

To: Mr Adams
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DWP Business Management Team
Health & Disability Assessments (Operations)
DWP.MEDICALSERVICESCORRESPxxxxxxx@xxx.xxx.xxx.xx

13 February 2013

Dear Mr Adams

Freedom of Information Act – Request for Information
Our Reference: FOI 0173

Thank you for your Freedom of Information request which we received on 12 January 2013.

You asked:

“1) As Atos Origin IT Services UK has the contract with the DWP and has numerous divisions (Atos Healthcare being a division of a division) then which divisions exactly are we required to supply our confidential and sensitive information to?

2) What restrictions and safeguards are carried out by the DWP to protect our sensitive information. with regards to so many divisions and sub divisions having possible permissible access to our data under the contract. e.g. under the contract British Rail Business Systems have as much right as Atos Healthcare.

3) Does the heading “Medical Services” relate to Atos Origin Medical Services. If so then why reply to Atos Healthcare a different division. If not, then other than adding further confusion to the claimant, what does this title signify?

4) With regards to the confusing network within Atos, it would be unreasonable to expect a claimant to provide confidential information to unknown sources unless notified clearly by the DWP. What measures are taken by the DWP to notify the claimants exactly who their information is to be supplied to and who will have access to it.. in order for them to give informed consent. Without which the consent is not informed and as a consequence is not valid.”

For ease of reference, I will answer each of your questions in turn.

Questions 1 & 3

You are supplying your information to ATOS Healthcare who are contracted to provide medical services to the Department. Atos Healthcare is a business unit within Atos IT Services UK Limited.

Question 2

Atos Healthcare and their subcontractors working on DWP contracts are bound by the Data Protection Act and the Official Secrets Act. They are also bound by DWP policy on accessing and security of data. The Department requires Atos to achieve a strict Security Accreditation

process which is fully auditable. Were other divisions of Atos to try to gain access of a claimant's personal data without a just business requirement, they would be in direct contravention of the Data Protection Act as well as in serious breach of contract.

The document 'The Data Protection Act - Version: 3 (final) -22 August 2012 has been produced on behalf of the DWP to ensure Atos staff are aware of the guidance and procedures to follow to ensure compliance with the Data protection Act. The guidance is for Atos Healthcare Staff, other Atos staff, contractors and third parties working on any DWP Medical Services contracts in place. Atos staff have also been provided with the 'Document Processing and Retention Handbook 14 February 2011' containing guidance on data processing and document retention. Copies of these two documents are attached for your information.

I believe some of the information contained in the documents fall within the exemptions allowed by Section 40 of the Freedom of Information Act and has therefore been redacted. The Section 40 exemption is applied on the basis that it is personal data about a third party, in this case names and phone numbers of Atos Healthcare employees who are below the Senior Civil Service (SCS) Grade, and it is Departmental policy that the names of employees below SCS grades are not released and the disclosure would breach data protection principles.

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Question 4

The declaration which is signed by the claimant on the Form ESA50 questionnaire explains what will happen with information gathered in connection with an application for ESA and informs a claimant as to how information will be used and who it will be shared with:

"I agree that:

- the Department for Work and Pensions*
- any HCP advising the Department*
- any organisation with which the Department has a contract for the provision of medical services may ask any of the people or organisations mentioned on this form for any information which is needed to deal with:*
- this claim to benefit*

*- any request for this claim to be looked at again
and that the information may be given to that HCP or organisation or to the Department.”*

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

Yours sincerely

DWP Business Management Team
Health & Disability Assessments (Operations)

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@dwp.gsi.gov.uk or by writing to DWP, Central FoI Team, Caxton House, Tothill Street, London 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