



Merton & Lambeth

## **Personal Independence Payments in Merton**

**Citizens Advice Merton and Lambeth is the leading advice charity in Merton. We provide a range of advice and support services for individuals and families living, working and studying in Merton.**

**This report summarises our experience in supporting Merton clients with regard to Personal Independence Payments**

### **Background**

Personal Independence Payment (PIP) replaced Disability Living Allowance (DLA) for all people of working age. It was initially introduced in April 2013 for all new claimants and has slowly been rolled out to existing claimants on DLA. This includes claimants who were awarded life-long DLA awards. DLA continues to be in place for children and young people under 16 and Attendance Allowance for those 65 and over. As with DLA, people 65 and over can continue to receive PIP, providing they claimed before they reached 65.

PIP is not means tested or contribution based and is designed to help with the extra cost of living for those with a disability of long term illness. There are two components of PIP – daily living and mobility - and both can be paid at either standard or enhanced rate. It is possible to either receive one or both of these components (but only one rate can be paid). In order to receive PIP individuals need to have had the mobility/care needs for at least three months and expect to last for nine months or longer unless special rules in the event of a terminal illness apply.

Unlike DLA, most people who claim PIP will need to undergo a medical assessment to determine whether they qualify.

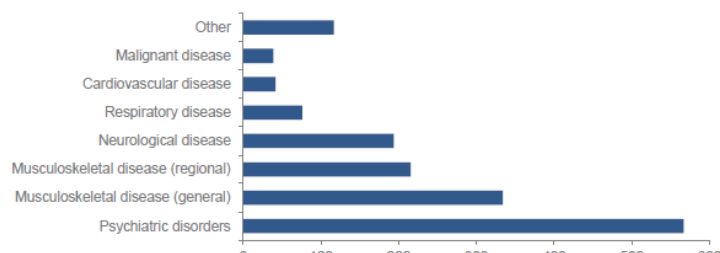
PIP is not designed to be an earnings replacement and other benefits can be claimed as well, for example Universal Credit or Employment and Support Allowance, providing qualifying conditions are met. An award of PIP can also passport claimants/other members of their household to additional premiums within UC/income-related ESA and/or Carer's Allowance. In addition, if an award of PIP or DLA is made to either the claimant or a member of their household it will exempt the client from the benefit cap for non-working households.

As with other benefits, to challenge a PIP decision the claimant needs to ask for the decision to be looked at again (a Mandatory Reconsideration), if this is refused the client needs to put in an appeal outlining the reasons why they disagree with this decision. The case will then be heard at a tribunal hearing.

## UK-Wide Evidence

According to the latest Quarterly Benefit Summary (published in November 2017), as of end-May 2017 1.4 million people were in receipt of Personal Independence Payment (PIP) and a further 2.3 million people received DLA. From the report into Personal Independence Payment: Official Statistics (published December 2017). It shows the following breakdown of the type of condition, claimants are most commonly claiming PIP for:

Claims (normal rules) by main disabling condition, thousands, as at October 2017



Main disabling condition for people in receipt of PIP (normal rules):

- 567,000 (36%) were recorded with 'Psychiatric disorders' (which includes 'Mixed anxiety and depressive disorders' and 'Mood disorders').
- 334,000 (21%) were recorded with 'Musculoskeletal disease (general)' (which includes 'Osteoarthritis').

The main disabling condition of the claimant is reported by disability category and subcategory level. Further breakdowns are available from [StatXplore](#).

