

DWP Central Freedom of Information Team

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

Trudy Baddams

request-575283-cf32dd56@whatdotheyknow.com

Our Ref: FOI2019/17770

21 May 2019

Dear Trudy Baddams,

Thank you for your Freedom of Information (Fol) request received on 8 May 2019.

You asked:

"Brain Injury or mental health claimant is examined to see how far he can crouch down, or lift a leg, he is asked how far he can walk and how long it takes, if he can touch his head or use a mouse, Can I ask why these questions are included in an assessment where the claimant has no physical disability but mental health problems.....

This from the Health Advisory Service "Where appropriate, you may have a physical examination which is designed to assess your function and is not the same as an examination in a diagnostic or treatment setting with a GP or Consultant.

Your verbal consent will be obtained for any physical examination to proceed, should it be necessary. You are encouraged to do as much of the examination as you feel comfortable with. You will not need to remove items of intimate clothing. A physical examination is not always required."

'A physical examination is not always required' but is ALWAYS carried out....

Can you point me in the right direction to find out why this is?"

DWP Response:

Following a search of our paper and electronic records, I have established that the information you requested is not held by this department.

The Fol Act gives you a legal right of access to any recorded information held by a public authority. We do not have to provide opinions or explanations, generate answers to questions, or create or obtain information we do not hold.

If you ask a question, rather than requesting recorded information, we will provide you with the recorded information that best answers the question. Once we have provided the recorded information, we have met our obligations under the Act; interpreting the information provided is up to you.

On this occasion you have two questions, and as such we are responding to you outside of the FoI Act.

The Work Capability Assessment was designed in consultation with medical experts and representative groups. It is a functional assessment which focuses not on a claimant's condition but on the functional effects of that condition. It looks at a range of different activities related to physical, mental, cognitive and intellectual functions and certain additional criteria that do not directly measure function (such as terminal illness) to determine a person's capability for work. It will also take into account developments in healthcare and the modern workplace.

The Healthcare Professional will often ask a number of questions to obtain information about a claimant's ability to perform work related activities. Questions about a claimant's usual daily routine can provide useful information on their level of ability.

The Healthcare Professional uses their experience and medical knowledge in deciding the depth of any clinical assessment when reaching an informed decision on advice to give to the Department for Work and Pensions.

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 happy with this response you may request an internal review by e-mailing freedom-of-information-request@dwp.gov.uk or by writing to DWP, Central FoI 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
Web: ico.org.uk/Global/contact_us or telephone 0303 123 1113 or 01625 545745