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Your ref: ms/ek/ludlow

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Mark Spencer MP

15 JUL 2011

1 July 2011

Thank you for your letter dated 17 June to the Minister for Welfare Reform on behalf of your constituent Mrs Judwiga Ludlow of 15 Rockwood Crescent, Hucknall, Nottingham regarding the Work Capability Assessment (WCA) used for the Employment and Support Allowance. I note you also wrote to Jobcentre Plus and I am informed that your office is aware that I will be replying to that letter also.

All claimants are required to attend regular WCAs and Atos Healthcare is responsible for deciding how frequently the WCA should be undertaken. Currently the maximum review period is currently two years. This is because, even for claimants who are unlikely to see an improvement in their health and who are unlikely to sufficiently adapt to their condition, it is important that we do not write them off completely. However, in such cases this reassessment will not necessarily involve a face-to-face assessment – where possible, the Department may make a decision using paper-based evidence.

Mrs Ludlow attended a WCA on 8 May last year and the healthcare professional decided that a further WCA should take place in eighteen months. Following an appeal her subsequent placement in the Support Group rather than the Work Related Activity Group did not affect this review period.

May I offer my sincere apologies that due to the input on the computer system of an incorrect referral date, the WCA process started again prematurely in May this year. In particular, I am very sorry for the upset this has caused Mrs Ludlow including her unnecessary completion of the questionnaire issued as part of the WCA process (form ESA 50).

This referral has now been cancelled and Mrs Ludlow will be contacted again by Atos Healthcare in September, to ensure that a WCA takes place by November, 18 months after her last WCA.

A team leader from Nottingham Benefit Centre has spoken to Mrs Ludlow to apologise for the mistake. They will keep her ESA50 form and will contact Mrs Ludlow in September to confirm if the information on it is still up-to-date. If there are any changes, the team leader will amend the form on her behalf and then send it to Atos Healthcare.

I hope this is helpful.

With best wishes,

**Rt Hon Chris Grayling MP**  
**Minister for Employment**