

Website: www.gov.uk

Ken Butler
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Your Reference:

Our Ref: Fol 4693

Date: 17 December 2015

Dear Ken,

Thank you for your Freedom of Information request of 3 November 2015.
Please accept my apologies for the delay in replying. You asked:

I am seeking information as to whether the DWP have extra procedures they must follow before ending a Personal Independence Payment (PIP) claim for claimants with mental health conditions, learning disabilities or conditions affecting cognition or for claimants with complex needs.

Could I be sent any DWP guidance documents or otherwise that relate to the safeguarding of vulnerable claimants in relation to –

- ☐ *making a claim for PIP;*
- ☐ *failure to return PIP1 or PIP2 PIP claim packs;*
- ☐ *appointments for assessment whether by face to face appointment or home visit;*
- ☐ *passing a PIP claimant's to Atos or Capita for assessment despite no PIP2 claim pack being returned by them;*
- ☐ *a claimant's failure to attend without advance notice such a face to face or home visit appointment;*
- ☐ *decisions not to make an award of PIP or to make a PIP award of a lesser amount than that of DLA up until then in payment.*

DWP reply:

Making a claim for PIP

The invitation letter we send to Disability Living Allowance (DLA) customers to invite them to claim Personal Independence Payment (PIP) explains how to claim PIP; who can help them claim PIP; where to go for help and support; when to claim by and that DLA will end if they choose not to claim PIP.

The initial claim to PIP will be taken over the telephone. If required somebody can help the claimant make this call. Claimants will be asked if they have a mental, cognitive intellectual or developmental impairment. If they do, and they do not have someone else to help them, we note the PIP computer system that they may need additional support, so that we can ensure we provide that support as necessary throughout the claiming process.

If, during the initial call, the telephony agent identifies the claimant is struggling to understand, they need to consider arranging a visit to help with claim completion.

DWP policy is to ensure priority is given to 'vulnerable claimants'.

Please refer to the guidance sent with this letter:

- Chapter 30.06 Reassessment DLA Helpline 'Vulnerable claimants'
- The DWP Vulnerability Instructions in the separate PDF
- Chapter 27.03 new claim telephony 'Additional Support' and
- Chapter 27.06 Telephony new claims PIP Additional Mandatory Text Script

Failure to return PIP1 or PIP2 PIP claim packs

If there is no reply to this letter, we will send a reminder letter. If there is still no reply, the case manager will consider suspending payment of DLA. Where the claimant has been identified as requiring additional support, all possible options must be exhausted in an effort to get the claimant to complete a PIP1 claim including telephone contact and a visit from DWP Visiting.

Once a claimant has submitted their claim we will send them a "PIP2 How your disability affects you" questionnaire, on which they can provide additional details in support of their claim. A reminder [PIP.1006] is issued after 19 days if the PIP2 hasn't been returned. The claimant can ask for an extension to the calendar month. If a claimant who has been identified as having additional support needs fails to return their questionnaire, they will be referred directly to the assessment provider, so that their claim can be progressed.

Please refer to the guidance sent with this letter:

- Chapter 25.05 General - Claims completion support
- Chapter 30.05 Reassessment – Reassessment case worker action appendix j
- Chapter 30.04 Reassessment – Reassessment Case Manager Action
- Chapter 2 New claims process - PIP2 late return
- Chapter 8a Decision Making

Information about Good Reason is in the Advice for Decision Making - Staff Guide (ADM) Chapter P6. Further information on how to access the ADM is included below.

Appointments for assessment whether by face to face appointment or home visit

Face-to-face consultations will be an important part of the assessment for most individuals, allowing an in-depth look at their circumstances. However, they may not be appropriate for everyone, particularly people with the most severe

impairments or degenerative conditions. In cases where there is enough evidence on which to make an accurate assessment, individuals will not be required to attend a consultation, and their claim will be reviewed on the paper based evidence by the Assessment Provider. These decisions will be taken on a case-by-case basis however, as impairments can affect people in very different ways.

We recognise that for some individuals – for example, those with mental, intellectual, cognitive or developmental impairments – attending a consultation at an unfamiliar location could be stressful. We have made it very clear that when attending a face-to-face consultation individuals will be able to bring with them a relation, friend or possibly a professional who supports them, in order to support them or help them manage any anxiety they may feel.

Passing a PIP claimant's to Atos or Capita for assessment despite no PIP2 claim pack being returned by them

Please refer to the guidance sent with this letter:

- Chapter 2.15 New claims process PIP2 Timer and Extension for Return of PIP2 Requested
- Chapter 2.21 PIP2 late return
- Chapter 11.02 Interventions - Planned Interventions
- Chapter 9.02 Reconsideration following a Negative Determination - Referring the case to AP following non-return of PIP2
- Chapter 9.02 Reconsideration following a Negative Determination
- Chapter 11.1 unplanned interventions
- Chapter 7.01 Assessment Provider overview for CMS
- Chapter 30.4 Reassessment Case Manager Action

A claimant's failure to attend without advance notice such a face to face or home visit appointment

Where a claimant fails to attend a consultation, and the case is returned to DWP by the Assessment Provider, if the claimant has been identified as having additional support needs, DWP will contact the claimant to establish if there was good reason for the failure to attend.

Please refer to the guidance sent with this letter:

- Chapter 7.1 Assessment Provider Overview for CMs
- The System Assessment Questionnaire Chapter 7.01 Assessment Provider - Assessment Provider Overview for CMs Page 7 – Recommendations

Section 21 of the Freedom of Information Act allows us to direct you to information which is already reasonably accessible to you. Some of the information you requested is available on the Department's website Gov.uk:

Guidance on applying Good Reason is in the ADM Chapter 6 which can be accessed at:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/473399/admp6.pdf

The DWP PIP Assessment Guide can be accessed at:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/449043/pip-assessment-guide.pdf

Where a decision is made not to make an award of PIP or to make a PIP award of a lesser amount than that of DLA up until then in payment, we issue a decision notification letter which explains the decision in writing; that the claimant can contact us if they want us to explain the decision; they can ask for a reconsideration of the decision within a calendar month.

Please refer to:

- Chapter 8a Decision Making

DLA will continue for a period of 4 weeks from the DLA payday after the PIP decision is made.

If you have any queries about this letter please contact me quoting the reference number above.

Yours sincerely,

L Pugh
PIP Portfolio

Your right to complain under the Freedom of Information Act

If you are not happy with this response you may request an internal review by e-mailing freedom-of-information-request@dwpgsi.gov.uk or by writing to DWP, Central FoI Team, Caxton House, Tothill Street, SW1H 9NA. Any review request should be submitted within two months of the date of this letter.

If you are not content with the outcome of the internal review you may apply directly to the Information Commissioner's Office for a decision. Generally the Commissioner cannot make a decision unless you have exhausted our own complaints procedure. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow Cheshire SK9 5AF www.ico.gov.uk

