

**Department for Work and Pensions (DWP)
Central Freedom of Information Team**

freedom-of-information-request@dwp.gsi.gov.uk

Our reference: VTR 4535

Date: 23/10/2014

Dear Mr Townsend-Handscomb,

Thank you for your Freedom of Information request received on 12 October 2014. You asked:

Thank you for your reply re the AtW Complaints process, dated 29/8/14, your reference VTR FOI 3293.

This Fol request concerns the current AtW Reconsideration process. Recently a number of Deaf AtW users have had responses from the Reconsideration Panel that say "following the Reconsideration Panel decision, no further request for Reconsideration is possible".

This is not in line with the Reconsideration process as described in Appendix 5 of the current AtW Guidance, where customers may ask for a Review 4 times before approaching ICE.

It is also not clear from the Guidance how the Reconsideration process sits alongside the current complaints process.

So, can I ask for all written information at AtW / DWP re the following questions. If there is no written information, please confirm that, and in your reply answer the questions.

- 1) What is the current Reconsideration process?
- 2) If customers are not satisfied with a decision from the Reconsideration Panel, what is the process for customers re further Reconsideration and/or Complaining?
- 3) How do the Reconsideration Process and Complaints Process sit along side and interact with each?

For example, if customers are unhappy with the way a decision is made and/or the decision itself, should they ask for a Reconsideration, and Complain at the same time? Or should they ask for a Reconsideration, and, if that is not successful, make a complaint beginning at Tier 1 or Tier 2 of the Complaints process?

I have checked the current AtW Guidance, previous Fol requests and responses, and searched the DWP website, and this is not available there.

Response

1. The AtW guidance relating to reconsiderations is currently under review and will be updated in the near future. The current process is as follows:
 - When a customer receives a decision letter outlining their approved support they are also informed of the reconsideration process. A customer has 28 days from the date of the letter to contact the reconsideration team.
 - The request is allocated to an adviser on the reconsideration team who will look at the original decision again, taking account of any additional information provided.
 - The customer is advised of the decision in writing.
 - If the customer remains dissatisfied with the decision they cannot ask for another reconsideration but can ask for the reconsideration team manager to conduct a review.
 - The manager reviews both the original decision and the reconsideration decision and decides whether it should be upheld, partially upheld or overturned.
 - The customer is informed of this decision in writing.
2. Once the customer has had a reconsideration decision and a review by the manager this is the end of the process. The decision stands unless there is a change in the persons circumstances.
3. The reconsideration process and the complaints process are two separate entities. The reconsideration process applies to decisions and the complaints process applies to other aspects of our service delivery as explained in the answer to FOI 3293. If a customer is unhappy with a decision they should request a reconsideration or, for example, if they are unhappy with the service they received they should complain. Once the reconsideration process is complete a customer cannot make a complaint about the decision at tier one or two.

If you have any queries about this letter please contact us 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 happy with this response you may request an internal review by e-mailing freedom-of-information-request@dpw.gsi.gov.uk or by writing to: DWP, Central Fol 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
www.ico.org.uk/Global/contact_us or telephone 0303 123 1113 or 01625 545745