Department for Work & Pensions

Website: www.gov.uk

Rakesh Singh
r.singh@publiclawproject.org.uk

Our Ref: FoI 1384

Date: 9 May 2017

Dear Mr Singh,

Thank you for your Freedom of Information request of 31 March 2017. You asked:

We request the following information:
1. What steps, if any, has the DWP taken to respond to Professor Harrington's Evidence-seeking Recommendation (see below) since 5 January 2016?
2. What were the terms of the DWP's pilot conducted in Glasgow and which concluded in May 2016 – what adjustments were being tested and what were assessors being asked to test?
3. What was the size of the sample?
4. How long did it run for?
5. Please provide us with the results of the pilot, any analysis of those results and any recommendations or proposals following the pilot.
6. We understand that the outcome of the pilot was updated guidance (this is the subject matter of Mr Pring's FoI request of 17 February 2017 – your ref: FoI 669). Has the updated guidance been made available to the public? If so, when was it made available? If not, why has the guidance not available to the public?
7. Is the updated guidance currently in force and being applied? If so when did it come into force?
8. Please provide all training notes, guidance and slides for assessors in relation to the updated guidance.

I have set out the information you have requested below.

1. Since 5 January 2016 DWP have continued with a small scale test which began on 7/12/15 and subsequently considered the findings of that test. Following this a decision was made to introduce a process whereby further evidence is gathered in more circumstances at the filework stage of the Work Capability Assessment process. We have worked closely with our Assessment Provider, Centre for Health and Disability Assessments (CHDA), and have drafted and finalised training guidance for Healthcare Professionals (HCPs). Training for HCPs is due to take place at the beginning of May 2017 and the new process will be implemented once this training has been completed, expected to be 15th May 2017.

2. The purpose of the small scale test was to test whether an adjustment to the ESA process could offset potential disadvantage and/or unreasonably adverse experience of claimants with mental health conditions compared to those without.

The adjustment required consideration of further evidence (FE) at three stages in the end-to-end WCA process:

- At Filework – HCPs considered whether FE was needed to inform their advice to DWP and help conduct face-to-face assessments or paper-based assessments. HCPs recorded justification if FE was or was not sought.
- After face-to-face assessment – after assessment HCPs could request FE if they assessed it was needed to reach robust conclusions and make defensible, informed recommendations to DWP decision makers (DMs). HCPs recorded justification if FE was or was not sought.
- Before DM decision – on receipt of the HCPs report and all available claim information, the DM checked any HCP justification(s) for seeking or not seeking FE and considered if they were sufficient. If more evidence was needed before a decision could be made, they discussed with HCPs, with the power to ask them to request FE if necessary. If not, they justified their decision
-

3. Initially 350 cases were fast-tracked through the test process to ensure a minimum of 200 decisions.

4. The test ran for approximately 10 weeks.

5. Basic quantitative data was gathered from the test as follows:

Required information	**No. of cases**
Total number of cases in test	239
Number of cases cleared at filework stage without FE being requested	29
Number of cases where FE was requested under existing guidance	143
Number of cases where FE was requested under new guidance	11
Total number of cases where FE was requested at filework (under current and new guidance)	154
Number of cases where FE was not returned at filework	30
Number of cases where FE was returned at filework	117
Number of cases where FE allowed an outcome advice at filework	97
Number of cases referred to a face-to-face assessment	133
Number of cases where FE requested after face-to-face assessment	0
Number of cases where FE requested by DM	0

6. CHDA Training Guides are internal training material designed for the use of HCPs with a medical background e.g. Doctors and Nurses. The new guidance is a Training Guide for HCPs and these guides are not generally published externally.

7. No it will be applied from 15th May 2017.

8. In response, please find the attached redacted version of the training guidance that you have requested.

This document has been produced as part of a programme for HCPs to carry out assessments as approved healthcare professionals. All HCPs undertaking these

assessments must be registered medical or nursing practitioners who in addition, have undergone training in disability assessment medicine and more specific training. The training includes theory training in a classroom setting, supervised practical training, and a demonstration of understanding as assessed by quality audit. This document must be read with the understanding that, as experienced medical or nursing practitioners, the HCPs will have detailed knowledge of the principles and practice of diagnostic techniques and therefore such information is not contained in this document. In addition, this is not a stand-alone document, and forms only a part of the training and written documentation that a HCP receives. As disability assessment is a practical occupation, much of the guidance also involves verbal information and coaching. Thus, although the documents may be of interest to non-medical readers, some of the information may not be readily understood without background medical knowledge and an awareness of the other training and guidance given to HCPs.

Some information contained in the document falls within the exemptions allowed by Section 43 of the Freedom of Information Act and has therefore been redacted. Where information is exempt under Section 43 this is due to it being commercially sensitive and release of the information would prejudice the interests of our service providers and the Department's future dealings with them or other service providers. The material, if seen by candidates may lead to unfair advantage and inappropriate successful completion of the course. To release the information would render it useless for the purpose that it is intended and would result in the training material and questionnaires being continuously updated which would have a commercial impact upon the Department and CHDA.

In applying this exemption the Department has balanced the public interest in withholding the information against the public interest in disclosing the information and consider there is no overarching public interest argument in favour of releasing this information as the Department is unable to prejudice its commercial interests.

The information supplied to you continues to be protected by copyright. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs) can be also used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

Most documents produced by the DWP and/or its service provider will be protected by Crown Copyright. Most Crown copyright information can be re-used under the Open Government Licence (http://www.nationalarchives.gov.uk/doc/open-government-licence/). For information about the OGL and about re-using Crown Copyright information please see The National Archives website -http://www.nationalarchives.gov.uk/information-management/uk-gov-licensing-framework.htm.

Copyright in other documents may rest with a third party. For information about obtaining permission from a third party see the Intellectual Property Office's website at www.ipo.gov.uk.

Information you receive which is not subject to Crown Copyright continues to be protected by the copyright of the person, or organisation, from which the information originated. You must ensure that you gain their permission before reproducing any third party (other Copyright) information.

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

Yours sincerely,

DWP Strategy 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.gsi.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
www.ico.gov.uk