

Freedom of Information request 259/2013

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Information request and DWP response

1. All memo's and emails that have been circulated among senior DWP management regarding the suicides and deaths of all those claimants facing draconians cuts to their entitlements.

I can confirm the Department holds no information in this area.

2. What course of action has been taken by DWP senior management to stop any further deaths due to the implication of those orders from that legislation relating to ATOS and ESA?

The Work Capability Assessment (WCA) focuses on the functional effects of an individual's condition rather than the condition itself and provides a comprehensive and accurate assessment of an individual's ability to work, taking into account the modern workplace. The purpose of the assessment is to assist the decision makers in assessing eligibility for benefit (or level of benefit). Those claimants who are most severely incapacitated are placed in the Support group

If a claimant was to return to work and their health deteriorated, then it would be for the claimant to contact their G.P. for consideration to be given to the issue of a Statement of Fitness for Work.

The healthcare professionals who carry out the medical assessments are employed by Atos Healthcare, on behalf of the Department for Work and Pensions (DWP). The purpose of the assessment is to assist the decision makers in assessing eligibility for benefit (or level of benefit) and is NOT a medical diagnosis nor an assessment made for the purpose of safeguarding the person's health as such. The decision affects benefit only, it does not oblige anyone to work nor does it import any duty of care in relation to the claimant and their medical condition. The claimant always has the right to appeal such a decision and will continue to be paid benefit pending a decision on the appeal.

The Department's decision-makers act on behalf of Secretary of State to determine eligibility for ESA, taking into account medical assessment reports from Atos and any other relevant information.

We believe that the principles of the WCA are right, but that the system which we inherited from the previous Labour Government did not function as it

should have. That is why we have asked Professor Malcolm Harrington to conduct a series of reviews of the system. Professor Harrington is a highly respected Occupational Physician, and has now carried out three independent reviews of the WCA.

Professor Harrington's third review, together with the Government's response, was published on 20 November 2012. Details of Professor Harrington's reviews and the Government responses can be viewed at www.dwp.gov.uk/policy/welfare-reform/employment-and-support/wca-independent-review/.

Both Professor Harrington and the Government are confident that the improvements we are making to the WCA will ensure that we increase the number of decisions that are right first time and improve communications to claimants.

3. Despite repeated requests to have the DWP responses to my FOI requests forwarded to my email which will allow me to quickly escalate my responses and also ensure no delays or loses in the christmas post, so far all responses have been by surface mail. Can this be addressed as to why these requests for information under FOI have been so far refused?

Some of the information you previously requested was treated, incorrectly, as a request under the Data Protection Act and a subsequent FOI request was sent by surface mail instead of by email. We apologise for any inconvenience caused.

If the applicant expresses a preference for the requested information to be communicated to him in a particular way then we will endeavour, as far as is reasonably practicable, to comply with that request.