

Department for Work and Pensions

Consultation on the PIP assessment Moving around activity



Citizens Advice *Response* Northern Ireland

August 2013

Background

The DWP has set the criterion for the enhanced level of PIP in the moving around activity as:

Can stand and then move more than 1 metre but no more than 20 metres, either aided or unaided.

The benchmark distance has been reduced from 50 metres in earlier consultations to 20 metres in the proposed DWP legislation.

Citizens Advice Northern Ireland Approach

Citizens Advice is aware that the changes consulted upon in this exercise are not proposed to apply to Northern Ireland *per se*. Nevertheless, and notwithstanding the prerogative of the Assembly to make its own decisions in respect of DLA and PIP arrangements, we are responding to this consultation on the basis that any changes that would apply in England, Scotland and Wales would likely influence decisions and practice here.

Basic level of independence

As its name indicates, the aim of Personal Independence Payment is to assist people who have a long term health condition or disability to remain independent by helping them with the costs associated with their condition.

The second draft of the PIP assessment criteria states that:

50 metres is considered to be the distance that an individual is required to be able to walk in order to achieve a basic level of independence such as the ability to get from a car park to the supermarket.¹

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/181180/pip-second-draft-assessment-criteria-note.pdf p 61

Northern Ireland Norms for Mobility

Government guidance in relation to mobility in other areas supports the use of 50 metres as a benchmark:

- The Blue Badge scheme is eligible to people who cannot move independently more than 50 metres
- Planning guidance in Northern Ireland advises that disabled parking be provided within 50 metres of point of entry²
- Guidance on access recommends that seating is provided on pedestrian routes at intervals of at least every 50 metres³

Any proposed reduction by DWP of the 50 metres benchmark for enhanced mobility to one of 20 metres, would represent a major rupture with existing practice and accepted standards in Northern Ireland. If applied in a Northern Ireland context, it would represent a major rupture to the administration and planning of disability entitlements here. It would *ipso facto* defeat one of the given aims of the welfare reform programme, namely to simplify the administration of benefits and public administration and the interaction of citizens with those.

Inadequacy of a 20 metres Measure

People who can only walk a maximum of 20 metres are extremely restricted in terms of what they can do independently outside the home. Twenty metres does not take anyone far within a workplace, a further education college, a shopping centre or a cinema. Furthermore, it is a wholly inadequate threshold for users of Motability cars. The usefulness of that vital and valuable scheme would be hugely damaged if this PIP threshold was reduced - if participants are unable to park within 20 metres of their employment, their child's school or their leisure activity? Nor are there many people who live within 20 metres of a bus stop.

Northern Ireland has a large rural population with poor public transport, particularly in rural areas.⁴ Many people who are unable to move independently less than 20 metres will be unable to successfully avail of the use of a car if it cannot be parked very close to their destination, while most people in Northern Ireland who can move more than 20 metres but

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http://www.planningni.gov.uk/index/policy/supplementary_guidance/dcans/dcan11/dcan11_car_parking.htm

³ http://www.accesscode.info/buildings/6_11.htm

⁴ <http://www.ark.ac.uk/publications/updates/update11.PDF>

less than 50 metres will not be able to use public transport. For many a car is essential to allow them to get to work, attend hospital appointments or visit friends.

Independence and Government Policy

If eligibility is reduced to 20 metres many people with disabilities are not going to be able to gain a basic level of independence, leaving them housebound and isolated. Those who use their current DLA mobility award in order to get to work may have to give up their jobs if they do not qualify for PIP enhanced mobility. Others will drop out of education or their voluntary work. Their mobility needs will be pushed into other areas of government spending, such as social care and the NHS.

Indeed, the introduction of a 20 metre criterion would render the title Personal Independence Payment far less appropriate at enhanced mobility level as it would remove entitlement from a huge number of people who could benefit most from the social integration support – and independence - that the rate would afford them.

It will also have the likely consequences of increasing spending demands on other public services and budgets such as social care and the mental health services.

