

To: John Slater
request-330606-71f95c78@whatdotheyknow.com

DWP Central Freedom of Information Team

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

Our Ref: IR 303

31 August 2016

Dear Mr Slater

Thank you for your email requesting a review of the Department for Work and Pensions (DWP) response dated 23 June 2016, reference FOI 1652.

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 'Service Requirements (WCA outcome report) - Contract with CHDA Limited'.

Thank you for your response (ref FOI 1652) dated 23 June 2016.

I am confused and concerned by the Department's response. Whilst RFI1, RFI2 & RFI4 are questions RFI3 and RFI5 are requests for information that should be held by the Department according to the contract between the Secretary of State for Work and Pensions and CHDA Limited.

RFI3 states: "If a single instance of this spreadsheet is maintained by the DWP please supply me with a copy."

and;

RFI5: states "Please provide the most recent WCA outcome report submitted to the DWP by CHDA (assuming a single collated report is submitted to the DWP). If individual reports per assessment centre are submitted to the DWP then please provide the most recent WCA outcome report for the Leicester assessment centre."

Both of these requests for information relate to the WCA outcome reports that are contractually required to be provided by CHDA (originally Maximus) to the Department. To remind the Department Schedule 2.1 (Service Requirements) of the contract with CHDA states:

"42.4. The Supplier must provide management information to the Authority in a monthly report on the above. An example of the content and format (without agreed ranges) of this report is included at Annex 5."

"55.2. The Supplier will produce a single report covering all aspects of quality, including performance and complaints, on a monthly basis. A template for this report will be provided by the Authority, see Annex 5."

ANNEX 5 of Schedule 2.1 (Service Requirements) describes the required Medical Quality Report. Part of this is the "WCA outcome report". The contractual requirement is stated as:

“Complete the spreadsheet – comments to be provided for those centres either identified by the Authority or who are outside the agreed range.”

HDAS - Schedule 2.1 (Service Reqts) Annex 5 WCA Outcome Rept specifies the structure and content to the required WCA outcome report.

To be absolutely clear, is the Department stating that it does not hold any WCA outcome reports from CHDA? (This would mean that the DWP was allowing CHDA non-compliance with its contractual obligations)

Given the Department’s response please confirm if the Department holds any Medical Quality Reports (as defined in ANNEX 5 of Schedule 2.1 (Service Requirements)) from CHDA?’

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

Having reviewed your original request (FOI 1652) and the subsequent response, I am able to provide further information.

The Medical Quality Report is issued by Centre for Health and Disability Assessments (CHDA) on the last working day of the month in relation to the previous month.

The WCA Outcome report is an attachment within the Medical Quality report.

This report is broken down by assessment centre and contains all of the information required as stated within the Contract.

On receipt of the Medical Quality Report from CHDA, the report is monitored by the Department.

I am unable to provide a copy of the WCA Outcome Report. The Department has decided not to disclose this information in accordance with Section 43(2) of the Freedom of Information Act 2000; this exemption covers Commercial Interests. Releasing details of CHDA’s performance would, or would be likely to prejudice their commercial interests.

In applying this exemption the Department has balanced the public interest in withholding the information against the public interest in disclosing the information and considers that release of the information would prejudice the interest of CHDA and the Department’s future dealings with CHDA or other service providers.

Following review of the previous response I overturn the decision and have now addressed the points within your Internal Review request.

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.

You can view the Freedom of Information Act 2000 via the following link:

<http://www.legislation.gov.uk/ukpga/2000/36/contents>

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