

# Personal Independence Payment – Policy Briefing Note

## Managing claims to Personal Independence Payment

### Objectives

1. This Policy Briefing Note builds on the operational delivery note published 9 May 2011<sup>1</sup> and sets out our early thinking on the ways in which people of working age could become entitled to Personal Independence Payment when it is introduced in 2013.
2. Our intention is that during the three years starting from April 2013, Disability Living Allowance (DLA) recipients of working-age will be assessed to establish if they are eligible for Personal Independent Payment. Where individuals satisfy the entitlement criteria for the benefit, they will be transferred from DLA to Personal Independence Payment. Those individuals who are not entitled to Personal Independent Payment, or who choose not to claim it, will not be able to retain their DLA as an alternative.
3. The Government has already made clear that Personal Independence Payment will not apply to children when it is introduced in 2013: this means that individuals below age 16 will continue to be able to claim DLA subject to the eligibility conditions. We have published a policy briefing note concerning the position of young people which provides more information. This is available on the DWP website at: [www.dwp.gov.uk/pip](http://www.dwp.gov.uk/pip)
4. We have started to consider the processes and support needed to underpin the way in which people could move onto Personal Independence Payment. One of our core objectives remains that we will involve disabled people and their representatives in shaping our approach. We have held early discussions with the Personal Independence Payment Implementation Development Group<sup>2</sup>. This has helped to gather views and has underlined the importance of effective, accessible and early information built around the needs of individuals in order to ensure that there is sufficient awareness of the changes, and people understand their responsibilities.

### Ways that people could become entitled to Personal Independence Payment

5. There are three ways that people could become eligible to Personal Independence Payment:

**New claims** – These claims could be received from individuals who would otherwise have claimed DLA.

**Natural changes** – These claims to Personal Independence Payment could occur when someone has a change to their circumstances, for example where someone

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<sup>1</sup> Personal Independence Payment: policy briefing note – Delivery – the operational approach. Department for Work and Pensions, May 2011. <http://www.dwp.gov.uk/docs/pip-briefing-delivery.pdf>

<sup>2</sup> Personal Independence Payment Implementation Development Group, our primary mechanism to consult with national and local organisations that represent a broad range of disabled people on the operational design, development and implementation of Personal Independence Payment.

reports a change in their condition or where a current award of DLA comes to an end.

**Managed changes** – Managed changes occur where there has been no change of circumstances and the Department initiates a reassessment of an existing DLA award.

## Considerations

6. The Government recognises that developing an effective and appropriate reassessment strategy is a detailed piece of work, in terms of who would be migrated at which point. There are important equality issues, which we are carefully considering and we want to involve disabled people, their families, and user-led organisations to get this important element of the reforms right. We will also ensure that lessons from the IB/ESA reassessment exercise are considered and that this learning is used to inform our administrative processes and design.
7. There are a number of key considerations that underpin our approach for reassessment, these are that –
  - The assessment strategy should be fair and easy to understand – disabled people and their representatives must be able to trust and have confidence in not just the decisions but the process overall;
  - Pensions, Disability and Carers Service, the Assessment Provider<sup>3</sup> and HM Courts and Tribunal Service must all have the necessary capacity and administrative systems in place, without unduly affecting day to day business for disabled people or their carers who also need to deal with the Department during this time;
  - All awards of DLA in respect of people of working-age are subject to reassessment. This includes those where an indefinite award has been made, in line with the Government's intention to ensure that Personal Independence Payment is focussed on those individuals experiencing the greatest challenges to living independent lives;
  - It must be affordable so that the way in which reassessment is delivered and managed is in line with the Department's financial commitments; and
  - It must be flexible and able to adapt in light of our operational experience – so that if necessary we can change and improve our approach.

## What we have done

8. We have discussed these principles and our early thinking with members of the Implementation Development Group. Some of the main views included that:

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<sup>3</sup> A contract will be let for the provision of the assessment by a third party. DWP is at the start of that process and an invitation to organisations to express an interest has been placed in the Official Journal of the European Union.

- Whilst some people are aware that the reassessment will be carried out over three years, they are worried about when their turn will come and how it will affect them;
  - There is a risk that customers would be less likely to report changes of circumstances if they are aware that this will lead to a reassessment of their award;
  - The majority of members felt that the fairest way to reassess cases was through random selection – but wanted to know more about how the Department would select individuals, for example by reference to a National Insurance Number;
  - Customers who currently are entitled to but are not paid DLA because of their particular circumstances, for example they are in hospital should not be reassessed until an award is in payment;
  - People aged 16-25 should be the last group to be migrated from DLA to Personal Independence Payment so that processes have been well-tested beforehand;
  - Seriously ill customers find it daunting going through the whole application process – it was felt that some individuals may need specific support.
9. We have also undertaken discussions with disabled people to develop our understanding. Some of these views which are set out below, differ to those expressed by members of the Implementation Development Group –
- There was no particular preference from claimants that reassessment should be through random selection, and some felt that we should put some kind of prioritisation in place.
  - It was felt that some customers may require additional or tailored support. For example, those with a serious mental health condition felt that they would need specific additional support with the process of reassessment.
  - A primary concern about reassessment was the risk that payment of DLA payment could cease prior to Personal Independence Payment having commenced. Ensuring continuity of payment was very important.
  - Those DLA recipients who perceive they have an 'indefinite award' tend to believe that they will stay on DLA and that the reassessment will not affect them.

### **Further work we will do**

10. We do not propose to set out a precise timetable at this stage and more work will be done to understand the detailed choices available to us. We will provide more information about our approach once this work is complete – however the Department will keep its approach under regular review as it recognises that it needs to be sufficiently flexible, and informed through our work with disabled people.