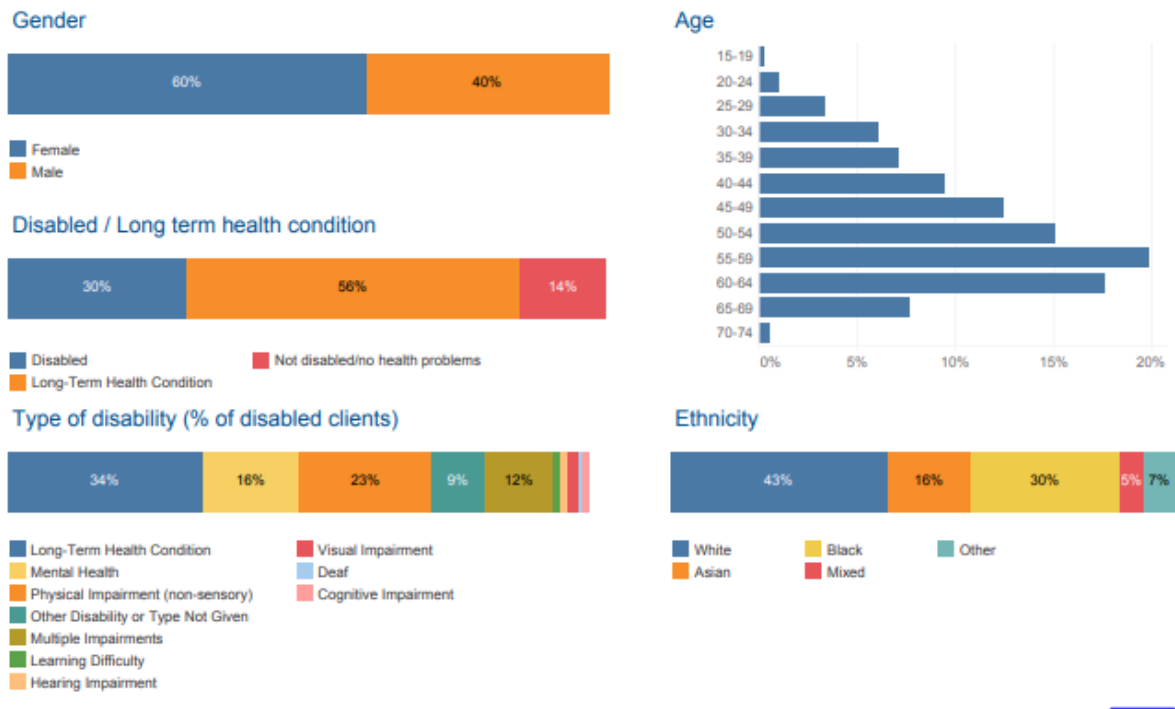
## PIP support by Citizens Advice Merton and Lambeth

In calendar year 2017 we advised 407 clients (926 issues\*) relating to PIP at our Mitcham and Morden offices. The 926 issues were broken down as followed:

Issue type	Number of issues
Eligibility - daily living	175
Eligibility - mobility component	159
Eligibility - DLA reassessment	15
Poor administration	2
Change of circumstances	14
Challenging a decision (not appeals)	93
Appeals	134
Backdating	16
Renewals & reviews	25
Motability	9
Not recorded/not applicable	18
Additional evidence (medical or other)	49
Face to face assessment	30
Making and managing a claim	173
Other	14
<b>Total</b>	<b>926</b>

\*Clients may present with two or more issues

Profile of Merton clients requesting support from the charity with regard to PIP is illustrated as follows:



## Our and Merton Residents Experiences with PIP

### Mobility and Care component

In our Merton Disability Benefits service, we have seen many clients lose out on PIP, particularly in relation to the mobility award. Under DLA, the minimum distance a claimant could walk and claim the basic mobility award was 50 metres but this has been reduced to 20 metres to claim the mobility rate of PIP at standard rate. The amount that would have been awarded for both these is the same - £22.00 per week.

With the criteria changing for mobility under PIP, we have clients who had previously been in receipt of the highest rate (of the mobility component of DLA) being refused mobility under PIP. This includes one client who was awarded zero points. As a consequence we not only have clients who have had reduced income but also clients having their Motability car (often purposely adapted for their needs) taken away whilst they appeal the decision.

In the majority of cases with our support, clients win their appeal and highest rate PIP has been reinstated. However, the action of withdrawing specially adapted car whilst appeal ongoing has had significant negative impact for the client but also cost to DWP as it often is the case that a new car is then provided following appeal with adaptations. For reference, claimants who have the highest rate of mobility component in PIP or DLA for a minimum of 12 months can opt to receive a vehicle under the mobility scheme rather than the award of £58.00 per week.

