



Department
for Work &
Pensions

Minister for Disabled People, Health and Work
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Rt Hon Stephen Timms MP
Chair, Work and Pensions Select Committee workpencom@parliament.uk

16- September 2020

Dear Stephen,

Thank you for your letter of 2 September about ATOS Independent Assessment Services' advice on allowing people who are trying to claim PIP to see a copy of their assessment report.

First of all, we acknowledge the department's responsibility to provide PIP claimants with easy access to reports to maintain trust and transparency.

The Health Professional conducts the face to face assessment using observations of the claimants' behavior during the assessment and any further evidence that has been provided. They will then complete the assessment report utilising their training and clearly reflecting their expert opinion.

The department does not share assessment provider reports with claimants before they have been considered by a DWP Case Manager.

This is because the report is only one part of the evidence of the claim, along with any further evidence, for example a GP report. Further evidence can be received at any time, including after the face to face assessment has taken place.

If evidence is received after the face to face assessment has taken place and the Case Manager considers it may change the Health Professionals opinion, they will refer the case back to the assessment provider to review their original assessment and make any changes that are necessary.

Providing the report to claimants immediately after the assessment and before the Case Manager has made their decision could therefore give a false impression on the outcome of their claim.

Once a decision has been made, claimants will receive a letter from the Case Manager informing them of the outcome of their claim. This will include a summary justification of the decision and evidence considered. Claimants will be able to request a copy of their assessment report at this point. Should they disagree with the content of this or the wider entitlement decision they will be able to request reconsideration by the department.

The guidance for claimants from ATOS Independent Assessment Services is not misleading as it correctly advises the assessment report can be requested from DWP once the decision has been made.

The department provides guidance for Health Professionals carrying out assessments and this is contained in the PIP Assessment Guide (PIPAG), which is available on GOV.UK.

We routinely revise the PIPAG to ensure that the guidance remains current and clear.

We are committed to ensuring individuals receive high quality, objective assessments and continue to work with our assessment providers to make improvements to guidance to ensure a quality service is maintained.

The assessment providers produce guidance that relates to their organisation, for example, how to use their computer systems or their

complaints procedures, and these guides are not distributed outside of their organisation

I hope you find this reply useful.

Kind regards,

A handwritten signature in blue ink that reads "Josh." followed by a long horizontal flourish.

Justin Tomlinson MP
Minister for Disabled People, Health & Work



Work and Pensions Committee

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From the Chair

Justin Tomlinson MP
Minister for Disabled people, Health and Work
Department for Work and Pensions

September 2020

Dear Justin,

I am writing about an issue that has been raised with the Committee about Atos Independent Assessment Services' advice on allowing people who are trying to claim PIP to see a copy of their assessment report.

You will be aware that our predecessor Committee emphasised how important it is that people who are going through PIP assessments understand how the decision on their eligibility was made. The previous Committee therefore recommended providing claimants with copies of their assessment report by default, and allowing claimants to see what the assessor is writing about them as the assessment takes place. The Department did not accept these recommendations, but it agreed with the Committee that trust and transparency, including easy access to reports, is crucial to PIP assessments working well.

I was therefore concerned to hear that Atos is advising claimants that they cannot ask DWP to see a copy of their report until a decision on their claim has been reached.

As you will know, the Department's own guidance makes clear that "the consultation report is primarily for [case managers], but the claimant has a right to see it and can request a copy from the DWP".¹ Atos' guidance to claimants, however, says that "you can only request a copy once DWP writes to you with their decision".² Similarly, an Atos leaflet says that "we are unable to provide you with a copy of your assessment report, but you can request one from DWP once they have reached a decision on your claim".³

The other assessment provider for PIP, Capita, gives advice reflect the Department's own guidance. Capita's guidance says that reports are sent to DWP "as soon as possible after your consultation and you can request a copy from them".⁴

¹ : <https://www.gov.uk/government/publications/personalindependence-payment-assessment-guide-for-assessment-providers/pip-assessmentguide-part-1-the-assessment-process#completing-assessment-reports>

² <https://www.mypipassessment.co.uk/yourassessment/after-your-pip-assessment/>

³ From Leaflet: PIP assessments: how to make suggestions, comments and complaints

⁴ <http://capitapip.co.uk/en/faqs/general-info.html>

Claimants have 30 days from the date of DWP's decision to request a Mandatory Reconsideration. Stakeholders have told the Committee that decision letters can take up to a week to arrive, and requesting an MR is time consuming. Claimants (many of whom will be severely disabled or unwell) have to digest the contents of what can be a very lengthy report, potentially seek advice and gather additional evidence, and set out the basis for requesting the MR. There is no online or telephone option, so getting all of the necessary documentation to the Department on time relies on the postal system. Delays in receiving a copy of the report eats further into the time that claimants have to understand the decision, decide if they want an MR, and apply for one.

I would be grateful if you would answer the following questions.

1. Please could you confirm whether it is the Department's intention that claimants should not be able to receive a copy of their report until a decision has been made?
2. If this is not the case: what actions will the Department take to ensure that misleading information is removed from Atos' communications with claimants?
 - a. What steps does the Department take to tell claimants proactively that they are entitled to see their report at any point after the assessment?
3. What oversight does DWP have of the guidance distributed by assessment providers more widely? For example, is there a quality control process, and who is responsible for it?

Yours sincerely,



Rt Hon Stephen Timms MP
Chair, Work and Pensions Committee