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Request for medical report in support of benefits appeals

Calderdale Local Medical Committee represent all GPs in Calderdale and has a statutory duty to advise local GPs on such matters. We are often asked questions about requests for medical reports to support benefits appeals and below is the advice that we give our GPs.

The demand for non-essential letters, reports and certificates represents a major problem for GPs and diverts substantial precious time from patient care. In recognition of the immense scale of the problem, as long ago as 2001 the government introduced a policy specifically aimed at reducing this burden in Making a Difference - Reducing General Practitioner (GP) Paperwork.

There is no contractual obligation for GPs to provide patients who ask for their own medical reports free of charge under the NHS in support of benefits appeals where a patient's incapacity benefits have been refused. In view of the increasing scale of the problem, Calderdale LMC have advised local GPs that such reports are non contractual and are deemed to be private work. GPs are at liberty to do such work and charge a private fee should they wish to or they may refuse to do such work altogether.

Claimants should contact Jobcentre Plus or the Appeals Service, where appropriate, if they think that further medical evidence is necessary to support their claim or appeal. They should state clearly their reasons for believing that further evidence is necessary. If the Jobcentre Plus or the Appeals Service believes that further medical evidence is necessary, they will seek it from the GP directly and they will be responsible for paying any fee to the doctor providing the report.

NHS GPs are under no obligation to provide such evidence to their patients nor to provide it free of charge. If a GP does not agree to provide additional evidence for their patient then it is a private matter to be resolved between the GP and their patient. <https://www.gov.uk/government/publications/dwp-factual-medical-reports-guidance-for-healthcare-professionals>.

Please note that GPs, as certifying medical practitioners, do have a statutory obligation to provide statements of incapacity and certain other information for patients on their list, when requested by a healthcare professional working on behalf of DWP as part of their patient's initial claim for benefits.