

WITHOUT PREJUDICE

ATOS HEALTHCARE OR DISABILITY DENIAL FACTORIES

An independent research report by Mo Stewart

RESEARCH SUMMARY

The full detailed research report is very long and identifies a great deal of information as yet unknown to the Department for Work and Pensions (DWP). Whilst the report includes evidence from my own experience, which is atypical in any research, this was necessary and, happily, professionals have accepted this as a very significant contribution to the detailed evidence within the report. First responses to the report have been very +ve. Indeed, this research was originally undertaken as a private initiative to identify evidence of the unacceptable clinical practice by Atos Healthcare medical staff. As a retired healthcare professional, and having established serious cause for concern, I am obliged to reveal my findings to others. It is sincerely hoped that the very disturbing evidence identified within the report will not now be summarily dismissed, because my own unacceptable experience has been included as part of the evidence, and as recently implied by the Clerk to the DWP Select Committee.

This summary is to permit the reader the ability to identify the most serious evidence without the need to access the entire report. Readers are reminded that the full DWP Contract with the private contractor Atos Origin Medical Services/Atos Healthcare is 500 pages long in its entirety. Few people have accessed the Contract, which is why breaches in Contract are widespread, easily identified and ongoing and chronically sick and genuinely disabled people are suffering trauma as the result of this oversight by DWP staff.

Nine months intensive research into the activities of Atos Healthcare has revealed the company involved with the DWP and other government departments at the highest level. Atos founded COHPA, the Commercial Occupational Health Providers Association. At their 2009 AGM and conference the following people were in attendance:

- Dame Carol Black, National Director for Health & Work, HWWB
- Professor Mansel Aylward, Director Unum CPDR & former DWP Chief Medical Advisor
- Greame Henderson, Head of Health & Work DH
- Dr Bill Gunnyeon, DWP Chief Medical Advisor
- Cynthia Atwell, Chair RCN Public Health Forum RCN
- Dr Steve Boorman, Director Corporate Responsibility Royal Mail
- Dr John Osman, Chief Medical Advisor HSE

Successive DWP Chief Medical Advisers are obliged to form a working association with the company, and ATOS Healthcare acknowledge their liaison with government departments with various public awards. To reciprocate, the DWP has recently announced a new award for the company. (June 2010).

HISTORY:

1. American firm known as UNUM PROVIDENT (US) are one of the biggest occupational health insurance companies in the world. They have been involved with the DWP since 1994.
2. In 2002/03 an American class action lawsuit in California identified UNUM PROVIDENT (US) as running “disability denial factories” and the Judge fined them \$31.7 million. The company

were ordered to re-investigate 300,000 other refused claims; something the company has still failed to complete 7 years later.(as of 2011)

3. In 2005 American Insurance Commissioner John Garamendi declared: “Unum Provident is an **outlaw company**. It is a company that for years has operated in an illegal fashion.”
4. UNUM PROVIDENT (UK), now known simply as UNUM Insurance, fund psychosocial disability research at Cardiff University. Prof Mansel Aylward is the head of research at the **Unum Centre** at Cardiff University and he was the DWP Chief Medical Adviser who in 1994 recommended this medical evaluation system to the government to reform government care costs for DLA etc. Prof Aylward was instrumental in the methods to be used, imported from America using identical methods as Unum Provident. Unum Provident **were banned** from 15 States in the USA and 6 countries worldwide until 2008, so one wonders why this diabolical company are advisers to the UK government on welfare reforms? Atos Healthcare have employed the same methods as Unum Provident, hence the vast and growing numbers of chronically sick and genuinely disabled people being betrayed by this system of medical ‘evaluation’ which, in fact, is a seriously compromised 25 minute basic computer questionnaire, with no allowances for the vast differences within the same identified health condition.
5. ATOS ORIGIN is the parent company of Atos Healthcare, originating from South America and a dominant force in the computer market worldwide. Unsurprisingly, ATOS ORIGIN was awarded the lucrative government contract for IT facilities for the 2012 Olympic Games.

