

DLA to PIP

There will be 2 reasons as to why someone would be asked to apply for PIP when they are already in receipt of DLA:

1. A child is reaching 16 years of age.
2. You are an adult in receipt of Disability Living Allowance and due to the changes made by the DWP you will have to transfer to Personal Independence Payments**.

In each case, a request letter will be sent from the DWP to confirm. You will be applying as a “**new**” claimant, although they say it is reassessment.

*** Please note that if you reached the age of 65 or over on 8th April 2013, and in receipt of DLA you will not be affected by the change and should remain on DLA and it will be renewed as usual.*

PIP Components and Award Rates

Care Component. The Disability(ies) / Condition(s) must be severe enough to need help with things such as washing, dressing, eating, getting to and from the toilet, communicating, and/or supervision required to avoid putting the child or others in substantial danger.

Mobility Component. The Disability(ies) / Condition(s) must be severe enough to need help with getting around.

Award Rates. The Care component has 3 rates of award; Lowest, Middle and Highest. The Mobility component has 2 rates of award: Lower and Middle.

The Component Rates are then decided by the DWP following Health Assessment*.

To Consider

Choosing to Claim PIP – Be Careful!

If you currently Claim DLA you can choose to Claim PIP instead of waiting to be re-assessed. **HOWEVER**, you should consider this option very carefully. Although you have qualified for DLA you may **NOT** qualify for PIP at all or will qualify for the lower rate(s) as the entitlement conditions are very different.

Evidence

You will need to provide evidence of your Disability(ies) / Condition(s). Wherever possible, the evidence must not be over 2 years old. Some examples are as follows:

- Doctors letter(s) confirming Disability(ies) / Condition(s) and how they affect you.
- Diagnosis report(s) from Consultant(s) and letters from the Hospital.
- Autism report (you will need to ask the Doctor to refer you for the assessment)
- Letter(s) from Occupational Therapist, Social Worker, Teacher, etc. to highlight up you or your Child's condition(s) and how this affects you or them in their daily life.

The more medical evidence you have to support your Claim and the Disability(ies) / Condition(s) you have, the better.

Process

1. If you have not received a letter in the post and you **choose** to transfer from DLA to PIP (see note above before doing so), telephone the PIP Claims Line to request a form. They are open Monday to Friday from 08:00 to 18:00.

Telephone: 0800 917 2222

Textphone: 0800 917 7777

NGT Text Relay (if you cannot hear or speak on the phone): 18001, then, 0800 917 7777

DWP Guidance <https://www.gov.uk/PIP>

2. Once you have received the form, please check the deadline date to return the completed form by. This will generally be 4 weeks from the date of your phone call.
3. Complete the form accordingly, then return in the envelope provided with the evidence. It is recommended that you send a copy of any evidence and keep the originals and where possible take a copy of the completed form for your records as this will aid if needing to do a Mandatory Reconsideration and go through Appeal. This will also aid you if you are asked to do go through a reassessment. Send by Recorded Delivery to ensure that you have a record of postage.
4. *Health Assessment. The DWP will write to you to request that you attend a Health Assessment. You will be given the location of where this will take place. You have a right to request a different location; if this is the case, contact the DWP using the number provided on the letter to change. The Assessment is carried out by a Healthcare Professional who is there to assess how a condition or conditions affects you. There may be a need to carry out a physical examination. Extra information or medical evidence can be brought along with you to aid with their report. A companion can attend for support and to supply additional information; this is strongly recommended. Once the Healthcare Professional has gathered the necessary information, the Assessment will end. This will be reviewed and a report created which will be passed to the decision maker in the DWP.
5. You will then await the decision of the DWP. A letter will be sent to you detailing their decision(s).

Decision(s) and Appeals

You will receive notification by post of the decisions made by the DWP and the reasons they have come to the decisions. You have a right to appeal the decision. There are 2 stages to go through:

1. **Mandatory Reconsideration.** In the first instance, if you are not in agreement with the decisions, you will have a finite amount of time to action what is known as a "Mandatory

Reconsideration". This is a letter from you to the DWP where you go through each point that they have included in their decision and decide which points you don't agree with. Include each point you don't agree with in your letter and the reasons as to why you disagree with each. If you have additional evidence you wish to include, please do so. Send the letter to the address given by Recorded Delivery within the deadline they have provided. Please ensure that you include the reference number given to you in the DWP letter.

2. **Appeal.** If the DWP does not agree with your Mandatory Reconsideration request, you will need to go through Appeal. This is where you will need to complete an SSCS1 form. This is available as an online form that you can download. In the letter to you, the DWP should state what the deadline for appeal is. A downloadable form is available online which you can then print and complete:

<https://www.gov.uk/government/publications/appeal-a-social-security-benefits-decision-form-sscs1>

You will need to complete the form as per instructions and return to the DWP along with any additional evidence you have. It is crucial to have some additional evidence (letters / reports, etc.) that will support the reason(s) as to why you wish to appeal. The form and the evidence will need to be sent by Recorded Delivery within the deadline they have provided. The following is a link to advice given by the DWP in appealing:

<https://www.gov.uk/government/publications/how-to-appeal-a-decision-by-dwp-sscs1a>

The DWP will arrange for an Appeal Hearing. It is recommended that you attend. A letter confirming date and time will be sent to you. You have a right to have a friend or advocate with you and this is strongly recommended.

The following page provides Useful Contacts and links to Factsheets produced by Disability Rights UK related to the PIP Application and Appeals Processes.

Useful Contacts / Websites

Department of Work and Pensions	Up to date information on Benefits in the UK: https://www.gov.uk/browse/benefits
Benefits Advice and Support	Citizens Advice (Portsmouth) Telephone: 023 9285 5855 Advice Portsmouth Telephone: 023 9279 4340 or 023 9279 4345
Advocacy to assist with Assessments and Appeals	Enable Ability Telephone: 023 9267 0012 or 023 9267 1846 Email: advocacy@enableability.org.uk
Resided outside the UK?	UK Government advice on applying for benefits: https://www.gov.uk/claim-benefits-abroad Citizens Advice on changes coming up in 2020: https://www.citizensadvice.org.uk/benefits/claiming-benefits-if-youre-from-the-EU/before-you-apply/check-if-you-can-get-benefits-if-youre-from-the-eu/

Disability Rights UK Related Factsheets

A guide to making the Claim	https://www.disabilityrightsuk.org/sites/default/files/pdf/PIPGuidetoclaiming24october%202018.pdf
How much is PIP?	https://www.disabilityrightsuk.org/pip-rates
Going into Hospital	https://www.disabilityrightsuk.org/personal-independence-payment-hospital
Where to get more help & information	https://www.disabilityrightsuk.org/more-information
Challenging Decisions	https://www.disabilityrightsuk.org/appeals-and-mandatory-reconsideration
Mandatory Reconsiderations & Appeals	https://www.disabilityrightsuk.org/appeals-and-mandatory-reconsideration https://www.disabilityrightsuk.org/appeals
Getting help with your Appeal	https://www.disabilityrightsuk.org/more-information