

To Ms S Cuttle
C/o request-109403-986c8eae@whatdotheyknow.com

DWP Central Freedom of Information Team

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

Our Ref: VTR 3040-1190

DATE 3 May 2012

Dear Ms Cuttle

Thank you for your Freedom of Information request that was received by the Department for Work and Pensions (DWP) Adelphi on 14 March 2012 and forwarded on 16 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,

- 1. Under the Freedom of Information Act, I wish to request a full copy of the evidence based protocol on Hypothyroidism and Hashimoto's disease.*
- 2. I am interested in what criteria are used to determine the validity of claims for ESA and or DLA by ATOS and the DWP decision maker.*

*Specifically, those who have reported their condition as Hypothyroidism or Hashimoto's Disease and Chronic Fatigue -induced due to thyroid conditions.
The answer would include any written criteria or training materials on how to assess and score applicants who are attempting to claim ESA or DLA benefit.*

- 3. Also, as the main complaint for people suffering from the above said conditions is Chronic Fatigue I would like to know how, Atos and the DWP decision maker asses such cases and what the guideline are and indeed if they are the same as those for CFS/ME without thyroid conditions.*

May I take this opportunity to apologise for the delay in responding to your request for information

In response to **Q1**, there is no evidence-based protocol specifically on Hypothyroidism and Hashimoto's disease. However, information is available for use by the examining Atos Healthcare Professional (HCP), reproduced here:

"Myxoedema is the condition caused by under-activity of the thyroid gland with impaired production of thyroid hormone. This is usually caused by deficiency of dietary intake iodine, impairment of pituitary function or inflammation or primary disease of the thyroid gland.

When iodine becomes severely deficient the thyroid gland fails to produce sufficient thyroid hormone. The pituitary gland responds by producing increasing amounts of TSH in an attempt to force an increase in production of thyroid hormone.

When production of TSH is impaired by disease of the pituitary gland there is insufficient stimulation of the thyroid with consequent reduction in output of thyroid hormone.

Hashimoto's thyroiditis is an inflammatory disease of the thyroid glandular tissue and impairs the ability to produce thyroid hormones. The gland becomes enlarged as a result of the inflammation. The effects of ionising radiation, either from therapeutic use or accidental exposure, and surgical removal of the thyroid gland may produce the syndrome of hypothyroidism."

In reply to **Qs 2 & 3**, benefit entitlement is determined by DWP Decision Makers (DMs), not Atos HCPs. The DWP DM's role is to evaluate the HCP's advice along with all other available evidence.

Entitlement to Employment and Support Allowance (ESA) and Disability Living Allowance (DLA) is assessed by the DM taking account of the needs arising from a claimant's medical condition/s and applying the "criteria" for entitlement to benefit as specified in the relevant legislation. ESA and DLA DMs are provided with evidence based medical guidance on a range of disabling conditions which includes Chronic Fatigue Syndrome (CFS) and Myalgic Encephalomyelitis (ME). The guidance includes information on clinical features, treatment, sources of evidence, disabling effects in relation to care and mobility and prognosis.

The following link will take you to an online version of the DMs Guide which covers the appeals process and Work Capability Assessment (WCA) aspect for ESA

<http://www.dwp.gov.uk/publications/specialist-guides/decision-makers-guide>.

Assessment for entitlement to benefit is based on the effects of a claimant's condition on their day-to-day functionality, not on the condition itself. Please find enclosed a link

<http://www.dwp.gov.uk/publications/specialist-guides/#other> to a copy of the Revised WCA ESA (LCW/LCWRA) Amendment Regulations 2011 Handbook that is issued to HCPs employed by Atos Healthcare.

Please also find attached to this email the guides:

Chronic Fatigue Syndrome / Myalgic Encephalomyelitis

Chronic Fatigue Syndrome (CFS) and Fibromyalgia

Chronic Fatigue Syndrome / Myalgic Encephalomyelitis (CFS / ME) - Guidelines for the Disability Analyst

These documents have been produced as part of a programme for HCPs to carry out medical assessments as approved HCPs. All HCPs undertaking these medical assessments must be registered medical or nursing practitioners who in addition, have undergone training in disability assessment medicine and more specific training. The training includes theory training in a classroom setting, supervised practical training, and a demonstration of understanding as assessed by quality audit. These documents must be read with the understanding that, as experienced medical or nursing practitioners, the HCP will have detailed knowledge of the principles and practice of diagnostic techniques and therefore such information is not contained herein. In addition, these are not stand-alone documents, and form only a part of the training and written documentation that a HCP receives. As disability assessment is a practical occupation, much of the guidance also involves verbal information and coaching. Thus,

although the documents may be of interest to non-medical readers, some of the information may not be readily understood without background medical knowledge and an awareness of the other training and guidance given to HCPs.

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

Yours sincerely,

DWP Central FoI 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-informxxxxxxxxxxxxx@xxx.xxx.gov.uk or by writing to DWP, Central FoI 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