DWP Central Freedom of Information Team

e-mail: freedom-of-information-rxxxxxx@xxx.xxx.xxx

Our Ref: 1198/11

24 May 2011

Dear xxxxxxxxx

FOI request (1198/11)

Thank you for your Freedom of Information (FoI) request dated 27 April 2011. You asked us to provide you with:

"What action can a claimant take if the DM refuses to take ANY evidence other than a medical certificate? This refusal is evident in the fact that the local office only accept medical certificates - other evidence is COMPLETELY IGNORED and benefit stopped - this means regular trips to the GP for a medical certificate, which are HIGHLY STRESSFUL.

Is there anyone independent from a local office but within the DWP that can be contacted to intervene in this?"

Whilst the law does allow for alternatives to medical certificates, the Decision Maker has discretion to decide what medical evidence is acceptable on a case by case basis. The guidance for Decision Makers relating to this decision is available on the internet at http://www.dwp.gov.uk/docs/dmgch42.pdf, paragraphs 42097 to 42100.

If someone disagrees with a decision they can ask for it to be reconsidered. This means that a Decision Maker will look at their case again and they will be notified of the outcome. They may also appeal against the decision and their case will be considered by an independent tribunal. Further information can be found in leaflet GL24 – "If you think our decision is wrong", which is available on the internet at http://www.dwp.gov.uk/docs/gl24dwp.pdf.

Yours sincerely,

DWP Central FOI Team

Your right to complain under the Freedom of Information Act

DWP, Central Fol Team, 5th Floor The Adelphi, 1-11, John Adam Street, London WC2N 6HT. 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