

DWP Central Freedom of Information Team

e-mail: [freedom-of-information-rexxxxx@xxx.xxx.xxx.xx](mailto:freedom-of-information-rexxxxx@xxx.xxx.xxx.xx)

Our Ref: VTR738

16 March 2012

Dear Mr Newman,

You asked:

*You have previously stated that DMs can assign a claimant to a wheelchair if they feel that this will improve mobilisation and work capability, regardless of medical advice or claimant concerns.*

*In a decision on 20/10/2011, Judge Levenson cautioned that "in the absence of actual use or prescription, a tribunal needs to provide some explanation of how the aid or appliance could help the particular claimant."*

*(<http://www.osscsc.gov.uk/Aspx/view.aspx?id=3364>)*

*Is DWP now fully compliant with this judgement and providing this explanation to claimants affected by FFW decisions that involve use of a wheelchair?*

Freedom of Information is about the provision of non-personal recorded information. The information you request is not available.

The role of the Fol Act is about the supply of recorded information held by the Department rather than providing an explanation to, or confirming whether the assumptions made by the author of the questions are correct or not.

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

Yours sincerely,

DWP Central Fol Team

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**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@dwpgsi.gov.uk](mailto:freedom-of-information-request@dwpgsi.gov.uk) or by writing to DWP, Central Fol Team, 5<sup>th</sup> Floor The Adelphi, 1-11, John Adam Street, London WC2N 6HT. 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 [www.ico.gov.uk](http://www.ico.gov.uk)