

DWP Central Freedom of Information Team

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

Our Ref: FOI2020/10927

Date: 31 March 2020

Dear Gemma Partridge,

Thank you for your Freedom of Information request received on 6 March 2020. You asked for:

“Fol request 1 of 2: If they exist, please provide the procedures and guidance put into place by the DWP during 2017 and later to prevent mistranslation of work capability assessment scores. We don't require any personal information. Refer to example and background if necessary.

Example: People with no legs being found 'fit for work' with the claim from DWP they can "Climb stairs with their arms"

Fol request 2 of 2: If it exists, please provide the procedure or guidance document which would have told DWP staff at the time (around 2016 and 2017) that people with no legs can "Climb stairs with their arms". We would like to see the documentation which told DWP staff that they can say this to people.

Background: In 2017 the DWP admitted an error after they told man with no legs he was fit to work as he can 'Climb stairs with his arms'. They stated “When someone comes in for an assessment they are asked to do a number of actions, and the way the scores were translated caused a clerical error.”

Article for public reference: https://www.huffingtonpost.co.uk/entry/dwp-admits-error-man-with-no-legs-climb-stairs-arms_uk_58b68641e4b060480e0d06da”

DWP Response

In response to your questions, it may be helpful if I explain the role of the Freedom of Information Act. The Act provides a right of access to recorded information held by a public authority like DWP (subject to certain exemptions). The Act does not oblige a public authority to create new information to answer questions; nor does it require a public authority to give advice, opinion or explanation in relation to issues/policies under question.

However, to be helpful you can find information about the work capability assessment for DWP decision makers in the following links on Gov.uk.

For the Advice for Decision Makers, the relevant chapter is U2:

<https://www.gov.uk/government/publications/advice-for-decision-making-staff-guide>

For the Decision Makers Guide, the relevant chapter is chapter 47:

<https://www.gov.uk/government/collections/decision-makers-guide-staff-guide>

To find the amendments for each, click on the relevant chapter and scroll down the page to find the amendments for that chapter.

Also, below are links to the WCA Handbook used by the Healthcare Professionals: 2017 and the latest version – Chapter 3.2.2 – Descriptor W(b) refers:

WCA Handbook 2017:

<https://webarchive.nationalarchives.gov.uk/20171216033425/https://www.gov.uk/government/publications/work-capability-assessment-handbook-for-healthcare-professionals>

WCA Handbook latest:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/871571/wca-handbook.pdf

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

Yours sincerely,
Policy Group FOI Team
Department for Work and Pensions

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.gov.uk or by writing to DWP, Central FOI 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

Web: ico.org.uk/Global/contact_us or telephone 0303 123 1113 or 01625 545745