

23 March 2012

Dear Mr Newman,

Thank you for your request for a review.

You asked:

I am writing to request an internal review of Department for Work and Pensions's handling of my FOI request 'The role of GPs in the WCA Process'.

Although I took the trouble to explain the reasons behind my requests (in the hope it would make it easier for you to answer), it seems you have still not read my IR request correctly. For the avoidance of doubt, I DO NOT WANT A DISCUSSION. I want whatever RECORDED INFORMATION you have in the areas I have questioned (repeated below, albeit reworded). Only Q1 & Q6 require responses. If there is no information, all you have to do is say so. The context I have described previously is still valid for your reference:

Q1: What evidence do you have that proves GPs are insufficiently trained to correctly assess work capability? An example would be patients who had been signed-off work by their GP, but were able to find and sustain employment. I have presented you evidence available that indicates they ARE adequately trained, so I expect you to be able to more than contradict it.

Q2: You regularly contradict yourselves over the level of clinical expertise an Atos HCP needs, which in itself provides the answer to the question. No further response needed.

Q4/Q7: as with Q1, you are unable to address this issue and in any way support your proposition over GP shortcomings. No further response needed.

Q5: Observation – you are prepared to station HCP with DMs to help them but cannot accept that this just shows the wrong person is making the decision. No further response needed.

Q6: GPs sign the Hippocratic Oath and in countermanding a GP's recommendation, a DM assumes the GP's accountabilities and potential liabilities. Do DWP's policies and imperatives anywhere clarify to a DM that their first priority is always a claimant's health and well-being? Despite its obvious importance, I have been unable to find it in any of the references you have sent me. It is however important enough to be documented somewhere I am sure.

Questions 1 and 2: We hold no recorded information on this. You have been informed on multiple occasions previously that GPs are trained to diagnose and treat medical conditions rather than make an assessment on a person's capability for work according to legislation; the healthcare professionals that provide advice to the Department however, are trained to make that assessment.

Questions 3, 4 and 5: It is important to highlight that the purpose of Freedom of Information is the provision of non-personal recorded information. It is not a discussion forum; that is a matter for other business channels. Therefore, these questions are not valid Fol requests.

Question 6: We hold no recorded information on this. We have informed you on multiple occasions previously that the DM's obligation is a benefit decision and a benefit decision only. Reluctance to accept the distinctions we have previously detailed does not change the recorded information held on what is the case that our decisions do not say that somebody is not sick or disabled, but rather allow that our decision makers can make a benefit decision, and a benefit decision alone, based on independent medical advice supplied by a trained disability analyst as well as any other evidence the claimant wishes to provide.

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 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