



Address:

Official Correspondence Team
Business Management and Improvement
Information Exploitation and Security Directorate
Finance Group
Ground Floor, Quarry House
Quarry Hill, LEEDS
LS2 7UA

Email:

official.correspondence@dwp.gsi.gov.uk

Website:

www.dwp.gov.uk

Date:

11 December 2014

David Alfred
Sent via email

Dear Mr Alfred

Freedom of Information Act - Request for Information
Our Reference: FOI 4964

Thank you for your Freedom of Information request received on 13 November 2014. You asked:

- a) When Maximus take over from Atos, will T.U.P.E apply to the Atos HCPs? If so, what retraining programme has DWP insisted upon and what changes have DWP demanded in relation to the training regime used by Atos to ensure improved HCP performance?**

Yes, TUPE will apply to the majority of HCPs who work on the current Atos medical services contract.

Following the quality issues identified in 2013 all Atos Healthcare Professionals went through a re-accreditation process in summer 2013. Only those who passed the assessment will transfer to MAXIMUS.

MAXIMUS also have proposals for a range of improvements to the current assessment process. They will look to improve the quality of the assessment through a number of initiatives, such as expanding the number of medical professionals who specialise in mental health and understand how fluctuating conditions can be better reflected in assessments. Disability Awareness training will be provided for all staff. Assessments will be delivered using a stringent quality approach that will be validated through the achievement of key quality targets. They will introduce a regime to ensure that DWP's required quality standards are achieved, consistently measured and reported upon.

They will ensure that the feedback they receive as a result of audit activities delivers on-going quality and customer journey improvements and can be used to support Healthcare Professionals who need to develop their assessment techniques.

- b) What new performance standards will DWP apply that were NOT applied to Atos?**

Section 21 of the Freedom of Information Act allows us to direct you to information which is already reasonably accessible to you. The information you requested in answer to (b) is now available on the Contracts Finder website at the following link

<https://online.contractsfinder.businesslink.gov.uk:443/Common/View%20Notice.aspx?site=1000&lang=en&NoticeId=1644334>

c) Are there any termination costs to be paid to Atos, including potentially staff redundancy and if so, how much?

The costs associated with the cancellation of contracts are commercially sensitive and is therefore exempt from release under Section 43 (2) of the Freedom of Information Act.

Section 43 (2) exempts information which, if disclosed, would be likely to prejudice the commercial interests of any person. It protects not only the commercial interests of third parties but also the commercial interests of the Department. It is intended to protect the ability of a public authority like DWP to obtain goods or services on the best possible commercial terms and to protect the legitimate commercial interests of its suppliers. The information you seek falls into this category.

As required by the FoI Act the use of this exemption requires the public interest for and against disclosure to be assessed. Generally speaking there is a public interest in the disclosure of commercial information to ensure transparency in the accountability of public funds and to show that public money is being used effectively. Conversely, there is a public interest in ensuring that disclosure does not compromise an existing competitive market environment or the Department's ability to secure best value for money for the taxpayer. On balance we are satisfied that, in this instance, the public interest in applying the exemption outweighs the public interest in disclosure.

d) Are there any set-up costs for Maximus that DWP will fund and if so, how much?

The Department can confirm that DWP will fund set-up costs prior to service commencement.

The amount of these costs is commercially sensitive as disclosure of this information would assist a future competitor to deduce the quantum of supplier labour rates, salaries, overheads or other costs and compromise the commercial interests of the Supplier. It is therefore exempt from release under Section 43 (2) of the Freedom of Information Act.

On balance we are satisfied that, in this instance, the public interest in applying the exemption outweighs the public interest in disclosure.

e) Will the costs with Maximus be more or less than with Atos measured on a like-for-like basis e.g. as a cost per "unit"?

The costs to be paid to Maximus and Atos are commercially sensitive and therefore exempt from release under Section 43 (2) of the Freedom of Information Act.

f) Right-first-time has been a much talked about KPI. Has DWP defined the right-first-time percentage it expects from Maximus? If so, what is it?

The contract contains a number of Service Levels, including those which attract Service Credits (financial remedies) if performance is not to the required standard. Measures include:

- quality of assessments;
- requirement for re-work where assessments are not of the required quality;
- volumes and speed of clearance; as well as
- customer service.

g) Has DWP advised HMCTS of the appeal tribunal volume it can expect and if so what is it over the coming few years?

DWP provides HMCTS with appeals forecasts three times a year. The forecast takes into account an increased capacity to deliver work capability health care assessments, from 788,000 per annum currently to 1.2 million per annum within the next two years. This results in a higher volume of appeals in the forecast.

The summer forecast for ESA appeals for the years requested is:

2014/5	2015/6	2016/7	2017/8	2018/9
33,000	56,000	53,000	48,000	48,000

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

Yours sincerely

**Official Correspondence Team
Business Management and Improvement**

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 FoI Team, Caxton House, 6-12 Tothill Street, London. 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