

To J Newman  
C/o request-114116 – xxxxxxxx@xxxxxxxxxxxxxxxxxxx

DWP Central Freedom of Information Team

e-mail: freedom-of-information-xxxxxxx@xxx.xxx.xx

Our Ref:FOI 3396-IR355

DATE 25 September 2012

Dear Mr Newman,

Thank you for your Freedom of Information request that was received by the Department for Work and Pensions (DWP) Adelphi on 29 May 2012 and forwarded on 30 May for response by the DWP Medical Services Contract Correspondence Team (MSCCT) Freedom of Information (Fol) Internal Reviewing Officer, who apologises for the delay in providing you with a response.

As DWP MSCCT Freedom of Information Internal Reviewing Officer, I have read your letter and accepted this as a request for an Internal Review of FOI reference 3211-1689 dated 21 May 2012.

I have therefore conducted a full investigation into your original request to check that the information previously supplied to you, clearly and accurately answered your request. I have also reviewed any decisions to withhold information and in doing so I have fully considered the public interest in disclosure.

In your email you asked:

*Dear Department for Work and Pensions,*

*I am writing to request an internal review of Department for Work and Pensions's handling of my FOI request 'WCA Audio Recordings (4)'.*

*I am not comfortable with raising an IRR, but this response leaves me no choice - any other form of communication receives no attention and so is pointless.*

*I was quite ok with this response until I read the final paragraph“ reminding” me about the limitations of the Fol Act and suggesting that I am misusing it. As I am not sure it this is an attempt to be ironic, I would point out the following.*

*I SPECIFICALLY (exactly in line with the ACT) asked for the source of any information, which has not generally been provided here. The availability of documented information is PRECISELY what I have been looking for and what has been omitted from this response.*

*The information provided here may be interesting and conveyed with an air of authority and knowledge, but cannot be regarded as accurate or definitive unless it can be supported by suitably documented evidence which it appears it cannot.*

*Given that the Atos report on the audio trial was completed 12months ago, one would reasonably have expected DWP to have publicised the facility and made this information routinely available rather than only on request. Obviously, it has not and the answer here should have made this clear rather than trying to imply a transgression on my part – I have taken the ONLY route DWP has made available and I would have happily accepted a leaflet if indeed one was available.*

*My IRR is therefore on the basis that my request has not been fulfilled – no sources have been provided (which is key to the request) or an explanation as to why. The position/seniority of the author is irrelevant.*

In reviewing your request I uphold the decision of the Freedom of Information Officer in part.

Please find below some information that you may find useful in relation to the Audio Recording of assessments.

DWP and Atos undertook a trial of the use of audio recording during assessments. This trial showed that audio recording was not requested by many claimants and did not improve the quality or process of assessments and there was no difference between the quality of recorded and non-recorded assessments.

DWP have asked Atos Healthcare to try and accommodate requests for audio recording should a claimant makes a request in advance of their assessment.

DWP are not actively publicising the service but have asked Atos to try and accommodate requests for audio recording where a claimant makes a request in advance of their assessment. This approach began in late 2011 and we will monitor take up during 2012.

Claimants are unable to record their assessment with their own equipment because there is no guarantee that the recording will be complete and accurate. Atos HCPs have instruction to decline the request and offer a further assessment when recording equipment is available. They will terminate the assessment if the claimant refuses to cooperate or if covert recording is discovered during the assessment process.

The DWP are currently looking at ways to improve the availability of audio recording in the short term and Atos Healthcare remains committed to assist the DWP in the evaluation of the audio recording of Work Capability Assessments later in the year.

The “source” information has previously been provided in the scoping document and the Atos Healthcare response of the pilot results. Your Internal Review is asking for information that is not available as all the documentation has been provided to you.

If you have any queries about this letter please contact DWP 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](http://www.ico.gov.uk)