ATOS HEALTHCARE:

6. **DANGEROUS CONTRACT:** This dangerous DWP Contract offers the medical opinion of the AH Disability Analyst as a **PRIORITY**, which the DWP Decision Makers accept verbatim, so all additional specialist medical opinion of Consultants, offered by the patient/claimant, is totally overlooked. Six weeks training as a Disability Analyst does not an expert make - contrary to claims by Atos Healthcare management. By definition, a Consultant is an expert in his field of medicine and it is dangerous nonsense to accept a junior doctor’s limited clinical experience over the opinion of a clinical expert. The excuse used is that the Disability Analyst is “trained in disability” and is not making a diagnosis. Consequently, desperately ill people are now being declared fit for work because they are physically capable of collecting a pen from the floor! Patients, welfare advisors and MPs all presume that specialist medical opinion by a Consultant will be accepted because they are unfamiliar with the details of the Contract. The previous DWP Select Committee have commented about this in their last report, which has also been **totally ignored** by the DWP, together with ignoring all evidence offered by 10 successive annual reports by the President of the Appeal Tribunals, HH Judge Robert Martin.
7. Medically unqualified Decision Makers, who are administrators with basic skills, now decide the fate of all applicants depending on the conclusions of either a seriously flawed computer tick test and/or Disability Analysts who all have limited clinical experience. Hence AH can claim that they are not responsible for the awarding of government care benefits. Their evaluation system causes a crisis for the many victims of this systematic government medical tyranny, and AH escapes all responsibility whilst Ministers confidently offer unstinting support. It’s no wonder that AH is so confident, with an income of £100 million per year from the DWP. The level of unnecessary distress caused to the victims of this tyranny cannot be quantified but is significant and, clinically, totally unjustified and unacceptable.
8. Without supervision Atos Healthcare staff breach the DWP Contract frequently.
9. The Contract requires specialist medical opinion for several conditions, including all confirmed cases of terminal cancer and muskulo-skeletal disorders etc. This is routinely ignored by AH with devastating consequences, whilst the UK government offer total support for this private

company. www.whywaitforever.com/dwpatos.html refers. (Website designer is terminal with brain tumour.)

10. AH doctors **do not have access** to a patient's detailed medical history at interview with the patient, as confirmed by AH, so one needs to question why so much detailed medical evidence is requested; which will be totally ignored?
11. **Bogus medical reports by AH staff also written about profoundly disabled children**. (Main report)
12. AH doctors are referred to as Disability Analysts, and the company claim that they do not have the same responsibility as a doctor who is responsible for diagnosing and treating patients. The GMC insist that all doctors have a **duty of care** for anyone they examine for any reason – the company disagree.
13. The Government has ignored successive annual government reports by HH Judge Robert Martin, as President of the Appeal Tribunals, identifying serious concerns with the medical reports from this contractor. Judge Martin reported concern at overwhelming evidence that DWP Decision Makers consistently refuse to believe the claimants. **Tribunal Chairs express constant concerns that medical reports from AH “did not coincide with reality”** yet these reported concerns are repeatedly ignored by the DWP.
14. Patients are not acknowledged and are referred to as “customers”, which is deeply offensive, as the DWP is this company's customer and not the patients/claimants who rapidly become victims of this system. Claimants on Unemployment Benefit may be customers, patients in receipt of sickness and/or disability benefits, or a War Pension that IS NOT a benefit, are quite clearly patients and/or claimants but not “customers”.
15. ATOS HEALTHCARE is totally unaccountable for all medical examinations. All usual patient safety networks in place for NHS and private healthcare do not apply and, according to the General Medical Council (GMC) and the Healthcare Commission, Atos Healthcare, as a company, “...have total immunity from all medical regulation.”
16. **NO CLINICAL SUPERVISION:** Everyone, from the Prime Minister down to the lowest administrator, has been convinced that this evaluation system with this private contractor is closely monitored and audited, so the general public are constantly reassured. In reality, the only monitoring is by basic administrators who invite an opinion from the company, which they then forward to the enquirer. **There is no clinical supervision whatsoever and no monitoring.** The Correspondence Manager simply repeats verbatim anything advised by the company, and dismisses any concerns re clinical accuracy, as he is totally unqualified to investigate. The Decision Makers simply repeat anything advised by AH staff. This isn't supervision it's adoration, and anything reported by this private company will be accepted by the DWP totally and without challenge. This complete lack of any independent clinical supervision of this company's medical practice is a **dangerous precedent** and unknown in any other clinical situation.
17. Company employed doctors, both past and present, have expressed concern that most patient health/fitness is assessed using a computer tick test questionnaire, which takes almost all of the 25 minute allocated time with a ‘customer’ and there is no time for any clinical examination. QED countless thousands of genuine sick and disabled claimants are being refused care benefits and/or increases in War Pensions based on an identified seriously flawed evaluation system.
18. **NO REDRESS:** Any victim will find no useful redress whatsoever if they attempt to complain. They are advised to make a private complaint to the GMC regarding the named doctor who examined them. When already so ill and/or disabled, this is an unreasonable request and there is evidence to demonstrate that company staff refuse to offer their names to any claimant who has the temerity to request it at interview. Well-documented evidence has confirmed that many

claimants have been prevented from recording the medical assessment, or taking notes during the interview with an AH staff member. This is sinister yet the DWP are happy to support

any company requirement. (GMC will not consider any complaint against ATOS doctor unless the case has been to Appeal.)

