

DWP Central Freedom of Information Team

e-mail: freedom-of-information-request@dwp.gsi.gov.uk

Our Ref: Fol 3524

DATE: 28 November 2016

Dear Trudy,

Thank you for your Freedom of Information request of 24 September 2016. You asked:

“What is the percentage of wrong disability decisions in the UK in 2015/16”

I have taken your request to refer to the percentage of decisions made by the Department for Work and Pensions, on the main disability benefits, that were overturned on appeal to the Social Security and Child Support Tribunal, during financial year 2015/16 (i.e. the beginning of Quarter 2 2015 to the end of Quarter 1 2016). If you meant something else, please clarify this.

These benefits are Attendance Allowance, Disability Living Allowance, Employment Support Allowance, Industrial Injuries Disablement Benefit and Personal Independence Payment.

The Department does not hold this information, as it does not have a combined overturn percentage for all these benefits.

However, the individual overturn percentage for these benefits is already in the public domain and can be found at <https://www.gov.uk/government/statistics/tribunals-and-gender-recognition-certificate-statistics-quarterly-april-to-june-2016> under tab “SSCS.3”.

I should, however, point out that whilst I have taken “wrong” disability decisions to mean decision overturned, as this is the closest information we have to the information you requested, there are many cases where a decision is overturned but no mistake has been made.

Claimants are allowed to submit additional evidence at appeal stage and many do so. If the decision is overturned on the basis of this new evidence, then this does not mean our Decision Makers made a mistake, as they did not originally have access to this evidence. We encourage claimants to give us all relevant evidence up front.

Yours sincerely,

DWP Strategy Fol Team

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 Fol Team, 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