With regard to claiming for care needs, our experience has been more positive. With the lowest rate of DLA care component being removed from PIP, we expected many clients to lose out on being able to claim for their care needs. This, however, has not necessarily been the case and we have clients, who previously would have only been awarded lowest rate care under DLA (£22 per week), now receiving the daily living component of PIP at standard rate (£55.65 per week). This would also enable someone caring for the disabled person to claim Carer's Allowance if they were not working, or severe disablement premium if they were claiming Employment and Support allowance.

### **Work capability assessments**

We know some of our clients - particularly those with mobility issues - have struggled to walk the distance from the waiting room to the assessment room at the Balham DWO Assessment Centre. The distance is approximately 28 metres. We are aware (and have seen evidence) that assessors will sometimes use this to judge whether a client can walk 20 metres. Although clients explain to the assessor they struggle to walk the distance and indeed have had to stop several occasions in the Assessment Centre, this has not been recorded and the assessment will state the client can walk 20 metres.

We also hear from clients that assessors do not have an understanding of the impact of their health condition and therefore do not appreciate the immense challenges clients are facing on a day-to-day basis. This certainly appears to be the case with mental health conditions but also some physical health conditions.

Citizens Advice Merton & Lambeth is currently finalising two reports focusing on PIP and ESA experiences of individuals affected by mental health. The reports are due to be published end March 2018.

### **Medical evidence**

Our experience is that most GPs/specialists are unwilling to provide medical evidence to us even when a form of authority has been enclosed. We therefore ask clients to request their own medical evidence, which sometimes places additional stress for the client.

Although some GPs produce reports of high quality that clearly state clients care and mobility needs, other doctors simply list medical conditions which is often insufficient to support a PIP application or an appeal.

### **PIP Application Form**

We find that in contrast to the DLA claim form, the initial form to complete for a PIP application (PIP1) relies more on completing 'yes/no' answers rather than having free text boxes that allow for the claimant to clearly explain the mobility and care needs they have. This puts some clients who are affected by mental health at a significant disadvantage due to their care and mobility needs not fitting the 'boxes'.

Our Merton Disability Adviser works closely with clients in this regard. Of the PIP1 forms the adviser completes, around 80% of clients receive the award we believe to be correct for their care and mobility needs.

### The Appeal Process

Due to cases very rarely being overturned at Mandatory Reconsideration stage, we normally only provide a short summary of why we feel the decision is incorrect when asking for a Mandatory Reconsideration Notice. Again we normally only list the points we disagree with briefly on the appeal form (SSCS1) as nearly all cases will be heard at tribunal.

Of the cases that we take to tribunal, around 90% are overturned in our clients favour.

### Financial Outcomes

#### Financial outcomes achieved

		Number of outcomes	Client count	Amount	Average per outcome	Average per client
Achieved	Income gain	11	6	£27,616	£2,511	£4,603
Confirmed	Income gain	63	26	£162,158	£2,574	£6,237
Not Confirmed	Not recorded/not applicable	2	2	£0	£0	£0
Grand Total		76	32			

The above table shows the financial outcomes we're aware of for Merton clients solely in relation to PIP in 2017. These figures include PIP that has been awarded on initial applications and from appeals. To explain where the amount is listed as 'achieved' we provided specialist support/casework for the client including representation at tribunal. 'Confirmed' outcomes encompass support/advice for client and/or family/carers to progress, i.e. empowering clients to make informed decisions and take action. The level of our support varies from client to client, but also considers the clients ability to progress their own case and the charity's capacity.

If Citizens Advice Merton and Lambeth can assist further in explaining the experience of PIP for Merton residents, please contact Karen Brunger (Head of Advice Services) on [karen.brunger@caml.org.uk](mailto:karen.brunger@caml.org.uk) or Alan Wylie (Merton Disability Benefits Adviser) on [alan.wylie@caml.org.uk](mailto:alan.wylie@caml.org.uk).

Our services and support for individuals and families throughout Merton are only possible with the support of Merton Council.

**2 March 2018**

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