

Disability Law Service

Fighting injustice for disabled people

A Guide to

Personal Independence Payments (PIP)

What is Personal Independence Payment (PIP)?

Personal Independence Payment (PIP) is your entitlement to extra money if you have an illness, disability or mental health conditions. It is made up of 2 components: daily living and mobility.

If you are entitled to PIP, this will not replace but come in addition to your existing benefits. Your eligibility does not depend on your income, savings, or your work. PIP is replacing DLA for people aged 16-64. DLA will continue only for those aged 65 or over on 8 April 2013.

Note DLA will not automatically convert to PIP. You must make a new claim for Personal Independence Payment on or before the child's 16th Birthday.

What are the eligibility requirements?

1. You must be aged 16-64
2. You have a long-term physical or mental health condition or disability
3. You must need help in carrying out everyday tasks or getting around
4. You should have need this help for at least 3 months, and expected to need it for another 9 months
5. You should usually be living in England/Scotland/Wales when you apply
6. You should have lived in England, Scotland and Wales minimum two years, unless you are a refugee or are related to a refugee in your immediate family

If you do not live in England/Scotland/Wales...

- You have lived in another EEA country, but currently resident in UK with a genuine and sufficient link with the UK social security system

There are *exceptions* if you are terminally ill or in the armed forces.

Your eligibility to PIP is primarily about the *level of help* you need. Your condition and the medication you take are not therefore the sole determinants of your eligibility. Because of this, it is difficult to predict if you will be entitled to PIP, and if so, how much. But you should consider making an application if you need help with basic everyday tasks including cooking, dressing, washing and understanding information.

How to apply for PIP? Stages to follow

- 1) Call the DWP: you should contact DWP using the designated claim line below and express your wish to apply for PIP.

PIP claim line

Telephone: 0800 917 2222

Textphone: 0800 917 777

Monday to Friday, 8am to 5pm

Calls are free from landlines and mobiles

During this call, you will be requested to provide some basic information. Therefore, make sure you have the following details ready before you make your call:

- Your full name, address, and phone number
- Your National Insurance Number
- Your bank account details
- Contact details of your GP and any other healthcare professionals
- Details and particularly the dates of any hospital stays or residential care
- Your nationality/immigration status
- Details of your visit/stay if you have been abroad longer than a four-year duration in the last 3 years

2) Fill in the form they send you

DWP can take up to two weeks to send you a PIP2 form. This form is primarily designed to find out how your disability affects your basic daily activities and it is therefore a good idea to think about potential risks and the impact doing these activities would have on you. You may want to keep a diary of symptoms and difficulties you have during day to day activities, or obtain supporting evidence for your application.

Once arrived, the form should be completed within 4 weeks. If you need an extension, you should call PIP on 0800 121 4433. Generally, a 2-week extension is granted but this can be extended to up to 4 weeks if you have reasons such as ill health, bereavement etc. A Case Manager will decide if they can extend the deadline and you might be requested to submit evidence, for example of your ill health.

If you do not return the form within a month and do not provide a good reason, your claim will be disallowed.

3) If you are called, go to a face-to-face assessment

This assessment will be carried out by a Healthcare professional. If you cannot attend this meeting, you should inform the office arranging the consultation as soon as possible, and give reasons why you are unable to attend the meeting. If you do not turn up to your meeting without a good reason and without informing the office, your claim will be disallowed.

DWP will consider your PIP2 application, the Healthcare Professional's assessment report and any further medical evidence that you submit. You will then receive a decision letter.

What happens once you are entitled to PIP?

Being awarded PIP means that you get extra money alongside your other benefits, which you will be paid every 4 weeks. However, if you are terminally ill, your PIP will be paid every week.

You might also:

- Get a top-up (i.e. "premium") on the benefits below if you get PIP:
 - Housing benefit
 - Jobseeker's allowance
 - Income support
 - Working tax credit
 - Employment and support allowance
 - Pension credit

- Generally, DWP will specify the period of your PIP entitlement. DWP will write to you up to a year before the end of your award so that you make a new claim.
- Consideration of your claim can take a long time; therefore, it is advisable that you start preparing your new claim before your old claim ends.

How much PIP can you get?

There are 2 parts to PIP:

- **Daily living** tasks (everyday activities)

These tasks include:

- Eating, drinking, food preparation
- Washing, bathing, toilet use
- Dressing and undressing
- Reading and communicating
- Managing your medicines

- **Mobility** tasks (getting around)

These tasks include:

- Physically moving around
- Leaving your home
- Working out a route and following it

How much PIP you can get will depend on how difficult you find these tasks.

	Standard	weekly	Enhanced	weekly
	rate		rate	
Daily living	£72.65		£108.55	
Mobility	£28.70		£72.65	

If you are terminally ill (have less than 12 months to live), you will automatically receive the daily living part. PIP is tax free and the amount you receive is not affected by your savings or income.

What if you disagree with the DWP's decision?

You can challenge the DWP decision within one month if:

- You do not understand the decision
- You are offered a lower component than you expected
- You disagree with the length of the award

You can apply for mandatory consideration if you write to the DWP **within a month** of receiving its decision. The decision date is the date written in the decision letter DWP will send you. The address you should write to is on the decision letter sent by the DWP. If your request is outside of the one month time limit you should explain why you are late, and give specific reasons, facts and medical evidence to support your application.

It is important not to miss this deadline: the longer you take, the more difficult it gets to challenge the DWP's decision.

If you miss the one-month deadline, DWP **can** decline an application on the basis of lateness. But you can still try to send them your mandatory consideration, if you still contact them within the 13 months from the date of their original decision (as found in the decision letter).

If DWP does not change its decision, do not be discouraged. Not many decisions are overturned at this stage. You can take your challenge to the second stage: if your mandatory reconsideration is declined, it is possible to appeal to a tribunal.

Appealing the DWP's decision to a tribunal

If you disagree with the DWP's Mandatory Reconsideration decision, you can lodge an appeal with the Tribunal's Service (HMCTS) within one month. You will be sent 2 copies of the

'mandatory reconsideration notice.' You should send one copy with your appeal form in order to appeal the DWP's decision.

Appealing is **free**. Statistics show more than 68% of appeals result in changes to the DWP's decision; therefore, appealing is highly recommended.

If after your mandatory consideration/appeal to the tribunal DWP's decision is overturned, you will start receiving your PIP payment immediately, which will start from the date of original decision written in the letter. If DWP decides to change the rate of your pay, you will receive the difference for the time DWP took to make a decision.

What if there is a **change to your situation?**

If there is a change to your situation, you should inform the DWP immediately. This is very important because it could mean you losing out some of the money you might be entitled to, or it could mean you having to pay back some of the money you have received.

Some of changes you must report include:

- Your personal details change
- The help you need or your condition changes
- Your condition has worsened, and you are not expected to live more than 12 months
- You go into hospital or care home
- You go abroad
- You are imprisoned or held in detention
- You do not have to report **all** the changing circumstances, however. You do not have to report changes such as leaving work, returning to work, or changes in your earnings. You just have to report *changes in your health condition(s) which impacts on your ability to complete activities of daily living and/or mobility.*
- Your immigration status has changed

Any change to circumstances is treated like a new application. Therefore, it is advisable that you get medical evidence before requesting reassessment of your circumstances.