

To Mr J Newman
C/o request-125643-4efa771d@whatdotheyknow.com

DWP Business Management Team
Health & Disability Assessments (Operations)

Our Ref: VTR IR575

23 November 2012

Dear Mr Newman,

Thank you for your e-mail dated 13 September that has been accepted as a request for an Internal Review of FOI reference 3147 also dated 13/09/2012.

In your email you specifically asked;

I am writing to request an internal review of Department for Work and Pension's handling of my FOI request 'WCA Postponement - no audio recorders'.

It is very wrong of you to claim that DWP policy has remained consistent, when it has regularly shifted. On 1 February 2012 in a private members debate Chris Grayling stated: "On audio recording, we will offer everyone who wants it the opportunity to have their session recorded." This statement was not in any way qualified. You are now only offering the facility on a "best endeavours" basis and leaving the level of service provided totally at the discretion of Atos – if no machines are available (due to poor management & maintenance), no recordings will take place. It also provides Atos with the ability to manipulate equipment availability as they see fit to achieve whatever objectives they have in mind in a way that is not transparent and therefore open to abuse.

The end result will be that some people who want recording will get it, some will not, split on a totally arbitrary and unpredictable basis. As a recording is a critical piece of evidence within an appeal, you are deliberately placing some claimants at a huge disadvantage compared with others, which breaks your commitment to treating all claimants equally and potentially allows you to influence the outcome of an appeal.

Many appeals arise due to disputes over what was and wasn't said during the WCA and neither DWP nor Atos will accept statements that cannot be substantiated. This is precisely why the suggestion to record arose and you are denying (some) claimants the opportunity to prove their case. Whilst this position is completely untenable, I do not expect you to admit it here, but I do believe in the interests of accuracy and honesty, to should correct your suggestion that policy has not changed when clearly it has. Continuing in denial only reflects on DWP's integrity.

A full history of my FOI request and all correspondence is available on the Internet at this address: http://www.whatdotheyknow.com/request/wca_postponement_no_audio_record

An internal review is a chance to reconsider information previously provided to you; please be assured that the FOI elements of your request have been given our full consideration and that

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