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Chair of the UK Statistics Authority, Sir Andrew Dilnot CBE

Sheila Gilmore MP  
House of Commons  
LONDON  
SW1A 0AA

3 December 2013

Dear Ms Gilmore

**OUTCOMES OF WORK CAPABILITY ASSESSMENTS**

Thank you for your letter dated 4 November 2013 about statistics published by the Department for Work and Pensions (DWP) on the outcomes of Work Capability Assessments, and the omission of data about the number of appeals and successful appeals from the statistical release *ESA: outcomes of Work Capability Assessments*<sup>1</sup>, published on 22 October. I am sorry that it has taken a little while to respond but I wanted to check this matter carefully with all those involved.

The Statistics Authority has discussed the points you raise with officials in DWP. The appeals data that underlie the suspended tables are derived from management information from Her Majesty's Courts and Tribunals Service, supplied to DWP by the Ministry of Justice (MoJ). This management information is also used in the MoJ statistical publication, *Tribunals Quarterly Statistics*<sup>2</sup>.

DWP officials have told us that they had been in discussion with MoJ colleagues about the release of these two separate statistical publications, which rely on the same data source. The appeals data up to August 2013 were due to be used in the DWP publication published on 22 October, and MoJ was planning to release the same data in its December 2013 publication. DWP and MoJ were developing a data sharing agreement covering the transfer and use of these data. We have been told that, at a late stage in the publication process, it became apparent that the agreement would not be ready in time for DWP's October release. DWP therefore decided that the release should be published as planned, but without the appeals tables.

We have considered the actions taken by DWP in respect of compliance with the *Code of Practice for Official Statistics*. The Code requires producers of official statistics to publish statistics in an orderly manner<sup>3</sup>, and to draw public attention to any change in a pre-

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<sup>1</sup> <https://www.gov.uk/government/publications/esa-outcomes-of-work-capability-assessments-october-2013>

<sup>2</sup> <https://www.gov.uk/government/publications/tribunal-statistics-quarterly-april-to-june-2013>

<sup>3</sup> Principle 2, Practice 1: "Publish statistics in an orderly manner, in accordance with Protocol 2"

announced release date and explain fully the reasons for the change at the same time<sup>4</sup>. In this case it appears that DWP could have drawn public attention to the issue sooner, and did not fully explain the reasons for the delay. We have been told that the data will be published by MoJ on 12 December, and will be included in the DWP release on 22 January, and we will monitor this closely.

I am copying this to David Frazer, Head of Profession for Statistics at the Department for Work and Pensions, and to Jil Matheson, the National Statistician.

Yours sincerely

A handwritten signature in black ink, appearing to read "Andrew Dilnot". The signature is written in a cursive style with some capital letters.

**Sir Andrew Dilnot CBE**

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<sup>4</sup> Protocol 2 Practice 5: "Draw public attention to any change in a pre-announced release date and explain fully the reasons for the change at the same time."