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Letter regarding the Oral Parliamentary Question on Benefits: Eligibility

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Baroness Sherlock OBE

Minister of State in the Department for Work and Pensions

My Lords,

Subject: Oral Question 9 January.

I write in reference to the Oral Question which Lord Cryer answered for the Department of Work and Pensions on Thursday 9 January 2025 on the eligibility of people claiming benefits, such as Employment and Support Allowance and Universal Credit, due to ill health; and how frequently these claims are reviewed.

I wish to put on record some further detail and clarifications.

Baroness Janke raised Mandatory Reconsideration, asking “do the Government agree that the assessment process is massively failing disabled people and putting them under unnecessary stress?”

Our aim is to make the right decision as early as possible in the claim journey. There is a comprehensive process in place to monitor the quality of assessment reports, including targeted checks to ensure accuracy and consistency. This has informed recent improvements to decision-making processes. We will continue to learn from decisions that are appealed and then overturned, for example we regularly gather feedback from Presenting Officers who attend tribunal.

Mandatory Reconsiderations were introduced in 2013. They ensure a different Decision Maker reviews decisions where the customer is unhappy. In his response, Lord Cryer made reference to a change in the way Mandatory Reconsiderations are conducted. I should make clear that these have always been done in-house but there has been a change to the lodgement of appeals. Those used to happen in-house, but that function now sits with HM Courts and Tribunal Services.

The Earl of Effingham raised sanctions, asking, “please can the Minister provide the House with a rough date for when he thinks we can expect to see sanctions introduced?”

As Lord Cryer said, sanctions are already in place. Claimants are already able to be sanctioned for failing to accept or take up offers of work without good reason and no changes are required to enforce this.

We will be reviewing sanctions and how they are delivered as part of the wider reform, but have no specific plans in place for change at this time.

Lord Londesborough raised fit notes, asking “can the Minister confirm that, of the fit notes issued by doctors, 70% do not record an individual’s diagnosis, meaning that we do not know the primary health conditions for the vast majority of these claimants?”

I can confirm that the department does not recognise the figure of 70%.

I hope this further information is helpful and am grateful to all Noble Lords for their continued interest in the work of the Department.