

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

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

**Our reference:** VTR FOIR 83  
**Date:** 2403/17

Dear Mr Jefferson

Thank you for your Freedom of Information (FOI) review request, which we received on 15/02/16.

I am of a senior grade to the person who dealt with your request, I was not involved previously, and can confirm that I have carried out an internal review. I am now in a position to respond to you.

You have asked us:

We emphasize the points below more for lawyers rather than you personally.

You state "...form ESA72 provides an update of an award to benefit, it does not have the facility to provide a date for re-assessment."

We provided various links including an official website link showing the ESA72 had a date for re-assessment included beside the text "Future Assessments" which required nothing other than a web browser to open. It seems questionable that someone acting for the DWP has taken action to prevent everyone connected with the DWP from accessing outside material with only the office of the Permanent Secretary being able to access such things. Meanwhile the rest of the world can clearly see the date on the ESA72 in this article  
<https://endpropaganda.wordpress.com/2017/02/02/dwp-sending-esa-questionnaires-over-a-year-early/>

You state: "There is no maximum time limit for contacting the customer prior to starting the WCA process as this is decided on an individual basis taking into account their personal circumstances. We can confirm however that it is not standard practice for DWP or HAAS (Health Assessment Advisory Service) to issue notifications 17 months prior to a re-referral date."

Yet here we are with proof the DWP has done this to a person classified as vulnerable by the Mental Health Act and the action has worsened their condition.

You state: "Following a search of our paper and electronic records, we have established that the information you requested is not held by the Department. "

One of the things we asked for was "guidelines to staff at the centres who issued the ESA72 and the more recent letter on how to treat autistic people" and you state "there is no information held by the Department".

Our Response:

I am content that your original request was dealt with in accordance with DWP guidelines for Fol requests.

However I am in a position to clarify the points you raised on your review.

The form ESA72 is a benefit award letter there is no field within this letter which provides a re-assessment date and there is no facility to add this information as this letter is a template issued automatically.

Again I apologise for us not being able to access the links you provided. DWP staff do not have the ability to open links to external websites provided to us by the public. This enables us to maintain the security and integrity of our systems and the personal data therein. If you have documents you wish to provide you can attach them to any request as these are scanned for harmful programs such as viruses when entering DWP systems. Please note however DWP can not accept documents that contain personal information via email. Alternatively clerical copies can be posted to us or handed in at any of our Job Centres.

DWP has no guidance available on the maximum number of months in advance to issue an ESA72 award letter. This is because an ESA72 is produced when a change in award or circumstances occurs and is issued immediately to the customer.

I would also like to clarify our original response where we stated that there is no information held by the department, which included specific guidance around Autism. DWP provides guidance to staff on how to effectively engage with vulnerable customers. This is not separated into individual health conditions. I have included the guidance with this letter. However, as in our original response specific guidance for autism is not provided to staff that issue ESA72 award notices.

I hope this is helpful but 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 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](http://www.ico.org.uk/Global/contact_us) or telephone 0303 123 1113 or 01625 545745