From the Chair

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

Dear Sarah

Re: DWP letters to GPs

Thank you for your reply to my letter dated 18 February 2019.

As you will be aware from our previous reports, the Committee is supportive of the Government’s ambition to help more disabled people into work, and to help people who develop health conditions to stay in work. We have equally recognised the importance of ensuring those who cannot work are well supported—including through mandatory reconsideration and appeal processes, if necessary.

I was relieved to learn that the Department’s revisions to the ESA65B letter were “not carried out to dissuade GPs from issuing Fit notes for ESA appeal services”. The revised ESA65B letter states (emphasis in original), however:

“[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.”

ESA claimants awaiting appeal are entitled to fit notes, allowing them to receive an “assessment rate” of ESA. The existing text of ESA65B clearly implies that such claimants are not entitled to fit notes. As a result, claimants are being refused fit notes.

Evidently this was not the Department’s intention, but the current wording is not having the desired effect. Given your commitment to ensuring that the Department’s “communications products are clear, understandable and fit for purpose”, I urge you to consider a revision that makes clear that claimants awaiting appeal are entitled to fit notes. This simple step could greatly ease the stress and worry that people who are awaiting an appeal experience.

I also requested in my initial letter the minutes of meetings with the Royal College of GPs and British Medical Association where the wording change was agreed. Your letter made further reference to these meetings but did not provide the minutes. Might you please ensure they are included with your reply?

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