

DWP Central Freedom of Information Team

e-mail: freedom-of-information-request@dwp.gsi.gov.uk

Our Ref: 2015-5229

08 March 2016

Dear Anita Bellows,

Thank you for your Freedom of Information request received on 20 December 2015.
You asked:

“In this document:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/439831/admu2.pdf, under U2025, the Example 4 shows that although a claimant is due to have radiotherapy treatment, the DM determines that she does not have and is not treated as having Limited Capability for Work.

I would like to know:

The number of claimants receiving treatment for cancer by way of chemotherapy or radiotherapy or likely to receive treatment within six months after the date of the LCW determination or recovering from treatment for cancer by way of chemotherapy or radiotherapy who were not found to have Limited Capability for Work, and therefore were not entitled to ESA

And the number of claimants in the same circumstances who were found to have Limited Capability for Work but not Limited Capability for Work Related Activity

Ideally I would like to have the total numbers from 28 January 2013 when the new rules took effect and including the most recent figures. If it exceeds the cost limit, could you narrow the search to only 2013, or/and 2014, or/and 2015 if the figures are available.”

In response your request, we can confirm that the Department does hold some information falling within the description specified in your request. However, we estimate that the cost of complying with your request in full would exceed the appropriate limit of £600.

The appropriate limit has been specified in regulations and for central Government it is set at £600. This represents the estimated cost of one person spending 3½ working days in determining whether the Department holds the information, and locating, retrieving and extracting the information. Under section 12 of the Freedom of Information Act (FOIA) the Department is not obliged to comply with your request and we will not be processing your request further.

Under section 16 of the Act we should assist the requester in helping narrow their request so that it may fall beneath the cost limit.

You might like to narrow your request by limiting the request to those with a relevant primary medical condition. Examples of primary medical conditions for Employment and Support Allowance can be found on the Departments tabulation tool here: <https://www.gov.uk/government/collections/dwp-statistics-tabulation-tool>, you should include IB ICD (disease) code in your selections.

We will consider afresh any revised request however we cannot guarantee that any revised request will fall within the cost limit.

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

Yours sincerely,

DWP Central FoI Team

Your right to complain under the Freedom of Information Act

If you are not happy with this response you may request an internal review by e-mailing freedom-of-information-request@dwp.gsi.gov.uk or by writing to DWP, Central FoI Team, Caxton House, Tothill Street, SW1H 9NA. Any review request should be submitted within two months of the date of this letter.

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 <https://ico.org.uk/>