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4 November 2010

Stephen Barclay MP
House of Commons
London

D. Stee

On Tuesday 2nd November, I answered Parliamentary Question number 20927 which you tabled. You asked about the number of benefit refusals based on medical examinations which are subsequently overturned on appeal. In my reply I provided information about Employment and Support Allowance cases, but was unable to provide the information regarding Incapacity Benefit cases within the time specified. I therefore committed to write to you with the relevant information regarding Incapacity Benefit cases.

The table below shows figures relating to the number of Incapacity Benefit claims disallowed at the Personal Capability Assessment (PCA) stage. The table includes all assessments resulting in a disallowance that took place between October 08 and August 09, and all appeals heard on these decisions to date. The table includes both initial and repeat assessments.

Month of assessment	Disallowed at PCA	Appeals heard (to date)	% PCA Disallowed with an appeal heard (to date)	Decision in favour of appellant	DWP decision upheld	% Decision in favour of appellant	% DWP decision upheld
Oct-08	12,331	4,039	33%	2,049	1,990	51%	49%
Nov-08	13,015	4,473	34%	2,254	2,219	50%	50%
Dec-08	11,274	3,805	34%	1,952	1,853	51%	49%
Jan-09	11,767	4,198	36%	2,136	2,062	51%	49%
Feb-09	9,174	3,319	36%	1,777	1,542	54%	46%
Mar-09	8,966	3,174	35%	1,714	1,460	54%	46%
Apr-09	7,195	2,693	37%	1,400	1,293	52%	48%
May-09	6,590	2,398	36%	1,259	1,139	53%	47%
Jun-09	7,623	2,849	37%	1,549	1,300	54%	46%
Jul-09	6,647	2,628	40%	1,385	1,243	53%	47%
Aug-09	6,546	2,469	38%	1,384	1,085	56%	44%

The data used to produce the table in this response is extracted from an internal database which combines data from three main sources:

- benefit claims data held by the Department for Work and Pensions (DWP);
- functional assessment data sourced from Atos Healthcare; and

- appeals data sourced from Tribunals Service covering appeals heard up to August 2010. Note that data from Tribunals Service does not record the reason for appeal and we must infer this from the original decision made by Jobcentre Plus. This is typically a fit for work decision.

A copy of this letter will be placed in the library of the House.

With best wishes,

A handwritten signature in black ink, consisting of a large, stylized 'C' followed by a horizontal line that tapers to the right.

Rt Hon Chris Grayling MP
Minister for Employment

