

To Alison Stevens
C/o request-110223-9c5da7ad@whatdotheyknow.com

DWP Central Freedom of Information Team

e-mail: freedom-of-information-xxxxxxx@xxx.xxx.xx

Our Ref: VTR 3056-1253

DATE 18 April 2012

Dear Ms Stevens,

Thank you for your Freedom of Information request dated 19 March 2012 which was received by the Department for Work and Pensions (DWP) Adelphi and forwarded on 21 March for response by DWP Medical Services Contracts Correspondence Team (MSCCT) Freedom of Information Officer.

In your email you asked to be provided with information answering the following questions:-

Dear Department for Work and Pensions,

Please can you tell me why Atos Healthcare and the DWP refuse to give their Services users a copy of their medal questionnaire when asked for under section 7 of the data protection act 1998?

Other documents from atos have been supplied but the refusal to supply the client with a copy of the questionnaire could be detrimental if the Service user has to be appeal against the decision after their ESA has been stopped due to the individual being deemed fit to work.

In answer to your question Atos Healthcare are DWP's Medical Services contractor and as data processors they provide medical information on behalf of the DWP.

All information gathered, including any further supporting evidence that may have been provided by the claimant or their GP/Specialist etc, is then used for the purpose of establishing entitlement to benefit.

The Data Subject (DWP Claimant) has a right of access to this personal information. A copy of any personal information which could include the medical questionnaire (ESA 50) completed by the claimant and the medical assessment report (ESA 85) completed by the Healthcare Professional (HCP) held about a DWP claimant is freely available on written request to the Data Protection Officer at the Benefit Centre which is administering the benefit claim.

Once an assessment has been completed all documentation is returned to DWP, so that the Decision Maker can make a decision on benefit entitlement. Atos Healthcare does not retain information relating to claimants assessment.

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

Yours sincerely,

DWP Central 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-xxxxxxxxxxxxxxxxxxxx@xxx.xxx.xxx.xx or by writing to DWP, Central Fol Team, 5th Floor The Adelphi, 1-11, John Adam Street, London WC2N 6HT. 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