



Department  
for Work &  
Pensions

DWP Central Freedom of  
Information Team  
Caxton House  
6-12 Tothill Street  
London  
SW1H 9NA

Jess Thorpe  
request-1030233-e7f7cc7e@whatdotheyknow.com

[freedom-of-information-  
request@dwp.gov.uk](mailto:freedom-of-information-request@dwp.gov.uk)

[DWP Website](#)

Our Ref: FOI2023/73007

10 October 2023

Dear Jess Thorpe,

Thank you for your Freedom of Information (Fol) request received on 22 September. You wrote:

“Please can you advise if the DWP are required to adhere to The Equality Act 2010 or the Equality Duty for their day to day processes. I.e PIP, UC, ESA applications and assessments.

Please can you advise if the DWP are required to adhere to The Human Rights of persons with disabilities as set by the Committee on the Rights of Persons with Disabilities (CRPD) for their day to day processes and systems.  
I.e PIP, UC, ESA applications and assessments.

Please can you give a breakdown for current wait times for:

- PIP - application
- PIP - Assessment
- PIP - outcome of Assessment
- PIP - Mandatory Reconsideration
- PIP - Tribunal
- PIP - From initial contact/application to award and/or decline
- PIP- The number of awards vs declines over the last 3 months

- LCWRA -Application
- LCWRA - Assessment
- LCWRA- Mandatory Reconsideration
- LCWRA - Tribunal
- LCWRA- From initial contact/application to award and/or decline
- LCWRA- The number of awards vs declines over the last 3 months”

## **DWP Response**

We confirm that we do hold some of the information you have requested. However, we have estimated that the cost of meeting your request would exceed the cost limit of £600 specified in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. This represents the estimated cost of one person spending 3½ working days (equivalent to 24 staff-hours) in determining whether the Department holds the information, and locating, retrieving, and extracting it.

Under Section 12 of the FoI Act the department is not therefore obliged to comply with your request and we will not be processing it further.

The reasons being:

- The time period requested
- The date of a Personal Independence Payment (PIP) assessment is not held in central PIP data available for analysis. Dates of assessments are held by Assessment Providers, who do not hold data on other stages of the PIP journey. We estimate that to merge these two data sources together to identify associated assessments would take in excess of 3 ½ working days.

Under Section 16 of the FoI Act we should help you narrow your request so that it may fall beneath the cost limit.

There is already some related information in the public domain. Once you have reviewed the following material you may want to refine your request.

### **Equality Act and Human Rights**

Information on how the DWP adheres to its responsibilities as a public authority under the Equality Act 2010 can be found here [Equality and diversity - Department for Work and Pensions - GOV.UK \(www.gov.uk\)](https://www.gov.uk/equality-and-diversity-department-for-work-and-pensions).

The DWP is committed to supporting and improving the lives of disabled people. In doing this, the Department takes into account the United Nation Convention on the Rights of Persons with Disabilities (CRPD).

### **PIP – Initial decisions**

The latest available information on PIP wait times for initial decisions can be found here: <https://www.gov.uk/government/statistics/personal-independence-payment-statistics-to-july-2023> in the “Personal Independence Payment: Clearance/Outstanding Times and Customer Journey Statistics to July 2023, England & Wales” ODS or XLS files. Table 1a provides the latest currently available information on clearance times for initial decisions in median calendar days for England and Wales. You may find columns (iii) to (v) useful in answering your questions.

The latest available information on awards and disallowances at initial decision can be found on [Stat-Xplore](https://www.gov.uk/stat-xplore). In particular, the dataset ‘PIP Clearances’ contains information on the clearance type of claims cleared by month.

### **PIP – Mandatory Reconsiderations**

The latest available information on “PIP – Mandatory Reconsideration wait times” can be found here: <https://www.gov.uk/government/statistics/personal-independence-payment-statistics-to-july-2023> in the “Personal Independence Payment: Clearance/Outstanding Times and Customer Journey Statistics to July 2023, England & Wales” ODS or XLS files. Table 4a provides the latest currently available information on Mandatory Reconsideration (MR) clearance times in median calendar days for England and Wales.

### **Tribunal Statistics for PIP, UC and ESA**

Tribunal current wait times for PIP, UC and ESA, can be found in the tribunal statistics published by the Ministry of Justice here: <https://www.gov.uk/government/collections/tribunals-statistics>. Particularly for the latest release which is currently “Tribunal Statistics Quarterly: April to June 2023”, the “Main Tables

(April to June 2023)” ODS file, and the worksheet named “T\_3” contains the Mean clearance times for “Social Security and Child Support Tribunal – by benefit type”.

### **ESA Work Capability Assessments - Mandatory Reconsiderations**

The latest available information on ESA Work Capability Assessment (WCA) Mandatory Reconsideration (MR) clearances can be found on [Stat-Xplore](#). In particular, the dataset ‘ESA WCA 4 – Median Clearance Times by Date of Decision’ found under ‘ESA Work Capability Assessments: Mandatory Reconsideration – Clearances’ provides information on the median clearance times for ESA WCA MRs to July 2023.

### **ESA Work Capability Assessments – Initial Claims**

The latest available information for initial and repeat ESA WCA outcomes can be found [here](#) and on [Stat-Xplore](#) in the ‘[ESA WCA by Date of Decision](#)’ dataset which contains the decisions made each month to March 2023.

The latest available information for initial ESA WCA clearance times can be found on [Stat-Xplore](#) in the ‘[Clearance Times for Initial Claims](#)’ dataset which contains median times for different stages of the ESA WCA process by month of completed assessment to March 2023.

### **UC Work Capability Assessments**

The latest available information for UC WCA decision outcomes can be found [here](#) and on [Stat-Xplore](#) in the ‘[UC WCA Decision Outcomes](#)’ dataset which contains a breakdown of all UC WCAs by decision each month to May 2023.

[Guidance](#) on how to use Stat-Xplore is also available. An account is not required to use Stat-Xplore, the ‘Guest Login’ feature gives instant access to the main functions.

Once you have reviewed the material above, you may wish to narrow your request to:

“For the most recent month available;

- Clearance times for ESA appeals related to Work Capability Assessments (WCA)
- Clearance times for UC Mandatory Reconsiderations related to WCAs
- Clearance times for UC appeals related to WCAs”

Please be aware that when narrowing any future requests, we would look to exempt statistics on UC LCWRA waiting times from initial claimant contact to award under “Section 22 – Information held with a view to future publication”.

We will consider afresh any revised request however we cannot guarantee that any revised request will fall within the cost limit as each FoI request is judged on its own merits.

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

Yours sincerely,

DWP Central Freedom of Information Team  
Department for Work and Pensions

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**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@dwp.gov.uk](mailto:freedom-of-information-request@dwp.gov.uk) or by writing to: DWP Central Fol Team, Caxton House, 6-12 Tothill Street, London, SW1H 9NA.

Any request for an internal review must be received by us within 40 working days of the date of this letter. Please note we are not obliged to provide a review if it is requested after more than 40 working days.

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.

Website: [ICO FOI and EIR complaints](#) or telephone 0303 123 1113