

To: Rose Cullingford  
C/o [request-160353-b45ff5a5@whatdotheyknow.com](mailto:request-160353-b45ff5a5@whatdotheyknow.com)

13 May 2013

Dear Ms Cullingford

**Freedom of Information Act – Request for Information**  
**Our Reference: Fol 2089**

Thank you for your Freedom of Information request which we received on 5 May 2013.

You asked:

*On Sunday 5th May HeraldScotland reported*  
*(<http://www.heraldscotland.com/news/home-news/leading-doctors-protest-at-cruel-disability-tribunals.20994485>)*

*“A spokeswoman for the DWP said: “GPs have been clear they do not want to be responsible for making decisions on people’s benefit entitlement, which is why we have processes in place to request the appropriate information from GPs to enable us to make those decisions.””*

*GPs have NEVER been responsible for determining benefit entitlement, just fitness to work – DWP has ALWAYS made the benefit decision. The implication here is that GPs no longer want any involvement whatsoever, even in assessing FFW.*

*What information is available to support this suggestion or is it purely rhetoric to create a misleading picture?*

In his report titled ‘An Independent Review of the Work Capability Assessment – year three’ dated November 2012, Professor Malcolm Harrington stated:

*The British Medical Association, for example, have made it very clear that they do not want to become ‘guardians of the benefit system’. “Work Capability Assessments are carried out by health care professionals working directly for Atos Healthcare who are trained specifically to undertake this type of work. The claimant’s GP also has a specific role in the process, to provide a factual report based on information contained within the patient’s medical record. It is not, however, the GP’s role to provide any opinion on the patient’s capability to work as part of this process. It is vital that these two roles are kept separate and that GPs are not asked to provide opinion on their patient for the purpose of receiving Employment and Support Allowance (ESA); doing so could damage the doctor-patient relationship” - British Medical Association.*

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

Yours sincerely

Business Management Team  
Health & Disability Assessments (Operations)  
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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@dwp.gsi.gov.uk](mailto:freedom-of-information-request@dwp.gsi.gov.uk) or by writing to DWP, Central FoI Team, Caxton House, Tothill Street, London 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 [www.ico.gov.uk](http://www.ico.gov.uk)