the emotional weight of the task may exacerbate their difficulties and reduce their ability to communicate their circumstances effectively.

Unequal Resources for Managing Administrative Burdens

Claimants inevitably have unequal resources for managing these burdens.[51] Indeed, in terms of the compliance costs, the excerpts above from the focus groups and from our interviews

[49] Cowan, D and Halliday, S (2003) *The Appeal of Internal Review: Law, Administrative Justice and the (Non-) Emergence of Disputes* Oxford: Hart Publishing

[50] For a recent analysis of experience of stigma in the UK social security system see Davies, S, Evans, J and Cross K (2025) *Stigma in the System: Experiences of the UK Social Security System* Bristol: Personal Finance Research Centre at the University of Bristol (available at: https://www.bristol.ac.uk/media-library/sites/geography/pfrc/documents/Stigma_in_the_System.pdf)

[51] Edmiston, D., Robertshaw, D., Young, D., Ingold, J., Gibbons, A., Summers, K., Scullion, L., Geiger, B. B., & de Vries, R, 'Mediating the claim? How 'local ecosystems of support' shape the operation and experience of UK social security' (2022) 56(5) *Social Policy & Administration*, 775–790

with Judith, Matthew and Sundhya illustrate such variation. Judith differs from Matthew and Sundhya in being much less confident and experienced in managing the task of filling out forms. Likewise, focus group participants, Keith and Nigel, found the claims form very challenging. Matthew seemed more cognitively confident but struggled with the interpretive task, relying on the advice of *Citizens Advice* to guide him in how to answer the claim form questions. Both Keith and Nigel similarly had to rely on other people to fill in the forms for them. Sundhya was both cognitively and interpretively capable, though had to build her interpretive mastery of the claims form's logic through painstaking and time-consuming research. Claimants like Judith, Keith and Nigel would thus be put in a position of relative disadvantage to those like Matthew and Sundhya without cognitive and interpretive support from other people. Claimants like Matthew would be at a disadvantage relative to those like Sundhya without interpretive support. Sundhya was in the fortunate position of having the time, energy and ability to fully support herself on both fronts.

Likewise with psychological costs, our interview excerpts illustrate variation in people's ability to manage emotional strain. Both Annie and Donald felt the emotional pressure of pursuing a claim for disability benefits, though Donald was fortunate in obtaining the support of an advocacy worker. Roger, by way of contrast, whilst equally attuned to the emotional demands of the process, felt a natural resilience in being able to cope with it. Assistance, in addition to providing technical advice, may also provide reassurance, helping claimants sustain the cognitive and emotional labour required to translate their lived experiences into the bureaucratically required form. In this way, claimants like Annie and Donald may be at a disadvantage relative to Roger. Yet claimants like Annie, if unassisted, may be at a disadvantage when compared to Donald, given that he was able to find support.

Bureaucratic Rationality, Administrative Burden and the Importance of Assistance

The interaction between bureaucratic rationality and administrative burden helps explain why access to assistance becomes so consequential. Bureaucratic rationality, as a mode of system implementation, demands that decision-makers rely on standardised forms, structured questions, and tightly specified evidentiary requirements in order to deliver consistency, efficiency, and procedural equality across very large claimant populations. Yet it is precisely these design features—deemed essential for managing millions of claims—that generate substantial compliance costs downstream for individual claimants. The system's commitment to 'equal treatment' in the processing of claim forms thus contains a blind spot: while intended to secure fairness at the system level, it can create unequal outcomes at the individual level by placing disproportionate demands on claimants with fewer cognitive, interpretive, or emotional resources.

Within this framework, assistance functions as a mechanism for redistributing or mitigating these burdens. Support from welfare rights advisors, family members, friends, or third-sector organisations can help claimants translate their lived experiences into the bureaucratic language required by the forms, navigate the interpretive logic of eligibility descriptors, and manage the stress of the process. Thus, the role of assistance should not be understood as enabling claimants to exaggerate or misrepresent their circumstances, but as helping them translate lived experience into the evidentiary and interpretive forms the system demands.[52] In other words, assistance compensates for the uneven distribution of administrative capacities that the bureaucratic rationality model of bureaucratic justice presumes but does not provide.

