

Freedom of Information request 3033/2011

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Information request

1. How many people with disabilities living in care homes in England and Wales will have their mobility allowances reduced and withdrawn under the government's current proposals?
2. What is the total annual savings of these cuts?
3. How many people with disabilities live in care homes in England and Wales?
4. Which organisations have made representations to the government on this matter?
5. Is the government reconsidering its proposals?
6. What statement has the government made about the current proposals concerning the extent and details?
7. Which MPs have contacted DWP Ministers concerning these proposals?
8. When are the present proposals likely to begin to be implemented?
9. In what circumstances will the government withdraw the present proposals?

DWP response

Please find answers to each question below.

Question 1 – 72,000 people in England and Wales are estimated to be affected by the measure.

Question 2 – The measure to remove the mobility component of Disability Living Allowance from people in residential care announced in the Spending Review was estimated to save the tax payer around £140 million each year in real terms (2010/11 prices) in Great Britain.

Question 3 – The Department for Work and Pensions holds information on the numbers of people entitled to benefits. The Department for Health has responsibility for social care. Freedom of Information requests concerning the overall number of people with disabilities living in care homes in England and Wales should be directed to the NHS Information centre www.ic.nhs.uk. Their email address is enquiries@ic.nhs.uk

Questions 4 & 7 – The correspondence team receives in excess of 20,000 letters and emails from the public annually. They are logged under broad subject headings relating to the main issue in the letter. For example, if any were received where the subject of mobility allowance was only one of the issues mentioned it may be recorded under another of the headings that were deemed more suitable as they formed a larger part of the correspondence. To comply fully with your request would entail opening each piece of correspondence to find whether it included this matter. We estimate that the cost of complying with your request would exceed the appropriate limit. The appropriate limit has been specified in regulations and for central Government it is set at £600. This represents the estimated cost of one person spending 3½ working days in determining whether the Department holds the information, and locating, retrieving and extracting the information. Under section 12 of the Freedom of Information Act the Department is not obliged to comply with this request and will therefore not be processing this request further.

Questions 5 & 9 – These Relate to the formulation or development of government policy and are therefore exempt from disclosure under section 35(1)(a) of the Freedom of Information Act. This exemption requires the public interest for and against disclosure to be weighed in the balance.

Factors in favour of a decision to disclose are that greater transparency makes government more accountable to the electorate and increases trust. As knowledge of the way government works increases, the public contribution to the policy making process could become more effective and broadly-based.

Factors in favour of withholding this information include the need for good government which depends on good decision making based on the best advice available and a full consideration of all the options without fear of premature disclosure. Advice should be broad based and there may be a deterrent effect on external experts or stakeholders who might be reluctant to provide advice because it might be disclosed

The impartiality of the civil service might be undermined if advice was routinely made public as there is a risk that officials could come under political pressure not to challenge ideas in the formulation of policy, thus leading to poorer decision-making. Ministers and officials also need to be able to conduct rigorous and candid risk assessments of their policies and

programmes including considerations of the pros and cons without there being premature disclosure which might close off better options.

Finally, it is important to protect the provision of free and frank advice for the purpose of deliberation. If the information in question was released prematurely, it is very recent and a final outcome is not yet settled, there is a risk that the provision of candid views would be compromised in future. This is not in the public interest particularly where relevant negotiations are still live.

On balance I am satisfied that in this instance the public interest in maintaining the exemption at section 35(1)(a) outweighs the public interest in disclosing the information in question.

Question 6 – The most recent statement about the current proposals concerning the extent and details of the proposals was issued by the Minister for Disabled People, Maria Miller on 27 October 2011 and is reproduced below. The statement also addresses the implementation date referred to in Question 8.

"We have been examining this issue more broadly and our research is well advanced. The independent review chaired by Lord Low has been examining some of the same issues, and it is sensible to reflect on the outcome of his important work in advance of our final decision. Lord Low is due to report on 3 November and I will announce our final decisions shortly after".