

DWP Central Freedom of Information Team

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

FoI Ref: 339

12 January 2012

Dear xxxxxxxxx

I am writing in response to your review request received on 28 December 2011. An internal review has been carried out by someone of a more senior grade than the person who previously dealt with the matter. I am now in a position to respond to you.

In your review request you said:

Based also on the annotation below in quotes that was attached to my freedom of information request, it would appear that this IS going on. (The DWP telling / pressurising GPs not to issue medical certificates.)

"The DWP response is a lie: When I underwent an appeal, my GP told me that the DWP had specifically asked them not to issue medical certificates."

If this IS going on, who instigated it / approved it? I would like to see, please ANY related documents, instructions, guidelines etc that would reflect the truth of this / cause this to happen - any directives to DWP from government policy makers / departments - and from ANYBODY else please.

If it does happen - is this lawful? Isn't this a violation of Human Rights?

At the least it is SECRETIVE NEGATIVE INTERFERENCE and MANIPULATION.

In our first response to your request for information (ref: FOI 1973) we said that the Department **does not** discourage GPs from issuing a medical certificate where they judge that a person is unfit for work. We also said that the Department does inform the claimant's GP when he or she has been found capable of work following a Work Capability Assessment. A letter is sent advising that the GP no longer needs to issue further medical certificates for ESA purposes, unless an appeal is made or a new claim is made because of a deterioration in the current medical condition or a new medical condition arises. We also said that **the claimant consents to this by completing the relevant declarations** when making a claim or completing the WCA questionnaire.

Having concluded my review, I am satisfied that we responded correctly to your original request for information. However I also attach a copy of the letter sent to a GP following a

decision that a claimant does not have limited capability for work. Further information is also available to the public at page 4 of the guide to the benefit system for GPs. This can be found using the attached link.

<http://www.dwp.gov.uk/docs/gp-benefit-guide.pdf>

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