



Work and Pensions Committee

House of Commons, London, SW1A 0AA

Tel [REDACTED] Email [REDACTED]

From the Chair

11 January 2019

Sarah Newton MP
Minister for Disabled People, Health and Work
Department for Work and Pensions

Dear Sarah

Re: DWP letters to GPs

Might I first please wish you a Happy New Year?

Employment and Support Allowance (ESA) claimants who are appealing the Department's initial decision on their ESA claim are entitled to receive an "assessment rate" of ESA pending their appeal. To obtain this they must supply regular "fit notes" from their GP.

It has been brought to my attention that the Department has been writing to claimants' GPs attempting to dissuade them from issuing fit notes for this purpose. A recent report by Zacchaeus 2000 Trust (Z2K) note that the letter, known as ESA65B, states [bold as in the original]:¹

"As a result of this decision, [client] is not entitled to ESA from [date] and you do not need to provide any more fit notes to him relating to his disability/health condition for ESA purposes."²

I understand you have confirmed that the letter is sent to the GP of every claimant who is refused ESA. As a result, GPs are ceasing to issue fit notes. The previous version of the letter explicitly stated that GPs should provide fit notes to claimants who are appealing a decision.³ There is a risk that this change will leave severely ill and disabled claimants unable to obtain ESA to which they are entitled pending appeal.

1. Might you please explain the rationale for this change and supply copies of any analysis the Department has carried out of:
 - a. Cost savings; and
 - b. The impact on disabled people?

¹ <https://www.z2k.org/about-us/latest/z2k-publishes-new-report-on-disability-benefits/>

² http://data.parliament.uk/DepositedPapers/Files/DEP2018-0290/ESA65B_Letter.pdf

³ <https://www.whatdotheyknow.com/request/379317/response/919976/attach/3/4b.ESA65b.pdf>

2. The Department claims that the British Medical Association and Royal College of GPs agreed to the changed wording. You subsequently clarified that no written evidence of this agreement exists, because it was agreed at a DWP stakeholder meeting.⁴ I find it very difficult to believe that the Department keeps no record whatsoever of these meetings. Might you please supply any minutes relating to this decision?

I would be grateful for your reply as soon as possible.

With best wishes and I look forward to hearing from you,

A handwritten signature in black ink, appearing to read 'Frank Field', enclosed in a thin black rectangular border.

Rt Hon Frank Field MP
Chair, Work and Pensions Committee

⁴ <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-questions-answers/?page=1&max=20&questiontype=AllQuestions&house=commons%2clords&member=4683&dept=29&keywords=employment%2csupport%2callowance>