

To Mr J Newman
C/o request-91312-Oeacae97@whatdotheyknow.com

DWP Central Freedom of Information Team

e-mail: freedom-of-information-xxxxxxx@xxx.xxx.xx

Our Ref: VTR 2655-3721

DATE 10 January 2012

Dear Mr Newman,

Thank you for your Freedom of Information (FOI) request that was received by the Department for Work and Pensions (DWP) Adelphi on 6 December 2011 and forwarded for response by DWP Commercial Management of Medical Services (CMMS) Freedom of Information Officer.

In your email you asked to be provided with information answering the following questions in relation to your FOI reference 2530 / 3228:-

Dear DWP Adelphi Freedom-of-Information-Request,

Thank you for the reply, but I have previously asked why there was a delay (it is over 2 weeks overdue) and you have not replied.

Q1: Why was the reply over 2 weeks late?

Atos not surprisingly has given you misleading information which needs further investigation. Atos freely provides an email address for its Customer Services Department and nowhere in its literature does it express any preference, so there is no such thing as "normal method of communication." We had been communicating quite happily by email until they decided the questions were too tough to answer – you will have seen this for yourselves by the way in which they referred some to you as FOI requests when they were nothing of the kind.

Q2: Where does Atos itself make the statement you have regarding "normal" and "preferences".

Ask yourself, if Atos had not done what I said, would I have complained to you - of course not, but you have taken their response as factual without question. The truth is that they DID refuse to continue using email without reason. They DID NOT state a "preference" and they DID NOT refer to what is "normal", so I am afraid what you have told me here is a fabrication. It was only when I pointed out their discriminatory action and solicited the help of my MP that they capitulated.

Q3: Given the fact that I would not have complained without reason, did you in any way challenge Atos's answer before passing it on to me?

The Atos Customer Charter is brief and not very informative. It is normal and indeed regarded as “best practice” when outsourcing to insist that the service supplier (Atos) is subject to the same standards as its customer (DWP). This would mean Atos must comply with DWP’s own Customer Charter and indeed the broader standards described in the Civil Service Code.

Q4: Is Atos subject to the same standards and codes as DWP, or is it allowed to operate at some lower standard?

This may seem highly trivial, but what this demonstrates is the degree to which DWP sides with Atos as opposed to supporting claimants in the way Prof Harrington and the Rt Hon Chris Grayling (MP) says it will.

In answer to Q 1 in reference to both 2530-3228 and this response CMMS apologise for not responding to you within the legislative target of 20 days, this was due to a recent increase (over a short period of time) in workload which has caused CMMS to fall behind in producing FOI responses. I am pleased to be able to inform you that in November (which is the latest available data) that CMMS achieved 94% clearance of responses within the 20 working days legislative target, which falls short of the DWP’s target of 100% clearance within 20 working days. This clearance rate is above the Information Commissioner’s monitoring rate as well as the Department’s threshold for considering remedial action to address non compliance with the Department’s obligations under the FOI Act.

In reply to **Q 2** I would firstly like to clarify that this statement is not written in any document as this is an accepted method of communication that Atos Healthcare prefer to use as you have previously been advised and contained in the response 2530 / 3228.

In response to **Q 3** all FOI responses which relate to the DWP Medical Services Contract are agreed with the Contract Management Team and approved prior to despatch by the appropriate authority.

In answer to **Q 4** under the Medical Services Contract, Atos Healthcare are subject to the same policies as the DWP which includes standards and codes.

If you have any queries about this letter please contact me quoting the reference number above.

Yours sincerely,

DWP Central Fol Team

Your right to complain under the Freedom of Information Act

If you are not content with the outcome of the internal review you may apply directly to the Information Commissioner’s Office for a decision. Generally the Commissioner cannot make a decision unless you have exhausted our own complaints procedure. The Information

Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House,
Water Lane, Wilmslow Cheshire SK9 5AF www.ico.gov.uk