



Personal Independence Payment

What is Personal Independence Payment?

Personal Independence Payment (PIP) is an additional payment for claimants with longer-term illnesses or disabilities, affecting their ability to perform everyday self-care actions and/or causing difficulties with mobility.

Personal Independence Payment is not based on the claimant having paid sufficient National Insurance contributions, nor is it a taxable income. It can be paid regardless of whether the claimant is in work or not.

Is it the same as Disability Living Allowance?

Personal Independence Payment replaces Disability Living Allowance (DLA) for all working age adults (aged 16 –64 years). Adults can no longer claim Disability Living Allowance for the first time. Disability Living Allowance remains the appropriate benefit for children under 16; adults over 65 making a new claim should claim Attendance Allowance.

Claimants cannot receive Disability Living Allowance and Personal Independence Payment at the same time.

Disability Living Allowance or Personal Independence Payment?

When a fixed term award of Disability Living Allowance (DLA) ends the claimant is invited to make a claim for Personal Independence Payment; they cannot make a renewal claim for Disability Living Allowance. 'Indefinite' DLA awards are now being transferred to Personal Independence Payment. Claimants with a current award of DLA do not need to take any action until they receive the letter inviting them to apply for Personal Independence Payment. The DWP will be sending a letter, which gives 28 days for the DLA claimant to start the Personal Independence Payment claim.

The only circumstance in which a claimant with DLA will transfer onto Personal Independence Payments before they are "invited" is when they request a

review of the rate at which they are paid (called a supersession) or if they choose to be assessed for Personal Independence Payment instead of Disability Living Allowance.

Qualifying conditions

There are a number of 'non-disability' tests that apply including age, residency & presence and immigration status and access to public funds.

Personal Independence Payment is only awarded where the disabled person has had the care/ mobility needs for at least three months and where these are expected to last for at least a further nine months* (*except where the claimant is terminally ill).

Different parts of Personal Independence Payment

There are two separate components of Personal Independence Payment: a daily living component and mobility component. Each component has two rates – the standard or enhanced rate; the level of PIP awarded depends on the difficulty experienced by the claimant.

Each component is divided in to a list of activities, which cover the main areas of daily living and mobility. Within each activity is a further list defining the extent of functional difficulty experienced (called 'descriptors'). Each descriptor has an allocated number of points – according to the level of difficulty experienced.

In order to meet the conditions for an award of either component at the standard rate a 'score' of 8 points is required. To qualify for the enhanced rate a 'score' of 12 points is required.

Awards will be made for a fixed period – usually from one to five years.

How do I claim Personal Independence Payment?

New claimants – including claimants whose fixed term Disability Living Allowance award is ending, should register a claim by calling **0800 917 22 22**. Initial information will be gathered during this telephone call and claimants will need to provide basic personal information, including their national insurance number, doctors' details and details about their health condition. This call can take around 20 minutes. Someone can help with making this call but the claimant must be present and will need to answer some questions.

Some claimants may have difficulty in moving past this first stage if they do not satisfy any of the 'non disability' tests, eg residence and presence or expected duration of illness.

What happens next?

After the initial telephone call a further form – “How your disabilities affect you” (PIP2), will be sent out. This form must be completed and returned within one month. Please see our factsheet '[How to complete the PIP2 form](#)'.

PIP Assessment

Personal Independence Payments are different from Disability Living Allowance in that a majority of claimants will undergo a face-to-face Assessment.

These Assessments are carried out by a private company on behalf of DWP – in most of Northants 'Capita' hold the contract. A Healthcare Professional, who has a medical background and is specifically trained to apply the PIP criteria, carries out assessments.

Assessments are usually undertaken at an assessment centre; in exceptional circumstances the assessment can be done at the claimant's home. A report is produced and sent to DWP for a PIP decision maker to review and make a decision on whether to make an award.

What if I do not agree with the decision?

Where the claim is refused or a lower level of PIP is awarded the claimant can challenge the decision.

Mandatory reconsideration rules apply to Personal Independence Payment decisions; this means the claimant **must** contact Personal Independence Payment to ask for a review of the decision before they can register an appeal. Claimants can provide further evidence at this stage to support the claim.

If, after Mandatory Reconsideration, the claimant remains unhappy with the decision on their entitlement they can lodge an appeal directly with HM Courts & Tribunal Service, but **must** include the statutory **Mandatory Reconsideration Notice** with the appeal.

Community Law Service can assist with completion of PIP2 “How your disability affects you” forms – but appointments are limited and it is important to contact us as soon as possible, particularly bearing in mind that the forms should be completed and returned within 1 month.

We can also assist with understanding decisions and the process of challenging a decision; our specialist benefit caseworkers may be able to assist to prepare an appeal.

Member of

advice UK

The voice of independent advice

Community Law Service offer specialist benefit advice to assist with identifying benefit entitlement, claiming benefits, understanding benefit decisions and registering benefit challenges and appeal. We can offer appointments to give advice and assistance to prepare for benefit appeals.

Community Law Service 49-53 Hazelwood Road, Northampton, NN1 1LG Tel: 01604 621038

www.communitylawservice.org.uk