

DWP Central Freedom of Information Team

e-mail: freedom-of-information-request@dwp.gsi.gov.uk

Our Ref: VTR5057

DATE: 22 December 2015

Dear Ms Harriman,

Thank you for your Freedom of Information request of 3 December 2015. You asked:

My question is about the precise process that happens at DWP when a Universal Credit claimant submits a self certification or fit note to DWP, and what to do when it appears to fail. I have read the http://about.universalcredit.service.gov.uk/kms/Pages/Health_Overview.htm and associated sections; also Chapter G1 of the Advice to Decision Makers; and I have copies of forms UC 35 and UC 50.

We have received several reports of claimants not receiving their UC35 or UC50 forms and continuing to be required to fulfil full work related requirements despite illness.

Please could you provide DWP guidelines on the time within which DWP should send these forms to claimants (especially UC35); and on what a claimant should do if, despite sending repeated fit notes, they hear nothing.

I understand from ADM Chapter G1 that sending these forms on receipt of a fit note is the responsibility of "medical services" but could see no definition of "medical services"- I assume this is a section of the DWP. Please could you explain who "medical services" are and whether there is a separate address or contact number for them. Fit notes etc have been submitted to the general Mail Opening Unit at Wolverhampton. Is this the correct address?

DWP Response:

In answer to your first question regarding the procedure when a fit note is handed into DWP for a Universal Credit claimant, I would like to explain what the Universal Credit definition is of a fit note:

“The fit note is used by a doctor to give more information about someone's medical condition and their ability to work. It can also be used to show why someone can't work due to illness or injury. A fit note is needed after 7 calendar days of sickness. The fit note replaced the sick note from 6 April 2010”

Universal Credit guidance has been collated from various sources within the Universal Credit Knowledge Management (UCKM) database. I have listed below the relevant areas within the guidance that I think maybe of interest to you and included the full documents into attachments below.

Below is a summary of what the guidance states.

1. The UCKM content item **Setting work related requirements** states Work Coaches may identify circumstances when the claimant's work search and availability requirements will be temporarily switched off, for example if a claimant sends a self-certificate/medical evidence report of an illness of up to 14 days.

Another piece of relevant UCKM guidance of interest is **Switching off requirements - Temporary absence for Medical Treatment**.

Guidance on receiving a statement of fitness for work is in the following pieces of UCKM guidance:

- **Receipt of a statement of fitness for work or Return to Work Plan** - explains what happens when a Statement of Fitness for Work (SoFFW) is received.
 - **Actions when no Statement of Fitness for Work has been received** - explains what happens when a SoFFW isn't received and what actions are taken.
 - **Action on the 8th day of sickness** the claimant is contacted by telephone to see if a new SoFFW is needed.
 - **Contacting a claimant about their Statement of Fitness for Work** describes the action to take when a claimant has not sent in a SoFFW after being sent a reminder 7 days before it was due to expire.
2. The piece of UCKM guidance **Referring a claimant to a work capability assessment** indicates the form UC35, which is the example referred to, is sent after 28 days of sickness.

If a claimant doesn't receive a form they've requested, they should contact Universal Credit to request a duplicate as soon as possible.

The relevant piece of UCKM for contacting Universal Credit is **Contacting Universal Credit overview** and relevant information is available on <https://www.gov.uk/universal-credit>.

If a claimant requests a duplicate UC50 the relevant piece of UCKM guidance is **Duplicate UC50 medical/health questionnaire requested**.

3. The UCKM piece **Referring a claimant to a work capability assessment** refers to Health Disability Assessment Services rather than 'medical services'. The Centre for Health and Disability Assessment (CHDA) replaced ATOS in February 2015. Unfortunately, we are unable to provide a contact number or address as this organisation is acting on behalf of DWP and all enquiries must be made through DWP. A claimant can contact CHDA regarding their Work Capability Assessment on the telephone number that is enclosed at the bottom of their letter inviting them along to participate in an assessment.

Also to confirm that fit notes are submitted to the general Mail Opening Unit at Wolverhampton.

The UCKM content referred to above is attached.

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

Yours sincerely,

DWP Strategy 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@dwpgsi.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