

6 June 2023

Dear Ruth Bartlett,

Thank you for your Freedom of Information (FOI) internal review request received on 18 May relating to FOI2023/31180. You wrote:

"I am writing to request an internal review of Department for Work and Pensions's handling of my FOI request 'Independent Assessment Services - Protocols'.

I am requesting an internal review of my request. If the exemption is upheld, please provide details of the public interest test and how its conclusion was arrived at.

In your letter you confirm that the CIS reports do not contain any information about ADHD. Given the miscategorisation of ADHD as a "behavioural condition" in your Assessor Guidance, the lack of consultation of ADHD charities during the design of PIP, the complexities of this invisible disability, the socio-economic impact of ADHD and the increase in numbers of people with a late diagnosis, the lack of access to support and the stigma around the condition, I argue that disclosure is in the public interest.

A full history of my FOI request and all correspondence is available on the Internet at this address: https://www.whatdotheyknow.com/request/independent_assessment_services_4"

DWP Response

In response to your internal review request, we 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, we are satisfied that the original response was handled properly, and that the outcome of your original request was correct. Your complaint is therefore not upheld and the reason for this is as follows:

The Department for Work and Pensions (DWP) acknowledges that there is strong public interest in the disclosure of commercial information to ensure transparency in the accountability of public funds, and to show that public money is being used effectively. Releasing the protocols and training materials would fulfil the public interest by:

- Demonstrating how Independent Assessment Services (IAS) trains its health professionals (HPs) on the requested conditions

- Aid the public understanding of the Personal Independence Payment (PIP) assessment process

IAS develops their own bespoke medical protocols and detailed training packages. They operate in a challenging commercial environment when recruiting qualified people to fill HP roles HP with competition from, for example, the NHS, private healthcare suppliers and other health assessment providers.

IAS endeavours to recruit the highest quality candidates available. Releasing copies of their bespoke protocols and training packages would allow prospective candidates the opportunity to get an insight into IAS's training and business methodologies and gain an advantage during the recruitment process.

This would impair their ability to conduct an open and fair recruitment and would be at risk of recruiting unsuitable people who used the protocols and training to surreptitiously obtain employment, resulting in IAS incurring additional costs to run further recruitments, and to continuously rewrite the protocols and training.

DWP also maintains that there is published information to demonstrate that public money is being used effectively already in the public domain.

This includes (but is not restricted to) scrutiny by the Work and Pensions Committee, Public Accounts Committee and the National Audit Office. DWP also regularly publishes statistical data relating to PIP assessments on GOV.UK and Stat Xplore.

Included in this data is clearance and outstanding claim times, claimant journey statistics and PIP statistics by disabling condition.

[Personal Independence Payment: Official Statistics to April 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/personal-independence-payment-official-statistics-to-april-2022)

[Stat-Xplore - Log in \(dwp.gov.uk\)](https://www.dwp.gov.uk/stat-xplore)

DWP also acknowledges your argument for disclosure on the basis that there is no Condition Insight Report (CIR) containing information on ADHD. Whilst this is correct, it is not possible for IAS to create CIRs for every condition.

IAS HPs have access to external resources to research conditions as required. The following link(s) demonstrate the available external resources used by IAS for ADHD;

<https://www.nhs.uk/conditions/attention-deficit-hyperactivity-disorder-adhd/>

<https://adhduk.co.uk/>

DWP considers that having no CIR for ADHD does not add weight to the public interest argument for disclosure.

DWP has considered the public interest in disclosing the protocols and training materials requested. On the basis that public scrutiny can be demonstrated by the already publicly available information, the release of the documents requested would add little material value to the public interest.

DWP asserts that the public interest in disclosure is outweighed by the arguments in maintaining the exemptions under Section 43(2) of the FoI Act.

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

Yours sincerely,
Central FoI Team
Department for Work and Pensions

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 FOI and EIR complaints](#) or telephone 0303 123 1113