[52] As Scullion *et al* note, however, assistance may also perform a function of managing unrealistic expectations on the part of claimants: see Scullion, L., Young, D., Martin, P., Pardoe, J. and Hynes, C. (2025) 'Complexity, Duplication and Mistrust: Multi-Stakeholder Perspectives on Benefits Assessments for Veterans' (2025) 32(3) Journal of Social Security Law, 216-236.

Conversely, when assistance is absent, the burdens generated by the system remain fully on the claimant's shoulders. For some, these burdens are manageable. For others, they impede their ability to construct the detailed, structured, and strategically framed account of their disability that the system requires. In a context where the assessment turns on fine-grained distinctions in the articulation of functional limitations, such differences in a claimant's ability to navigate the process can have material consequences. The administrative burdens imposed by the system thus interact with claimants' varied resources in ways that produce differential outcomes within a formally neutral and uniform process.

Thus, just as the tribunal system is formally neutral and equally accessible for all users yet substantively skewed against those who are unrepresented, the disability benefits claims process is likewise substantively skewed against those who feel they need assistance but do not receive it.

Conclusion

This article has shown that assistance plays a material role not only in tribunal settings, as suggested by decades of socio-legal research, but also at the earliest stage of disability benefit claiming. In a system organised according to the logic of bureaucratic rationality, the labour of translating lived experience into the bureaucratic language of eligibility criteria is unevenly distributed. Our findings indicate that those who want help but cannot obtain it face significantly lower chances of success—not because they are less entitled, but because the system demands cognitive, interpretive, and emotional resources that are unevenly available.

It is important to emphasise that this argument is distinct from current debates about the appropriate level of disability benefit provision or the fiscal sustainability of such schemes.[53] Questions of generosity, eligibility thresholds, and aggregate expenditure are analytically separate from the issue examined here, which concerns how entitlements, once defined in policy, are realised in practice through administrative processes. The problem identified is not reducible to the level or cost of provision, but reflects a more fundamental limitation of systems organised around bureaucratic rationality: their implicit assumption that claimants are equally equipped to navigate them.

This argument has clear implications for disability benefits administration. If access to entitlement depends partly on access to assistance, then the system risks reproducing inequalities despite its formal commitment to equal treatment. The development of Scotland's Local Delivery Service reflects a growing recognition of this structural problem. Yet its current limited reach and inconsistent availability, as identified by the Independent Review of Adult Disability Payment, indicate that more expansive and reliable forms of support are required if administrative burdens are not to translate into unequal outcomes. In this regard, the Scottish Government's commitment to strengthen the promotion of the Local Delivery Service, outlined in its response to the Review, is a welcome development.[54]

More broadly, these findings underline the importance of understanding social security not simply as a set of eligibility rules, but as an administrative process that shapes substantive

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[53] See, e.g., Latimer, E., Pflanz, F and Waters, T. (2024) *Health-related benefit claims post-pandemic: UK trends and global context*, Institute for Fiscal Studies (available at: https://ifs.org.uk/publications/health-related-benefit-claims-post-pandemic-uk-trends-and-global-context); Audit Scotland (2025) *Adult Disability Payment* (available at https://audit.scot/uploads/2025-09/nr_250918_adult_disability_payment.pdf); Department for Work & Pensions (2025) *Pathways to Work: Reforming Benefits and Support to Get Britain Working Green Paper* (available at: https://www.gov.uk/government/consultations/pathways-to-work-reforming-benefits-and-support-to-get-britain-working-green-paper/pathways-to-work-reforming-benefits-and-support-to-get-britain-working-green-paper)

[54] *Scottish Government Response to the Independent Review of Adult Disability Payment Final Report*, at para 15 (available at: https://www.gov.scot/publications/scottish-government-response-independent-review-adult-disability-payment-final-report/)

access to rights. Where assistance is unevenly available, the capacity to navigate that process becomes a consequential—and often hidden—determinant of inequality within an ostensibly neutral system of bureaucratic justice.