Moving outdoors

In the consultation the change to 20 metres is clarified as follows:

The benchmark of 20 metres was intended to allow us to distinguish between those who are effectively unable to get around due to reduced physical mobility – for example, people who are only able to move between rooms in their house but go no further – and those who have some, albeit limited, mobility.

This restricts PIP enhanced mobility to those who are effectively housebound.

However, this is quite different from the intention behind DLA. Only people who can “benefit from enhanced facilities for locomotion”⁵ are entitled to the mobility component of DLA. This means that you must be able to make outdoor journeys from time to time in order to receive the DLA mobility component.

The assessment criteria guidance for activity 12 says:

⁵ Disability Rights Handbook p26

This activity should be judged in relation to a type of surface normally expected out of doors such as pavements on the flat and includes the consideration of kerbs.⁶

Mobility Component DLA is clearly therefore constructed to serve people who have the capacity to leave their homes. This threshold change appears to reverse that approach entirely to limit its availability to people who can effectively not leave their home.

The 20 metre restriction will rule out those who most benefit from DLA mobility to pursue activities outside their home.

Individuals with conditions with a significant fatigue or pain element tell us that when they cannot walk 20 metres reliably, they do not feel like going out at all. There is little sense in targeting the PIP enhanced mobility on people who are unable or unwilling to leave their home, or, if they do leave the home, need a wheelchair to achieve independence in the world outside.

Cystic Fibrosis – A Social Worker’s View

A Cystic Fibrosis Social Worker with Belfast HSC Trust, who specialises full time in supporting adults with CF, said the following about the proposed changes:

“We very much encourage young people living with chronic illness to further their hopes and dreams with regard to succeeding in further education or employment. This is extremely important when you live against the backdrop of chronic, progressive illness which you have to manage every single day.

The ability to walk 20 metres alone in no way captures what a person needs to be able to do to have any kind of independent lifestyle. While some may be able to walk it, they may not be able to do this repeatedly. I know that the young people I work with can be so affected by infection that they are at times housebound and sometimes bedbound.”

This illustrates the ineffectiveness and unsatisfactory nature of a distance focused 20 metre test on one client group that Citizens Advice works with on a frequent basis.

⁶ PIP Assessment Guide p109 (4th April 2013)

Consistency of Approach

An explanation of why the benchmark has been reduced from 50 to 20 metres is given in 2.4 of the consultation:

We thought that these criteria could be applied consistently and would make it easy to differentiate between people who should be receiving the standard and the enhanced rate....We considered that if we used distances in the assessment criteria which are close together, practical differentiation might become harder, leading to more inconsistent outcomes.⁷

This assertion confuses improved clarity in decision outcomes with the actual entitlement of disabled citizens to enhanced mobility support in the PIP scheme. That is a fundamental error in approach, in our view.

Citizens Advice acknowledges the importance of clarity and of consistent and fair outcomes. However, there is no evidence that a reduction of the benchmark from 50 to 20 metres will in any way actually add clarity to decision-making.

The priorities for achieving consistent and clear outcomes in assessment is to ensure that proper measurement of whether the claimant can carry out the activity safely, repeatedly, in a reasonable time period and to an acceptable standard. For example:

- Will the claimant be asked to walk outside at the assessment centre, negotiating a kerb?
- If a claimant can walk 20 or 50 metres at assessment, will they be asked to wait another hour to see if they can repeat the activity?
- How will medical evidence be incorporated where it attests to the inadequacy of one-off testing arrangements for people with recurring and variable conditions?
- Will there be disabled parking within 20 or 50 metres of the centres?

As always, the greatest problem will be in getting the decision makers to accept claimants' self-reporting of how their condition affects them. This presents a particular difficulty for claimants with variable conditions. They may be able to complete an activity without pain, but then suffer ill-effects that night or the following day. They may be affected more in the winter than the summer. The reduction of the benchmark from 50 to 20 metres will not help in assessing these claimants' needs.

⁷ <https://www.gov.uk/government/consultations/consultation-on-the-pip-assessment-moving-around-activity>

It will, however, reduce the numbers of people entitled to enhanced rate of PIP mobility payment. It will consequentially reduce the social, economic and health advantages which the scheme can deliver in terms of better outcomes for clients.

Further Information:

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