

20 December 2011

Dear Pat,

I have reviewed the original request and answer the Department provided and believe the Department's original response adequately answers the questions you posed and provides full information on your request.

Responding to your further questions.

"However, GPs are unlikely to have the knowledge to provide comprehensive information about the functional effects of disability in relation to work capability."

And ATOS Healthcare staff do not have the MEDICAL background to be able to inform their reports, either. So is it a clear choice between medical knowledge and knowledge of "functional effects"?

Re: "Nor are GPs, as advocates of the patient, in a position to provide independent advice on benefit entitlement."

Is this the official DWP view of GPs - as a patients biased advocate? The DWP would rather trust the (also biased) opinion of an employee of a private money-making company?

Re: "The Work Capability Assessment is carried out by specifically trained healthcare professionals who provide objective advice about the claimant's functional capability."

Who have MEDICAL training to the extent that a GP does?

Also, the DWP A-Z list of medical conditions and the NHS Choices website list of conditions that ATOS and DWP staff are supposed to refer to are both patchy and exclude several conditions.

GPs are an important part of the process. Individuals making a claim to incapacity benefit are invited to submit any supporting evidence which they wish in relation to their claim; this may include a report from their GP. Additionally, Atos also regularly requests additional medical evidence from GPs in the form of an ESA113. The healthcare practitioner takes all available evidence into account when providing their professional opinion to the decision maker on the individual's benefit entitlement.

However, whereas GPs are trained in diagnosis and treatment, Atos' healthcare professionals (HCPs) are trained in disability assessment – assessing the functional effects of a person's condition or disability. GPs are not routinely trained in the assessment of disability in relation to the entitlement criteria for health related benefits and are not necessarily independent insofar as their primary role is to act as an advocate for the patient.

The Medical Services Agreement between Atos Healthcare and the Department for Work and Pensions does not include any provisions either from the Department or from Atos Healthcare to incentivise healthcare professionals to find claimants under going the WCA fit for work, and nor would we wish to do so.

The quality of Atos Healthcare's reports is subject to stringent quality checks and audit. The work of all health care professionals is subjected to random quality audit by a system agreed with the DWP and which is conducted by experienced medical auditors within Atos Healthcare. Any reports found to be deficient in the audit are corrected prior to them being returned to the Departments' decision makers. The quality of Atos Healthcare's audit is validated by senior medical auditors from Atos Healthcare and doctors working for the Chief Medical Adviser to the DWP.

It should be noted, however that all decisions on benefit entitlement are made by DWP decision makers and not by Atos Healthcare professionals. Entitlement is determined by the Department's decision makers and is based on all available evidence, including that provided by the claimant.

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

Yours sincerely,

DWP Central FoI 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