

To Mr J Newman  
C/o request-101172-d54d3bb0@whatdotheyknow.com

DWP Central Freedom of Information Team

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

Our Ref: VTR3373-IR349

DATE 26th June 2012

Dear Mr Newman,

Thank you for your email dated 28 May that was received by Department for Work and Pensions (DWP) Adelphi and forwarded to the DWP Medical Services Contracts Correspondence Team (MSCCT) to respond to.

As DWP MSCCT Freedom of Information Internal Reviewing Officer, I have read your letter and accepted this as a request for an Internal Review of FOI reference 2918-IR87 dated 16<sup>th</sup> May 2012.

I have therefore conducted a full investigation into your original request to check that the information previously supplied to you, clearly and accurately answered your request. I have also reviewed any decisions to withhold information and in doing so I have fully considered the public interest in disclosure.

In your email you asked to be provided with information answering the following questions:-

*I am writing to request an internal review of Department for Work and Pensions's handling of my FOI request 'Atos HCP qualifications - renewal'.*

*Original Q4: You have still NOT directly answered the question as it is worded. This is very straightforward - if a WCA has been completed by an HCP who is unqualified (albeit temporary) it is automatically invalid by DWP's own rules. Is this the case or not? What do you mean by "re-examined" as this suggests the decision to use the WCA or not is discretionary in total contravention of the rules you yourselves have laid down? In what circumstances could you possibly accept a report from an unqualified person?*

*For a dedicated, conscientious HCP, there are NO mitigating circumstances for a lapse in registration. If you allowed your car insurance to lapse due to any of the reasons you are saying are acceptable, do you think your insurer would be so generous and understanding in the event of a claim - of course not.*

*Note that it is perfectly possible to design and implement a foolproof system as I have described. It is used by a professional*

*institution of which I am a member completely effectively and allows them to know instantly when a membership is on the point of lapsing and act accordingly.*

*A full history of my FOI request and all correspondence is available on the Internet at this address:  
[http://www.whatdotheyknow.com/request/atos\\_hcp\\_qualifications\\_renewal](http://www.whatdotheyknow.com/request/atos_hcp_qualifications_renewal)*

The Decision Makers Guide para 42139 states 'There should be no changes made to the content of the medical report other than of a very minor nature e.g. a typing error, and these are to be carried out by the same HCP who completed the original wherever possible. It is permissible for another approved HCP to make the amendment, having consulted the author of the original report, for example to avoid unnecessary delay. However the HCP making the amendment should make it clear that it has been made following consultation. Any other additions or alterations should be provided in a separate document'.

In the event that a claimant were examined by a HCP whose registration had lapsed, the medical report would not be considered in the decision making process. The DWP would arrange for a further assessment and the subsequent report would be forwarded to the Decision maker.

In reviewing your request I uphold the decision of the Freedom of Information Officer dated 16<sup>th</sup> May 2012 in part and have added information where appropriate. I am therefore satisfied now that all the information that DWP are able to supply to you has been supplied.

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 [xx@xxx.xxx.gov.uk](mailto:xx@xxx.xxx.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.gov.uk](http://www.ico.gov.uk)