

DWP Central Freedom of Information Team

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

Our Ref: 2014-IR13

7th February 2014

Dear J B Chadwick

Freedom of Information ref: 2014-IR13

Thank you for your request for an internal review of your Freedom of Information request 5602 which was answered on 24th December 2013.

You asked:

“I am writing to request an internal review of Department for Work and Pensions's handling of my FOI request 'Statistics for DWP acting on Atos Recommendations and Medical Evidence Gathering'.

Thank you for your answers to Q1-4. However, with respect to my final question, whilst the information that you have provided on the number of ESA113 forms issued was perfectly satisfactory in isolation, I note that this particular statistic is relevant for ESA 'new claims' and IB reassessments. However you have only provided me statistics for the number of WCAs which took place on 'new claims'. My original request made clear that I wished to compare the number of WCAs that took place with the number of ESA113 forms issued. As I am sure you will appreciate, it is not possible to do this with the information that you have provided. Therefore, please provide me with number of WCAs that took place as a consequence of IB reassessments between June 2012 to May 2013.

Please also clarify precisely what is meant by a 'clerical case' and a 'clerical decision'.”

In your original request you asked:

“I make this request with respect to Employment and Support Allowance claimants assessed via the Work Capability Assessment (WCA) nationwide over the past 12 months.

In turn, please provide me with the number of claimants:

1) For whom a DWP decision maker made a decision that was unfavourable to the claimant (i.e. they were found fit for work or placed in WRAG instead of the Support Group) and in doing so rejected some or all of an Atos HCP's recommendations.

2) For whom a DWP decision maker made a decision that was unfavourable to the claimant (i.e. they were found fit for work or placed in WRAG instead of the Support Group) and in doing so accepted all of an Atos HCP's recommendations.

3) For whom a DWP decision maker made a decision that was favourable to the claimant (i.e. found to have or be treated as having limited capability for work and/or work-related activity or placed in Support Group instead of WRAG) and in doing so rejected some or all of an Atos HCP's recommendations.

3)

4) For whom a DWP decision maker made a decision that was favourable to the claimant (i.e. found to have or be treated as having limited capability for work and/or work-related activity or placed in Support Group instead of WRAG) and in doing so accepted all of an Atos HCP's recommendations.

Additionally please provide me with the number of WCAs that took place over the past 12 months and state in how many of these WCAs, Atos and/or the DWP formally requested medical evidence from a claimant's GP or specialist."

I am of a senior grade to the person who dealt with your request previously, and can confirm that I have carried out an internal review. In conducting my review, I have discussed the handling of your original request with the case officer.

Firstly, I find no issues with the process of handling your request. The Department's procedures for handling Freedom of Information requests were followed, and the response was issued within 20 working days as required by the legislation.

You have requested the 'number of WCAs that took place as a consequence of IB Reassessments between June 2012 to May 2013'. Please note that currently this information is only published up to March 2013, however I hope the additional information provided on the ESA113 forms below will allow you to calculate your required comparisons.

In our original response you were informed that in the period 1st June 2012 to 31st May 2013 there were 482,200 ESA113 forms issued. To meet your requirements I can provide further information that this figure is made up of 271,900 forms related to initial and repeat assessments for new claims cases and 210,400 forms related to Incapacity Benefits Reassessment cases.

In response to your clarification queries, a clerical **case** is one in which the entire case is now being progressed clerically; a clerical **decision** is one in which the case is not being progressed clerically but the DWP decision has been recorded as 'clerical' on the dataset available for analysis.

If you have any queries about this letter please contact us 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-information-request@dwpgsi.gov.uk or by writing to DWP, Central Fol 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 www.ico.gov.uk