



Department
for Work &
Pensions

DWP Complaints Team

DWP Complaints
Post Handling Site B
Wolverhampton
WV99 2GY

Chris Loder MP
House of Commons
SW1A 0AA

email: correspondence@dwp.gov.uk

www.gov.uk

Telephone: 0300 092 6557

Your Ref: [REDACTED]

Our Ref: [REDACTED]

17 July 2023

Dear Mr Loder,

[REDACTED]

Thank you for your email of 24 May to Helga Swidenbank about your constituent's Attendance Allowance (AA) claim. Helga Swidenbank is the Director of Disability Services, Decision Making and Working Age. As AA is not a working age benefit, we have looked at the information you sent us instead.

We are sorry for the time it has taken to reply.

[REDACTED] applied for AA from [REDACTED] 2022 and a decision was made on [REDACTED] 2022 that he was not entitled. He submitted an appeal with the support of Bridport Citizens Advice. The Appeal Tribunal, on [REDACTED] 2022, had asked that a health assessment be carried out for [REDACTED] and to date, this has not been done.

We had previously sent a reply on [REDACTED] 2023 about medical assessments requested by the Tribunal and our reply was questioned by Bridport CAB.

We have looked again at the points raised by the CAB. They are right that tribunals can request a medical examination when it is needed to help consider an appeal. I am sorry that our previous replies incorrectly said that it was for the tribunal to arrange and pay for these examinations.

We have now submitted a request for a GP's Factual Report (GPFR) to [REDACTED] doctor. I have been advised that the timescale from the request, made on [REDACTED] 2023, to the return can take 6 to 8 weeks. Should the GP not wish to complete this request, we will then send a request to our Medical Services Team to supply a health care professional (HCP).

HCPs are specifically trained in medical disability analysis. They include doctors, registered nurses and registered occupational therapists and

physiotherapists. These HCPs are knowledgeable about the criteria for entitlement to AA and other disability benefits.

Once we receive either the GPFR or the HCP report, we will forward this to HM Courts and Tribunal Service for them to pass on to the Tribunal Judge.

I wish to sincerely apologise for any delay caused by the conflicting information that had been given to you previously. We have raised this issue to ensure that in future we respond appropriately to requests from tribunals for medical examinations.

In recognition of the delay caused by our actions, a consolatory payment of £100 has been awarded to [REDACTED].

Consolatory payments, while not usually large sums are a recognition of a mistake and expression of apology. Our special payment scheme is discretionary and there is no process of appeal against the amount of a special payment.

[REDACTED] will receive this award no later than 4 weeks from the date of this letter. If [REDACTED] has not received this payment by this date, please contact us on 0300 092 6557. Please do not contact us about this payment until this date has been reached.

Thank you for the opportunity to explain the position of [REDACTED]'s case. We hope we have addressed their concerns.

If [REDACTED] is not satisfied with the way we have dealt with his complaint, he can ask the Independent Case Examiner (ICE) to consider it further within six months of the date of this letter. The ICE can look at complaints about our service but not matters of law or government policy. This is a free and impartial service for any complaints that we are unable to resolve. If [REDACTED] decides to approach the ICE, he will need to provide a copy of this letter.

[REDACTED] can contact the ICE by email at ice@dwp.gov.uk which is their preferred contact. By telephone on 0800 414 8529 or in writing at PO Box 209, Bootle L20 7WA.

Yours sincerely,


DWP Complaints Team

More information

If your constituent would like more information about

- Attendance Allowance, they can call 0800 731 0122 (textphone: 0800 731 0317)

- State Pension, they can call 0800 731 0469 (textphone: 0800 731 0464)

We have many different ways we can communicate with you

If you would like Braille, British Sign Language, a hearing loop, translations, large print, audio or something else please tell us using the phone number at the top of this letter.

Treating people fairly

We are committed to the Equality Act 2010 and treating people fairly. To find out more about this law, search 'Equality' on **www.gov.uk**

Call charges

Calls to 0800 numbers are free from personal mobiles and landlines. If you call a landline number, they cost no more than a standard geographic call, and usually count towards any free or inclusive minutes in your landline or mobile phone contract.

Why DWP needs personal information and how we treat it

We treat personal information carefully. We may use it for any of our purposes. To learn more about information rights and how we use information, please see our DWP Personal Information Charter at **www.gov.uk/dwp/personal-information-charter**