

Dear Finn Keaney,

Thank you for your Internal Review request of FOI2020/14504 received on 11 May 2020. You said:

*I am writing to request an internal review of Department for Work and Pensions's handling of my FOI request 'Health and Work Capability Assessments under COVID-19'.*

*My request has been marked as having been dealt with yet but the questions I asked have not actually been answered. Apologies if this misunderstanding was due to my not having been clear enough in my original request.*

*My question was, prior to COVID-19 assessment providers were operating under DWP that guidance that "[i]n the majority of cases, a face-to-face consultation will be necessary to accurately assess the claimant's functional ability," and that only in exceptional cases would it generally be possible for an assessment to be carried out over the phone or on the papers alone. In the time since social distancing measures have been introduced however, the proportions seem to have more or less flipped and the majority of cases are being decided over phone or on the paper.*

*This means two things:*

- 1 – that you are now making a different decision / that there are different criteria for deciding which cases can be decided without a face-to-face*
- 2- that paper assessments are being done in cases where they would not have done previously (and which therefore assessors and decision makers will not have previous experience of having assessed in this way)*

*I understand that the DWP gives detailed guidance and training to their staff, and similarly ensures through guidance and training a uniform level of service across contractors such as assessment providers. Given the large change to the way claims are being processed additional guidance must have been given.*

***The below is being treated as a new FOI request because it is seeking new information and has been registered as FOI2020/24681 –***

*I would like to see all such guidance. This could include any internal DWP comms, any internal DWP guidance or guidance provided to contractors, any new training that has taken place, or any change in policy or in the contract requirements for contractors relating to this change.*

*As was noted in the original request, I would like to ask in particular for those changes which have been made to ensure that you/your contractors are able to safely and accurately determine substantial risk under the new approach.*

*If no such guidance or changes have been issued, please can you clearly state that.*

*This request is pertaining to the reaction to COVID-19 and as such does not relate to any guidance issued prior to 01/03/2020.*

## **DWP Response**

Please accept our apologies for the delay in responding to your Internal Review request. You can normally expect a response to your FOI request within 20 working days however, due to the current Covid-19 situation we are focusing resources on frontline high-priority areas and responding as soon as we are able to do so.

In response to your request, I can confirm that the handling of your original request and response has now been appropriately reviewed by someone unconnected with the handling of your original request.

As a result of this review –

I am satisfied that the original response was handled properly and that the outcome of your request was correct. The reasoning behind this decision is as follows. You were provided with the information you requested. At the time of the request, telephone assessments had only been introduced into Personal Independence Payment assessments. You were provided with the link to the PIP Assessment Guide.

For Work Capability Assessments, the Department had not introduced telephone assessments at that time. We were in the process of developing the guidance for this, ready for their introduction in May 2020.

I should point out though that your request for guidance/training materials for telephone Work Capability Assessments has been accepted as a new FOI request; the reference for which is: FOI2020/24681. Therefore, the outcome from this review should be read in conjunction with the response to FOI2020/24681.

If you have any queries about this letter, please contact the Department at:  
[freedom-of-information-request@dwp.gov.uk](mailto:freedom-of-information-request@dwp.gov.uk) quoting the reference number above.

Yours sincerely,  
DWP Central FOI 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  
Web: [ico.org.uk/Global/contact\\_us](https://ico.org.uk/Global/contact_us) or telephone 0303 123 1113 or 01625 545745