19. **REPORT FORM ALTERATION:** The previous DWP medical report forms contained a question to permit the investigating doctor to confirm his clinical findings, to identify the %age disability of the patient at examination and to confirm that his findings were in agreement with the medical opinion of the patient's GP. The system worked very well for any patients having a detailed medical examination. The report form has now been changed **to prevent** any doctor from offering a clinical opinion as to the %age disability demonstrated following examination of the patient, as confirmed by the visiting Consultant, on behalf of the Appeal Tribunal, who carried out a clinical evaluation of myself. A medically unqualified administrator, usually following the opinion of a junior doctor who has failed to carry out any clinical examination, now decides the % age disability of the patient. They simply supervise a flawed computer tick test for the majority of claimants. This is why this medical evaluation system is so very dangerous. No doubt this clinically unacceptable system has saved money, as countless numbers of genuine claimants are refused the help they are entitled to expect and no clinician would have approved this system in its present format. The doctors and representatives of disability organisations, consulted before this system was operational, and whom Ministers constantly refer to in their defence of this medical tyranny, are now all challenging the practice and validity of this dangerous and seriously flawed medical evaluation system. (See comments in detailed main report.)
20. All applicants for state disability benefit, and now also War Pensions, are presumed to be bogus. Guilty until proven innocent is the psychology now employed by Atos Healthcare, with encouragement and full approval from the DWP. I received a letter from a Correspondence Manager from the DWP, covering 6 pages of A4 text, all insisting the virtues of the company and ignoring any evidence to the contrary. He is simply quoting verbatim comments from the company. He is totally unqualified to do anything else. (Full text in main report.)
21. Following a request for more information, a Contract Manager provided copies of emails between the Medical Directors of both AH and SPVA – who supervise War Pensions and are presumed to be concerned with the welfare of disabled veterans. Emails confirm overwhelming SPVA support for the MD of Atos Healthcare, and all letters written to me were first forwarded to the MD at AH for his **prior approval** before being sent to me – in the hope that the SPVA were not causing any problems for the company! The SPVA MD demonstrates loyalty for the private contractor and not the veterans but, in his defence, he claimed that AH were unwilling to investigate my concerns without his intervention. I had been in correspondence with AH for 9 months before the SPVA were informed, despite the Contract requiring AH to advise the authority of any complaint within 5 days. They didn't and, really, why should they? Without supervision this private contractor can do anything and that doesn't necessarily include abiding by the Contract, not least because most people are totally unfamiliar with the details of the DWP Contract with AH.
22. **The Contract requires AH to respond to all enquiries within 2 days but they don't, AH are required to advise the Authority of any patient/claimant complaint within 5 days but they don't, the Contract prevents terminally ill patients from attending DWP Pathway meetings, so why are they forced to attend against DWP threats of the removal of benefit if they refuse, and why do AH ignore the Contract requirement that provides a Specialist medical opinion for all cases of terminal cancer, musculo-skeletal disorders etc? AH breach the Contract at will because there is no clinical supervision, no monitoring, no one to prevent this happening and no-one to care.**
23. Dr Bill Gunnyeon, the new DWP Chief Medical Advisor, together with Dr Steve Boorman for Royal Mail and Cynthia Atwell for the RCN were all distinguished guests of Atos Healthcare at an the COHPA AGM in Sept 2009. There is a mutual appreciation society going on between

government departments and Atos Healthcare at the highest level, and AH demonstrates that they are untouchable, as confirmed by all research evidence.

24. To date, the GMC have failed to successfully investigate any doctor from AH usually because “people become discouraged because a GMC investigation can take up to three years to complete”. Hence, the government’s claims that vulnerable people will be protected are a total nonsense.
25. MD of Atos Healthcare refuses to personally respond to any correspondence because the GMC will investigate anything in writing - as confirmed in emails to MD at SPVA. The MD’s opinion is routinely forwarded via the National Customer Relations Manager.

CONCLUSIONS:

All patients/claimants are in a no win situation. The DWP actively dismiss all complaints against AH. Atos Healthcare is successfully running disability denial factories in the UK, funded by the DWP, and identical to those used in America by UNUM Insurance. There is nothing in place to stop them and all evidence that challenges AH medical reports or conclusions will be resisted. Patients/claimants have no protection. There are countless numbers of distressing stories available of genuine patients being traumatised following a visit to these government funded medical assessment centres, where no actual medical evaluation will be undertaken other than a seriously flawed computerised tick test.

