

To B Adams
request-162617-34f31e3b@whatdotheyknow.com

27 June 2013

Dear B Adams

Freedom of Information Act - Request for Internal Review

Our Reference: IR 519

Thank you for your email dated 14 June 2013 requesting a review of the Department for Work and Pensions (DWP) response dated 13 June, reference Fol 2412.

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 'Judicial Review- Equality Act'.

I request a copy of the DWP guidance or internal memos which detail the revised procedures to be followed following the court ruling and directions .. If you have not made any such revisions to the procedures please could you say so..'

Please be assured that your request has been given our full consideration and that all aspects of your review were taken fully into account.

The review was conducted by an independent official of the Department, of the relevant grade and authority to carry out such requests. The case has been examined afresh, and guidance has been sought from domain experts to ensure all factors were taken fully into account.

The internal review has determined that the response (Fol 2412) dated 13 June 2013 explained that *'at this stage and in this judgement, the Upper Tribunal has not found the Department to be in breach of the duties placed on it by the Equality Act. They have asked the Department for further evidence to help determine whether any reasonable adjustments could be made.*

*As such, individuals should continue to apply for Employment and Support Allowance and undergo Work Capability Assessments in the normal way. Those currently on Incapacity Benefit will be reassessed as planned. **Therefore revised guidance regarding the assessment of claimants with mental health problems has not been produced and will not be issued to Atos Healthcare at this stage.***

I therefore find that the original response dated 13 June 2013 was correct and that all the information that the 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,

Business Management Team
Health & Disability Assessments (Operations)
dwp.medicalservicescorrespondence@dwp.gsi.gov.uk

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@dwp.gsi.gov.uk or by writing to DWP, Central FoI Team, Caxton House, Tothill Street, London 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