The permitted activities of this private contractor are dangerous and, without medical supervision, the chronically sick and disabled people of this nation remain in jeopardy. It’s not enough that these victims endure such shocking treatment by this contractor but they are also placed under intolerable additional pressure, with the constant threat that their financial support will be removed, without warning, because the DWP want to save cash and the sick and disabled people of this country make very easy targets. The very detailed research report has been used by Professor Harrington, at his request, as evidence for his independent enquiry to be published in December. 22nd August 2010

POST SCRIPT:

Since this research was completed additional information has been brought to my attention. In a letter to a dying man, the manager of the DWP CMMS department has confirmed in writing that the DWP never have audited/monitored the contract between the DWP and Atos Healthcare, contrary to the claims of successive Ministers, who constantly reassure the House and the British public. In her letter to Mike Bach, Hilary Brierley confirmed that: “...**the Department has not exercised its contractual right to access for purposes of auditing Atos Healthcare’s compliance with its contractual obligations.**” Someone, somewhere should explain to this woman the difference between a contractual rite and a contractual obligation when dealing with a £100million government contract. The only monitoring undertaken by the DWP and Atos Healthcare is to check the paperwork and the targets. There is no clinical evaluation of these medical reports or the doctors producing them.

QED: It has now been confirmed that this government contract with Atos Origin Medical Services has never been monitored/audited by the DWP.

In loving memory of Eileen Nearne - a WW11 hero betrayed by her country. www.dailymail.co.uk/news/article-1313618/WW11-spy-Eileen-Nearne-died-penniless-British-pension-halted.html refers

22nd September 2010

POST SCRIPT (2): THE HARRINGTON REPORT

An Independent Review of the Work Capability Assessment, headed by Professor Malcolm Harrington, was published on 23rd November 2010 and used my main research report as a contribution to the

evidence for the review. The Professor confirmed unacceptable and limited activity by the Decision Makers, who fail to consider all presented medical evidence, and confirm anything presented by an Atos Healthcare assessment. This is in breach of the contract as exposed in this full research report, originally completed in June 2010. Decision Makers are not qualified to do anything else.

www.dwp.gov.uk/docs/wcareview-2010.pdf

POST SCRIPT (3): UNUM PROVIDENT

In a feature article by Jonathan Rutherford, it is confirmed that the former DWP Chief Medical Advisor, Professor Mansel Aylward, was known to Unum as far back as 1994 and is now the Director of the Unum Centre at Cardiff University, funded by Unum Insurance.

www.lwbooks.co.uk/journals/articles/rutherford07.html

‘The only thing necessary for the triumph of evil is for good men to do nothing’.

Edmund Burke

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Detailed references can be found in main report at: www.whywaitforever.com/dwpatosveterans.html

UNUM PROVIDENT now trading as UNUM Insurance. UNUM Provident Insurance were banned from 15 States in USA and 6 countries worldwide until 2008, so why is this dangerous company used by DWP as consultants for welfare reform in the UK? Atos Healthcare’s parent company is ATOS ORIGIN who benefit from several lucrative government contracts.....including the IT contract for the 2012 Olympic Games.

RESEARCH CAVEAT:

It is believed that Unum Insurance, or their predecessor or subsidiary companies, are no longer banned from operating in the US. This is since the company agreed to financial settlements with the DoH of all states, and since the company agreed to pay significant compensation.

It is not known whether Unum Insurance, or their predecessor or subsidiary companies, in particular Unum Provident Insurance, has agreed liability. Unum Insurance are still processing compensation claims years later.

There is anecdotal evidence that the processing of some of the claims are taking a very long time but, to date, there is no evidence to confirm that there is a Unum policy to delay compensation payments.

Given that the reputation of any Unum predecessor or subsidiary company was tainted by the involvement, including the "a priori" company name of "the Unum Provident Insurance", it is reasonable to suppose that the change of name to "Unum Insurance" is an attempt to distance the current Unum operations from the past. It is believed that Unum feel that they are now in a position to be able to deny past culpability. Unum claim, in the US, that they have changed procedures.

It is believed Unum are funding large marketing campaigns in their target markets. Some believe that Unum are using their influence to censor and shut down websites which continue to publish past activities of Unum and its predecessor or subsidiary companies. A number of these websites have been set up by the dying, the sick, the disabled and their carers. I leave it to you and history to judge how much the attitude of Unum has changed.

All wish that Unum has truly changed. Unum could demonstrate this if they seek dialogue with their distractors and ask the website publisher to amend any published statements that they disagree with. Unfortunately Unum appears, to many, to be attempting to rewrite history and is attempting to cleanse the knowledge of a discreditable past.

The reasons for the removal of a BBC transcript (republished here dwpatosveterans.html#unumbbc), from 2007, which identified Unum Provident Insurance as a discredited corporate insurance giant, are, at this time, unknown.

25th August 2011

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